

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

Tuesday, December 13, 2016

Hearing Room 1539

10:00 AM

**2:16-23213 VLS Investment Group**

**Chapter 7**

**#1.00** Notice of motion and motion for relief from automatic stay with supporting declarations ACTION IN NON-BANKRUPTCY FORUM RE: Erick Gonzalez vs. VLS Investment Group aka Vapour Life Style; docket number: 37-2015-00009336-CU-PL-NC; Superior Court of California, County of San Diego, North County Division

MOVANT: ERICK GONZALEZ

Docket No: 6

**Tentative Ruling:**

Grant without waiver of Rule 4001(a)(3). Include in order statement that automatic stay does not bar continued prosecution against any nondebtor defendants.

**Party Information**

**Debtor(s):**

VLS Investment Group

Represented By  
Quintin Shammam

**Movant(s):**

Erick Gonzalez

Represented By  
John T Richards

**Trustee(s):**

Howard M Ehrenberg (TR)

Pro Se

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**2:16-23676 YEN NGUYEN**

**Chapter 7**

**#2.00** Notice of motion and motion for relief from automatic stay with supporting declarations ACTION IN NON-BANKRUPTCY FORUM RE: THE NON-BANKRUPTCY ACTION IS: Bach Thanh Ceramics, Inc. vs. Khoa Nguney Le, et al; Docket Number: BC554424 & BC577144; Los Angeles Superior Court - Central District

MOVANT: HOA THUY TRAN

Docket No: 14

**Tentative Ruling:**

Unless movant files a timely nondischargeability action, there is no point in continuing to prosecute the state court action. Has movant filed such a complaint? Hearing required.

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

YEN NGUYEN

Pro Se

**Movant(s):**

HOA THUY TRAN

Represented By  
John Vozenilek

**Trustee(s):**

Sam S Leslie (TR)

Pro Se

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

**Chapter 11**

**#3.00** Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: Trailers \* (6) 2016 Hyundai Hycube's pertaining to lease #5174, dated 1/5/16

MOVANT: LUXURY AUTO LEASING

fr. 11-29-16

Docket No: 91

**\*\*\* VACATED \*\*\* REASON: 12/8/16 - CASE DISMISSED. NO APPEARANCE REQUIRED**

**Tentative Ruling:**

Tentative Ruling for November 20, 2016:

The debtor has provided evidence of insurance coverage, but, notwithstanding multiple similar prior hearings, has not offered to make adequate assurance payments sufficient to offset depreciation that will result from continued use of personal property collateral. Moreover, although Judge Bluebond's name appears on the service list for the opposition to items 6 and 7 on the calendar, her service copies have not appeared. Is debtor actually serving copies on the judge as required by the court manual?

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

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Final Ruling for November 29, 2016:

Continue hearing to December 13, 2016 at 10:00 a.m. to give parties an opportunity to work out adequate protection order.

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Tentative Ruling for December 13, 2016:

Deny motion as moot. Case has been dismissed. NO APPEARANCE REQUIRED. COURT WILL PREPARE ORDER.

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CONT... Sunrise Logistic Group, Inc.

Chapter 11

**Party Information**

**Debtor(s):**

Sunrise Logistic Group, Inc.

Represented By  
Steven A Schwaber  
Long Z Liu

**Movant(s):**

Steven L. Bryson

Represented By  
Steven L Bryson

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2:00 PM

**2:08-19905 Sheila K Barnes**

**Chapter 7**

Adv#: 2:16-01303 Gill Ch 7 Trustee v. Keaster et al

▪  
**#200.00** Status Conference re: 31 (Approval of sale of property of estate and of a co-owner - 363(h)), (11 (Recovery of money/property - 542 turnover of property)) Complaint by David A Gill Ch 7 Trustee against Richard Keaster, Lisa Keaster, Nicholas Keaster

fr. 10-18-16

Docket No: 1

**\*\*\* VACATED \*\*\* REASON: 11/21/16 - ADV. DISMISSED**

**Tentative Ruling:**

7/25/16 -- Court signed order approving stipulation continuing response deadline to September 20, 2016 and continuing status conference to October 18, 2016. OFF CALENDAR FOR SEPTEMBER 6, 2016.

