

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
Courtroom 1568 Calendar**

Tuesday, October 11, 2016

Hearing Room 1568

10:00 AM

2:08-10666 Lars Erik Hanson

Chapter 7

Adv#: 2:08-01391 Blue Cross and Blue Sheild of Alabama et al v. Hanson et al

#1.00 Status Hearing: [1] Adversary case 2:08-ap-01391. Complaint by Blue Cross and Blue Sheild of Alabama et al against Lars Erik Hanson. false pretenses, false representation, actual fraud)),(68 (Dischargeability - 523(a)(6), willful and malicious injury)) (Shemano, David) ---

fr. 6-19-08; 7-17-08; fr. 12-18-08; 6-18-09; 2-17-2010; 6-17-10; 12-9-10; 6-22-11, 12-15-11, 1-5-12, 7-5-12; 2-7-13; 8-15-13; 9-5-13; 3-20-14; 9-25-14; 10-2-14; 4-14-15; 10-13-15; 4-12-16

SAM WU, for defendant, (909) 396-4642
DAVID SHEMANO, for plaintiff, (310) 552-3100
MARVIN WEXLER, for plaintiff, (212) 418-8600

fr. 6-16-11

Docket 1

***** VACATED *** REASON: CONTINUED 4-11-17 AT 10:00 AM**

Tentative Ruling:

12/16/2009

Hearing continued per stipulation.

Party Information

Debtor(s):

Lars Erik Hanson

Represented By
Sam X J Wu

Defendant(s):

Sam X J Wu

Pro Se

JAMES L BROWN

Pro Se

**United States Bankruptcy Court
Central District of California
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Courtroom 1568 Calendar**

Tuesday, October 11, 2016

Hearing Room 1568

10:00 AM

CONT... Lars Erik Hanson

Chapter 7

Lars Erik Hanson

Pro Se

Plaintiff(s):

Blue Cross and Blue Sheild of

Represented By
David B Shemano
Marvin Wexler

Trustee(s):

James L Brown

Pro Se

U.S. Trustee(s):

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court
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Courtroom 1568 Calendar**

Tuesday, October 11, 2016

Hearing Room 1568

10:00 AM

2:16-18539 Theresa Jesus Franco

Chapter 7

#2.00 HearingRE: [14] Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 4429 Whitney Drive, El Monte, CA 91731 .

Docket 14

Tentative Ruling:

10/6/2016

Tentative Ruling:

This Motion for relief from the automatic stay has been set for hearing on the notice required by LBR 4001(c)(1) and LBR 9013-1(d)(2). The failure of the Debtor, the trustee, and all other parties in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9013-1(f) is considered as consent to the granting of the Motion. LBR 9013-1(h). Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995).

The Motion is GRANTED pursuant to 11 U.S.C. § 362(d)(2) to permit Movant, its successors, transferees and assigns, to enforce its remedies to foreclose upon and obtain possession of the property in accordance with applicable law. Movant may not pursue any deficiency claim against the Debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Since a chapter 7 case does not contemplate reorganization, the sole issue before the Court when stay relief is sought under 11 U.S.C. § 362(d)(2) is whether the Debtor has equity in the property. See, e.g., Martens v. Countrywide Home Loans (In re Martens), 331 B.R. 395, 398 (8th Cir. BAP 2005); Ramco Indus. v. Preuss (In re Preuss), 15 B.R. 896, 897 (9th Cir. BAP 1981).

The subject property has a value of \$450,297 and is encumbered by a perfected deed of trust or mortgage in favor of the Movant. The liens against the property and the expected costs of sale total approximately \$494,966. The Court finds there is no equity and there is no evidence that the trustee can administer the subject real property for the benefit of creditors.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
Courtroom 1568 Calendar**

Tuesday, October 11, 2016

Hearing Room 1568

10:00 AM

CONT...

Theresa Jesus Franco

Chapter 7

This order shall be binding and effective despite any conversion of the bankruptcy case to a case under any other chapter of Title 11 of the United States Code. All other relief is denied.

Movant shall upload an appropriate order via the Court's Lodged Order Upload system within 7 days of the hearing

No appearance is required if submitting on the court's tentative ruling. If you intend to submit on the tentative ruling, please contact Daniel Koontz or Nathan Reinhardt, the Judge's law clerks at 213-894-1522. **If you intend to contest the tentative ruling and appear, please first contact opposing counsel to inform them of your intention to do so.** Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required. If you wish to make a telephonic appearance, contact Court Call at 888-882-6878, ext. 188 no later than one hour before the hearing.

Party Information

Debtor(s):

Theresa Jesus Franco

Represented By
Julie J Villalobos

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
Courtroom 1568 Calendar**

Tuesday, October 11, 2016

Hearing Room 1568

10:00 AM

2:16-19672 Ana Consuelo Aguirre

Chapter 7

#3.00 HearingRE: [11] Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2015 TOYOTA RAV4 With Proof of Service. (Loftis, Erica)

Docket 11

Tentative Ruling:

10/6/2016

Tentative Ruling:

This Motion for relief from the automatic stay has been set for hearing on the notice required by LBR 4001(c)(1) and LBR 9013-1(d)(2). The failure of the Debtor, the trustee, and all other parties in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9013-1(f) is considered as consent to the granting of the Motion. LBR 9013-1(h). Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995).

The Motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) for cause to permit Movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the Debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. The Court takes judicial notice of the Chapter 7 Individual Debtor's Statement of Intention in which the Debtor stated an intention to surrender the vehicle to Movant.

This order shall be binding and effective despite any conversion of the bankruptcy case to a case under any other chapter of Title 11 of the United States Code. Additionally, the 14-day stay prescribed by FRBP 4001(a)(3) is waived because Movant regained possession of the vehicle prepetition on June 28, 2016. Doc. No. 11. All other relief is denied.

Movant shall upload an appropriate order via the Court's Lodged Order Upload system within 7 days of the hearing.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
Courtroom 1568 Calendar**

Tuesday, October 11, 2016

Hearing Room 1568

10:00 AM

CONT... Ana Consuelo Aguirre

Chapter 7

No appearance is required if submitting on the court's tentative ruling. If you intend to submit on the tentative ruling, please contact Daniel Koontz or Nathan Reinhardt, the Judge's law clerks at 213-894-1522. **If you intend to contest the tentative ruling and appear, please first contact opposing counsel to inform them of your intention to do so.** Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required. If you wish to make a telephonic appearance, contact Court Call at 888-882-6878, ext. 188 no later than one hour before the hearing.

Party Information

Debtor(s):

Ana Consuelo Aguirre

Represented By
Raymond Perez

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
Courtroom 1568 Calendar**

Tuesday, October 11, 2016

Hearing Room 1568

10:00 AM

2:16-20767 Rebecca J. Osorio

Chapter 7

#4.00 HearingRE: [8] Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2012 MERCEDES-BENZ C CLASS, VIN WDDGJ4HB9CF784579 . (Wang, Jennifer)

Docket 8

Tentative Ruling:

10/6/2016

Tentative Ruling:

This Motion for relief from the automatic stay has been set for hearing on the notice required by LBR 4001(c)(1) and LBR 9013-1(d)(2). The failure of the Debtor, the trustee, and all other parties in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9013-1(f) is considered as consent to the granting of the Motion. LBR 9013-1(h). *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995).

The Motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) for cause to permit Movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the Debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. The Court takes judicial notice of the Chapter 7 Individual Debtor's Statement of Intention in which the Debtor stated an intention to surrender the vehicle to Movant.

This order shall be binding and effective despite any conversion of the bankruptcy case to a case under any other chapter of Title 11 of the United States Code. All other relief is denied.

Movant shall upload an appropriate order via the Court's Lodged Order Upload system within 7 days of the hearing.

No appearance is required if submitting on the court's tentative ruling. If you intend

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
Courtroom 1568 Calendar**

Tuesday, October 11, 2016

Hearing Room 1568

10:00 AM

CONT... Rebecca J. Osorio

Chapter 7

to submit on the tentative ruling, please contact Daniel Koontz or Nathan Reinhardt, the Judge's law clerks at 213-894-1522. **If you intend to contest the tentative ruling and appear, please first contact opposing counsel to inform them of your intention to do so.** Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required. If you wish to make a telephonic appearance, contact Court Call at 888-882-6878, ext. 188 no later than one hour before the hearing.

Party Information

Debtor(s):

Rebecca J. Osorio

Represented By
Steven B Lever

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
Courtroom 1568 Calendar**

Tuesday, October 11, 2016

Hearing Room 1568

10:00 AM

2:16-17463 Gardens Regional Hospital and Medical Center, Inc.

Chapter 11

#5.00 Status conference to review the status of the sale re [92]

fr. 6-21-16; 7-13-16; 7-18-16; 7-26-16

Docket 0

Tentative Ruling:

10/7/2016

No appearances required. The status conference is continued. Debtor shall submit an order setting forth proposed dates for the continued status conference.

Party Information

Debtor(s):

Gardens Regional Hospital and

Represented By
Samuel R Maizel
John A Moe

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
Courtroom 1568 Calendar**

Tuesday, October 11, 2016

Hearing Room 1568

10:00 AM

2:16-16043 Alexandra Apeles

Chapter 7

#6.00 Hearing

RE: [57] and [65] Notice of motion and motion for relief from automatic stay with supporting declarations ACTION IN NON-BANKRUPTCY FORUM RE: Personal Injury lawsuit Civil Case pending in Superior Court of California, Orange County.

Docket 57

Tentative Ruling:

10/6/2016

Tentative Ruling:

This motion for relief from the automatic stay has been set for hearing on the notice required by LBR 4001(c)(1) and LBR 9013-1(d)(2) . The failure of the debtor, the trustee, and all other parties in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9013-1(f) is considered as consent to the granting of the motion. LBR 9013-1(h). Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995).

The motion is granted pursuant to 11 U.S.C. § 362(d)(1) to permit movant to proceed under applicable non-bankruptcy law to enforce its remedies to proceed to final judgment in the non-bankruptcy forum, provided that the stay remains in effect with respect to enforcement of any judgment against the Debtor or estate property.

