

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Erithe Smith, Presiding
Courtroom 5A Calendar**

Thursday, April 8, 2021

Hearing Room 5A

9:30 AM
8:00-00000

Chapter

#0.00 All hearings on this calendar will be conducted remotely, using ZoomGov video and audio.

Parties in interest and members of the public may connect to the video and audio feeds, free of charge, using the connection information provided below.

Individuals may participate by ZoomGov video and audio using a personal computer (equipped with camera, microphone and speaker), or a handheld mobile device (such as an iPhone or Android phone). Individuals may opt to participate by audio only using a telephone (standard telephone charges may apply).

Neither a Zoom nor a ZoomGov account is necessary to participate and no pre-registration is required. The audio portion of each hearing will be recorded electronically by the Court and constitutes its official record.

Meeting URL: <https://cacb.zoomgov.com/j/1613970256>

Meeting ID: 161 397 0256

Password: 343771

Telephone conference lines: 1 (669) 254 5252 or 1 (646) 828 7666

For more information on appearing before Judge Smith by ZoomGov, please see the "Notice of Video and Telephonic Appearance Procedures for

**United States Bankruptcy Court
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Chapter

Judge Erithe A. Smith's Cases" on the Court's website at:
<https://www.cacb.uscourts.gov/judges/honorable-erithe-smith> under the
"Telephonic Instructions" section.

To assist in creating a proper record and for the efficiency of these
proceedings, please:

- Connect 10 minutes before your hearing time so that you have time to check in.
- Change your Zoom name to include your calendar number, first initial and last name, and client name (*ex. 5, R. Smith, ABC Corp.*) if appearing by video. This can be done by clicking on "More" and "Rename" from the Participants list or by clicking on the three dots on your video tile.
- Mute your audio to minimize background noise unless and until it is your turn to speak. Consider turning your video off until it is your turn to appear.
- Say your name every time you speak.
- Disconnect from the meeting by clicking "Leave" when you have completed your appearance(s).

Docket 0

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

**United States Bankruptcy Court
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Chapter

**United States Bankruptcy Court
Central District of California
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Thursday, April 8, 2021

Hearing Room 5A

9:30 AM

8:17-14535 Prime Metals U.S.A., Inc.

Chapter 7

Adv#: 8:19-01213 Marshack v. An et al

#1.00 CON'TD STATUS CONFERENCE RE: Complaint for: 1. Avoidance and Recover of Constructive Fraudulent Transfers; 2. Avoidance and Recovery of Property of the Bankruptcy Estate; 3. Avoidance of Preferential Transfers; and 4. Recovery of Avoided Transfers

FR: 1-30-20; 3-19-20; 5-21-20; 7-23-20; 10-22-20; 1-21-21

Docket 1

Courtroom Deputy:

SPECIAL NOTE: Notice of Voluntary Dismissal of Only Defendant Byungwhan Chung, an individual, filed 3/25/2021 - td (3/26/2021)

Tentative Ruling:

January 30, 2020

Joint status report not timely filed.* Parties must appear and advise the court re the status of this matter.

* The Stipulation and Order [docket #s 5 & 6] only extended the answer date -- did not include an extension of the deadline to file a status report.

Note: Appearances at the hearing are required.

May 21, 2020

Continue the status conference to July 23, 2020 at 9:30 a.m.; updated status report must be filed by July 16, 2020 if the adversary is still pending by such date.

Note: Appearances at this hearing are not required.

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CONT... Prime Metals U.S.A., Inc.

Chapter 7

January 21, 2021

Continue status conference to April 8, 2021 at 9:30 a.m.; updated status report must be filed by March 25, 2021 if the adversary is still pending by such date. (XX)

Note: Appearances at this hearing are not required; Plaintiff to serve notice of the continued hearing date/time.

April 8, 2021

Continue status conference one final time to May 20, 2021 at 9:30 a.m.; updated status report must be filed by May 6, 2021.

Note: If the parties accept the foregoing tentative ruling, appearances at this hearing are not required and Plaintiff shall serve notice of the continued hearing date/time.

