

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

Monday, October 24, 2016

Hearing Room 1568

10:00 AM

2:14-25758 Wesley Brian Ferris

Chapter 11

#1.00 Hearing
RE: [140] Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 443 East Greystone Avenue, Monrovia, CA 91016 . (Raftery, Kelly)

FR. 9-19-16

Docket No: 140

***** VACATED *** REASON: CONTINUED 1-9-17 AT 10:00 A.M.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Wesley Brian Ferris

Represented By
Diane C Weil

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

Monday, October 24, 2016

Hearing Room 1568

10:00 AM

2:16-22185 Integrity Retail Distribution, Inc.

Chapter 7

#2.00 HearingRE: [12] Notice of motion and motion for relief from automatic stay with supporting declarations ACTION IN NON-BANKRUPTCY FORUM RE: insurance coverage .

Docket No: 12

Tentative Ruling:

10/20/2016

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. Movant may seek recovery only from applicable insurance, if any, and waives any deficiency or other claim 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 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.

**United States Bankruptcy Court
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10:00 AM

CONT... Integrity Retail Distribution, Inc.

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):

Integrity Retail Distribution, Inc.

Represented By
Richard L Barnett

Trustee(s):

Carolyn A Dye (TR)

Pro Se

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

Monday, October 24, 2016

Hearing Room 1568

10:00 AM

2:16-21704 Randolph Charles Dillon and Irma Jean Brown Dillon

Chapter 7

#3.00 HearingRE: [10] Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 10511 Parmelee Avenue, Los Angeles, California 90002 With Proof of Service. (Loftis, Erica)

Docket No: 10

Tentative Ruling:

10/20/2016

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 \$241,500 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 \$331,967.78. 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
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Monday, October 24, 2016

Hearing Room 1568

10:00 AM

CONT... Randolph Charles Dillon and Irma Jean Brown Dillon

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):

Randolph Charles Dillon

Represented By
Peter M Lively

Joint Debtor(s):

Irma Jean Brown Dillon

Represented By
Peter M Lively

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Monday, October 24, 2016

Hearing Room 1568

10:00 AM

2:15-15423 Sam F Hindsman

Chapter 11

#4.00 Hearing
RE: [181] Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 25888 Oakbrooke Court, Stevenson Ranch, CA 91381 . (Tashjian, Lisa)

FR. 8-8-16; 9-6-16; 10-3-16; 10-17-16

Docket No: 181

Tentative Ruling:

As of the date of this tentative ruling, neither the Debtor nor Westridge Homeowners Association ("Westridge") has filed an agreement concerning the treatment of Westridge's secured claim, due on October 22, 2016. *See* Doc. No. 211. Hearing required.

Party Information

Debtor(s):

Sam F Hindsman

Represented By
Stella A Havkin

Movant(s):

Westridge Valencia Master Homeowne

Represented By
Lisa A Tashjian