

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

: **Chapter 0**
Adv#: 2:18-01221 National Union Fire Insurance Company of Pittsburgh v. Allianz Underwriters

#1.00 Status Conference
RE: [11] Motion to Change Venue/Inter-district Transfer Adversary Proceeding
to W.D. Wash. (Plevin, Mark)

fr: 8-15-18; 11-13-18; 2-12-19; 6-11-19; 12-10-19; 5-12-20; 8-11-20

Docket 11
***** VACATED *** REASON: CONTINUED 3-9-21 AT 10:00 A.M.**

Tentative Ruling:

- NONE LISTED -

Party Information

Defendant(s):

Allianz Underwriters Insurance	Pro Se
Century Indemnity Company	Represented By Mark D Plevin
Certain Underwriters at Lloyd's, Hartford Accident And Indemnity	Pro Se Represented By Philip E Smith
The Travelers Indemnity Company	Pro Se
Zurich American Insurance Co.	Pro Se

Plaintiff(s):

National Union Fire Insurance	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
Courtroom 1568 Calendar**

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:17-21270 Keystone Textile, Inc.

Chapter 7

Adv#: 2:19-01384 Mastan, Chapter 7 Trustee v. Discover Bank et al

#2.00

Status Hearing to monitor consummation of the Settlement Agreement

RE: [1] Adversary case 2:19-ap-01384. Complaint by Peter J. Mastan, Chapter 7 Trustee against Discover Bank, Jason Young Cho. (Charge To Estate).

Complaint for: (1) Avoidance of Actual Fraudulent Transfers [11 U.S.C. 544(b) 548(a)(1)(A) and 550(a), and Cal. Civ. Code §§ 3439.04(a) and 3439.07]; (2) Avoidance of Constructive Fraudulent Transfers [11 U.S.C. §§ 544(b), 548(a)(1) (B), and 550(a), and Cal. Civ. Code §§ 3439.04(b) or 3439.05 and Cal. Civ. Code § 3439.07]; and (3) Recovery of Avoided Transfer [11 U.S.C. § 550(a)] (Attachments: # 1 Adversary Proceeding Cover Sheet) Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)) (Triplett, Meghann)

FR. 8-11-20; 10-13-20

Docket 1

***** VACATED *** REASON: Adversary closed**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Keystone Textile, Inc.

Represented By
Christian T Kim

Defendant(s):

Discover Bank

Pro Se

Jason Young Cho

Pro Se

DOES 1-10 inclusive

Pro Se

Plaintiff(s):

Peter J. Mastan, Chapter 7 Trustee

Represented By
Meghann A Triplett

**United States Bankruptcy Court
Central District of California
Los Angeles
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Hearing Room 1568

10:00 AM

CONT... Keystone Textile, Inc.

Chapter 7

Trustee(s):

Peter J Mastan (TR)

Represented By
Meghann A Triplett
Noreen A Madoyan

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:17-21270 Keystone Textile, Inc.

Chapter 7

Adv#: 2:19-01385 Mastan, Chapter 7 Trustee v. US Bank, N.A. et al

#3.00 Status Hearing

RE: [1] Adversary case 2:19-ap-01385. Complaint by Peter J. Mastan, Chapter 7 Trustee against US Bank, N.A., Kenny Hwang, Hee Jung Lee. (Charge To Estate). Complaint for: (1) Avoidance of Actual Fraudulent Transfers [11 U.S.C. 544(b) 548(a)(1)(A) and 550(a), and Cal. Civ. Code §§ 3439.04(a) and 3439.07]; (2) Avoidance of Constructive Fraudulent Transfers [11 U.S.C. §§ 544(b), 548(a)(1)(B), and 550(a), and Cal. Civ. Code §§ 3439.04(b) or 3439.05 and Cal. Civ. Code § 3439.07]; and (3) Recovery of Avoided Transfer [11 U.S.C. § 550(a)] (Attachments: # 1 Adversary Proceeding Cover Sheet) Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)) (Triplett, Meghann)

FR. 11-19-19; 1-14-20; 3-17-20; 5-12-20; 7-14-20; 9-15-20

Docket 1

***** VACATED *** REASON: CONTINUED 4-13-21 AT 10:00 A.M.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Keystone Textile, Inc.

Represented By
Christian T Kim

Defendant(s):

US Bank, N.A.

Pro Se

Kenny Hwang

Pro Se

Hee Jung Lee

Pro Se

DOES 1-10 inclusive

Pro Se

Plaintiff(s):

Peter J. Mastan, Chapter 7 Trustee

Represented By
Meghann A Triplett

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
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Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

CONT... Keystone Textile, Inc.

Chapter 7

Trustee(s):

Peter J Mastan (TR)

Represented By
Meghann A Triplett
Noreen A Madoyan

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:17-21270 Keystone Textile, Inc.

Chapter 7

Adv#: 2:19-01386 Mastan, Chapter 7 Trustee v. Hwang et al

#4.00 Status Hearing

RE: [11] Crossclaim by HSBC Bank, N.A. against Jason Young Cho, Youngduk Duk Cho

fr: 1-14-20; 3-17-20

FR. 7-14-20; 9-15-20

Docket 11

***** VACATED *** REASON: CONTINUED 4-13-21 AT 10:00 A.M.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Keystone Textile, Inc.

Represented By
Christian T Kim

Defendant(s):

Kenny Hwang

Pro Se

Jason Young Cho

Pro Se

HSBC Bank, N.A.

Represented By
Jennifer Witherell Crastz

DOES 1-10, Inclusive

Pro Se

Youngduk Duk Cho

Pro Se

Plaintiff(s):

Peter J. Mastan, Chapter 7 Trustee

Represented By
Meghann A Triplett

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

CONT... Keystone Textile, Inc.

Chapter 7

Trustee(s):

Peter J Mastan (TR)

Represented By
Meghann A Triplett
Noreen A Madoyan

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:17-21270 Keystone Textile, Inc.

Chapter 7

Adv#: 2:19-01386 Mastan, Chapter 7 Trustee v. Hwang et al

#5.00 Status Hearing

RE: [1] Adversary case 2:19-ap-01386. Complaint by Peter J. Mastan, Chapter 7 Trustee against Kenny Hwang, Jason Young Cho. (Charge To Estate).
Complaint for: (1) Avoidance of Actual Fraudulent Transfers [11 U.S.C. 544(b) 548(a)(1)(A) and 550(a), and Cal. Civ. Code §§ 3439.04(a) and 3439.07]; (2) Avoidance of Constructive Fraudulent Transfers [11 U.S.C. §§ 544(b), 548(a)(1) (B), and 550(a), and Cal. Civ. Code §§ 3439.04(b) or 3439.05 and Cal. Civ. Code § 3439.07]; and (3) Recovery of Avoided Transfer [11 U.S.C. § 550(a)] (Attachments: # 1 Adversary Proceeding Cover Sheet) Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)) (Triplett, Meghann)

fr. 11-19-19; 1-14-20; 3-17-20

FR. 7-14-20; 9-15-20

Docket 1

***** VACATED *** REASON: CONTINUED 4-13-21 AT 10:00 A.M.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Keystone Textile, Inc.

Represented By
Christian T Kim

Defendant(s):

Kenny Hwang

Pro Se

Jason Young Cho

Pro Se

HSBC Bank, N.A.

Pro Se

DOES 1-10, Inclusive

Pro Se

Youngduk Duk Cho

Pro Se

**United States Bankruptcy Court
Central District of California
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Hearing Room 1568

10:00 AM

CONT... Keystone Textile, Inc.

Chapter 7

Plaintiff(s):

Peter J. Mastan, Chapter 7 Trustee

Represented By
Meghann A Triplett

Trustee(s):

Peter J Mastan (TR)

Represented By
Meghann A Triplett
Noreen A Madoyan

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:17-21270 Keystone Textile, Inc.

Chapter 7

Adv#: 2:19-01392 Mastan v. Flintridge Preparatory School, Inc. et al

#6.00 Status Hearing

RE: [37] Amended Complaint First Amended Complaint for: (1) Avoidance of Actual Fraudulent Transfers [11 U.S.C. 544(b) 548(a)(1)(A) and 550(a), and Cal. Civ. Code §§ 3439.04(a) and 3439.07]; (2) Avoidance of Constructive Fraudulent Transfers [11 U.S.C. §§ 544(b), 548(a)(1)(B), and 550(a), and Cal. Civ. code §§3439.04(b) or 3439.05 and Cal. Civ. Code § 3439.07]; (3) Recovery of Avoided Transfer [11 U.S.C. § 550(a)]; and (4) Preservation of Avoided Transfer [11 U.S.C. § 551] by Meghann A Triplett on behalf of Peter Mastan against Flintridge Preparatory School, Inc., Nam Soo Hwang, Young J. Hwang, Young Jae Hwang. (RE: related document(s)1 Adversary case 2:19-ap-01392. Complaint by Peter Mastan against Flintridge Preparatory School, Inc., Hee Young Hwang, Young J. Hwang, Joyce J. Hwang, Nam Soo Hwang. (Charge To Estate). Complaint for: (1) Avoidance of Actual Fraudulent Transfers [11 U.S.C. 544(b) 548(a)(1)(A) and 550(a), and Cal. Civ. Code §§ 3439.04(a) and 3439.07]; (2) Avoidance of Constructive Fraudulent Transfers [11 U.S.C. §§ 544(b), 548(a)(1)(B), and 550(a), and Cal. Civ. code §§3439.04(b) or 3439.05 and Cal. Civ. Code § 3439.07]; (3) Recovery of Avoided Transfer [11 U.S.C. § 550(a)] (Attachments: # 1 Adversary Proceeding Cover Sheet) Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)),(14 (Recovery of money/property - other)) filed by Plaintiff Peter Mastan). (Triplett, Meghann)

FR. 5-12-20; 7-14-20; 9-15-20

Docket 37

***** VACATED *** REASON: CONTINUED 4-13-21 AT 10:00 A.M.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Keystone Textile, Inc.

Represented By
Christian T Kim

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

CONT... Keystone Textile, Inc.