Party Information

Debtor(s):

Prime Metals U.S.A., Inc.

Represented By
Steven Werth

Defendant(s):

Minho An

Represented By
Michael H Yi

Byungwhan Chung

Pro Se

Plaintiff(s):

Richard A Marshack

Represented By
Ronald S Hodges
Robert P Goe

**United States Bankruptcy Court
Central District of California
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9:30 AM

CONT... Prime Metals U.S.A., Inc.

Chapter 7

Ryan S Riddles

Trustee(s):

Richard A Marshack (TR)

Represented By

D Edward Hays

Laila Masud

David M Goodrich

Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Erithe Smith, Presiding
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Thursday, April 8, 2021

Hearing Room 5A

9:30 AM

8:20-11977 SC Development Fund, LLC

Chapter 7

Adv#: 8:20-01135 Zhang et al v. SC Development Fund, LLC et al

#2.00 CONT'D STATUS CONFERENCE RE: First Amended Adversary Complaint For
1. Equitable Subordination under 11 USC Section 510 (c) ; 2. Preliminary
Injunctive Relief; 3. Injunctive Relief; 4. Declaratory Relief; 5. Fraud; 6.
Conspiracy To Commit Fraud; 7. Disallowance Of Claims under 11 USC Section
502(a), (d), (e); 8. Fraudulent Transfer under 11 USC Section 548; 9.
Constructive Fraudulent Transfer under 11 USC Sections 544, 550, 551
California Civil Code Sections 3439.05 and 3439.07

(Another Summons Issued 10-14-20)
FR: 1-7-21

Docket 5

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

January 7, 2021

Continue Status Conference to April 8, 2021 at 9:30 a.m.; an updated Joint
Status Report must be filed by March 25, 2021. (XX)

***Note: If the parties accept the foregoing tentative ruling, appearances at
this hearing are not required; Plaintiff shall serve notice of the
continued hearing date/time.***

April 8, 2021

Discovery Cut-off Date:	Aug. 31, 2021
Deadline to Attend Mandatory Mediation:	Sept. 30, 2021
Pretrial Conference Date:	Nov. 4, 2021 at 9:30 am

**United States Bankruptcy Court
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CONT... SC Development Fund, LLC

Chapter 7

Deadline to File Pretrial Stipulation:

Oct. 21, 2021

Note: If all parties agree with the foregoing schedule, appearances at today's hearing are waived and Plaintiff shall serve/lodge a scheduling order consistent with the same.

Party Information

Debtor(s):

SC Development Fund, LLC

Represented By
Keith S Dobbins

Defendant(s):

SC Development Fund, LLC

Pro Se

Weneta M Kosmala

Pro Se

Plaintiff(s):

Hui Xiu Zhang

Represented By
Elan Darvish

Jumbo Investment, Inc.

Represented By
Elan Darvish

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Beth Gaschen
Jeffrey I Golden

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Erithe Smith, Presiding
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Thursday, April 8, 2021

Hearing Room 5A

9:30 AM

8:20-12390 Frank Hinojosa Castro

Chapter 13

Adv#: 8:20-01145 ESIRF, LLC v. Castro

#3.00 CON'TD STATUS CONFERENCE RE: Complaint to Determine Non-Dischargeability of Debt Pursuant to 11 U.S.C. §§523(a)(3)(A), 523(a)(4), and 1328(a)(2)

FR: 1-7-21

Docket 1

***** VACATED *** REASON: OFF CALENDAR: Order Approving Stipulation and for Judgment Excepting Debt from Discharge Pursuant to 11 U.S.C. §§523(a)(2)(A), 523(a)(4); and Dismissing Claims for Relief Pursuant to 11 U.S.C. §1328(a)(2) Entered 2/1/2021**

Courtroom Deputy:

OFF CALENDAR: Order Approving Stipulation and for Judgment Excepting Debt from Discharge Pursuant to 11 U.S.C. §§523(a)(2)(A), 523(a)(4); and Dismissing Claims for Relief Pursuant to 11 U.S.C. § 1328(a)(2) Entered 2/1/2021 - td (2/1/2021)

