

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Judge Sheri Bluebond, Presiding  
Courtroom 1539 Calendar**

Tuesday, July 6, 2021

Hearing Room 1539

10:00 AM  
2:00-00000

Chapter 0

**#0.00 All hearings scheduled for today will be conducted remotely, using ZoomGov video and audio.**

Parties in interest and members of the public may connect to the video and audio feeds, free of charge, using the connection information provided below.

Individuals may participate by ZoomGov video and audio using a personal computer (equipped with camera, microphone and speaker), or a handheld mobile device (such as an iPhone or Android phone). Individuals may opt to participate by audio only using a telephone (standard telephone charges may apply).

Neither a Zoom nor a ZoomGov account is necessary to participate and no pre-registration is required **but you must still notify Chambers at [Chambers SBluebond@cacb.uscourts.gov](mailto:SBluebond@cacb.uscourts.gov) of your appearance**". The audio portion of each hearing will be recorded electronically by the Court and constitutes its official record.

For more information on appearing before Judge Bluebond by ZoomGov, please see the information on the Court's website at:

<https://www.cacb.uscourts.gov/judges/honorable-sheri-bluebond> under the tab, "Telephonic Instructions."

**Hearing conducted by ZOOMGov.**

**Video/audio web address:** <https://cacb.zoomgov.com/j/16161090855>

**ZoomGov meeting number:** 161 6109 0855

**Password:** 148508

**Telephone conference lines:** 1 (669) 254 5252 or 1 (646) 828 7666  
(when prompted, enter meeting number and password shown above)

Docket 0

**Courtroom Deputy:**

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**CONT...**

**Chapter 0**

- NONE LISTED -

**Tentative Ruling:**

- NONE LISTED -

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**2:21-14009 Marhlyn Joel Sapugay**

**Chapter 7**

**#1.00** Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2017 Toyota Highlander VIN# 5TDYZRFH4HS188721

MOVANT: TOYOTA MOTOR CREDIT CORPORATION DBA TOYOTA FINANCIAL SERVICES

Docket 8

**Courtroom Deputy:**

ZoomGov Appearance by:

7/2/21 - Austin Nagel, (925)577-3430

**Tentative Ruling:**

Grant with waiver of Rule 4001(a)(3).

<b>Party Information</b>
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**Debtor(s):**

Marhlyn Joel Sapugay

Represented By  
Chirnese L Liverpool

**Movant(s):**

Toyota Motor Credit Corporation

Represented By  
Austin P Nagel

**Trustee(s):**

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
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10:00 AM

**2:21-14276 Young Kyu Chun and Wha Suk Chun**

**Chapter 7**

**#2.00** Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2015 Honda Odyssey VIN # 5FNR L5H43FB015329

MOVANT: AMERICAN HONDA FINANCE CORPORATION

Docket 9

**Courtroom Deputy:**

ZoomGov Appearance by:

7/2/21 - Vincent Frounjian, (818)859-7511

**Tentative Ruling:**

Deny request for relief under section 362(d)(2) due to existence of equity, but grant motion under section 362(d)(1) for cause (with waiver of Rule 4001(a)(3)) as debtor has voluntarily surrendered vehicle.

**Party Information**

**Debtor(s):**

Young Kyu Chun

Represented By  
Andrew S Cho

**Joint Debtor(s):**

Wha Suk Chun

Represented By  
Andrew S Cho

**Movant(s):**

AMERICAN HONDA FINANCE

Represented By  
Vincent V Frounjian

**Trustee(s):**

Carolyn A Dye (TR)

Pro Se

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**2:21-14297 Noel Burrowes**

**Chapter 7**

**#3.00** Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2019 Honda HR-V, VIN# 3CZRU6H39KG722623

MOVANT: HONDA LEASE TRUST

Docket 9

**Courtroom Deputy:**

ZoomGov Appearance by:

7/2/21 - Vincent Frounjian, (818)859-7511

**Tentative Ruling:**

Grant with waiver of Rule 4001(a)(3).

