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

**Tuesday, November 15, 2016** **Hearing Room 1539**

10:00 AM

**2:16-10929 Mary Ann Brumbaugh** **Chapter 7**

**#1.00** Notice of motion and motion for relief from automatic stay with supporting declarations ACTION IN NON-BANKRUPTCY FORUM RE: In re: Marriage of Charlie Brumbaugh and Mary Ann Brumbaugh, Docket No. BD608-996

MOVANT: CHARLES BRUMBAUGH

fr. 9-6-16, 9-27-16

Docket No: 70

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

8/18/16 -- court granted trustee's motion for a continuance of this hearing, continuing hearing to September 27, 2016 at 10:00 a.m. OFF CALENDAR FOR SEPTEMBER 6, 2016.

9/14/16 -- Court approved stipulation continuing hearin g to November 15, 2016 at 10:00 a.m. OFF CALENDAR FOR SEPTEMBER 27, 2016. NO APPEARANCE REQUIRED.

Tentative Ruling for November 15, 2016:

Deny motion. Bankruptcy Court has exclusive jurisdiction to determine whether and to what extent property is property of the bankruptcy estate. See 28 U.S.C. section 1334(e)(1). There was no division of community property prebankruptcy. Any community property that exists is property of the bankruptcy estate. Bankruptcy court is not inclined to abstain from making the determination itself as to what is, or is not, community property.

**Party Information**

**Debtor(s):**

Mary Ann Brumbaugh Represented By
Teresa A. Blasberg

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

**Tuesday, November 15, 2016** **Hearing Room 1539**

10:00 AM

**CONT... Mary Ann Brumbaugh** **Chapter 7**

**Movant(s):**

| | |
|---|---|
| Charles Brumbaugh | Represented By<br>Steven R Fox |

**Trustee(s):**

| | |
|---|---|
| Richard K Diamond (TR) | Represented By<br>Zev Shechtman<br>Howard Kollitz<br>Paula Kane |

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

**Tuesday, November 15, 2016** **Hearing Room 1539**

10:00 AM

**2:16-11865 Jacqueline Delgado** **Chapter 7**

**#2.00** Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 10304 Ruthelen Street, Los Angeles, California 90047-4143

MOVANT: HRB MORTGAGE HOLDINGS, LLC.

Docket No: 35

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Tentative Ruling for October 18, 2016:

Motion does not contain any admissible evidence of value. Movant has attached a Broker's Price Opinion, but it is not signed by anyone and is not accompanied by a declaration. Deny motion or, if movant prefers and agrees to waive deadlines set forth in section 362(e), continue hearing to give movant an opportunity to provide admissible evidence of value.

Deny request for relief under section 362(d)(4). The transfer of a 15 percent interest in the property more than 6 years before the filing does not constitute sufficient evidence to persuade the bankruptcy court that the transfer was part of a scheme to hinder, delay or defraud anyone.

---

Final Ruling for October 18, 2016:

Continue hearing to November 15, 2016 at 10:00 a.m. Movant should file and serve supplemental declaration with admissible evidence of value and any additional evidence that may be available concerning bad faith and a notice of continuance not later than November 2, 2016. Notice of continuance should advise that oppositions will be due not later than November 11.

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Tentative Ruling for November 15, 2016:

# United States Bankruptcy Court
# Central District of California
## Los Angeles
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**Tuesday, November 15, 2016** **Hearing Room 1539**

10:00 AM

**CONT... Jacqueline Delgado** **Chapter 7**

Docket reflects filing of notice of continuance, but was any additional evidence of value filed? Hearing required.

**Party Information**

**Debtor(s):**

| | |
|---|---|
| Jacqueline Delgado | Pro Se |

**Movant(s):**

| | |
|---|---|
| HRB Mortgage Holdings LLC | Represented By<br>Gilbert R Yabes |

**Trustee(s):**

| | |
|---|---|
| John J Menchaca (TR) | Pro Se |

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

**Tuesday, November 15, 2016** **Hearing Room 1539**

10:00 AM

**2:16-19608 Andrew Sun** **Chapter 7**

**#3.00** Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 625 S. Berendo Street, #605, Los Angeles, CA 90005

MOVANT: BARCELONA TOWER, INC.