Chapter 7

Defendant(s):

Flintridge Preparatory School, Inc.	Pro Se
Joyce J. Hwang	Represented By Christian T Kim
Nam Soo Hwang	Represented By Christian T Kim
DOES 1 through 10	Pro Se
Hee Young Hwang	Represented By Christian T Kim
Young J. Hwang	Represented By Christian T Kim
Young Jae Hwang	Represented By Christian T Kim
Hee Youn Hwang	Represented By Christian T Kim

Plaintiff(s):

Peter Mastan	Represented By Meghann A Triplett
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Trustee(s):

Peter J Mastan (TR)	Represented By Meghann A Triplett Noreen A Madoyan
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
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Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:17-21270 Keystone Textile, Inc.

Chapter 7

Adv#: 2:19-01393 Mastan, Chapter 7 Trustee v. Hwang et al

#7.00 Status Hearing

RE: [1] Adversary case 2:19-ap-01393. Complaint by Peter J. Mastan, Chapter 7 Trustee against In Young Hwang, Twig & Twine, Inc., Danielle Steckler. (Charge To Estate). Complaint for: (1) Avoidance of Actual Fraudulent Transfers [11 U.S.C. 544(b) 548(a)(1)(A) and 550(a), and Cal. Civ. Code §§ 3439.04(a) and 3439.07]; (2) Avoidance of Constructive Fraudulent Transfers [11 U.S.C. §§ 544(b), 548(a)(1)(B), and 550(a), and Cal. Civ. Code §§ 3439.04(b) or 3439.05 and Cal. Civ. Code § 3439.07]; and (3) Recovery of Avoided Transfer [11 U.S.C. § 550(a)] (Attachments: # 1 Adversary Proceeding Cover Sheet) Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)),(14 (Recovery of money/property - other)) (Triplett, Meghann)

FR. 11-19-19; 1-14-20; 3-17-20; 5-12-20; 7-14-20

Docket 1

***** VACATED *** REASON: CONTINUED 4-13-21 AT 10:00 A.M.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Keystone Textile, Inc.

Represented By
Christian T Kim

Defendant(s):

In Young Hwang

Pro Se

Twig & Twine, Inc.

Pro Se

Danielle Steckler

Pro Se

DOES 1 through 10

Pro Se

Plaintiff(s):

Peter J. Mastan, Chapter 7 Trustee

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
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Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

CONT... Keystone Textile, Inc.

Chapter 7

Meghann A Triplett

Trustee(s):

Peter J Mastan (TR)

Represented By
Meghann A Triplett
Noreen A Madoyan

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:17-21270 Keystone Textile, Inc.

Chapter 7

Adv#: 2:19-01395 Mastan, Chapter 7 Trustee v. JPMorgan Chase Bank, N.A et al

#8.00 Status Hearing

RE: [1] Adversary case 2:19-ap-01395. Complaint by Peter J. Mastan, Chapter 7 Trustee against JPMorgan Chase Bank, N.A, Kenny Hwang, Mirea Rea Hwang, Hee Jung Lee, Does 1 - 10, inclusive. (Charge To Estate). Complaint for: (1) Avoidance of Actual Fraudulent Transfers [11 U.S.C. §§ 544(b), 548(a)(1)(A) and 550(a), and Cal. Civ. Code §§ 3439.04(a) and 3439.07]; (2) Avoidance of Constructive Fraudulent Transfers [11 U.S.C. §§ 544(b), 548(a)(1)(B), and 550(a), and Cal. Civ. Code §§ 3439.04(b) or 3439.05 and Cal. Civ. Code § 3439.07]; and (3) Recovery of Avoided Transfer [11 U.S.C. § 550(a)] (Attachments: # 1 Adversary Proceeding Cover Sheet) Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)),(14 (Recovery of money/property - other)) (Triplett, Meghann)

FR. 11-19-19; 1-14-20; 3-17-20; 4-21-20; 7-14-20; 9-15-20

Docket 1

***** VACATED *** REASON: CONTINUED 4-13-21 AT 10:00 A.M.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Keystone Textile, Inc.

Represented By
Christian T Kim

Defendant(s):

JPMorgan Chase Bank, N.A

Pro Se

Kenny Hwang

Pro Se

Mirea Rea Hwang

Pro Se

Hee Jung Lee

Pro Se

Does 1 - 10, inclusive

Pro Se

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

CONT... Keystone Textile, Inc.

Chapter 7

Plaintiff(s):

Peter J. Mastan, Chapter 7 Trustee

Represented By
Meghann A Triplett

Trustee(s):

Peter J Mastan (TR)

Represented By
Meghann A Triplett
Noreen A Madoyan

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:17-21270 Keystone Textile, Inc.

Chapter 7

Adv#: 2:19-01399 Mastan, Chapter 7 Trustee v. Hwang

#9.00 Status Hearing

RE: [1] Adversary case 2:19-ap-01399. Complaint by Peter J. Mastan, Chapter 7 Trustee against Hyun Hwang. (Charge To Estate). Complaint for: (1) Avoidance of Actual Fraudulent Transfers [11 U.S.C. 544(b), 548(a)(1)(A), and 550(a), and Cal. Civ. Code §§ 3439.04(a) and 3439.07]; (2) Avoidance of Constructive Fraudulent Transfers [11 U.S.C. §§ 544(b), 548(a)(1)(B), and 550(a), and Cal. Civ. Code §§ 3439.04(b) or 3439.05 and Cal. Civ. Code § 3439.07]; and (3) Recovery of Avoided Transfer [11 U.S.C. § 550(a)] (Attachments: # 1 Adversary Proceeding Cover Sheet) Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)),(14 (Recovery of money/property - other)) (Triplett, Meghann)

FR. 11-19-19; 12-4-19; 2-11-20; 4-14-20; 5-12-20; 7-14-20; 9-15-20

Docket 1

***** VACATED *** REASON: CONTINUED 4-13-21 AT 10:00 A.M.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Keystone Textile, Inc.

Represented By
Christian T Kim

Defendant(s):

Hyun Hwang

Pro Se

Plaintiff(s):

Peter J. Mastan, Chapter 7 Trustee

Represented By
Meghann A Triplett

Trustee(s):

Peter J Mastan (TR)

Represented By
Meghann A Triplett

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

CONT...

Keystone Textile, Inc.

Noreen A Madoyan

Chapter 7

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:17-21270 Keystone Textile, Inc.

Chapter 7

Adv#: 2:19-01400 Mastan, Chapter 7 Trustee v. Hwang et al

#10.00 Status Hearing

RE: [1] Adversary case 2:19-ap-01400. Complaint by Peter J. Mastan, Chapter 7 Trustee against Mirea Rea Hwang, Does 1 - 10, inclusive. (Charge To Estate). Complaint for: (1) Avoidance of Actual Fraudulent Transfers [11 U.S.C. 544(b), 548(a)(1)(A), and 550(a), and Cal. Civ. Code §§ 3439.04(a) and 3439.07]; (2) Avoidance of Constructive Fraudulent Transfers [11 U.S.C. §§ 544(b), 548(a)(1)(B), and 550(a), and Cal. Civ. Code §§ 3439.04(b) or 3439.05 and Cal. Civ. Code § 3439.07]; and (3) Recovery of Avoided Transfer [11 U.S.C. § 550(a)] (Attachments: # 1 Adversary Proceeding Cover Sheet) Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)),(14 (Recovery of money/property - other)) (Triplett, Meghann)

FR. 11-19-19; 11-26-19; 12-4-19; 2-11-20; 5-12-20; 7-14-20; 9-15-20

Docket 1

***** VACATED *** REASON: CONTINUED 4-13-21 AT 10:00 A.M.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Keystone Textile, Inc.

Represented By
Christian T Kim

Defendant(s):

Mirea Rea Hwang

Pro Se

Does 1 - 10, inclusive

Pro Se

Plaintiff(s):

Peter J. Mastan, Chapter 7 Trustee

Represented By
Meghann A Triplett

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

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Hearing Room 1568

10:00 AM

CONT... Keystone Textile, Inc.

Chapter 7

Trustee(s):

Peter J Mastan (TR)

Represented By
Meghann A Triplett
Noreen A Madoyan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
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Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:17-21270 Keystone Textile, Inc.

Chapter 7

Adv#: 2:19-01402 Mastan, Chapter 7 Trustee v. Hwang et al

#11.00 Status Hearing

RE: [1] Adversary case 2:19-ap-01402. Complaint by Peter J. Mastan, Chapter 7 Trustee against Kenny Hwang, Trigen Int'l, Inc., Beyond Textile, Inc., Does 1 - 10, inclusive. (Charge To Estate). COMPLAINT FOR: (1) AVOIDANCE OF ACTUAL FRAUDULENT TRANSFERS [11 U.S.C. 544(b), 548(a)(1)(A), And 550(a), And Cal. Civ. Code §§ 3439.04(a) And 3439.07]; (2) AVOIDANCE OF CONSTRUCTIVE FRAUDULENT TRANSFERS [11 U.S.C. §§ 544(b), 548(a)(1) (B), And 550(a), And Cal. Civ. Code §§ 3439.04(b) Or 3439.05 And Cal. Civ. Code § 3439.07] (3) CONSPIRACY TO DEFRAUD [11 U.S.C. § 105(a)] (4) FOR RECOVERY OF ILLEGAL DIVIDENDS [Cal. Corp. Code §§ 500, 501 And 506] (5) FOR BREACH OF FIDUCIARY DUTY; AND (6) RECOVERY OF AVOIDED TRANSFER [11 U.S.C. § 550(a)] Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)),(14 (Recovery of money/property - other)) (Triplett, Meghann)

fr. 11-19-19; 2-11-20; 4-14-20; 7-14-20; 9-15-20

Docket 1

***** VACATED *** REASON: CONTINUED 4-13-21 AT 10:00 A.M.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Keystone Textile, Inc.

Represented By
Christian T Kim

Defendant(s):

Kenny Hwang

Pro Se

Trigen Int'l, Inc.

Pro Se

Beyond Textile, Inc.

Pro Se

Does 1 - 10, inclusive

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Hearing Room 1568

10:00 AM

CONT... Keystone Textile, Inc.

Chapter 7

Plaintiff(s):

Peter J. Mastan, Chapter 7 Trustee

Represented By
Meghann A Triplett

Trustee(s):

Peter J Mastan (TR)

Represented By
Meghann A Triplett
Noreen A Madoyan

**United States Bankruptcy Court
Central District of California
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Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:17-21270 Keystone Textile, Inc.