**Party Information**

**Debtor(s):**

Noel Burrowes

Represented By  
Kevin Tang

**Movant(s):**

HONDA LEASE TRUST

Represented By  
Vincent V Frounjian

**Trustee(s):**

David M Goodrich (TR)

Pro Se

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**2:21-12755 Hilmore LLC**

**Chapter 11**

**#4.00** Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 536 Hilgard Ave., Los Angeles, CA 90024

MOVANT: STRATEGIC ACQUISITIONS, INC.

Docket 31

**\*\*\* VACATED \*\*\* REASON: CONT'D. TO 7/27/21 @ 10AM**

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

6/21/21 -- Court approved stipulation continuing hearing to July 27, 2021 at 10:00 a.m. (See order for additional deadlines.) OFF CALENDAR FOR JULY 6, 2021.

<b>Party Information</b>
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**Debtor(s):**

Hilmore LLC

Represented By  
Crystle Jane Lindsey  
Daniel J Weintraub

**Movant(s):**

Strategic Acquisitions, Inc.

Represented By  
Harris L Cohen

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2:00 PM

**2:17-18256 Green-Light International, LLC**

**Chapter 7**

Adv#: 2:19-01183 DYE v. Burgee & Abramoff, P.C. et al

**#200.00** Motion for Order Accepting and Approving Settlement Agreement Delivered to the Court Pursuant to F.R.B.P. 7068

Docket 162

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

The provisions of FRBP 7068 do not override the requirements of FRBP 2019. Movant misreads the holding of Gordon v. Gouline (In re Gordon), 1995 U.S. Dist. LEXIS 20852 (D. Col. 1995). In that case, the trustee sued to enforce an offer of judgment made by defendants that the trustee had sued. The defendants argued that the trustee had not accepted the offer of judgment before it had expired because, even though acceptance had been communicated within the requisite 10-day period, the trustee's acceptance was conditioned on approval by the bankruptcy court under FRBP 9019. The defendants argued, therefore, that the offer had been withdrawn automatically at the expiration of the 10-day period because there had been no unconditional acceptance within the required period. According to defendants, the only way a trustee can accept a 7068 offer of judgment in a timely manner is by obtaining bankruptcy court approval under Rule 9019 within the 10-day period of Rule 7068. The District Court disagreed and treated the trustee's acceptance of the offer conditioned on bankruptcy court approval as effective for the purpose of Rule 7068.

The holding of Gordon does not actually discuss the issues raised in the present case. Can the other party to the litigation move for entry of judgment under Rule 7068 if the trustee never actually accepted the settlement, or if the trustee accepted the settlement and then reversed her position before entry of judgment or approval of the compromise under Rule 9019? Or can a bankruptcy court dispense with the need for a motion by the trustee under Rule 9019 if a litigant moves for entry of a judgment under Rule 7068? Or can a party to a mediation use communications that occurred in the context of

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CONT... **Green-Light International, LLC**

Chapter 7

a confidential mediation in an effort to prove that a meeting of the minds occurred in the absence of a written agreement indicating the parties' intention to waive confidentiality and be bound even before the parties have executed a formal written settlement agreement? These are thorny issues that are not resolved by the holding in Gordon.

Court agrees with the trustee that it is clear from the language of Rule 9019 that the court may approve a compromise only in response to a motion by the trustee on notice to creditors. And, before the court may approve that compromise, it must make the requisite findings under In re A&C Properties, 784 F.2d 1377 (9th Cir. 1986). The parties agree that whether to approve a compromise under this standard or not rests within the "sound discretion" of the Bankruptcy Court. In making this analysis, the court relies heavily on the judgment and analysis of the trustee as to the reasonableness of the settlement in question. In this case, there is no motion from the trustee, and the trustee does not recommend the settlement or is unwilling to assert that the proposed compromise satisfies the requisite standard. On these facts, the compromise cannot be approved.