Docket No: 27

**Courtroom Deputy:**

11/14/16 - Mark Estle, (858) 720-0890, has been approved for telephonic appearance on 11/15/16 @ 10:00 am

**Tentative Ruling:**

Grant motion, including waiver of Rule 4001(a)(3). Make finding that bankruptcy case was part of a scheme to hinder, delay and defraud creditors that included the transfer of an interest in property without movant's consent and multiple bankruptcy filings affecting this property.

**Party Information**

**Debtor(s):**

| | |
|---|---|
| Andrew Sun | Pro Se |

**Movant(s):**

| | |
|---|---|
| Barcelona Tower, Inc. | Represented By<br>Mark D Estle |

**Trustee(s):**

| | |
|---|---|
| Richard K Diamond (TR) | Pro Se |

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

**Tuesday, November 15, 2016** **Hearing Room 1539**

10:00 AM

**2:16-21191 Shlomo Nahmany** **Chapter 7**

**#4.00** Notice of motion and motion for relief from the automatic stay with supporting declarations UNLAWFUL DETAINER RE: 131 N. Orlando Ave. Unit 301 Los Angeles, CA 90048

MOVANT: 131 N. ORLANDO, LLC.

Docket No: 27

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Debtor filed a bare-bones petition and didn't give movant notice of filing until after unlawful detainer complaint had been filed. Grant motion, without waiver of Rule 4001(a)(3), but with annulment.

**Party Information**

**Debtor(s):**

| | |
|---|---|
| Shlomo Nahmany | Represented By<br>Leslie Richards |

**Movant(s):**

| | |
|---|---|
| 131 N. Orlando LLC | Represented By<br>Carol G Unruh |

**Trustee(s):**

| | |
|---|---|
| David M Goodrich (TR) | Pro Se |

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

**Tuesday, November 15, 2016** **Hearing Room 1539**

10:00 AM

**2:16-21617 Tinesha Nicola Thomas** **Chapter 7**

**#5.00** Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 12716 Belhaven Avenue, Los Angeles, CA 90059

MOVANT: OCEANSIDE MORTGAGE COMPANY

Docket No: 22

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Grant without waiver of Rule 4001(a)(3).

**Party Information**

**Debtor(s):**

| | |
|---|---|
| Tinesha Nicola Thomas | Pro Se |

**Movant(s):**

| | |
|---|---|
| Oceanside Mortgage Company | Represented By<br>Brett P Ryan |

**Trustee(s):**

| | |
|---|---|
| John J Menchaca (TR) | Pro Se |

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

**Tuesday, November 15, 2016** **Hearing Room 1539**

10:00 AM

**2:16-22555 Grace Kim** **Chapter 7**

**#6.00** Notice of motion and motion for relief from the automatic stay with supporting declarations UNLAWFUL DETAINER RE: 16619 Yukon Ave., #101, Torrance, CA 90504

MOVANT: NEOS AGORA, LLC.

Docket No: 15

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Grant without waiver of Rule 4001(a)(3).

**Party Information**

**Debtor(s):**

| | |
|---|---|
| Grace Kim | Pro Se |

**Movant(s):**

| | |
|---|---|
| Neos Agora, LLC | Represented By<br>Su M Kim |

**Trustee(s):**

| | |
|---|---|
| Edward M Wolkowitz (TR) | Pro Se |

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

**Tuesday, November 15, 2016** **Hearing Room 1539**

10:00 AM

**2:16-19896 Lite Solar Corp.** **Chapter 11**

**#7.00** Notice of motion and motion for relief from automatic stay with supporting declarations ACTION IN NON-BANKRUPTCY FORUM RE: Kamana O'kala, LLC V. Lite Solar, LLC et al Docket Number: 3:16-CV-01532PK, Pending in USDC for the District of Oregon

MOVANT: KAMANA O'KALA, LLC.

fr. 10-4-16

fr. 9-27-16

Docket No: 35

***** VACATED *** REASON: CONT'D. TO 1/24/17 @ 10AM**

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Grant annulment to the extent necessary to validate the filing of the motions to remand and for transfer and relief from stay to the extent necessary to permit the Oregon District Court (or the Oregon Bankruptcy Court if matters have been referred there pursuant to the general order of reference) to adjudicate the remand and transfer motions. Continue hearing on the balance of the relief requested until we see the rulings on these motions.