Chapter 7

Adv#: 2:19-01403 Mastan, Chapter 7 Trustee v. K2 America, Inc. et al

#12.00 Status Conference

RE: [1] Adversary case 2:19-ap-01403. Complaint by Peter J. Mastan, Chapter 7 Trustee against K2 America, Inc., Does 1-10, Inclusive. (Charge To Estate).
Complaint for: (1) Avoidance of Actual Fraudulent Transfers [11 U.S.C. 544(b) 548(a)(1)(A) and 550(a), and Cal. Civ. Code §§ 3439.04(a), and 3439.07]; (2) Avoidance of Constructive Fraudulent Transfers [11 U.S.C. §§ 544(b), 548(a)(1) (B), and 550(a), and Cal. Civ. Code §§ 3439.04(b) or 3439.05, and Cal. Civ. Code § 3439.07]; (3) Avoidance of Preferential Transfers [11 U.S.C. § 547]; (4) Recovery of Avoided Transfers [11 U.S.C. § 550(a)(2)]; and (5) For Unjust Enrichment (Attachments: # 1 Adversary Proceeding Cover Sheet) Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)),(12 (Recovery of money/property - 547 preference)),(14 (Recovery of money/property - other)) (Triplett, Meghann)

FR. 6-16-20; 7-14-20; 9-15-20

Docket 1

***** VACATED *** REASON: Cont'd to 3/16/21 @ 10am**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Keystone Textile, Inc.

Represented By
Christian T Kim

Defendant(s):

K2 America, Inc.

Pro Se

Does 1-10, Inclusive

Pro Se

Plaintiff(s):

Peter J. Mastan, Chapter 7 Trustee

Represented By
Meghann A Triplett

**United States Bankruptcy Court
Central District of California
Los Angeles
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10:00 AM

CONT... Keystone Textile, Inc.

Chapter 7

Trustee(s):

Peter J Mastan (TR)

Represented By
Meghann A Triplett
Noreen A Madoyan

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
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Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:17-21275 Tbetty, Inc.

Chapter 7

Adv#: 2:19-01391 Mastan v. JPMorgan Chase Bank, N.A. et al

#13.00 Status Hearing

RE: [1] Adversary case 2:19-ap-01391. Complaint by Peter Mastan against JPMorgan Chase Bank, N.A., Kenny Hwang. (Charge To Estate). Complaint for: (1) Avoidance of Actual Fraudulent Transfers [11 U.S.C. 544(b) 548(a)(1)(A) and 550(a), and Cal. Civ. Code §§ 3439.04(a) and 3439.07]; (2) Avoidance of Constructive Fraudulent Transfers [11 U.S.C. §§ 544(b), 548(a)(1)(B), and 550(a), and Cal. Civ. code §§3439.04(b) or 3439.05 and Cal. Civ. Code § 3439.07]; (3) Avoidance of Preferential Transfers [11 U.S.C. § 547]; and (4) Recovery of Avoided Transfer [11 U.S.C. § 550(a)] (Attachments: # 1 Adversary Proceeding Cover Sheet) Nature of Suit: (12 (Recovery of money/property - 547 preference)),(13 (Recovery of money/property - 548 fraudulent transfer)) (Triplett, Meghann)

fr. 11-19-19; 1-14-20; 3-17-20; 4-21-20; 7-14-20; 9-15-20

Docket 1

***** VACATED *** REASON: CONTINUED 4-13-21 AT 10:00 A.M.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tbetty, Inc.

Represented By
Christian T Kim

Defendant(s):

JPMorgan Chase Bank, N.A.

Pro Se

Kenny Hwang

Pro Se

DOES 1-10 inclusive

Pro Se

Plaintiff(s):

Peter Mastan

Represented By
Meghann A Triplett

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

CONT... Tbetty, Inc.

Chapter 7

Trustee(s):

Peter J Mastan (TR)

Represented By
Meghann A Triplett
Noreen A Madoyan

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:17-21275 Tbetty, Inc.

Chapter 7

Adv#: 2:19-01404 Mastan, Chapter 7 Trustee v. Hwang et al

#14.00 Status Hearing

RE: [1] Adversary case 2:19-ap-01404. Complaint by Peter J. Mastan, Chapter 7 Trustee against Kenny Hwang, Mirea Rea Hwang, Hyun Hwang, Tri Blossom, LLC, K2 America, Inc., Does 1-10, Inclusive. (Charge To Estate). Complaint for: (1) Avoidance of Actual Fraudulent Transfers [11 U.S.C. 544(b) 548(a)(1)(A) and 550(a), and Cal. Civ. Code §§ 3439.04(a), and 3439.07]; (2) Avoidance of Constructive Fraudulent Transfers [11 U.S.C. §§ 544(b), 548(a)(1)(B), and 550(a), and Cal. Civ. Code §§ 3439.04(b) or 3439.05, and Cal. Civ. Code § 3439.07]; (3) Avoidance of Preferential Transfers [11 U.S.C. § 547]; (4) Recovery from Subsequent Transferee [11 U.S.C. §§ 544, 548]; (5) Recovery of Avoided Transfers [11 U.S.C. § 550(a)(2)]; (6) Conspiracy to Defraud [11 U.S.C. § 105(a)]; (7) For Recovery of Illegal Dividends [Cal. Corp. Code §§ 500, 501 and 506]; and (8) For Unjust Enrichment (Attachments: # 1 Adversary Proceeding Cover Sheet) Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)),(12 (Recovery of money/property - 547 preference)),(14 (Recovery of money/property - other)),(02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))) (Triplett, Meghann)

FR. 11-19-19; 12-4-19; 2-11-20; 5-12-20; 7-14-20; 9-15-20

Docket 1

***** VACATED *** REASON: Cont'd to 3/16/2021 @ 10am**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tbetty, Inc.

Represented By
Christian T Kim

Defendant(s):

Kenny Hwang

Pro Se

Hyun Hwang

Pro Se

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:18-14619 Roberto Kai Hegeler

Chapter 7

Adv#: 2:18-01234 Maground, GmbH v. Hegeler

#15.00 Status Hearing

RE: [1] Adversary case 2:18-ap-01234. Complaint by Maground, GmbH against Roberto Kai Hegeler. false pretenses, false representation, actual fraud),(67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)),(68 (Dischargeability - 523(a)(6), willful and malicious injury)) (Barsness, Christopher)

FR. 12-18-18; 8-7-19; 1-14-20; 7-14-20

Docket 1

***** VACATED *** REASON: DISMISSED 10-29-20**

Tentative Ruling:

1/13/2020

On March 1, 2018, Maground, GmbH ("Plaintiff") commenced a complaint against Roberto Kai Hegeler (the "Debtor/Defendant") in the United States District Court for the Central District of California (the "District Court"), asserting claims for trademark infringement pursuant to 15 U.S.C. §§1114 and 1125(a), trademark dilution pursuant to 15 U.S.C. §1125(c), unfair competition and false advertising pursuant to 15 U.S.C. §1125(a), cybersquatting pursuant to 15 U.S.C. §1125(d), common law trademark infringement, breach of contract, conversion, and violations of Cal. Bus. & Prof. Code §§14247, 17200, and 17500 (the "District Court Action"). *See* Maground, GmbH v. Roberto Kai Hegeler and Maground, LLC (Doc. No. 1, Case No. 2:18-cv-01760-CJC-JC). On April 23, 2018, Debtor/Defendant filed a voluntary Chapter 7 petition. On May 4, 2018, the District Court stayed the District Court Action pending resolution of Debtor/Defendant's bankruptcy proceeding.

On July 23, 2018, Plaintiff commenced an action against Debtor/Defendant in the Bankruptcy Court (the "Non-Dischargeability Action"). On December 17, 2018, the Bankruptcy Court entered an order (1) *sua sponte* lifting the automatic stay to permit the District Court Action to proceed and (2) staying the Non-Dischargeability Action until entry of a final, non-appealable judgment in the District Court Action. Doc. No. 19 (the "Stay Order"). The Stay Order provided:

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

CONT...

Roberto Kai Hegeler

Chapter 7

The most efficient way to resolve the Non-Dischargeability Action is for Plaintiff to first prosecute the District Court Action to final judgment. In the event Plaintiff obtains judgment in its favor, Plaintiff may then return to the Bankruptcy Court to obtain a determination regarding whether such judgment is dischargeable. The District Court is better equipped than this Court to determine whether Defendant is indebted to Plaintiff on account of the allegations for trademark infringement, trademark dilution, and cybersquatting, all of which require the application of substantive non-bankruptcy law.

Stay Order at ¶ 3.

Trial in the District Court Action is set for November 3, 2020. Based upon the foregoing, the Court **HEREBY ORDERS AS FOLLOWS:**

- 1) A continued Status Conference shall be held on **July 14, 2020, at 10:00 a.m.**
- 2) A Joint Status Report, which shall discuss the status of the District Court Action, shall be submitted by no later than fourteen days prior to the hearing.

The Court will prepare and enter an order setting the continued Status Conference.

No appearance is required if submitting on the court's tentative ruling. If you intend to submit on the tentative ruling, please contact Carlos Nevarez or Daniel Koontz 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, no later than one hour before the hearing.

Party Information

Debtor(s):

Roberto Kai Hegeler

Represented By
Kirk Brennan

Defendant(s):

Roberto Kai Hegeler

Pro Se

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

CONT... Roberto Kai Hegeler

Chapter 7

Plaintiff(s):

Maground, GmbH

Represented By
Christopher C Barsness

Trustee(s):

Heide Kurtz (TR)

Pro Se

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:19-10549 Bahram Zendedel

Chapter 7

Adv#: 2:19-01114 Chady v. Zendedel

#16.00 Status Hearing

RE: [1] Adversary case 2:19-ap-01114. Complaint by Cyrus Chady, Bahram Zendedel against Bahram Zendedel. false pretenses, false representation, actual fraud)),(68 (Dischargeability - 523(a)(6), willful and malicious injury)),(67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)) (Uyeda, James)

fr: 8-13-19; 1-14-20; 5-12-20

Docket 1

***** VACATED *** REASON: DISMISSED 12-9-20**

Tentative Ruling:

5/11/2020

Note: Telephonic Appearances Only. The Courtroom will be unavailable for in-court appearances. 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. The cost for persons representing themselves has been waived.