Deny motion.

**Party Information**

**Debtor(s):**

Green-Light International, LLC

Represented By  
David S Hagen

**Defendant(s):**

Joseph Lanius

Represented By  
Stella A Havkin  
Steven M Berman

Burgee & Abramoff, P.C.

Represented By  
Amy L Goldman  
Lovee D Sarenas  
Stella A Havkin  
Steven M Berman

John Burgee

Represented By



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**CONT... Green-Light International, LLC**

**Chapter 7**

Amy L Goldman  
Lovee D Sarenas  
Stella A Havkin  
Steven M Berman

Robert Abramoff

Represented By  
Amy L Goldman  
Lovee D Sarenas  
Stella A Havkin  
Steven M Berman

Lanius Law & Associates, P.C.

Represented By  
Stella A Havkin  
Steven M Berman

**Movant(s):**

Lanius Law & Associates, P.C.

Represented By  
Stella A Havkin  
Steven M Berman

Joseph Lanius

Represented By  
Stella A Havkin  
Steven M Berman

**Plaintiff(s):**

CAROLYN A DYE

Represented By  
Steven M Berman  
Stella A Havkin

**Trustee(s):**

Carolyn A Dye (TR)

Represented By  
Steven M Berman

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**2:19-24335 Eun Ho Kim**

**Chapter 7**

Adv#: 2:20-01195 Dye v. Kim et al

**#201.00** Status Conference re: 11 (Recovery of money/property - 542 turnover of property),(13 (Recovery of money/property - 548 fraudulent transfer)),(41 (Objection / revocation of discharge - 727(c),(d),(e))), (91 (Declaratory judgment)) Complaint by Carolyn A. Dye against Eunho Kim, Eunho Kim as Trustee of the Eun Ho Kim Irrevocable Living Trust, Connie H. Kim, Connie H. Kim as trustee of The Eun Ho Kim Irrevocable Living Trust, Kye Sik Moon, Selk Group, Inc., a California Corporation

fr. 10-27-20, 1-19-21, 4-20-21, 5-4-21

Docket 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

10/28/20 -- Court entered order denying motion to dismiss, setting deadline of November 30, 2020 for filing of answers to complaint and setting status conference for January 19, 2021. (Parties are to file joint status report not later than January 5, 2021.)

1/5/21 -- Court orally granted motion for default judgment against defendant Connie Kim. Action remains unresolved as against other defendants.

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Tentative Ruling for January 19, 2021:

Set discovery cutoff for late April, 2021. When will plaintiff be in a position to bring her motion for summary judgment? Hearing required.

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1/22/21 -- Court signed scheduling order setting following dates:

Discovery cutoff -- May 17, 2021

Cont'd status conference -- April 20, 2021 at 2:00 p.m.

L/D to file joint status report -- April 6, 2021

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**CONT...**

**Eun Ho Kim**

**Chapter 7**

If motion for partial summary judgment is filed by March 9, 2021, it may be heard at the same time as the status conference.

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Tentative Ruling for April 20, 2021:

Status conference report represents that a motion for summary judgment will have been filed by the time of the status conference and will be set for hearing on May 25, 2021 at 2:00 p.m. Has such a motion been filed?

Discuss with parties issues surrounding scheduling of meet and confer and whether it makes sense to order this matter to mediation.

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Tentative Ruling for May 4, 2021:

Revisit status of action after conclusion of hearing on related matter.

6/7/21 -- Court entered stipulated judgment against defendant Kye Sik Moon.

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Tentative Ruling for July 6, 2021:

What, if any, claims remain unresolved (and not moot) in this adversary proceeding? Hearing required.