11/10/16 -- Court approved stipulation continuing hearing to January 24, 2017 at 10:00 a.m. OFF CALENDAR FOR NOVEMBER 15, 2016.

**Party Information**

**Debtor(s):**

Lite Solar Corp. Represented By
Leslie A Cohen

**Movant(s):**

KAMANA O'KALA, LLC Represented By
Paul B George

# United States Bankruptcy Court
# Central District of California
## Los Angeles
## Chief Judge Sheri Bluebond, Presiding
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**Tuesday, November 15, 2016** **Hearing Room 1539**

10:00 AM

**CONT... Lite Solar Corp.** **Chapter 11**

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

**Tuesday, November 15, 2016** **Hearing Room 1539**

10:00 AM

**2:16-20178 Sunrise Logistic Group, Inc.** **Chapter 11**

**#8.00** Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2013 & 2014 Utility Dry Vans

MOVANT: WELLS FARGO EQUIPMENT FINANCE, INC.

Docket No: 58

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

(Debtor has not opposed motion.) There is equity in property, but not enough to provide adequate protection as value of property declines through use. Grant motion without waiver of Rule 4001(a)(3).

**Party Information**

**Debtor(s):**

| | |
|---|---|
| Sunrise Logistic Group, Inc. | Represented By<br>Steven A Schwaber<br>Long Z Liu |

**Movant(s):**

| | |
|---|---|
| Wells Fargo Equipment Finance, Inc. | Represented By<br>Jennifer Witherell Crastz |

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

**Tuesday, November 15, 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 THE OZARKS

fr. 11-2-16, 11-1-16

Docket No: 33

**Courtroom Deputy:**

11/7/16 - Sara B. Spaeth, (310) 736-6305, has been approved for telephonic appearance on 11/15/16 @ 10am

**Tentative Ruling:**

Tentative Ruling for November 1, 2016:

Collateral is personal property that is depreciating as the debtor uses it. Absent offsetting payments, there will be cause to grant relief under section 362(d)(1). Enter APO requiring debtor to remain current on future payments as a condition to continuation of the automatic stay.

---

Final Ruling for November 1, 2016:

Continue hearing to November 15, 2016 at 10:00 a.m. to give parties an opportunity to enter into adequate protection stipulation.

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Tentative Ruling for November 1, 2016:

Court has not seen adequate protection stipulation. Has one been filed? Has an order approving it been lodged? Hearing required.

**Party Information**

**Debtor(s):**

Sunrise Logistic Group, Inc. Represented By
Steven A Schwaber

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

**Tuesday, November 15, 2016** **Hearing Room 1539**

10:00 AM

**CONT... Sunrise Logistic Group, Inc.** **Chapter 11**

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**

**Tuesday, November 15, 2016** **Hearing Room 1539**

10:30 AM
**2:16-24862 Nasty Gal Inc.** **Chapter 11**

**#50.00** Debtor's Emergency Motion For Entry of Order Authorizing Debtor:

1) To Pay Pre-Petition Wages and Employee Benefits

2) Continuing Existing Employee Benefit Plans

3) Authorizing Banks and Financial Institutions to Honor and Process Checks and Transfers related to such relief

Docket No: 7

**Courtroom Deputy:**

11/10/16 - Benjamin Siegel, (818) 382-6200, has been approved for telephonic appearance on 11/15/16 @ 10:30 am

11/14/16 - Taylor Harrison, (212) 390-7831, has been approved for telephonic appearance on 11/15/16 @ 10:30 am

11/14/16 - Stuart Komrower, (201) 525-6331, has been approved for telephonic appearance on 11/15/16 @ 10:30 am

**Tentative Ruling:**

How was motion served? Provided service was adequate, grant motion, authorizing debtor to pay prepetition wages and honor prepetition benefits up to an aggregate of priority amount per employee, excluding insiders.

With regard to outstanding checks, debtor uses ADP to pay its payroll. Outstanding payroll checks should not be checks issued on any account of the debtor. Grant motion insofar as it seeks authority to let ADP's checks for prepetition wages clear. However, to the extent that any outstanding checks are issued on the debtor's accounts (perhaps for reimbursements (?), deny motion. Any outstanding prepetition checks for employee benefits (or anything else for that matter) should not clear. For any accounts on which such checks are written that remain open, debtor should stop payment on outstanding checks or otherwise take steps to ensure that bank does not

10:30 AM

**CONT... Nasty Gal Inc.** **Chapter 11**

honor the checks. If this results in the nonpayment of any noninsider priority wage or benefit claims, debtor may reissue post-petition check for payment of these amounts. (Debtor's form of order should include provisions to this effect.)