On February 26, 2019, the Court granted Plaintiff relief from the automatic stay, to enable Plaintiff to prosecute against Defendant two actions pending in the Los Angeles Superior Court (the "State Court Actions"). Plaintiff seeks to establish the indebtedness which is alleged to be non-dischargeable in this proceeding by way of the State Court Actions. On June 18, 2019, the Court granted Plaintiff's motion to abstain from adjudicating this dischargeability action until Plaintiff had obtained final, non-appealable judgments in the State Court Actions.

The judgment in one of the State Court Actions is now final. Judgment in the other State Court Action is not expected to become final for at least one year.

Based upon the foregoing, the Court **HEREBY ORDERS AS FOLLOWS:**

- 1) A continued Status Conference shall take place on **December 15, 2020, at 10:00 a.m.**
- 2) A Joint Status Report, which shall discuss the status of the remaining State

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

CONT...

Bahram Zendedel

Chapter 7

Court Action, shall be filed by no later than fourteen days prior to the hearing.

The Court will prepare and enter an order setting the continued Status Conference.

No appearance is required if submitting on the court's tentative ruling. If you intend to submit on the tentative ruling, please contact Carlos Nevarez or Daniel Koontz 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, no later than one hour before the hearing.

Party Information

Debtor(s):

Bahram Zendedel

Represented By
Khachik Akhkashian

Defendant(s):

Bahram Zendedel

Pro Se

Plaintiff(s):

Cyrus Chady

Represented By
James S Uyeda

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, December 15, 2020

Hearing Room 1568

10:00 AM

2:19-13660 Michelle Claudia Mathis

Chapter 7

Adv#: 2:20-01619 Mathis v. United States Department of Education

#17.00 Status Hearing

RE: [1] Adversary case 2:20-ap-01619. Complaint by Michelle C Mathis against United States Department of Education - (\$350.00 Fee Not Required) - Nature of Suit: (63 (Dischargeability - 523(a)(8), student loan)) (Milano, Sonny)

Docket 1

***** VACATED *** REASON: CONTINUED 2-9-21 AT 10:00 A.M.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michelle Claudia Mathis	Pro Se
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Defendant(s):

United States Department of	Pro Se
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Plaintiff(s):

Michelle C Mathis	Pro Se
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Trustee(s):

Heide Kurtz (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
Courtroom 1568 Calendar**

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:19-18382 Shoezoo.com, LLC

Chapter 7

Adv#: 2:20-01627 Menchaca, Chapter 7 Trustee v. Sida

#18.00 Status Hearing

RE: [1] Adversary case 2:20-ap-01627. Complaint by John J Menchaca, Chapter 7 Trustee against Alon Sida. (\$350.00 Fee Charge To Estate). Complaint for Avoidance and Recovery of Fraudulent Transfers and Preferential Transfers Pursuant to 11 U.S.C. §§ 544, 547(b), 548, 550 and 551 Nature of Suit: (12 (Recovery of money/property - 547 preference)),(13 (Recovery of money/property - 548 fraudulent transfer)) (Werth, Steven)

Docket 1

***** VACATED *** REASON: CONTINUED 4-13-21 AT 10:00 A.M.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Shoezoo.com, LLC

Represented By
Charles Shamash

Defendant(s):

Alon Sida

Pro Se

Plaintiff(s):

John J Menchaca, Chapter 7 Trustee

Represented By
Steven Werth

Trustee(s):

John J Menchaca (TR)

Represented By
Steven Werth
Jeffrey L Sumpter

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:19-18382 Shoezoo.com, LLC

Chapter 7

Adv#: 2:20-01628 Menchaca, Chapter 7 Trustee v. Sida

#19.00 Status Hearing

RE: [1] Adversary case 2:20-ap-01628. Complaint by John J Menchaca, Chapter 7 Trustee against Talya Adika Sida. (\$350.00 Fee Charge To Estate). Complaint for Avoidance and Recovery of Fraudulent Transfers and Preferential Transfers Pursuant to 11 U.S.C. §§ 544, 547(b), 548, 550 and 551 Nature of Suit: (12 (Recovery of money/property - 547 preference)),(13 (Recovery of money/property - 548 fraudulent transfer)) (Werth, Steven)

Docket 1

***** VACATED *** REASON: CONTINUED 4-13-21 AT 10:00 A.M.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Shoezoo.com, LLC

Represented By
Charles Shamash

Defendant(s):

Talya Adika Sida

Pro Se

Plaintiff(s):

John J Menchaca, Chapter 7 Trustee

Represented By
Steven Werth

Trustee(s):

John J Menchaca (TR)

Represented By
Steven Werth
Jeffrey L Sumpter

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:19-18382 Shoezoo.com, LLC

Chapter 7

Adv#: 2:20-01629 Menchaca, Chapter 7 Trustee v. LaParl

#20.00 Status Hearing
RE: [1] Adversary case 2:20-ap-01629. Complaint by John J Menchaca, Chapter 7 Trustee against Richard Frank LaParl. (\$350.00 Fee Charge To Estate).
Complaint for Avoidance and Recovery of Fraudulent Transfers and Preferential Transfers Pursuant to 11 U.S.C. §§ 544, 547(b), 548, 550 and 551 Nature of Suit: (12 (Recovery of money/property - 547 preference)),(13 (Recovery of money/property - 548 fraudulent transfer)) (Werth, Steven)

Docket 1

***** VACATED *** REASON: Cont'd to 4/13/2021 at 10am**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Shoezoo.com, LLC

Represented By
Charles Shamash

Defendant(s):

Richard Frank LaParl

Pro Se

Plaintiff(s):

John J Menchaca, Chapter 7 Trustee

Represented By
Steven Werth

Trustee(s):

John J Menchaca (TR)

Represented By
Steven Werth
Jeffrey L Sumpter

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:19-18382 Shoezoo.com, LLC

Chapter 7

Adv#: 2:20-01630 Menchaca, Chapter 7 Trustee v. North American Auto Leasing, a California

#21.00 Status Hearing

RE: [1] Adversary case 2:20-ap-01630. Complaint by John J Menchaca, Chapter 7 Trustee against North American Auto Leasing, a California limited liability company. (\$350.00 Fee Charge To Estate). Complaint for Avoidance and Recovery of Fraudulent Transfers and Preferential Transfers Pursuant to 11 U.S.C. §§ 544, 547(b), 548, 550 and 551 Nature of Suit: (12 (Recovery of money/property - 547 preference)),(13 (Recovery of money/property - 548 fraudulent transfer)) (Werth, Steven)

Docket 1

*** VACATED *** REASON: Cont'd to 4/13/21 at 10am

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Shoezoo.com, LLC

Represented By
Charles Shamash

Defendant(s):

North American Auto Leasing, a

Pro Se

Plaintiff(s):

John J Menchaca, Chapter 7 Trustee

Represented By
Steven Werth

Trustee(s):

John J Menchaca (TR)

Represented By
Steven Werth
Jeffrey L Sumpter

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:19-24904 Nicholas Rene Ortiz

Chapter 7

Adv#: 2:20-01024 Winfund Investment LLC v. Ortiz

#22.00 Status Hearing

RE: [1] Adversary case 2:20-ap-01024. Complaint by Winfund Investment LLC against Nicholas rene Ortiz. willful and malicious injury)),(65 (Dischargeability - other)) (Chang, Peiwen)

fr. 5-12-20

Docket 1

***** VACATED *** REASON: Cont'd to 5/11/21 at 10am**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Nicholas Rene Ortiz

Represented By
Daniel G McMeekin

Defendant(s):

Nicholas Rene Ortiz

Pro Se

Plaintiff(s):

Winfund Investment LLC

Represented By
Peiwen Chang

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, December 15, 2020

Hearing Room 1568

10:00 AM

2:20-14870 Melissa L Loe

Chapter 7

Adv#: 2:20-01618 Loe v. United States Department Of Education et al

#23.00 Status Hearing

RE: [1] Adversary case 2:20-ap-01618. Complaint by Melissa Lynn Loe against United States Department Of Education , Great Lakes Educational Loan Services, Inc. . (\$350.00 Fee Not Required). (Attachments: # 1 complaint part 2 # 2 complaint part 3 # 3 cover sheet) Nature of Suit: (63 (Dischargeability - 523(a)(8), student loan)) (Arias, Jose)

Docket 1

***** VACATED *** REASON: Cont'd to 3/9/2021 at 10am**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Melissa L Loe	Pro Se
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Defendant(s):

United States Department Of	Pro Se
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Great Lakes Educational Loan	Pro Se
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Plaintiff(s):

Melissa Lynn Loe	Pro Se
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Trustee(s):

Peter J Mastan (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
Courtroom 1568 Calendar**

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:16-13575 Liberty Asset Management Corporation

Chapter 11

#24.00 Status Hearing
RE: [1] Postconfirmation Status Conference

fr. 10-17-18; 1-15-19; 6-11-19; 12-10-19; 5-12-20

Docket 1

***** VACATED *** REASON: CONTINUED 6-15-21 AT 10:00 A.M.**

Tentative Ruling:

5/11/2020

Note: Telephonic Appearances Only. The Courtroom will be unavailable for in-court appearances. 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. The cost for persons representing themselves has been waived.

On June 18, 2018, the Court entered an order confirming the *First Amended Chapter 11 Plan of Liquidation Dated January 31, 2018* (the "Plan"). The Plan appointed Bradley D. Sharp as the Plan Administrator responsible for liquidating the assets of the estate. (The Plan provided that all assets of the estate remained vested in the estate. *See* Plan at Art. 3.)

The Plan Administrator has made six distributions to holders of allowed claims. Funds distributed to date exceed \$11.7 million.

Having reviewed the *Fifth Post-Confirmation Status Report*, the Court finds that the Plan Administrator is making sufficient progress toward effectuating the Plan. A continued Status Conference shall take place on **December 15, 2020, at 10:00 a.m.** The Plan Administrator shall submit a Status Report by no later than fourteen days prior to the hearing.

The Court will prepare and enter an order setting the continued Status Conference.

No appearance is required if submitting on the court's tentative ruling. If you intend to submit on the tentative ruling, please contact Carlos Nevarez or Daniel Koontz 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

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

CONT... Liberty Asset Management Corporation

Chapter 11

determine whether further hearing is required. If you wish to make a telephonic appearance, contact Court Call at 888-882-6878, no later than one hour before the hearing.

