

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

Wednesday, November 02, 2016

Hearing Room 1539

10:00 AM

2:16-22263 FRED OBEDIAN

Chapter 7

#1.00 Order to Show Cause For Failure to Comply with 11 U.S.C. Section 109(h) re:  
Debtor received Credit Counseling Post Petition

Docket No: 15

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Debtor has now filed certificate of credit counseling, but that certificate reflects that counseling occurred post-petition, and debtor has not requested or obtained an exemption from *prepetition* credit counseling requirement. As debtor did not complete credit counseling within the 180 days *before* the commencement of the bankruptcy case, debtor is not eligible to be a debtor in this bankruptcy case.

Dismiss case. (Nothing precludes this debtor from refileing, but new filing would be debtor's second bankruptcy case within a year, meaning that automatic stay will terminate within 30 days unless debtor moves for and obtains an extension.)

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

FRED OBEDIAN

Represented By  
Dominic Afzali

**Trustee(s):**

Elissa Miller (TR)

Pro Se

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

Wednesday, November 02, 2016

Hearing Room 1539

10:00 AM

2:16-19177 Armenui Balyan

Chapter 7

#2.00 Reaffirmation Agreement Between Debtor and Ally Bank

Docket No: 9

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor? Is debtor current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

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

Armenui Balyan

Represented By  
Marc Weinberg

**Movant(s):**

Ally Bank

Represented By  
Brenda Groschen

**Trustee(s):**

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
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Courtroom 1539 Calendar**

Wednesday, November 02, 2016

Hearing Room 1539

10:00 AM

**2:16-21926 John Contreras and Azulena Berber**

**Chapter 7**

**#3.00** Reaffirmation Agreement Between Debtor and Ally Financial

Docket No: 11

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Is debtor driving the vehicle? If not, who is? Is original contract being modified in any way to benefit the debtor?

Agreement contemplates two cure payments. Did debtor make October cure payment? Will debtor be able to make November cure payment? Once those payments have been made, will the debtor be current on the payments? Will the debtor be able to remain current on the payments? Hearing required.

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

John Contreras

Represented By  
Raymond Perez

**Joint Debtor(s):**

Azulena Berber

Represented By  
Raymond Perez

**Movant(s):**

Ally Financial

Represented By  
Brenda Groschen

**Trustee(s):**

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
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Courtroom 1539 Calendar**

Wednesday, November 02, 2016

Hearing Room 1539

10:00 AM

2:13-35495 Mark A Prebe and Mary C Prebe

Chapter 7

#4.00 Trustee's Motion for Order Disallowing Claim of Angela Lu

fr. 9-28-16

Docket No: 667

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Service problems have been addressed. Court still has not received response. Grant motion. Disallow claim in full.

**Party Information**

**Debtor(s):**

Mark A Prebe

Represented By  
Giovanni Orantes  
Giovanni Orantes  
Giovanni Orantes

**Joint Debtor(s):**

Mary C Prebe

Represented By  
Giovanni Orantes  
Giovanni Orantes  
Giovanni Orantes

**Trustee(s):**

Elissa Miller (TR)

Represented By  
Alan G Tippie  
Steven Werth

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

Wednesday, November 02, 2016

Hearing Room 1539

10:00 AM

**2:11-13186 James F Liberto**

**Chapter 7**

**#5.00** Trustee's Motion For An Order:

(1) Authorizing Tax Account Funds To Be Treated As General Bankruptcy Estate Funds

(2) Confirming That Capital Gains Tax Liabilities Are Chapter 11 Administrative Expenses Occupying Second Priority In Distribution

Docket No: 401

**Courtroom Deputy:**

10/31/16 - James Liberto, (818)723-7398, has been approved for telephonic appearance on 11/2/16 @ 10am

**Tentative Ruling:**

Were the taxing authorities served at the addresses on the proofs of claim to the attention of anyone who has been involved in this matter?

Provided service is adequate, grant motion.

**Party Information**

**Debtor(s):**

James F Liberto

Pro Se

**Trustee(s):**

Richard K Diamond (TR)

Represented By

Michael G D'Alba

Richard K Diamond (TR)

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

Wednesday, November 02, 2016

Hearing Room 1539

10:00 AM

**2:12-11522 James Grove Seely, III and Gabriela Paul**

**Chapter 7**

**#6.00** Motion to Enforce Settlement and for Entry of Judgement Against James Grove Seely III and Gabriela Paul

Docket No: 438

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Court is not prepared to enter a judgment against the Seelys that requires them to pay \$125,000. They paid money to Kent, who absconded with it. The Court will enter an order directing that, if and when the Seelys ever receive any restitution from Kent, they are required to turnover the first \$125,000 of any monies that they receive from him to movant, but the settlement never contemplated that they would pay additional monies out of their pocket. Therefore, an order requiring them to pay this amount would not be an order *enforcing* the settlement agreement, it would be an order modifying the settlement to the advantage of one party and the detriment of another.