Motion, on page 6, seeks authority to "pay the ongoing and future administrative caims for wages, compensation and benefits of all Employees, including scheduled raises, as such are incurred in the ordinary course of the Debtor's business." Debtor does not need authority to pay post-petition wages in the ordinary course of its business. Court has not been given evidence from which it could determine whether any particular rate of payment or raise constitutes ordinary course for this debtor. Deny this request for relief.

**Party Information**

**Debtor(s):**

Nasty Gal Inc. Represented By
Scott F Gautier

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

**Tuesday, November 15, 2016** **Hearing Room 1539**

10:30 AM

**2:16-24862 Nasty Gal Inc.** **Chapter 11**

**#51.00** Debtor's Emergency Motion for Order Determining that Utilities are Adequately Assured of Future Payment or, In the Alternative, Establishing Procedures for Determining Request for Additional Assurance

Docket No: 10

**Courtroom Deputy:**

11/10/16 - Benjamin Siegel, (818) 382-6200, has been approved for telephonic appearance on 11/15/16 @ 10:30 am

11/14/16 - Taylor Harrison, (212) 390-7831, has been approved for telephonic appearance on 11/15/16 @ 10:30 am

11/14/16 - Stuart Komrower, (201) 525-6331, has been approved for telephonic appearance on 11/15/16 @ 10:30 am

**Tentative Ruling:**

How was motion served? Provided notice was adequate, court will set a date for a continued hearing now. Debtor should serve notice of the motion and the continued hearing date on utilities by a date set by the Court. Along with that motion should be a notice setting forth the deposits that the debtor intends to make with regard to each utility or a clear statement that the debtor does not intend to make a deposit and nevertheless believes that the utility has adequate assurance. Notice should be accompanied by payment of the actual deposits themselves. Utilities that do not object by a date certain will be deemed to have agreed to the adequate assurance that the debtor has proposed. If a utility does object, it should be required to specify in writing what it believes the debtor should be required to do in order to provide it with adequate assurance. If the parties are unable to resolve the issue consensually, the debtor should file the utility's request and its response by a date certain. Utility should have an opportunity to file a brief on this issue and the Court will resolve the question at the continued hearing. Utility will be precluded from terminating service until the resolution of the dispute.

**Party Information**

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

**Tuesday, November 15, 2016** **Hearing Room 1539**

10:30 AM

**CONT... Nasty Gal Inc.** **Chapter 11**

**Debtor(s):**

Nasty Gal Inc. Represented By
Scott F Gautier

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

**Tuesday, November 15, 2016** **Hearing Room 1539**

10:30 AM

**2:16-24862 Nasty Gal Inc.** **Chapter 11**

**#52.00** Debtor's Emergency Motion for an Order pursuant to 11 U.S.C. §§ 105(a), 345, 363, 1107 AND 1108 Authorizing the Debtor to:

1) Continue Using Existing Cash Management System

2) Maintain Certain Existing Bank Accounts for Limited Period

3) Continue Use of Existing Business Forms

Docket No: 11

**Courtroom Deputy:**

11/10/16 - Benjamin Siegel, (818) 382-6200, has been approved for telephonic appearance on 11/15/16 @ 10:30 am

11/14/16 - Taylor Harrison, (212) 390-7831, has been approved for telephonic appearance on 11/15/16 @ 10:30 am

11/14/16 - Stuart Komrower, (201) 525-6331, has been approved for telephonic appearance on 11/15/16 @ 10:30 am

**Tentative Ruling:**

Provided notice was adequate, grant motion, with the following proviso. If prepetition checks are outstanding on any of the accounts that the debtor seeks to leave open, debtor must take steps to ensure that the bank does not honor any of these outstanding prepetition checks.