<b>Party Information</b>
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**Debtor(s):**

Eun Ho Kim

Represented By  
Simon S Chang  
Donald E Iwuchuku

**Defendant(s):**

Eun Ho Kim

Represented By  
Donald E Iwuchuku

Eunho Kim as Trustee of the Eun Ho

Represented By  
Donald E Iwuchuku

Kye Sik Moon

Represented By  
Donald E Iwuchuku

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**CONT...**

**Eun Ho Kim**

**Chapter 7**

Selk Group, Inc., a California

Pro Se

DOES 1 - 20, Inclusive

Pro Se

**Plaintiff(s):**

Carolyn A. Dye

Represented By  
Christian T Kim  
Ann Chang  
James A Dumas Jr

**Trustee(s):**

Carolyn A Dye (TR)

Represented By  
Christian T Kim  
Ann Chang  
James A Dumas Jr

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**2:20-10401 William K Spencer**

**Chapter 7**

Adv#: 2:20-01103 Nolan v. Spencer

**#202.00** Status Conference re: 62 (Dischargeability - 523(a)(2) false pretenses, false representation, actual fraud)) Complaint by Gwendolyn Nolan against William K Spencer

fr. 6-30-20, 10-6-20, 1-12-21, 2-23-21, 4-6-21

Docket 1

**\*\*\* VACATED \*\*\* REASON: CONT'D. TO 9/14/21 @ 2PM**

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

7/1/20 -- Court signed order setting discovery cutoff of September 30, 2020.

Tentative Ruling for October 6, 2020:

Where is joint status report that should have been filed by September 22, 2020? Have parties completed their discovery? Does either party anticipate filing any pretrial motions? Is this an appropriate matter to be sent to mediation? Hearing required.

-----  
Final Ruling for October 6, 2020:

Continue status conference to January 12, 2021 at 2:00 p.m. Parties should file joint status report not later than December 29, 2020.

-----  
Tentative Ruling for January 12, 2021:

Sanction counsel for each party \$150 for (again) failing to file joint status report in a timely manner. What is the status of this action? Have the parties now completed discovery? If not, are they requesting an extension of the discovery cutoff? Is this an appropriate matter to be sent to mediation? If not, why not.

Hearing required.

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**CONT... William K Spencer**

**Chapter 7**

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Tentative Ruling for February 23, 2021:

Parties seem to be somewhat confused as to what was to be filed two weeks before the pretrial conference. A status report is due two weeks before a status conference. A joint pretrial order is due two weeks prior to a pretrial conference. The court scheduled a pretrial conference. The parties should have lodged a joint pretrial order two weeks before the pretrial conference. The court does not need a status report. Impose sanctions of \$250 on counsel for defendant for failing to participate in the preparation of a joint pretrial order.

Does plaintiff want to file an amended complaint? If so, set deadline for this purpose, take pretrial conference off calendar and schedule a status conference. If not, continue pretrial conference to give the parties a further opportunity to prepare a JOINT pretrial order.

3/31/21 -- Court granted plaintiff's motion to continue pretrial conference to July 6, 2021 at 2:00 p.m. OFF CALENDAR FOR APRIL 21, 2021. NO APPEARANCE REQUIRED.

-----  
Tentative Ruling for July 6, 2021:

Court denied debtor's motion to dismiss on June 29, 2021 and set new deadline for debtor to file answer to amended complaint. Vacate pretrial conference and conduct this hearing as a status conference.

6/29/21 -- At hearing held this date on defendant's motion to dismiss, court took pretrial conference off calendar and scheduled status conference for September 14, 2021 at 2:00 p.m. Parties should file updated status report by August 31, 2021. APPEARANCES WAIVED ON JULY 6, 2021.

<b>Party Information</b>
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**Debtor(s):**

William K Spencer

Represented By  
Daniel King

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**CONT... William K Spencer**

**Chapter 7**

**Defendant(s):**

William K Spencer

Represented By  
Daniel King

**Plaintiff(s):**

Gwendolyn Nolan

Represented By  
Lane M Nussbaum

**Trustee(s):**

Carolyn A Dye (TR)

Pro Se