Tentative Ruling:

January 7, 2021

Continue Status Conference to April 8, 2021 at 9:30 a.m. A motion for default judgment may self-calendared for the same date/time as the continued Status Conference date. Alternatively, the motion may be filed without a hearing pursuant to the procedure set forth in Local Bankruptcy Rule 9013-1(o). (XX)

Additional notes:

The motion for default judgment, supported by evidence, must be served on defendant and defendant's counsel in accordance with Local Rule 9013-1(d). If the motion for default judgment is not heard by the continued date of the Status Conference, **THE ADVERSARY MAY BE DISMISSED** at the Status Conference for failure to prosecute.

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CONT... Frank Hinojosa Castro

Chapter 13

Note: If Plaintiff accepts the foregoing tentative ruling, appearance at this hearing is not required; Plaintiff shall serve notice of the continued hearing date/time.

Party Information

Debtor(s):

Frank Hinojosa Castro

Represented By
Christopher P Walker

Defendant(s):

Frank Hinojosa Castro

Pro Se

Plaintiff(s):

ESIRF, LLC

Represented By
Aaron D. Burden

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

United States Bankruptcy Court
Central District of California
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Thursday, April 8, 2021

Hearing Room 5A

10:00 AM

8:18-12499 Katrina Barrientos and James Wee

Chapter 13

#4.00 Hearing RE: Motion for relief from the automatic stay [REAL PROPERTY]
FREEDOM MORTGAGE CORPORATION
VS.
DEBTORS

Docket 84

*** VACATED *** REASON: OFF CALENDAR: Order Granting Motion
for Relief from the Automatic Stay (Settled by Stipulation) Entered 3/22/2021

Courtroom Deputy:

**OFF CALENDAR: Order Granting Motion for Relief from the Automatic
Stay (Settled by Stipulation) Entered 3/22/2021 - td (3/22/2021)**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Katrina Barrientos

Represented By
Amanda G Billyard
Andy C Warshaw

Joint Debtor(s):

James Wee

Represented By
Amanda G Billyard
Andy C Warshaw

Movant(s):

Freedom Mortgage Corporation

Represented By
Dane W Exnowski

**United States Bankruptcy Court
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10:00 AM

CONT... Katrina Barrientos and James Wee

Chapter 13

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
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Thursday, April 8, 2021

Hearing Room 5A

10:00 AM

8:21-10189 Adolfo Rodriguez Carabali and Guadalupe Brito De

Chapter 7

#5.00 Hearing RE: Motion for relief from the automatic stay [PERSONAL PROPERTY]
MECHANICS BANK AUTO FINANCE
VS.
DEBTORS; AND KAREN S. NAYLOR, CHAPTER 7 TRUSTEE

Docket 11

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

April 8, 2021

Grant with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by the Movant is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Movant will be so notified.

Party Information

Debtor(s):

Adolfo Rodriguez Carabali

Represented By
Juan Castillo-Onofre

Joint Debtor(s):

Guadalupe Brito De Rodriguez

Represented By
Juan Castillo-Onofre

**United States Bankruptcy Court
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Santa Ana
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10:00 AM

CONT... Adolfo Rodriguez Carabali and Guadalupe Brito De

Chapter 7

Movant(s):

Mechanics Bank Auto Finance

Represented By
Vincent V Frounjian

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
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Thursday, April 8, 2021

Hearing Room 5A

10:00 AM

8:21-10335 Karen Ann McColley

Chapter 7

#6.00 Hearing RE: Motion for relief from the automatic stay [PERSONAL PROPERTY]
YAMAHA MOTOR FINANCE CORP.
VS.
DEBTOR

Docket 9

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

April 8, 2021

Grant with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by the Movant is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Movant will be so notified.

Party Information

Debtor(s):

Karen Ann McColley

Represented By
Gary Polston

Movant(s):

Yamaha Motor Finance Corp.

Represented By
Karel G Rocha

Trustee(s):

Weneta M.A. Kosmala (TR)

Pro Se

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

CONT... Karen Ann McColley

Chapter 7

United States Bankruptcy Court
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Thursday, April 8, 2021

Hearing Room 5A

10:30 AM

8:18-14221 Taylor Tech Inc.