**Party Information**

**Debtor(s):**

Nasty Gal Inc. Represented By
Scott F Gautier

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

**Tuesday, November 15, 2016** **Hearing Room 1539**

10:30 AM

**2:16-24862 Nasty Gal Inc.** **Chapter 11**

**#53.00** Debtor's Emergency Motion for Entry of Order Approving the Debtors Key Employee Retention Plan

Docket No: 12

**Courtroom Deputy:**

11/10/16 - Benjamin Siegel, (818) 382-6200, has been approved for telephonic appearance on 11/15/16 @ 10:30 am

11/14/16 - Taylor Harrison, (212) 390-7831, has been approved for telephonic appearance on 11/15/16 @ 10:30 am

11/14/16 - Stuart Komrower, (201) 525-6331, has been approved for telephonic appearance on 11/15/16 @ 10:30 am

**Tentative Ruling:**

Provided notice was adequate, grant motion.

**Party Information**

**Debtor(s):**

Nasty Gal Inc. Represented By
Scott F Gautier

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

**Tuesday, November 15, 2016** **Hearing Room 1539**

10:30 AM

**2:16-24862 Nasty Gal Inc.** **Chapter 11**

**#54.00** Debtor's Emergency Motion for Entry of Order Authorizing Maintenance Administration and Continuation of Certain Customer Programs

Docket No: 15

**Courtroom Deputy:**

11/10/16 - Benjamin Siegel, (818) 382-6200, has been approved for telephonic appearance on 11/15/16 @ 10:30 am

11/14/16 - Taylor Harrison, (212) 390-7831, has been approved for telephonic appearance on 11/15/16 @ 10:30 am

11/14/16 - Stuart Komrower, (201) 525-6331, has been approved for telephonic appearance on 11/15/16 @ 10:30 am

**Tentative Ruling:**

Provided notice was adequate, grant motion.

**Party Information**

**Debtor(s):**

Nasty Gal Inc. Represented By
Scott F Gautier

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

**Tuesday, November 15, 2016** **Hearing Room 1539**

2:00 PM

**2:14-22533 RestoreGroup, Corp.** **Chapter 7**

Adv#: 2:16-01417 Menchaca v. Clayton Group Inc. et al

**#200.00** Status Conference re: 13 (Recovery of money/property - 548 fraudulent transfer)) Complaint by John J. Menchaca against Charles Clayton Kibby, Clayton Group Inc., Timothy Duffy

Docket No: 1

***** VACATED *** REASON: CONT'D. TO 2/14/17 @ 2PM**

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Continue status conference to February 14, 2017 at 2:00 p.m. Trustee and any party who has appeared by then should file and serve joint status report by January 31, 2017. Appearances waived on November 15, 2016.

**Party Information**

**Debtor(s):**

| | |
|---|---|
| RestoreGroup, Corp. | Represented By<br>Steven R Fox |

**Defendant(s):**

| | |
|---|---|
| Timothy Duffy | Pro Se |
| Clayton Group Inc. | Pro Se |

**Plaintiff(s):**

| | |
|---|---|
| John J. Menchaca | Represented By<br>David G Jimenez |

**Trustee(s):**

| | |
|---|---|
| John J Menchaca (TR) | Represented By<br>Leonard M Shulman<br>Melissa Davis Lowe |

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

**Tuesday, November 15, 2016** **Hearing Room 1539**

2:00 PM

**2:16-13182 Francisco Javier Robledo** **Chapter 7**

Adv#: 2:16-01265 United States Trustee for the Central District of v. Robledo

**#201.00** Status Conference re: 41 (Objection / revocation of discharge - 727(c),(d),(e))) Complaint by Peter C Anderson against Francisco Javier Robledo

fr. 8-9-16

Docket No: 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Tentative Ruling for August 9, 2016:

Defendant does not consent to entry of a final order in this adversary proceeding; however, this is an action to bar the debtor's discharge under section 727. There could be no clearer example of a core matter in which the bankruptcy court has authority to enter a final order. Enter an order to this effect. **[Defendant subsequently consented on the record to entry of a final order and later status report includes written consent.]**

Continue status conference for approximately 90 days to give parties an opportunity to commence discovery. Discuss with parties procedures for obtaining testimony from defendant and whether this might be an appropriate case for a motion for summary judgment.

---

Final Ruling for August 9, 2016:

Continue status conference to November 15, 2016 at 2:00 p.m. Parties should file joint status report not later than November 1, 2016.

---

Tentative Ruling for November 15, 2016:

Set discovery cutoff for late February, 2017 and continued status conference for approximately same time frame.