10/4/16 -- Court entered order approving settlement agreement that provides for lump sum payment.

Tentative Ruling for October 18, 2016:

When does the trustee anticipate that he will be in a position to request dismissal of this action?

ACTION DISMISSED. OFF CALENDAR.

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

Sheila K Barnes

Represented By  
Robert R Tilton

**Defendant(s):**

Nicholas Keaster

Pro Se

Lisa Keaster

Pro Se

Richard Keaster

Pro Se

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**CONT... Sheila K Barnes**

**Chapter 7**

**Plaintiff(s):**

David A Gill Ch 7 Trustee

Represented By  
John N Tedford

**Trustee(s):**

David A Gill (TR)

Represented By  
John N Tedford

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**2:12-19793 Michael Joel Kamen**

**Chapter 7**

Adv#: 2:15-01525 KAMEN v. Kamen

■

**#201.00** Status Conference re: 61 (Dischargeability - 523(a)(6) domestic support),(64 (Dischargeability - 523(a)(15), divorce/sep property settlement/decre))  
Complaint by Lisa Cypers Kamen against Michael Joel Kamen

fr. 12-1-15, 12-8-15, 1-5-16, 2-9-16, 3-15-16, 4-26-16, 5-24-16, 6-28-16, 8-16-16, 10-18-16

Docket No: 1

**Tentative Ruling:**

10/30/15 -- Court approved stipulation continuing response date to November 13, 2015.

Tentative Ruling for December 1, 2015:

Papers filed less than 14 days before a hearing may not just be mailed to the judge. They must be delivered by some expedited means. (See Court Manual.)

Continue status conference to December 8, 2015 at 2:00 p.m. to be heard concurrently with motion to dismiss in related adversary proceeding.  
APPEARANCES WAIVED ON DECEMBER 1, 2015.

12/1/15 -- Court approved stipulation continuing hearing to January 5, 2016 at 2:00 p.m. OFF CALENDAR FOR DECEMBER 8, 2015.

12/23/15 -- Court approved stipulation continuing hearing to February 9, 2016 at 2:00 p.m. OFF CALENDAR FOR JANUARY 5, 2016.

Tentative Ruling for April 26, 2016:

Where is the joint status report that should have been filed by April 12?  
2/2/16 -- Court approved stipulation continuing hearing to March 15, 2016 at 2:00 p.m. OFF CALENDAR FOR FEBRUARY 9, 2016.

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CONT... Michael Joel Kamen

Chapter 7

3/9/16 -- Court approved stipulation continuing hearing to April 26, 2016 at 2:00 p.m. OFF CALENDAR FOR MARCH 15, 2016.

Tentative Ruling for May 24, 2016:

Parties reported in last stipulation that matter had been settled and that parties were memorializing their settlement. What is the status of that effort? What is the structure of the proposed settlement? Hearing required.

Tentative Ruling for June 28, 2016:

Has the settlement agreement been signed? How do the parties intend to proceed at this point?

Tentative Ruling for October 18, 2016:

Has the settlement agreement been signed? It was nearly fully executed on June 28. Has any progress been made since then? If not, why not? Hearing required.

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Final Ruling for October 18, 2016:

Continue hearing to December 13, 2016 at 2:00 p.m. Parties are to file joint status report not later than November 29, 2016. Parties will be filing stipulation for entry of judgment, resolving matter.

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Tentative Ruling for December 13, 2016:

Court has received neither stipulation for entry of judgment nor status report. Impose sanctions of \$150 each on counsel for the parties. What is the status of this matter?