Chapter 7

#7.00 Hearing RE: Trustee's Final Report and Application for Final Fees and Expenses

[WENETA M.A. KOSMALA, CHAPTER 7 TRUSTEE]

Docket 131

*** VACATED *** REASON: CONTINUED TO 5/11/2021 AT 10:30 A.M.,
PER ORDER ENTERED 3/24/2021 (XX)

Courtroom Deputy:

**CONTINUED: Hearing Continued to 5/11/2021 at 10:30 a.m., Per Order
Entered 3/24/2021 (XX) - jl/td (3/24/2021)**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Taylor Tech Inc.

Represented By
Anthony A Friedman

Trustee(s):

Weneta M.A. Kosmala (TR)

Represented By
Beth Gaschen
Jeffrey I Golden

United States Bankruptcy Court
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Thursday, April 8, 2021

Hearing Room 5A

10:30 AM

8:18-14221 Taylor Tech Inc.

Chapter 7

#8.00 Hearing RE: First and Final Application for Allowance and Payment of Fees and Reimbursement of Expenses of Counsel for the Chapter 7 Trustee

[WEILAND GOLDEN GOODRICH LLP, ATTORNEYS FOR CHAPTER 7 TRUSTEE WENETA M.A. KOSMALA]

Docket 124

***** VACATED *** REASON: CONTINUED TO 5/11/2021 AT 10:30 A.M., PER ORDER ENTERED 3/24/2021 (XX)**

Courtroom Deputy:

CONTINUED: Hearing Continued to 5/11/2021 at 10:30 a.m., Per Order Entered 3/24/2021 (XX) - jl/td (3/24/2021)

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Taylor Tech Inc.

Represented By
Anthony A Friedman

Trustee(s):

Weneta M.A. Kosmala (TR)

Represented By
Beth Gaschen
Jeffrey I Golden

United States Bankruptcy Court
Central District of California
Santa Ana
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Thursday, April 8, 2021

Hearing Room 5A

10:30 AM

8:18-14221 Taylor Tech Inc.

Chapter 7

#9.00 Hearing RE: First and Final Fee Application of Hahn Fife & Company for Allowance of Fees and Expenses from February 7, 2019 through October 22, 2020

[HAHN FIFE & COMPANY, LLP, ACCOUNTANT FOR CHAPTER 7 TRUSTEE]

Docket 126

*** VACATED *** REASON: CONTINUED TO 5/11/2021 AT 10:30 A.M.,
PER ORDER ENTERED 3/24/2021 (XX)

Courtroom Deputy:

CONTINUED: Hearing Continued to 5/11/2021 at 10:30 a.m., Per Order Entered 3/24/2021 (XX) - jl/td (3/24/2021)

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Taylor Tech Inc.

Represented By
Anthony A Friedman

Trustee(s):

Weneta M.A. Kosmala (TR)

Represented By
Beth Gaschen
Jeffrey I Golden

**United States Bankruptcy Court
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Thursday, April 8, 2021

Hearing Room 5A

10:30 AM

8:18-14221 Taylor Tech Inc.

Chapter 7

#10.00 Hearing RE: Application for Payment of First and Final Fees and/or Expenses

[INDEPENDENT MANAGEMENT SERVICES, TRUSTEE FIELD REPRESENTATIVE]

Docket 125

***** VACATED *** REASON: CONTINUED TO 5/11/2021 AT 10:30 A.M.,
PER ORDER ENTERED 3/24/2021 (XX)**

Courtroom Deputy:

**CONTINUED: Hearing Continued to 5/11/2021 at 10:30 a.m., Per Order
Entered 3/24/2021 (XX) - jl/td (3/24/2021)**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Taylor Tech Inc.