Party Information

Debtor(s):

Liberty Asset Management

Represented By

David B Golubchik

Jeffrey S Kwong

John-Patrick M Fritz

Eve H Karasik

Sandford L. Frey

Raphael Cung

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:16-13575 Liberty Asset Management Corporation

Chapter 11

Adv#: 2:16-01374 Official Unsecured Creditors Committee for Liberty v. Ho et al

#25.00 Status conference re Status Conference to monitor the status of the criminal action against Kirk and Gao

fr. 7-9-19; 10-15-19; 12-10-19; 2-11-20; 3-11-20; 9-8-20

Docket 129

***** VACATED *** REASON: CONTINUED 4-13-21 AT 10:00 A.M.**

Tentative Ruling:

9/3/2020

Order entered. Status conference **CONTINUED to December 15, 2020 at 10:00 a.m.**

Party Information

Debtor(s):

Liberty Asset Management

Represented By
David B Golubchik
Jeffrey S Kwong
John-Patrick M Fritz
Eve H Karasik
Sandford L. Frey
Raphael Cung

Defendant(s):

Tsai Luan Ho

Represented By
James Andrew Hinds Jr
Paul R Shankman
Rachel M Sposato

Benjamin Kirk

Pro Se

Plaintiff(s):

Official Unsecured Creditors

Represented By
Jeremy V Richards

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

CONT... Liberty Asset Management Corporation

Chapter 11

Gail S Greenwood

Bradley D. Sharp

Represented By
Gail S Greenwood

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:19-20836 Michael Bonert

Chapter 11

Adv#: 2:19-01377 Packaging Corporation of America v. Bonert et al

#26.00

Status Conference re: Collection Actions re: Notice of Removal of Civil Action to United States Bankruptcy Court. Nature of Suit: (01 (Determination of removed claim or cause)),(02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))),(13 (Recovery of money/property - 548 fraudulent transfer))

FR. 3-10-20; 3-11-20; 6-16-20; 9-15-20; 9-23-20

Docket 1

***** VACATED *** REASON: WILL BE HEARD AT 11:00 A.M. TODAY**

Tentative Ruling:

9/22/2020

Note: Telephonic Appearances Only. The Courtroom will be unavailable for in-court appearances. 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. The cost for persons representing themselves has been waived.

Hearing required.

Party Information

Debtor(s):

Michael Bonert

Represented By
Alan W Forsley

Defendant(s):

Michael Bonert

Represented By
Alan W Forsley

Vivien Bonert

Represented By
Alan W Forsley

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

CONT... Michael Bonert

Chapter 11

Bonert's Incorporated dba Bonert's	Pro Se
Bonert Management Company, Inc.	Represented By Lawrence M Jacobson
Bonert's Jadahasa, LLC	Represented By Lawrence M Jacobson
Bonert's MV, LLC	Represented By Lawrence M Jacobson
Bonert's Mibon LLC	Represented By Lawrence M Jacobson
Beefam, LLC	Represented By Lawrence M Jacobson
DOES 1-10	Pro Se
3144 Bonert's LLC	Represented By Lawrence M Jacobson

Joint Debtor(s):

Vivien Bonert	Represented By Alan W Forsley
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Plaintiff(s):

Packaging Corporation of America	Represented By Scott E Blakeley
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
Courtroom 1568 Calendar**

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:19-20836 Michael Bonert

Chapter 11

Adv#: 2:19-01378 Coastal Carriers, LLC v. Bonert et al

#27.00 Status Hearing

re: Collection Actions [1] Adversary case 2:19-ap-01378. Notice of Removal of Civil Action to United States Bankruptcy Court with proof of service by Michael Bonert, Vivien Bonert. Nature of Suit: (01 (Determination of removed claim or cause)),(02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (13 (Recovery of money/property - 548 fraudulent transfer)) (Forsley, Alan)

FR. 3-10-20; 3-11-20; 6-16-20; 9-15-20; 9-23-20

Docket 1

***** VACATED *** REASON: WILL BE HEARD AT 11:00 A.M. TODAY**

Tentative Ruling:

9/22/2020

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

Party Information

Debtor(s):

Michael Bonert

Represented By
Alan W Forsley

Defendant(s):

Michael Bonert

Represented By
Alan W Forsley

Vivien Bonert

Represented By
Alan W Forsley

Bonert's Incorporated dba Bonert's

Pro Se

Bonert Management Company, Inc.

Represented By
Lawrence M Jacobson

Bonert's Jadahasa, LLC

Represented By

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

CONT... Michael Bonert

Chapter 11

	Lawrence M Jacobson
Beefam, LLC	Represented By Lawrence M Jacobson
DOES 1-10	Pro Se
Bonert's MV, LLC	Represented By Lawrence M Jacobson
Bonert's Mibon LLC	Represented By Lawrence M Jacobson
3144 Bonert's LLC	Represented By Lawrence M Jacobson

Joint Debtor(s):

Vivien Bonert	Represented By Alan W Forsley
---------------	----------------------------------

Plaintiff(s):

Coastal Carriers, LLC	Represented By Scott E Blakeley
-----------------------	------------------------------------

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:19-20836 Michael Bonert

Chapter 11

Adv#: 2:19-01405 Capitol Distribution Company, LLC v. Bonert et al

#28.00 Status Hearing re: Collection Actions
RE: [1] Adversary case 2:19-ap-01405. Notice of Removal of Civil Action to United States Bankruptcy Court with proof of service by Michael Bonert, Vivien Bonert. Nature of Suit: (01 (Determination of removed claim or cause)),(02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))),(13 (Recovery of money/property - 548 fraudulent transfer)) (Forsley, Alan) **WARNING: See docket entry # [2] for corrective action; Attorney to file a conformed copy of state court complaint; Modified on 9/16/2019 (Evangelista, Maria).**

FR. 3-10-20; 3-11-20; 6-16-20; 9-15-20; 9-23-20

Docket 1

***** VACATED *** REASON: WILL BE HEARD AT 11:00 A.M. TODAY**

Tentative Ruling:

9/22/2020

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

Party Information

Debtor(s):

Michael Bonert

Represented By
Alan W Forsley

Defendant(s):

Michael Bonert

Represented By
Alan W Forsley

Vivien Bonert

Represented By
Alan W Forsley

Bonert's Inc., a California

Represented By
Lawrence M Jacobson

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

CONT... Michael Bonert

Chapter 11

Bonert Management Company, Inc.

Represented By
Lawrence M Jacobson

Bonert's Jadasaha, LLC

Represented By
Lawrence M Jacobson

Bonert's MV, LLC

Represented By
Lawrence M Jacobson

Bonert's Mibon, LLC

Represented By
Lawrence M Jacobson

3144 Bonert's LLC

Represented By
Lawrence M Jacobson

DOES 1 through 10, inclusive

Pro Se

Beefam, LLC

Represented By
Lawrence M Jacobson

Joint Debtor(s):

Vivien Bonert

Represented By
Alan W Forsley

Plaintiff(s):

Capitol Distribution Company, LLC

Represented By
Sean Lowe
Scott E Blakeley

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:19-20836 Michael Bonert

Chapter 11

Adv#: 2:19-01406 Stratas Foods LLC v. Bonert et al

#29.00 Status Hearing re: Collection Actions
RE: [1] Adversary case 2:19-ap-01406. Notice of Removal of Civil Action to United States Bankruptcy Court with proof of service by Michael Bonert, Vivien Bonert. Nature of Suit: (01 (Determination of removed claim or cause)),(02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))),(13 (Recovery of money/property - 548 fraudulent transfer)) (Forsley, Alan) **WARNING: See docket entry # [2] for corrective action; Attorney to file a conformed copy of state court complaint; Modified on 9/16/2019 (Evangelista, Maria).**

FR. 3-10-20; 3-11-20; 6-16-20; 9-15-20; 9-23-20

Docket 1

***** VACATED *** REASON: WILL BE HEARD AT 11:00 A.M. TODAY**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Bonert

Represented By
Alan W Forsley

Defendant(s):

Michael Bonert

Represented By
Alan W Forsley

Vivien Bonert

Represented By
Alan W Forsley

Bonert's Incorporated dba Bonert's

Represented By
Lawrence M Jacobson

Bonert Management Company, Inc.

Represented By
Lawrence M Jacobson

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

CONT... Michael Bonert
Bonert's Jadasaha, LLC

Represented By
Lawrence M Jacobson

Chapter 11

Bonert's MV, LLC

Represented By
Lawrence M Jacobson

Bonert's Mibon, LLC

Represented By
Lawrence M Jacobson

Beefam, LLC

Represented By
Lawrence M Jacobson

3144 Bonert's LLC

Represented By
Lawrence M Jacobson

DOES 1 through 10, inclusive

Pro Se

Joint Debtor(s):

Vivien Bonert

Represented By
Alan W Forsley

Plaintiff(s):

Stratas Foods LLC

Represented By
Sean Lowe
Scott E Blakeley

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

Tuesday, December 15, 2020

Hearing Room 1568

10:00 AM

2:20-16475 Neumedicines, Inc.

Chapter 11

#30.00 Hearing

RE: [114] Motion to Sell Property of the Estate Free and Clear of Liens under Section 363(f) Debtor's Motion for Order: (1) Approving the Sale of Substantially All Assets Free and Clear of Liens, Claims, Interests and Encumbrances Pursuant to 11 U.S.C. §363(b)(1) and (f)(4); (2) Approving the Assumption and Assignment of Certain Executory Contracts; and (3) Entering Findings Related to the Sale; Memorandum of Points and Authorities; Declarations of Daniel J. Weintraub, Timothy K. Gallaher and Raphael Nir in Support Thereof.

fr. 12-10-20

Docket 114

Tentative Ruling:

12/14/2020

Note: Telephonic Appearances Only. The Courtroom will be unavailable for in-court appearances. 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. The cost for persons representing themselves has been waived.

Hearing required.

Party Information

Debtor(s):

Neumedicines, Inc.