**Party Information**

**Debtor(s):**

Michael Joel Kamen

Represented By

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CONT... Michael Joel Kamen

Chapter 7

Leslie A Cohen  
Neal Salisian  
Richard H Lee

**Defendant(s):**

Michael Joel Kamen

Represented By  
Matthew L Eanet

**Plaintiff(s):**

LISA CYPERS KAMEN

Represented By  
James B Smith

**Trustee(s):**

Richard J Laski (TR)

Represented By  
Jonathan M Weiss  
Sasha M Gurvitz

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**2:12-19793 Michael Joel Kamen**

**Chapter 7**

Adv#: 2:15-01527 Kamen et al v. Kamen

■

**#202.00** Defendant Michael Kamen's Motion to Dismiss Adversary Proceeding

fr. 12-8-15, 1-5-16, 2-9-16, 3-15-16, 4-26-16, 5-24-16, 6-28-16, 8-16-16, 10-18-16

Docket No: 12

**Tentative Ruling:**

12/1/15 -- Court approved stipulation to continue hearing to January 5, 2016 at 2:00 p.m. OFF CALENDAR FOR DECEMBER 8, 2015.

12/23/15 -- Court approved stipulation continuing hearing to February 9, 2016 at 2:00 p.m. OFF CALENDAR FOR JANUARY 5, 2016.

2/2/16 -- Court approved stipulation continuing hearing to March 15, 2016 at 2:00 p.m. OFF CALENDAR FOR FEBRUARY 9, 2016.

3/9/16 -- Court approved stipulation continuing hearing to April 26, 2016 at 2:00 p.m. OFF CALENDAR FOR MARCH 15, 2016.

Tentative Ruling for May 24, 2016:

Court has been advised that the parties have settled this matter. What is the structure of the proposed settlement?

Tentative Ruling for June 28, 2016:

Has the settlement agreement been signed? How do the parties intend to proceed at this point?

Tentative Ruling for October 18, 2016:

Has the settlement agreement been signed? It was nearly fully executed on

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CONT... Michael Joel Kamen Chapter 7

June 28. Has any progress been made since then? If not, why not? Hearing required.

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Tentative Ruling for December 13, 2016:

Court continued hearing to this date as a holding date, as parties report that they have resolved the matter and will be filing a stipulation re entry of judgment, yet court has not received stipulation. What is the status of this matter?

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

Michael Joel Kamen

Represented By  
Leslie A Cohen  
Neal Salisian  
Richard H Lee

**Defendant(s):**

Michael Joel Kamen

Represented By  
Matthew L Eanet

**Movant(s):**

Michael Joel Kamen

Represented By  
Matthew L Eanet

**Plaintiff(s):**

Aryel Kamen

Represented By  
James B Smith

Kayla Kamen

Represented By  
James B Smith

**Trustee(s):**

Richard J Laski (TR)

Represented By  
Jonathan M Weiss  
Sasha M Gurvitz

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**2:12-19793 Michael Joel Kamen**

**Chapter 7**

Adv#: 2:15-01527 Kamen et al v. Kamen

■

**#203.00** Status Conference re: 67 (Dischargeability - 523(a)(4) fraud as fiduciary, embezzlement, larceny)), (68 (Dischargeability - 523(a)(6), willful and malicious injury)) Complaint by Kayla Kamen, Aryel Kamen against Michael Joel Kamen

fr. 12-1-15, 12-8-15, 1-5-16, 2-9-16, 3-15-16, 4-26-16, 5-24-16, 6-28-16, 8-16-16, 10-18-16

Docket No: 1

**Tentative Ruling:**

10/30/15 -- Court approved stipulation continuing response date to November 13, 2015.

Tentative Ruling for December 1, 2015:

Papers filed less than 14 days before a hearing may not just be mailed to the judge. They must be delivered by some expedited means. (See Court Manual.)

Continue status conference to December 8, 2015 at 2:00 p.m. to be heard concurrently with motion to dismiss in related adversary proceeding.  
APPEARANCES WAIVED ON DECEMBER 1, 2015.

12/23/15 -- Court approved stipulation continuing hearing to February 9, 2016 at 2:00 p.m. OFF CALENDAR FOR JANUARY 5, 2015.