The 14-day period specified in Fed.R.Bankr.P. 4001(a)(3) is waived. This order shall be binding and effective despite any conversion of the bankruptcy case to a case under any other chapter of Title 11 of the Unites States Code. All other relief is denied.

Movant shall upload an appropriate order via the Court's Lodged Order Upload system within 7 days of the hearing.

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1568 Calendar**

Tuesday, October 11, 2016

Hearing Room 1568

10:00 AM

CONT... Alexandra Apeles

Chapter 7

No appearance is required if submitting on the court's tentative ruling. If you intend to submit on the tentative ruling, please contact Daniel Koontz or Nathan Reinhardt, the Judge's law clerks at 213-894-1522. **If you intend to contest the tentative ruling and appear, please first contact opposing counsel to inform them of your intention to do so.** Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required. If you wish to make a telephonic appearance, contact Court Call at 888-882-6878, ext. 188 no later than one hour before the hearing.

Party Information

Debtor(s):

Alexandra Apeles

Represented By
Michael Jay Berger
Michael Jay Berger

Trustee(s):

Richard K Diamond (TR)

Represented By
Zev Shechtman
Howard Kollitz

**United States Bankruptcy Court
Central District of California
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Courtroom 1568 Calendar**

Tuesday, October 11, 2016

Hearing Room 1568

10:00 AM

2:15-29494 Group 6842, LLC, a California Limited Liability Co

Chapter 11

#7.00 Hearing
RE: [134] Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 6842 Van Nuys Blvd., Van Nuys, CA with proof of service.

FR. 5-16-16; 6-7-16; fr. 6-21-16; 9-20-16

Docket 134

Tentative Ruling:

10/6/2016

Hearing required.

Party Information

Debtor(s):

Group 6842, LLC, a California

Represented By
Garrick A Hollander
Andrew B Levin

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
Courtroom 1568 Calendar**

Tuesday, October 11, 2016

Hearing Room 1568

10:00 AM

2:16-18203 Southland Solutions LLC

Chapter 7

#8.00 HearingRE: [21] Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 2400 Roming Road, Akron, OH 44320 .

Docket 21

Tentative Ruling:

10/6/2016

See Cal. No. 9, below, incorporated in full by reference.

Party Information

Debtor(s):

Southland Solutions LLC

Represented By
Kevin Tang

Trustee(s):

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
Courtroom 1568 Calendar**

Tuesday, October 11, 2016

Hearing Room 1568

10:00 AM

2:16-18203 Southland Solutions LLC

Chapter 7

#9.00 HearingRE: [25] Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 2400 Romig Road, Akron, Ohio (with proof of service).

Docket 25

Tentative Ruling:

10/6/2016

Tentative Ruling:

This Motion for relief from the automatic stay has been set on a shortened notice in accordance with Judge Robles' procedures. Oppositions, if any, will be considered at the hearing.

The Court finds that there is sufficient evidence to grant relief pursuant to 11 U.S.C. § 362(d)(4). The filing of the petition was part of a scheme to delay, hinder, and defraud creditors, which involved multiple bankruptcy cases affecting the Property. Declaration of Regina M. VanVorous in support of Motion at paragraph 18.

For the same reasons, the Motion is GRANTED pursuant to section 362(d)(1) based on the Debtor's bad faith filing. The 14-day period specified in Fed.R.Bankr.P. 4001(a)(3) is waived. This order shall be binding and effective despite any conversion of the bankruptcy case to a case under any other chapter of Title 11 of the United States Code. If recorded in compliance with applicable State laws governing notices of interests or liens in real property, the order shall be binding in any other case under this title purporting to affect such real property filed not later than 2 years after the date of the entry of such order by the Court, except that a debtor in a subsequent case under this title may move for relief from such order based upon changed circumstances or for good cause shown, after notice and a hearing. Any Federal, State, or local governmental unit that accepts notices of interests or liens in real property shall accept a certified copy of this order for indexing and recording.

The stay is annulled retroactive to the petition date, so that enforcement

**United States Bankruptcy Court
Central District of California
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Courtroom 1568 Calendar**

Tuesday, October 11, 2016

Hearing Room 1568

10:00 AM

CONT... Southland Solutions LLC

Chapter 7

actions taken by movant, if any, before receipt of notice of the automatic stay will not be deemed to have been voided by the automatic stay. The extraordinary relief requested in the Motion is also GRANTED. All other relief is denied.

Movant shall upload an appropriate order via the Court's Lodged Order Upload system within 7 days of the hearing.

No appearance is required if submitting on the court's tentative ruling. If you intend to submit on the tentative ruling, please contact Daniel Koontz or Nathan Reinhardt, the Judge's law clerks at 213-894-1522. **If you intend to contest the tentative ruling and appear, please first contact opposing counsel to inform them of your intention to do so.** Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required. If you wish to make a telephonic appearance, contact Court Call at 888-882-6878, ext. 188 no later than one hour before the hearing.

Party Information

Debtor(s):

Southland Solutions LLC

Represented By
Kevin Tang

Trustee(s):

Richard K Diamond (TR)

Pro Se