Represented By
Crystle Jane Lindsey
Daniel J Weintraub
James R Selth

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

Tuesday, December 15, 2020

Hearing Room 1568

11:00 AM

2:10-62208 EPD Investment Co., LLC

Chapter 7

Adv#: 2:12-02424 Rund, Chapter 7 Trustee v. Kirkland, individually et al

#100.00 PRETRIAL RE: [234] Amended Complaint Fourth Amended Complaint Against: (1) John C. Kirkland; and (2) Poshow Ann Kirkland as Trustee of The Bright Conscience Trust Dated September 9, 2009 for: 1. Disallowance of Proofs of Claim, or in the alternative, Equitable Subordination of Proofs of Claim; 2. Avoidance of Fraudulent Transfers (Actual Intent); 3. Avoidance of Fraudulent Transfers (Actual Intent); 4. Avoidance of Fraudulent Transfers (Constructive Fraud); 5. Avoidance of Fraudulent Transfers (Constructive Fraud); 6. Recovery of Avoided Transfers by Corey R Weber on behalf of Jason M Rund, Chapter 7 Trustee against Poshow Ann Kirkland, as Trustee of the Bright Conscience Trust Dated September 9, 2009, John C Kirkland, individually. (Weber, Corey)

FR. 7-11-17; 9-12-17; fr. 11-7-17; 11-21-17; 1-17-18; 2-21-18; 5-15-18; 8-14-18; 7-22-20

Docket 234

***** VACATED *** REASON: CONTINUED 3-9-21 AT 11:00 A.M.**

Tentative Ruling:

9/10/2018

On February 17, 2018, the Court issued a Report and Recommendation, recommending that the District Court enter final judgment, in favor of the Chapter 7 Trustee (the "Trustee"), as to the second, third, and sixth claims for relief for avoidance and recovery of fraudulent transfers made with actual intent. Doc. No. 341. On that same date, the Court issued a Memorandum of Decision, stating that the Court intended to grant the Trustee's motion for summary adjudication disallowing the proofs of claim filed by the Bright Conscience Trust (the "BC Trust"). However, the Memorandum of Decision stated that the findings set forth therein would not become the order of the Court until the District Court acted upon the Report and Recommendation.

On June 25, 2018, the District Court rejected the Report and Recommendation, and denied the Trustee's motion for summary adjudication as to the second, third, and sixth claims for relief. On July 20, 2018, the Trustee moved for reconsideration of the District Court's rejection of the Report and Recommendation. On August 13, 2018,

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11:00 AM

CONT... EPD Investment Co., LLC

Chapter 7

the District Court denied the Trustee's motion for reconsideration.

The Trustee asserts that the Court has jurisdiction over the Trustee's claims for disallowance and equitable subordination of the proofs of claim filed by the BC Trust. The Trustee's position is that the Court should enter final judgment with respect to these claims. According to Defendants John C. Kirkland and the BC Trust (collectively, the "Defendants"), Mr. Kirkland has preserved his rights to a jury trial in the District Court because Mr. Kirkland has not consented to the Bankruptcy Court's entry of final judgment. Defendants assert that the issues arising in connection with the Trustee's claims against the BC Trust overlap with the issues arising in connection with the Trustee's claims against Mr. Kirkland. According to Defendants, bifurcating the fraudulent transfer claims against Mr. Kirkland and the equitable subordination and disallowance claims against the BC Trust would prejudice Mr. Kirkland, because of the collateral estoppel effect against Mr. Kirkland of findings made with respect to the common issues affecting both Mr. Kirkland and the BC Trust.

As further set forth in the *Preliminary Findings and Conclusions*, below, in the Court's view, the most efficient means of resolving these proceedings would be for the District Court to conduct a jury trial on the claims against Mr. Kirkland. Subsequent to the District Court's entry of final judgment against Mr. Kirkland, the Bankruptcy Court would then try the Trustee's claims against the BC Trust. Pursuant to 28 U.S.C. §157(d) and Bankruptcy Rule 5011(a), only the District Court can withdraw the jurisdictional reference. *See Sigma Micro Corp. v. Healthcentral.com (In re Healthcentral.com)*, 504 F.3d 775, 785 (9th Cir. 2007). Therefore, by separate order, the Court will require the Trustee and the Defendants to show cause why the Court should not stay adjudication of the claims against the BC Trust until the District Court has entered final judgment on the claims against Mr. Kirkland. The hearing on the *Order to Show Cause* shall take place on **October 2, 2018, at 10:00 a.m.** The Trustee and the Defendants shall submit papers responding to the Court's *Preliminary Findings and Conclusions* by no later than **September 25, 2018**. No reply briefing will be accepted.

Mr. Kirkland shall file with the District Court a motion to withdraw the reference by no later than **September 25, 2018**.

Preliminary Findings and Conclusions

John C. Kirkland has demanded a jury trial in this fraudulent conveyance action, has not filed a proof of claim against the estate, and does not consent to having the jury trial conducted by the Bankruptcy Court. Under these circumstances, Mr.

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CONT... EPD Investment Co., LLC

Chapter 7

Kirkland is entitled to a jury trial before the District Court. *See Langenkamp v. Culp*, 498 U.S. 42, 45 (1990) ("If a party does *not* submit a claim against the bankruptcy estate, however, the trustee can recover allegedly preferential transfers only by filing what amounts to a legal action to recover a monetary transfer. In those circumstances the preference defendant is entitled to a jury trial."); Bankruptcy Rule 9015(b) (stating that the Bankruptcy Court may conduct a jury trial only if the parties consent); and *Executive Benefits Ins. Agency v. Arkison (In re Bellingham Ins. Agency, Inc.)*, 702 F.3d 553 (9th Cir. 2012) (holding that the Bankruptcy Court lacks constitutional authority to enter final judgment in a fraudulent conveyance action absent consent of the parties).

The BC Trust has filed proofs of claim against the estate. As a result, the Bankruptcy Court has jurisdiction to enter final judgment with respect to the Trustee's claims against the BC Trust. *See Langenkamp*, 498 U.S. at 45.

The claims against Mr. Kirkland and the BC Trust present common issues of fact. For example, the Trustee asserts that the BC Trust's claims against the estate should be disallowed and/or equitably subordinated based upon Mr. Kirkland's alleged inequitable conduct. The Trustee's causes of action for disallowance and/or equitable subordination are pleaded against both the BC Trust and Mr. Kirkland.

As a result of the overlap between the claims asserted against Mr. Kirkland and the claims asserted against the BC Trust, the most efficient means for this action to proceed would be for the District Court to first adjudicate the claims against Mr. Kirkland. Once the District Court has entered findings with respect to Mr. Kirkland, the Bankruptcy Court can then try the claims against the BC Trust. If the Bankruptcy Court tried claims against the BC Trust prior to the District Court's trial of claims against Mr. Kirkland, findings by the Bankruptcy Court with respect to common issues of fact could prejudice Mr. Kirkland. For example, Mr. Kirkland could be collaterally estopped from contesting certain issues of fact that might prove material to the adjudication of the claims against him; were that to occur, Mr. Kirkland would effectively be deprived of his right to a jury trial. *See Ross v. Bernhard*, 396 U.S. 531 (holding that "where equitable and legal claims are joined in the same action," the right to jury trial on the legal claims "must not be infringed either by trying the legal issues as incidental to the equitable ones by a court trial of a common issue existing between the claims").

No appearance is required if submitting on the court's tentative ruling. If you intend to submit on the tentative ruling, please contact Jessica Vogel or Daniel Koontz at

**United States Bankruptcy Court
Central District of California
Los Angeles
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11:00 AM

CONT... EPD Investment Co., LLC

Chapter 7

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

Tuesday, December 15, 2020

Hearing Room 1568

11:00 AM

2:17-13016 Sharp Edge Enterprises

Chapter 7

Adv#: 2:18-01163 Leslie v. Reihanian et al

#101.00 Pre-Trial Conference
RE: [10] Amended Complaint by Christian T Kim on behalf of Sam S. Leslie, Sam S Leslie (TR) against Leon Reihanian. (RE: related document(s)1 Adversary case 2:18-ap-01163. Complaint by Sam S. Leslie against Leon Reihanian. (Charge To Estate). Nature of Suit: (11 (Recovery of money/property - 542 turnover of property)) filed by Plaintiff Sam S. Leslie. (Kim, Christian)

fr. 6-11-19; 7-16-19; 1-15-20; 8-11-20

Docket 10

***** VACATED *** REASON: CONTINUED 2-9-21 AT 11:00 A.M.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sharp Edge Enterprises

Represented By
Peter A Davidson

Defendant(s):

Leon Reihanian

Represented By
Raymond H. Aver

DOES 1-20, inclusive

Pro Se

Abraham Reihanian, as Trustee of

Pro Se

Plaintiff(s):

Sam S. Leslie

Represented By
Christian T Kim
James A Dumas Jr

**United States Bankruptcy Court
Central District of California
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Tuesday, December 15, 2020

Hearing Room 1568

11:00 AM

CONT... Sharp Edge Enterprises

Chapter 7

Trustee(s):

Sam S Leslie (TR)

Represented By
Christian T Kim
James A Dumas Jr

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

Tuesday, December 15, 2020

Hearing Room 1568

11:00 AM

2:19-12402 Ryan James McMillin

Chapter 7

Adv#: 2:19-01137 Elite Optoelectronics Co., Ltd a China Limited Lia v. McMillin et al

#102.00 Pre-Trial Conference

RE: [1] Adversary case 2:19-ap-01137. Complaint by G-Sight Solutions, LLC against Ryan James McMillin, G-Sight Solutions, Inc., a California Corporation. false pretenses, false representation, actual fraud)),(67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)),(68 (Dischargeability - 523(a)(6), willful and malicious injury)),(14 (Recovery of money/property - other)) (Zshornack, Errol)

Docket 1

***** VACATED *** REASON: CONTINUED TO 3-9-21 AT 11:00 AM**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ryan James McMillin

Represented By
John A Harbin

Defendant(s):

Ryan James McMillin

Represented By
Steven J Renshaw
Errol J Zshornack
Peter J Tormey

G-Sight Solutions, Inc., a California

Pro Se

Plaintiff(s):

Elite Optoelectronics Co., Ltd a

Represented By
Peter J Tormey
Errol J Zshornack

G-Sight Solutions, LLC, a California

Represented By
Peter J Tormey
Errol J Zshornack

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
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11:00 AM

CONT... Ryan James McMillin

Chapter 7

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
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Tuesday, December 15, 2020

Hearing Room 1568

11:00 AM

2:19-20228 Sheila G. Scott

Chapter 11

#103.00 Hearing
RE: [45] U.S. Trustee Motion to dismiss or convert or appoint a Chapter 11 Trustee .

Docket 45

Tentative Ruling:

12/14/2020

Note: Telephonic Appearances Only. The Courtroom will be unavailable for in-court appearances. 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. The cost for persons representing themselves has been waived.