As the court previously noted, if CPE would like to rescind the settlement agreement for failure of consideration and bring a nondischargeability action now, that might work, but CPE should commence an adversary proceeding if it would like to seek that relief.

Under the circumstances, deny debtors' request for a continuance as unnecessary.

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

James Grove Seely III

Represented By  
Michael Jay Berger

**Joint Debtor(s):**

Gabriela Paul

Represented By

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
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Courtroom 1539 Calendar**

**Wednesday, November 02, 2016**

**Hearing Room 1539**

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10:00 AM

**CONT... James Grove Seely, III and Gabriela Paul**

**Chapter 7**

Michael Jay Berger

**Trustee(s):**

John J Menchaca (TR)

Represented By

Aaron De Leest

Eric P Israel

John J Menchaca (TR)

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
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Courtroom 1539 Calendar**

Wednesday, November 02, 2016

Hearing Room 1539

10:00 AM

**2:16-13852 East Coast Foods, Inc.**

**Chapter 11**

**#7.00** Motion RE: Objection to Claim Number 14 by Claimant Saquita Perkins

Docket No: 184

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Sustain objection. Disallow claim.

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

East Coast Foods, Inc.

Represented By  
Vahe Khojayan

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
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Courtroom 1539 Calendar**

Wednesday, November 02, 2016

Hearing Room 1539

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10:00 AM

**2:16-13852 East Coast Foods, Inc.**

**Chapter 11**

**#8.00** Motion RE: Objection to Claim Number 16 by Claimant Sade Kisob

Docket No: 180

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Sustain objection. Disallow claim.

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

East Coast Foods, Inc.

Represented By  
Vahe Khojayan

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

Wednesday, November 02, 2016

Hearing Room 1539

10:00 AM

**2:16-20178 Sunrise Logistic Group, Inc.**

**Chapter 11**

**#9.00** Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: Three (3) 2016 Hyundai Van Trailers \* VIN #'S 3H3V532C0GT063020; 3H3V532C3FT063030; 3H3V532C1GT063009

MOVANT: BANK OF OZARKS

Docket No: 33

**\*\*\* VACATED \*\*\* REASON: MATTER CALENDARED IN ERROR.  
MATTER RESCHEDULED TO 11/1/16 @ 10AM**

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

OFF CALENDAR. MOVED TO NOVEMBER 1, 2016 AT 10:00 A.M.

**Party Information**

**Debtor(s):**

Sunrise Logistic Group, Inc.

Represented By  
Steven A Schwaber  
Long Z Liu

**Movant(s):**

Bank of the Ozarks

Represented By  
Sara B Spaeth  
Long Z Liu

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

Wednesday, November 02, 2016

Hearing Room 1539

11:00 AM

**2:16-20178 Sunrise Logistic Group, Inc.**

**Chapter 11**

**#100.00** Motion To Substitute Attorney Long Z. Liu for Attorney Steven A. Schwaber

Docket No: 49

**\*\*\* VACATED \*\*\* REASON: CONT'D. TO 11/16/16 @ 10AM**

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

What is this conflict waiver for? It refers to joint clients. There are no joint clients. There is only one client -- the debtor. The supporting declaration says the professional has no prior relationship with the debtor. The conflict waiver does not clear anything up. It makes matters worse. It makes it appear that Tom Zhang is a joint client. He is not. Deny application without prejudice.

Applicant should submit a new application with an engagement agreement that makes clear that there is only one client -- Sunrise -- and that acknowledges that, even though Zhang may have provided the retainer (or perhaps is guaranteeing the fees?), he is NOT a client.

11/1/16 -- At hearing held this date, court was asked by proposed counsel for debtor to continue hearing to give counsel an opportunity to file supplemental declaration and new engagement letter clarifying that there is only one client -- the debtor -- and that Zhang is not a client. Court continued hearing to November 16, 2016 at 10:00 a.m. OFF CALENDAR FOR NOVEMBER 2, 2016. NO APPEARANCE REQUIRED.