2/2/16 -- Court approved stipulation continuing hearing to March 15, 2016 at 2:00 p.m. OFF CALENDAR FOR FEBRUARY 9, 2016.

3/9/16 -- Court approved stipulation continuing hearing to April 26, 2016 at 2:00 p.m. OFF CALENDAR FOR MARCH 15, 2016.

Tentative Ruling for May 24, 2016:

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CONT...

**Michael Joel Kamen**

**Chapter 7**

Court has been advised that the parties have settled this matter. What is the structure of the proposed settlement?

Tentative Ruling for June 28, 2016:

Has the settlement agreement been signed? How do the parties intend to proceed at this point?

Tentative Ruling for October 18, 2016:

Has the settlement agreement been signed? It was nearly fully executed on June 28. Has any progress been made since then? If not, why not? Hearing

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Final Ruling for October 18, 2016:

Continue hearing to December 13, 2016 at 2:00 p.m. Parties are to file joint status report not later than November 29, 2016. Parties will be filing stipulation for entry of judgment, resolving matter.

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Tentative Ruling for December 13, 2016:

Court has received neither stipulation for entry of judgment nor status report. Impose sanctions of \$150 each on counsel for the parties. What is the status of this matter? required.

**Party Information**

**Debtor(s):**

Michael Joel Kamen

Represented By  
Leslie A Cohen  
Neal Salisian  
Richard H Lee

**Defendant(s):**

Michael Joel Kamen

Represented By  
Matthew L Eanet

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CONT... Michael Joel Kamen

Chapter 7

**Plaintiff(s):**

Aryel Kamen

Represented By  
James B Smith

Kayla Kamen

Represented By  
James B Smith

**Trustee(s):**

Richard J Laski (TR)

Represented By  
Jonathan M Weiss  
Sasha M Gurvitz

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**Tuesday, December 13, 2016**

**Hearing Room 1539**

2:00 PM

**2:14-31148 Vivian Marie Shaw**

**Chapter 7**

Adv#: 2:15-01165 Avery v. Shaw

▪  
**#204.00** Status Conference re: 11 (Recovery of money/property - 542 turnover of property), (91 (Declaratory judgment)) (31 (Approval of sale of property of the estate and of a co-owner - Section 363(h)); Complaint by Wesley H. Avery against Clyde Lucien Shaw

fr. 6-2-15, 7-21-15, 10-27-15, 1-26-16, 3-29-16, 5-31-16, 6-28-16, 8-30-16, 9-6-16

Docket No: 1

**Tentative Ruling:**

6/9/15 -- Court signed order setting aside defendant's default and giving him to and including June 30, 2015 to file and serve a response to complaint.

Tentative Ruling for July 21, 2015:

Continue status conference for approximately 90 days. Order parties to complete a day of mediation prior to date of continued status conference.

7/23/15 -- Court signed scheduling order setting following dates:

Cont'd status conference -- October 27, 2015 at 2:00 p.m.  
L/D to file joint status report -- October 13, 2015  
L/D to lodge order appointing mediators -- August 10, 2015  
L/D to complete mediation -- October 27, 2015

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Tentative Ruling for October 27, 2015:

Set discovery cutoff for mid to late January and final status conference for approximately same time frame.

11/3/15 -- Court signed scheduling order setting following dates:

Discovery cutoff -- January 30, 2016  
Cont'd status conference -- January 26, 2016 at 2:00 p.m.  
L/D to file status report -- January 12, 2016

1/15/16 -- Court signed order approving stipulation setting following dates:  
(Cont'd) Discovery cutoff -- March 31, 2016

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**CONT...**

**Vivian Marie Shaw**

**Chapter 7**

Status conference -- March 29, 2016 at 2:00 p.m.  
L/D to file joint status report -- March 15, 2016

OFF CALENDAR FOR JANUARY 26, 2016.

Tentative Ruling for March 29, 2016:

Where is the JOINT status report that should have been filed by March 15, 2016? Are parties on track to complete discovery by March 31, 2016? Hearing required.