# United States Bankruptcy Court
# Central District of California
## Los Angeles
## Chief Judge Sheri Bluebond, Presiding
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**Tuesday, November 15, 2016** **Hearing Room 1539**

2:00 PM

**CONT... Francisco Javier Robledo** **Chapter 7**

**Party Information**

**Debtor(s):**

| | |
|---|---|
| Francisco Javier Robledo | Represented By<br>Gary Leibowitz |

**Defendant(s):**

| | |
|---|---|
| Francisco Javier Robledo | Represented By<br>Gary Leibowitz |

**Plaintiff(s):**

| | |
|---|---|
| United States Trustee for the Central Di | Represented By<br>Kelly L Morrison |

**Trustee(s):**

| | |
|---|---|
| Jason M Rund (TR) | Represented By<br>Thomas H Casey<br>Kathleen J McCarthy |

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

**Tuesday, November 15, 2016** **Hearing Room 1539**

2:00 PM

**2:10-18350 Vsevolod Okhrimovski** **Chapter 11**

Adv#: 2:12-01858 Okhrimovski v. Okhrimovskaya

**#202.00** Status Conference re: 91 (Declaratory judgment)) Complaint by Vsevolod Okhrimovski against Dina Okhrimovskaya

fr. 9-11-12, 12-18-12, 2-26-13, 4-16-13, 6-11-13, 9-10-13, 1-14-14, 4-29-14, 7-29-14, 9-2-14, 11-4-14, 3-31-15, 10-6-15, 2-2-16, 5-10-16

Docket No: 1

***** VACATED *** REASON: CONT'D. TO 11/30/16 @ 11AM**

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Court agrees that a general denial is not permissible in federal court. Set new deadline for defendant to file response to complaint. Continue status conference approximately 90 days. Order parties to complete a day of mediation prior to date of continued status conference.

---

9/21/12 -- Court signed order setting following dates:

Cont'd status conference -- December 18, 2012 at 2
L/D to file joint status report -- December 4, 2012
L/D to complete mediation -- December 18, 2012
L/D to lodge order appointing mediator -- October 9, 2012
L/D for defendant to file an amdned answer with specific denials and admissions -- October 9, 2012

9/21/12 -- Court issued OSC why defendant's answer should not be stricken and a default entered if the defendant fails to file an answer with specific denials and admissions by October 9, 2012. Hearing on OSC for December 18, 2012 at 2.

10/10/12 -- Court signed order appointing mediators.

---

Tentative Ruling for December 18, 2012:

2:00 PM

**CONT... Vsevolod Okhrimovski** **Chapter 11**

Continue status conference to January 15, 2013 at 2:00 p.m. to be heard concurrently with plaintiff's motion to dismiss counterclaim. **Parties should conduct mediation as previously ordered by the Court.** If parties need to lodge an order appointing additional mediators, they should do so and should be prepared to explain at the status conference why they have not taken steps to participate in mediation as previously directed by the Court in a diligent manner.

3/28/13 -- Court signed order approving stipulation continuing response and briefing deadlines and status conference to **June 11, 2013 (not May 28)** at 2:00 p.m. OFF CALENDAR FOR APRIL 16, 2013. NO APPEARANCE REQUIRED.

5/29/13 -- Court signed order approving stipulation continuing response and briefing deadlines and status conference to September 10, 2013 at 2:00 p.m. OFF CALENDAR FOR JUNE 11, 2013. NO APPEARANCE REQUIRED.

8/28/13 -- Court signed order approving stipulation continuing response and briefing deadlines and status conference to January 14, 2014 at 2:00 p.m. OFF CALENDAR FOR SEPTEMER 10, 2013. NO APPEARANCE REQUIRED.

1/7/14 -- Court signed order approving stipulation continuing response and briefing deadlines and hearing on motion to dismiss to April 29, 2014 at 2:00 p.m. OFF CALENDAR FOR JANUARY 14, 2014. NO APPEARANCE REQUIRED.

4/16/14 -- Court signed order approving stipulation continuing response and briefing deadlines and hearing on motion to dismiss to July 29, 2014 at 2:00 p.m. OFF CALENDAR FOR APRIL 29, 2014. NO APPEARANCE REQUIRED.

10/24/14 -- Court signed order approving stipulation continuing response and briefing deadlines and hearing on motion to dismiss to March 31, 2015 at 2:00 p.m. OFF CALENDAR FOR NOVEMBER 4, 2014. NO APPEARANCE

2:00 PM

**CONT... Vsevolod Okhrimovski** **Chapter 11**

REQUIRED.