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

Sunrise Logistic Group, Inc.

Represented By  
Steven A Schwaber  
Long Z Liu

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

Wednesday, November 02, 2016

Hearing Room 1539

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11:00 AM

**2:16-20178 Sunrise Logistic Group, Inc.**

**Chapter 11**

**#101.00** Scheduling and Case Management Conference in a Chapter 11 Case

fr. 9-28-16

Docket No: 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

When court continued status conference to November 2 at 11:00 a.m., it directed replacement counsel to file status report not later than October 21, 2016. Where is status report? Hearing required.

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

Sunrise Logistic Group, Inc.

Represented By  
Steven A Schwaber

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

Wednesday, November 02, 2016

Hearing Room 1539

11:00 AM

2:16-21770 Fast Real Estate Solutions

Chapter 11

#102.00 Scheduling and Case Management Conference in a Chapter 11 Case  
fr. 10-18-16

Docket No: 1

\*\*\* VACATED \*\*\* REASON: CONT'D. TO 11/9/16 @ 10AM

**Courtroom Deputy:**

9/21/16 - Summons and Notice of Status Conference for Setswana Consulting, C/O Mantsha Boikanya, Petitioning Creditor, returned from the U.S. Post Office as "Return to Sender. No Such Number. Unable to forward".

**Tentative Ruling:**

Court mailing to petitioning creditor Setswana Consulting was returned by the post office.

Has involuntary summons been served? If not, why not? Does debtor plan to contest the petition or consent to it? Why hasn't the debtor filed a written status report?

Hearing required.

(At hearing held October 18, 2016 on motion for relief from stay, counsel for alleged debtor represented that she will be filing a stipulation in which the debtor waives service of the summons and the parties agree to continue the status conference to date of hearing on a sale procedures motion, which will be held November 2, 2016 at 11:00 a.m.)

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Tentative Ruling for November 2, 2016:

Court anticipated that November 2 would be the date of hearing on a sale procedures motion. That motion was not filed until November 1, 2016 and has been set for hearing on November 9, 2016 at 10:00 a.m. Continue case status conference to November 9, 2016 at 10:00 a.m. OFF CALENDAR FOR NOVEMBER 2, 2016.

**Party Information**

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

**Wednesday, November 02, 2016**

**Hearing Room 1539**

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11:00 AM

**CONT... Fast Real Estate Solutions**

**Chapter 11**

**Debtor(s):**

Fast Real Estate Solutions

Pro Se

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

Wednesday, November 02, 2016

Hearing Room 1539

2:00 PM

**2:16-10742 Arroyo Vision Care, LLC**

**Chapter 11**

**#200.00** Motion For Order Approving Creditor PA Investment Fund, LLC's Disclosure Statement Describing Its Liquidating Chapter 11 Plan as Containing Adequate Information

Docket No: 140

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

See tentative ruling for matter no. 201.

**Party Information**

**Debtor(s):**

Arroyo Vision Care, LLC

Represented By  
Michael R Totaro

**Trustee(s):**

Elissa Miller (TR)

Represented By  
David M Goodrich  
Asa S Hami  
Daniel A Lev

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

Wednesday, November 02, 2016

Hearing Room 1539

2:00 PM

**2:16-10742 Arroyo Vision Care, LLC**

**Chapter 11**

**#201.00** Creditor PA Investment Fund, LLC's Disclosure Statement Describing Its Liquidating Chapter 11 Plan

Docket No: 138

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Many if not most of Trustee's objections to disclosure statement are well taken. Court has additional comments and questions on the form of the proposed disclosure statement. Hearing required.

**Party Information**

**Debtor(s):**

Arroyo Vision Care, LLC

Represented By  
Michael R Totaro

**Trustee(s):**

Elissa Miller (TR)

Represented By  
David M Goodrich  
Asa S Hami  
Daniel A Lev

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

Wednesday, November 02, 2016

Hearing Room 1539

2:00 PM

2:16-10742 Arroyo Vision Care, LLC

Chapter 11

#201.10 Trustee's Motion for Order:

(1) Approving Disclosure Statement in Respect of Chapter 11 Trustee's Plan of Reorganization for Arroyo Vision Care, LLC

(2) Establishing Related Voting and Confirmation Procedures, Deadlines, and Notices

fr. 10-19-16

Docket No: 146

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

See tentative ruling for matter no. 201.20.