4/4/16 -- Court signed scheduling order with the following dates:

Continued status conference -- May 31, 2016 at 2:00 p.m.  
L/D to file joint status report -- May 17, 2016  
Discovery cutoff -- May 31, 2016

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Tentative Ruling for May 31, 2016:

Plaintiff filed a 44 page unilateral status report on May 23, 2016 and MAILED a copy to Judge Bluebond. Papers filed less than 14 days before a hearing may not be served by mail. They must be served by some expedited means. Impose sanctions of \$50 on counsel for plaintiff for failing to arrange for service upon Judge Bluebond by some expedited means.

Where is the declaration that should accompany a unilateral status report? If defendant appears, advise defendant that failure to cooperate in discovery and to participate in preparation of joint status reports, pretrial orders, etc. is likely to result in the court's striking his answer to complaint and permitting plaintiff to proceed by way of default.

Tentative Ruling for June 28, 2016:

Revisit status of adversary proceeding after conclusion of related matters on calendar.

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Tentative Ruling for August 30, 2016:

Continue hearing to September 6, 2016 at 2:00 p.m. to be heard concurrently with motion for summary judgment.

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Tentative Ruling for September 6, 2016:

Revisit status of action after conclusion of hearing on motion for summary judgment.

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Tentative Ruling for December 13, 2016:

Since the court granted the trustee's motion for partial summary adjudication, the Court has

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**CONT...**

**Vivian Marie Shaw**

**Chapter 7**

received a notice from the defendant's daughters, reporting that the defendant has died. Although no one has appealed or moved for reconsideration or to set aside the court's September 9 order, the notice filed by the defendant's daughters seems to request that the motion for partial summary adjudication be set aside. There is no basis for this request for relief. The defendant had no viable defense to the entry of the September 9 order. His death does not change this result. In other words, the defendant's daughters are not entitled to inherit more from their father than their father would have been entitled to receive from the net proceeds of sale.

The debtor's daughters seem to believe that they are to be deprived of an inheritance to which they would be otherwise entitled. This is inaccurate. The court's September 9, 2016 judgment directs turnover of the property and authorizes the sale of the property pursuant to section 363(h), but it does not eliminate any rights that the daughters may have to inherit whatever share of the net proceeds of sale would have been paid to their father. The trustee has been authorized to sell the property and obtain possession of the premises, but is required to distribute the net proceeds of sale in accordance with the state court judgment dividing those proceeds as between the debtor and defendant. The trustee will need to hold the defendant's share of the net proceeds until it is clear who is authorized to administer the defendant's probate estate, but, once that becomes clear, trustee will pay the defendant's share of the net proceeds to that representative.

What, if any, progress has been made with regard to a sale of the property?

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

Vivian Marie Shaw

Represented By  
Damian M Nolan

**Defendant(s):**

Clyde Lucien Shaw

Pro Se

**Plaintiff(s):**

Wesley H. Avery

Represented By  
Brett B Curlee

**Trustee(s):**

Wesley H Avery (TR)

Represented By  
Brett B Curlee  
Marc Weitz

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**2:16-24013 Ninja Metrics, Inc. a Delaware corporation**

**Chapter 11**

Adv#: 2:16-01495 Ninja Metrics, Inc. a Delaware corporation v. Kolokotronis et al

■

**#205.00** Motion For Issuance of Limited Injunction And/Or Extending The Automatic Stay To Non-Debtor/Defendants

Docket No: 4

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR. NO APPEARANCE  
REQUIRED**

**Tentative Ruling:**

Motion has been withdrawn by movant. Off calendar. No appearance necessary.

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

Ninja Metrics, Inc. a Delaware corpora	Represented By Andrew Goodman
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**Defendant(s):**

Knight & Bishop, a California limited p	Represented By Brian M Metcalf
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Mark Kolokotronis	Represented By Brian M Metcalf
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**Movant(s):**

Ninja Metrics, Inc. a Delaware corpora	Represented By Andrew Goodman
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**Plaintiff(s):**

Ninja Metrics, Inc. a Delaware corpora	Represented By Andrew Goodman
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