For the reasons set forth below, the Motion is GRANTED, and this case is CONVERTED to one under chapter 7 of the United States Bankruptcy Code.

Pleadings Filed and Reviewed

- 1) Notice of Motion and Motion Under 11 U.S.C. 1112(b)(1) to Convert, Dismiss or Appoint a Chapter 11 Trustee; Declaration of Paralegal Specialist (the "Motion") [Doc. No. 45]
- 2) JPMorgan Chase Bank, N.A.'s Join[d]er to the U.S. Trustee' Motion to Dismiss Debtor's Bankruptcy Case for Cause Under 11 U.S.C. § 1112 or in the Alternative, Convert the Debtor's Case to Chapter 7 (the "Joinder") [Doc. No. 49]
- 3) Debtor's Limited Opposition to Motion Under 11 U.S.C. §1112(b)(1) to Convert Dismiss or Appoint a Chapter 11 Trustee (the "Limited Opposition") [Doc. No. 52]

I. Facts and Summary of Pleadings

Debtor and debtor-in-possession, Sheila G. Scott (the "Debtor"), filed this voluntary chapter 11 petition on August 29, 2019. This is the Debtor's third chapter 11 petition. Her first was filed on March 31, 2010 (2:10-bk-22308-ER), dismissed on

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CONT...

Sheila G. Scott

Chapter 11

October 31, 2011, and her second was filed on March 5, 2012 (2:12-bk-17909-ER), dismissed on November 5, 2013. The primary asset in this case, as well as the two earlier cases, is the Debtor's residence at 468 South Bundy Drive, Los Angeles, CA 90049 (the "Property") with a scheduled value of \$6,500,000 and secured by a mortgage by JPMorgan of \$4,971,920.53.

On December 13, 2019, the Debtor filed a Motion for Order to Employ Real Estate Broker in an attempt to sell the Property. *See* Doc. No. 29. The Court granted that motion on January 6, 2020, and the Property was listed for sale at a price of \$6,250,000. According to public records, the price was reduced to \$5,750,000 on January 17, 2020, was increased to \$5,888,000 on November 16, 2020, and was cut again to \$5,762,00 on December 9, 2020. *See* ZILLOW, https://www.zillow.com/homedetails/468-S-Bundy-Dr-Los-Angeles-CA-90049/111917943_zpid/ (last visited Dec. 11, 2020).

On November 5, 2020, the United States Trustee (the "U.S. Trustee") filed its Motion requesting conversion of the case to chapter 7. The Trustee argues that no disclosure statement or plan of reorganization has been filed since the start of the case, the Debtor has not made quarterly payments for the third or fourth quarter of 2020, and this is the Debtor's third bankruptcy case.

On November 10, 2020, JPMorgan Chase Bank, N.A. ("JPMorgan") filed its Joinder. JPMorgan argues that cause exists to dismiss or convert the case because the Debtor has failed to act as a fiduciary to her creditors. Joinder at 6. The Debtor has made "virtually no progress toward reorganizing or selling the Property" and has not made any payments on the Property since before the bankruptcy filing. *Id.* at 7-8. JPMorgan notes that the Debtor filed this case just a few days before it was going to conduct a non-judicial foreclosure sale and yet the Debtor has received no substantive offers on the property and had to reduce the price on one occasion. *Id.* at 8. Furthermore, JPMorgan does not believe the Debtor can formulate a viable chapter 11 plan because the equity cushion on the property is decreasing, the Debtor's opinion as to the sale price is unrealistic, and the current delinquency on the loan is \$556,235.29. JPMorgan believes that continued diminution of the estate is evident based on the Debtor's failure to make any payments to JPMorgan, despite the Debtor's husband (who resides at the property) earning approximately \$30,000 in monthly gross income. Finally, JPMorgan avers that conversion to chapter 7 is in the best interest of creditors

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CONT... Sheila G. Scott

Chapter 11

because there is equity in the estate that may allow JPMorgan to be paid in full. *Id.* at 10-11. The Debtor has made no progress in this case for almost a year, and has filed multiple bankruptcies in the past that have been dismissed.

Pursuant to Local Bankruptcy Rule 9013-1(f)(1), "each interested party opposing or responding to the motion must file and serve the response (Response) on the moving party and the United States trustee not later than 14 days before the date designated for hearing." The deadline to file an opposition was December 1, 2020. On December 11, 2020, ten days after the opposition deadline, the Debtor filed a Limited Opposition. Not only does filing the Limited Opposition ten days late deprive opposing counsel any meaningful chance to reply, it shows a blatant disregard for the rules of this Court. The Debtor's attempt to sneak in an opposition at the last minute is not well taken. Furthermore, the Debtor's contention that she "does not believe that the real property can be sold for an amount in excess of the JP Morgan Chase Claim" lacks any evidentiary support and will therefore not be considered. Limited Opposition at 2.

II. Findings of Fact and Conclusions of Law

Under § 1112(b), the Court shall dismiss or convert a case to one under chapter 7 upon a showing of "cause." 11 U.S.C. § 1112(b). Section 1112(b)(4) provides a nonexclusive list of factors that include: "(A) substantial or continuing loss to or diminution of the estate and the absence of a reasonable likelihood of rehabilitation; . . . (B) gross mismanagement of the estate; . . . (J) failure to file a disclosure statement, or to file or confirm a plan, within the time fixed by this title or by order of the court." 11 U.S.C. § 1112(b)(4)(A), (B) & (J). "The enumerated causes are not exhaustive, and 'the court will be able to consider other factors as they arise, and to use its equitable powers to reach an appropriate result in individual cases.'" *In re Consol. Pioneer Mortg. Entities*, 248 B.R. 368, 375 (B.A.P. 9th Cir. 2000) (quoting H.R. No. 95-595, 95th Cong., 1st Sess. 405-06 (1977)), *aff'd*, 264 F.3d 803 (9th Cir. 2001).

The Debtor is approximately \$556,235.29 in arrears and has just \$2,189 in her DIP account. Joinder at 10. "A Debtor lacks 'a reasonable likelihood of rehabilitation' where, for example, it lacks income" *In re Bay Area Material Handling*, 76 F.3d 384, *2 (9th Cir. 1996) (quoting *In re Johnston*, 149 B.R. 158, 162 (9th Cir. B.A.P.) (finding that, where the Debtor did not have sufficient income in a chapter 11,

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CONT... Sheila G. Scott

Chapter 11

conversion to a chapter 7 was warranted)). The equity in the Property continues to erode with no prospect of rehabilitation.

In addition, the Debtor in this chapter 11 case is supposed to be a fiduciary to her creditors, yet for over a year has made no progress toward a plan, has made no mortgage payments, and has not sought to pay property taxes for the Property directly. The Debtor has failed to act in the best interest of her creditors by effectively stalling since the Property was put on sale.

Finally, the Debtor has not submitted a chapter 11 plan, nor is there any prospect that she will submit one or be able to consummate one. Pursuant to 11 U.S.C. § 1121(b), a debtor generally has 120 days to submit a plan and 60 days after that to obtain approval of that plan by the creditors. "Under § 1112(b)(2), cause exists where 'a debtor's failure to file an acceptable plan after reasonable time indicates its inability to do so[.],' regardless of the reasons for that failure." *In re Bay Area*, 76 F.3d at *2 (quoting *Hall v. Vance*, 887 F.2d 1041, 1044 (10th Cir. 1989)). The Debtor is far beyond the timeframe envisioned by § 1121(b) and has not asked for any extension or given this Court any indication that she is close to submitting a plan. This case has been pending for over a year with little progress, and this is the third case that the Debtor has filed in an attempt to prevent foreclosure on the Property. The Court finds that the Debtor has failed to submit a plan within a reasonable time period and is unable to do so.

Having determined that cause exists, the only issue remaining for the Court is to determine whether conversion, dismissal, or appointment of a chapter 11 trustee serves the best interests of creditors or the estate. *See In re Products Int'l Co.*, 395 B.R. 101, 107 (Bankr. D. Ariz. 2008) (citing *In re Nelson*, 343 B.R. 671 (9th Cir. 2006)). "[W]hen deciding between dismissal and conversion under 11 U.S.C. § 1112(b), the court must consider the interests of *all* of the creditors." *Shulkin Hutton, Inc. v. Treiger (In re Owens)*, 552 F.3d 958, 961 (9th Cir. 2009) (emphasis in original) (quoting *Rollex Corp. v. Associated Materials, Inc. (In re Superior Siding & Window, Inc.)*, 14 F.3d 240, 243 (4th Cir. 1994)).

As this is the Debtor's third bankruptcy case and she has had the Property listed for sale for almost a year, the Court determines that conversion to chapter 7 is in the best interest of creditors. It is abundantly clear that if the Court were to dismiss

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CONT...

Sheila G. Scott

Chapter 11

this case with a bar to refile, the Debtor would eventually refile and this cycle would continue. As JPMorgan was already in the process of conducting a non-judicial foreclosure sale before the Debtor filed the instant case. Given the Debtor's inability to sell the Property (and likely unrealistic expectations of the sale price), JPMorgan will be in a better position to sell the Property in order to preserve what equity is left in the Property.

III. Conclusion

For the reasons set forth above, the Motion is GRANTED. This case is hereby CONVERTED to one under chapter 7 of the United States Bankruptcy Code, and a trustee will be appointed.

The U.S. Trustee is directed to lodge a conforming proposed order, incorporating this tentative ruling by reference, within seven 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 Andrew Lockridge 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, no later than one hour before the hearing.

Party Information

Debtor(s):

Sheila G. Scott

Represented By
Robert S Altagen

**United States Bankruptcy Court
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Tuesday, December 15, 2020

Hearing Room 1568

11:00 AM

2:19-20836 Michael Bonert

Chapter 11

Adv#: 2:19-01405 Capitol Distribution Company, LLC v. Bonert et al

#104.00 Status Hearing re: Collection Actions
RE: [1] Adversary case 2:19-ap-01405. Notice of Removal of Civil Action to United States Bankruptcy Court with proof of service by Michael Bonert, Vivien Bonert. Nature of Suit: (01 (Determination of removed claim or cause)),(02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))),(13 (Recovery of money/property - 548 fraudulent transfer)) (Forsley, Alan) **WARNING: See docket entry # [2] for corrective action; Attorney to file a conformed copy of state court complaint; Modified on 9/16/2019 (Evangelista, Maria).**

FR. 3-10-20; 3-11-20; 6-16-20; 9-15-20; 9-23-20

Docket 1

***** VACATED *** REASON: CONTINUED 3-9-2021 AT 10:00 A.M.**

Tentative Ruling:

9/22/2020

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

Party Information

Debtor(s):

Michael Bonert

Represented By
Alan W Forsley

Defendant(s):

Michael Bonert

Represented By
Alan W Forsley

Vivien Bonert

Represented By
Alan W Forsley

Bonert's Inc., a California

Represented By
Lawrence M Jacobson

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

Tuesday, December 15, 2020

Hearing Room 1568

11:00 AM

CONT... Michael Bonert

Chapter 11

Bonert Management Company, Inc.