**Party Information**

**Debtor(s):**

Arroyo Vision Care, LLC

Represented By  
Michael R Totaro

**Trustee(s):**

Elissa Miller (TR)

Represented By  
David M Goodrich  
Asa S Hami  
Daniel A Lev

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

Wednesday, November 02, 2016

Hearing Room 1539

2:00 PM

**2:16-10742 Arroyo Vision Care, LLC**

**Chapter 11**

**#201.20** Trustee's Disclosure Statement describing Chapter 11 Plan of Reorganization  
fr. 10-19-16

Docket No: 132

**Courtroom Deputy:**

10/31/16 - First Amended Disclosure Statement Filed

**Tentative Ruling:**

Tentative Ruling for October 19, 2016:

Notice is adequate. Court set deadline of filing disclosure statement for September 7, 2016. Disclosure statement was filed and served on that date. It later had to be refiled to correct an event code, but parties in interest were not affected. Reject any contentions re lack of service or inadequate notice.

Court rejects contention that there should be additional information in the disclosure statement regarding the value or condition of the property, but Court agrees that additional information concerning feasibility should be required. As the trustee's ability to perform under the plan will depend on the tenant's ability to make the rent payments and/or its willingness to make capital contributions, the trustee should supply a declaration and projections from the tenant to support the conclusion that payments will be forthcoming. With regard to the balloon payment, the trustee should provide a declaration (perhaps from the tenant), explaining where the money to pay the balloon will come from.

Plan should clarify whether/when/how the trustee plans to pay PA's post-petition claims.

Overrule contention that plan is unconfirmable on its face or was not proposed in good faith.

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Final Ruling for October 19, 2016:

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

Wednesday, November 02, 2016

Hearing Room 1539

2:00 PM

CONT... Arroyo Vision Care, LLC

Chapter 11

Continue hearing to November 2, 2016 at 2:00 p.m.

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Tentative Ruling for November 2, 2016:

Amended disclosure statement was filed October 31, 2016. As of November 1, 2016, court had not received its service copy of this version of the disclosure statement and has not therefore been able to review it to ascertain whether trustee has made required revisions.

**Party Information**

**Debtor(s):**

Arroyo Vision Care, LLC

Represented By  
Michael R Totaro

**Trustee(s):**

Elissa Miller (TR)

Represented By  
David M Goodrich  
Asa S Hami  
Daniel A Lev

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

Wednesday, November 02, 2016

Hearing Room 1539

2:00 PM

**2:16-10742 Arroyo Vision Care, LLC**

**Chapter 11**

**#201.30** Scheduling and Case Management Conference in a Chapter 11 Case  
fr. 3-16-16, 5-4-16, 8-10-16, 10-19-16

Docket No: 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

When Court appointed trustee, Court set case status conference for May 4, 2016 at 11:00 a.m. and instructed UST to include in order appointing trustee the date of the status conference and that a written status report will be due by April 22. This language did not find its way into the order. No status report was filed.

What is the status of this matter?

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Tentative Ruling for August 10, 2016:

When will trustee be filing chapter 11 plan? Continue case status conference to date that can serve as date of hearing on disclosure statement. Waive requirement of updated status report for next hearing.

Tentative Ruling for November 2, 2016:

Revisit status of case after conclusion of hearing on disclosure statement.

**Party Information**

**Debtor(s):**

Arroyo Vision Care, LLC

Represented By  
Michael D Kwasigroch

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

Wednesday, November 02, 2016

Hearing Room 1539

2:00 PM

**2:16-10742 Arroyo Vision Care, LLC**

**Chapter 11**

**#201.40** Trustee's First Amended Disclosure Statement in Respect of Chapter 11  
Trustee's First Amended Plan of Reorganization

Docket No: 160

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

Arroyo Vision Care, LLC

Represented By  
Michael R Totaro

**Trustee(s):**

Elissa Miller (TR)

Represented By  
David M Goodrich  
Asa S Hami  
Daniel A Lev

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

Wednesday, November 02, 2016

Hearing Room 1539

2:00 PM

**2:16-13852 East Coast Foods, Inc.**

**Chapter 11**

**#202.00** Debtor's Disclosure Statement describing Debtor's Chapter 11 Plan of Reorganization

Docket No: 171

**\*\*\* VACATED \*\*\* REASON: CONT'D. TO 1/11/17 @ 2PM**

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

10/17/16 -- Court approved stipulation continuing hearing to January 11, 2017 at 2:00 p.m. OFF CALENDAR FOR NOVEMBER 2, 2016.

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

East Coast Foods, Inc.

Represented By  
Vahe Khojayan