3/18/15 -- Court signed order approving stipulation continuing response and briefing deadlines and hearing on motion to dismiss to October 6, 2015 at 2:00 p.m. OFF CALENDAR FOR MARCH 31, 2015. NO APPEARANCE REQUIRED.

10/2/15 -- Court signed order approving stipulation continuing response and briefing deadlines and hearing on motion to dismiss to February 2, 2016 at 2:00 p.m. OFF CALENDAR FOR OCTOBER 6, 2015. NO APPEARANCE REQUIRED.

1/25/16 -- Court signed stipulation continuing hearing to May 10, 2016 at 2 pm. OFF CALENDAR FOR FEBRUARY 2, 2016.

Tentative Ruling for May 10, 2016:

Revisit status of action after conclusion of hearing on motion to dismiss.

11/3/16 -- Court approved stipulation continuing status conference to November 30, 2016 at 11:00 a.m. OFF CALENDAR FOR NOVEMBER 15, 2016. NO APPEARANCE REQUIRED.

**Party Information**

**Debtor(s):**

Vsevolod Okhrimovski — Represented By Blake J Lindemann

**Defendant(s):**

Dina Okhrimovskaya — Represented By Aslan Khodorovsky

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

**Tuesday, November 15, 2016** **Hearing Room 1539**

2:00 PM

**CONT... Vsevolod Okhrimovski** **Chapter 11**

**Plaintiff(s):**

Vsevolod Okhrimovski — Represented By
Blake J Lindemann

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

**Tuesday, November 15, 2016** **Hearing Room 1539**

2:00 PM

**2:15-20351 CLARK WARREN BAKER** **Chapter 7**

Adv#: 2:15-01535 Murtagh v. BAKER et al

**#203.00** Plaintiff's Motion relief concerning non-party witness David Bender aka Kevin Kuritsky, including without limitation:

A). Striking Answer and entering default

B). Excluding deposition testimony of David Bender

C). Monetary sanctions against Clark Baker and his Counsel

D). Evidentiary Sanctions

Docket No: 170

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Court is not going to strike defendant's answer, and court will not summarily adjudicate disputed facts; however, it is undisputed that Bender did not make himself available for cross-examination at his deposition and that counsel for Baker was aware that this was Bender's game plan several days before the June 6 deposition. (See Exhibit 514.) Court will not permit Baker to rely on testimony provided by Bender if Murtagh is not permitted to cross-examine him. Opposition contains a lengthy discussion of alleged discovery abuses by plaintiff that are not the issue here. Bender is not willing to submit to cross-examination. His testimony cannot be introduced.

Grant motion insofar as it requests that Bender's testimony be excluded and that monetary sanctions be imposed to the extent necessary to compensate movant for the reasonable cost of bringing this motion and for the cost of preparing for and attending a useless deposition. Make a referral to the appropriate authorities to investigate whether criminal conduct has occurred with regard to witness. This inquiry would be better conducted by a trier of fact other than this court. Deny balance of relief requested in the motion.

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

**Tuesday, November 15, 2016** **Hearing Room 1539**

2:00 PM

**CONT... CLARK WARREN BAKER** **Chapter 7**

**Party Information**

**Debtor(s):**

| | |
|---|---|
| CLARK WARREN BAKER | Represented By<br>Alan F Broidy<br>Baruch C Cohen |

**Defendant(s):**

| | |
|---|---|
| CLARK WARREN BAKER | Represented By<br>Baruch C Cohen |

**Movant(s):**

| | |
|---|---|
| James Murtagh | Represented By<br>David P Bleistein |
| James Murtagh | Represented By<br>David P Bleistein |

**Plaintiff(s):**

| | |
|---|---|
| James Murtagh | Represented By<br>David P Bleistein |

**Trustee(s):**

| | |
|---|---|
| Sam S Leslie (TR) | Represented By<br>Carolyn A Dye |

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

**Tuesday, November 15, 2016** **Hearing Room 1539**

2:00 PM

**2:15-20351 CLARK WARREN BAKER** **Chapter 7**

Adv#: 2:15-01535 Murtagh v. BAKER et al

**#204.00** Plaintiff's Motion for:

A). Protective Order in Limine barring use of transcript of deposition of David Bender

B). Order Striking Baker's Answer

C). Money Sanctions against Baruch Cohen, Esq and Clark Baker

D). For Related relief, including referral to appropriate authorities

fr. 10-18/16

Docket No: 154

***** VACATED *** REASON: OFF CALENDAR**

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

9/29/16 -- Court granted motion continuing hearing to November 15, 2016 at 2:00 p.m. OFF CALENDAR FOR OCTOBER 18, 2016.