Represented By
Lawrence M Jacobson

Bonert's Jadasaha, LLC

Represented By
Lawrence M Jacobson

Bonert's MV, LLC

Represented By
Lawrence M Jacobson

Bonert's Mibon, LLC

Represented By
Lawrence M Jacobson

3144 Bonert's LLC

Represented By
Lawrence M Jacobson

DOES 1 through 10, inclusive

Pro Se

Beefam, LLC

Represented By
Lawrence M Jacobson

Joint Debtor(s):

Vivien Bonert

Represented By
Alan W Forsley

Plaintiff(s):

Capitol Distribution Company, LLC

Represented By
Sean Lowe
Scott E Blakeley

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

Tuesday, December 15, 2020

Hearing Room 1568

11:00 AM

2:19-20836 Michael Bonert

Chapter 11

Adv#: 2:19-01406 Stratas Foods LLC v. Bonert et al

#105.00 Status Hearing re: Collection Actions
RE: [1] Adversary case 2:19-ap-01406. Notice of Removal of Civil Action to United States Bankruptcy Court with proof of service by Michael Bonert, Vivien Bonert. Nature of Suit: (01 (Determination of removed claim or cause)),(02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))),(13 (Recovery of money/property - 548 fraudulent transfer)) (Forsley, Alan) **WARNING: See docket entry # [2] for corrective action; Attorney to file a conformed copy of state court complaint; Modified on 9/16/2019 (Evangelista, Maria).**

FR. 3-10-20; 3-11-20; 6-16-20; 9-15-20; 9-23-20

Docket 1

***** VACATED *** REASON: CONTINUED 3-9-2021 AT 10:00 A.M.**

Tentative Ruling:

9/22/2020

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

Party Information

Debtor(s):

Michael Bonert

Represented By
Alan W Forsley

Defendant(s):

Michael Bonert

Represented By
Alan W Forsley

Vivien Bonert

Represented By
Alan W Forsley

Bonert's Incorporated dba Bonert's

Represented By
Lawrence M Jacobson

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

Tuesday, December 15, 2020

Hearing Room 1568

11:00 AM

CONT... Michael Bonert

Chapter 11

Bonert Management Company, Inc.

Represented By
Lawrence M Jacobson

Bonert's Jadasaha, LLC

Represented By
Lawrence M Jacobson

Bonert's MV, LLC

Represented By
Lawrence M Jacobson

Bonert's Mibon, LLC

Represented By
Lawrence M Jacobson

Beefam, LLC

Represented By
Lawrence M Jacobson

3144 Bonert's LLC

Represented By
Lawrence M Jacobson

DOES 1 through 10, inclusive

Pro Se

Joint Debtor(s):

Vivien Bonert

Represented By
Alan W Forsley

Plaintiff(s):

Stratas Foods LLC

Represented By
Sean Lowe
Scott E Blakeley

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

Tuesday, December 15, 2020

Hearing Room 1568

11:00 AM

2:19-20836 Michael Bonert

Chapter 11

Adv#: 2:19-01378 Coastal Carriers, LLC v. Bonert et al

#106.00 Status Hearing

re: Collection Actions [1] Adversary case 2:19-ap-01378. Notice of Removal of Civil Action to United States Bankruptcy Court with proof of service by Michael Bonert, Vivien Bonert. Nature of Suit: (01 (Determination of removed claim or cause)),(02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (13 (Recovery of money/property - 548 fraudulent transfer)) (Forsley, Alan)

FR. 3-10-20; 3-11-20; 6-16-20; 9-15-20; 9-23-20

Docket 1

***** VACATED *** REASON: CONTINUED 3-9-2021 AT 10:00 A.M.**

Tentative Ruling:

9/22/2020

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

Party Information

Debtor(s):

Michael Bonert

Represented By
Alan W Forsley

Defendant(s):

Michael Bonert

Represented By
Alan W Forsley

Vivien Bonert

Represented By
Alan W Forsley

Bonert's Incorporated dba Bonert's

Pro Se

Bonert Management Company, Inc.

Represented By
Lawrence M Jacobson

Bonert's Jadahasa, LLC

Represented By

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

Tuesday, December 15, 2020

Hearing Room 1568

11:00 AM

CONT... Michael Bonert

Chapter 11

	Lawrence M Jacobson
Beefam, LLC	Represented By Lawrence M Jacobson
DOES 1-10	Pro Se
Bonert's MV, LLC	Represented By Lawrence M Jacobson
Bonert's Mibon LLC	Represented By Lawrence M Jacobson
3144 Bonert's LLC	Represented By Lawrence M Jacobson

Joint Debtor(s):

Vivien Bonert	Represented By Alan W Forsley
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Plaintiff(s):

Coastal Carriers, LLC	Represented By Scott E Blakeley
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
Courtroom 1568 Calendar**

Tuesday, December 15, 2020

Hearing Room 1568

11:00 AM

2:19-20836 Michael Bonert

Chapter 11

Adv#: 2:19-01377 Packaging Corporation of America v. Bonert et al

#107.00

Status Conference re: Collection Actions re: Notice of Removal of Civil Action to United States Bankruptcy Court. Nature of Suit: (01 (Determination of removed claim or cause)),(02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))),(13 (Recovery of money/property - 548 fraudulent transfer))

FR. 3-10-20; 3-11-20; 6-16-20; 9-15-20; 9-23-20

Docket 1

***** VACATED *** REASON: CONTINUED 3-9-2021 AT 10:00 A.M.**

Tentative Ruling:

9/22/2020

Note: Telephonic Appearances Only. The Courtroom will be unavailable for in-court appearances. 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. The cost for persons representing themselves has been waived.

Hearing required.

Party Information

Debtor(s):

Michael Bonert

Represented By
Alan W Forsley

Defendant(s):

Michael Bonert

Represented By
Alan W Forsley

Vivien Bonert

Represented By
Alan W Forsley

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

Tuesday, December 15, 2020

Hearing Room 1568

11:00 AM

CONT... Michael Bonert

Chapter 11

Bonert's Incorporated dba Bonert's	Pro Se
Bonert Management Company, Inc.	Represented By Lawrence M Jacobson
Bonert's Jadahasa, LLC	Represented By Lawrence M Jacobson
Bonert's MV, LLC	Represented By Lawrence M Jacobson
Bonert's Mibon LLC	Represented By Lawrence M Jacobson
Beefam, LLC	Represented By Lawrence M Jacobson
DOES 1-10	Pro Se
3144 Bonert's LLC	Represented By Lawrence M Jacobson

Joint Debtor(s):

Vivien Bonert	Represented By Alan W Forsley
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Plaintiff(s):

Packaging Corporation of America	Represented By Scott E Blakeley
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Ernest Robles, Presiding
Courtroom 1568 Calendar**

Tuesday, December 15, 2020

Hearing Room 1568

11:00 AM

2:19-20836 Michael Bonert and Vivien Bonert

Chapter 11

#108.00 Hearing re [339] Debtp'r's chapter 11 case status

Docket 0

*** VACATED *** REASON: CONTINUED 3-9-21 AT 10:00 A.M.

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Bonert

Represented By
Alan W Forsley

Joint Debtor(s):

Vivien Bonert

Represented By
Alan W Forsley

Trustee(s):

Gregory Kent Jones (TR)

Pro Se

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

Tuesday, December 15, 2020

Hearing Room 1568

1:00 PM

2:20-16475 Neumedicines, Inc.

Chapter 11

#200.00 Continued Hearing

RE: [114] Motion to Sell Property of the Estate Free and Clear of Liens under Section 363(f) Debtor's Motion for Order: (1) Approving the Sale of Substantially All Assets Free and Clear of Liens, Claims, Interests and Encumbrances Pursuant to 11 U.S.C. §363(b)(1) and (f)(4); (2) Approving the Assumption and Assignment of Certain Executory Contracts; and (3) Entering Findings Related to the Sale; Memorandum of Points and Authorities; Declarations of Daniel J. Weintraub, Timothy K. Gallaher and Raphael Nir in Support Thereof.

fr. 12-10-20

Docket 114

***** VACATED *** REASON: WILL BE HEARD AT 3:00 .M. TODAY**

Tentative Ruling:

12/14/2020

Note: Telephonic Appearances Only. The Courtroom will be unavailable for in-court appearances. 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. The cost for persons representing themselves has been waived.

Hearing required.

Party Information

Debtor(s):

Neumedicines, Inc.

Represented By
Crystle Jane Lindsey
Daniel J Weintraub
James R Selth

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

Tuesday, December 15, 2020

Hearing Room 1568

3:00 PM

2:20-16475 Neumedicines, Inc.

Chapter 11

#300.00 Continued Hearing

RE: [114] Motion to Sell Property of the Estate Free and Clear of Liens under Section 363(f) Debtor's Motion for Order: (1) Approving the Sale of Substantially All Assets Free and Clear of Liens, Claims, Interests and Encumbrances Pursuant to 11 U.S.C. §363(b)(1) and (f)(4); (2) Approving the Assumption and Assignment of Certain Executory Contracts; and (3) Entering Findings Related to the Sale; Memorandum of Points and Authorities; Declarations of Daniel J. Weintraub, Timothy K. Gallaher and Raphael Nir in Support Thereof.

fr. 12-10-20

Docket 114

Tentative Ruling:

12/14/2020

Note: Telephonic Appearances Only. The Courtroom will be unavailable for in-court appearances. 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. The cost for persons representing themselves has been waived.

Hearing required.

Party Information

Debtor(s):

Neumedicines, Inc.

Represented By
Crystle Jane Lindsey
Daniel J Weintraub
James R Selth