Motion has been superseded by matter no. 203 on calendar. OFF CALENDAR.

**Party Information**

**Debtor(s):**

CLARK WARREN BAKER — Represented By
Alan F Broidy
Baruch C Cohen

**Defendant(s):**

CLARK WARREN BAKER — Represented By
Baruch C Cohen

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

**Tuesday, November 15, 2016** **Hearing Room 1539**

2:00 PM

**CONT... CLARK WARREN BAKER** **Chapter 7**

**Movant(s):**

James Murtagh — Represented By David P Bleistein

James Murtagh — Represented By David P Bleistein

**Plaintiff(s):**

James Murtagh — Represented By David P Bleistein

**Trustee(s):**

Sam S Leslie (TR) — Represented By Carolyn A Dye

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

**Tuesday, November 15, 2016** **Hearing Room 1539**

2:00 PM

**2:15-20351 CLARK WARREN BAKER** **Chapter 7**

Adv#: 2:15-01535 Murtagh v. BAKER et al

**#205.00** Status Conference re: 67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny) (68 (Dischargeability - 523(a)(6), willful and malicious injury)) Complaint by James Murtagh against Clark Warren Baker

fr. 12-8-15, 2-9-16, 4-5-16, 5-10-16, 5-24-16, 5-31-16, 9-27-16

Docket No: 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Defendant's counsel should not handwrite documents to be filed with the Court. His writing is illegible.

Continue status conference to May 10, 2016 at 2:00 p.m. to be heard concurrently with related matters that will be on calendar for that date. OFF CALENDAR. NO APPEARANCE REQUIRED.

Tentative Ruling for May 31, 2016:

Revisit status of action after conclusion of related matters on calendar.

6/2/16 -- Court signed scheduling order setting following dates:
Cont'd status conference -- September 27, 2016 at 2:00 p.m.
L/D to file joint status report -- September 13, 2016
Discovery cutoff -- September 30, 2016
L/D to lodge order appointing mediator -- June 17, 2016
Deadline to complete mediation -- September 27, 2016

7/6/16 -- court approved order appointing mediators.

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Tentative Ruling for September 27, 2016:

2:00 PM

**CONT... CLARK WARREN BAKER** **Chapter 7**

Plaintiff has filed a notice of inability to prepare joint status report. Where is the declaration required by LBR 7016-1(a)(3) that must be included whenever a party submits a unilateral status report? Why haven't the parties used the mandatory status report form required by LBR 7016-1(a)(2)? When counsel for plaintiff provided a draft status report that did not comply with the Local Bankruptcy Rules, why didn't counsel for the defendant file a unilateral report in compliance with LBR 7016-1(a)(3)?

Impose sanctions of $150 on counsel for each of the parties. Counsel for the plaintiff is urged to download a current version of the Court's local rules, as he is apparently relying on an outdated version of the rules. He should refer to the Court's website.

As a result, although there is a great deal of alleged information contained in plaintiff's filing, none of it is evidence and it does not address the issues that are supposed to be included in the status report.

Set continued status conference in approximately 30 to 45 days. Parties are to file the required joint status report form not less than two weeks prior to the continued status conference.

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Tentative Ruling for November 15, 2016:

Revisit status of action after conclusion of hearing on matter no. 203.

**Party Information**

**Debtor(s):**

CLARK WARREN BAKER — Represented By
Alan F Broidy
Baruch C Cohen

**Defendant(s):**

CLARK WARREN BAKER — Represented By
Baruch C Cohen

**Plaintiff(s):**

James Murtagh — Represented By

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

**Tuesday, November 15, 2016** **Hearing Room 1539**

2:00 PM

**CONT... CLARK WARREN BAKER** **Chapter 7**

David P Bleistein

**Trustee(s):**

Sam S Leslie (TR) Represented By
Carolyn A Dye