Represented By
Anthony A Friedman

Trustee(s):

Weneta M.A. Kosmala (TR)

Represented By
Beth Gaschen
Jeffrey I Golden

**United States Bankruptcy Court
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Thursday, April 8, 2021

Hearing Room 5A

10:30 AM

8:19-11546 Joseph Ra

Chapter 7

#11.00 Hearing RE: Chapter 7 Trustee's Motion for Order Extending Time to File
Actions Under 11 U.S.C. Sections 108, 546(a) and 549(D)

Docket 268

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

April 8, 2021

Grant motion.

Note: This matter appears to be uncontested. Accordingly, no court appearance by the Movant is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Movant will be so notified.

Party Information

Debtor(s):

Joseph Ra

Represented By
David B Golubchik
Jaenam J Coe

Trustee(s):

Richard A Marshack (TR)

Represented By
Michael G Spector
Thomas J Polis

**United States Bankruptcy Court
Central District of California
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Thursday, April 8, 2021

Hearing Room 5A

10:30 AM

8:19-13858 Bruce Elieff

Chapter 7

#12.00 STATUS CONFERENCE Hearing RE: Creditor Todd Kurtin's Objection to Claims:

Cl. #12 (**Elieff**) Miller Barondess LLP

Cl. #4 (**Morse**) Miller Barondess LLP

Cl. #5 (**Camden**) Miller Barondess LLP

FR: 5-12-20; 5-19-20; 6-23-20; 6-25-20; 7-16-20; 10-22-20; 2-4-21

Docket 360

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

June 25, 2020

TENTATIVE RULING

Continue hearing to July 16, 2020 at 2:00 p.m. (XX)

Note: Appearance at this hearing is not required.

July 16, 2020

Overrule that portion of the objection based on Sec. 502(b)(1) as moot in light of this court's order re substantive consolidation.

As to the 502(b)(4) portion of the objection, the following will apply:

**United States Bankruptcy Court
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Thursday, April 8, 2021

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CONT... Bruce Elieff

Chapter 7

1. Discovery deadline of September 4, 2020
2. Continued hearing date: October 22, 2020 at 2:00 p.m. (XX)
3. Any supplemental pleadings by the objecting party must be filed by September 17, 2020; any supplemental response pleadings must be filed by October 1, 2020; any supplemental reply pleadings must be filed by October 8, 2020.

Note: If the parties accept the foregoing tentative ruling, appearance at this hearing is not required.

October 22, 2020

[Special Notice: This hearing is being conducted by Zoomgov. See the first page of the calendar for today's hearings for participation details.]

Continue hearing to February 4, 2021 at 2:00 p.m. (XX)

Note: Appearances at this hearing are not required.

February 4, 2021

Continue this matter to April 8, 2021 at 10:30 a.m. as a Status Conference; updated Status Report must be filed by April 1, 2021. (XX)

Note: Appearances at today's hearing are not required.

April 8, 2021

Overrule objection for failure to prosecute without prejudice to the chapter 7 trustee or other interested party re-filing an objection to the claim.

**United States Bankruptcy Court
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CONT... Bruce Elieff

Chapter 7

Alternatively, Mr. Kurtin may verbally withdraw the objection during the calendar roll call, in which case a notice of withdrawal of objection must be filed within 7 days of today's hearing.

Party Information

Debtor(s):

Bruce Elieff

Represented By
Paul J Couchot
Lisa Nelson

Movant(s):

Todd Kurtin

Represented By
Lewis R Landau
Edward O Morales

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Alan G Tippie
Daniel A Lev
Sean A OKeefe

**United States Bankruptcy Court
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8:19-13858 Bruce Elieff

Chapter 7

#13.00 STATUS CONFERENCE Hearing RE: Creditor Todd Kurtin's Objection to Claims:

Cl. #21 (**Elieff**) E.O.C. Ord, Inc.

Cl. # 8 (**Morse**) E.O.C. Ord, Inc.

Cl. #10 (**Camden**) E.O.C. Ord, Inc.

FR: 5-12-20; 5-19-20; 6-23-20; 6-25-20; 7-16-20; 10-22-20; 2-4-21

Docket 362

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

June 25, 2020

TENTATIVE RULING

Continue hearing to July 16, 2020 at 2:00 p.m. (XX)

Note: Appearance at this hearing is not required.

July 16, 2020

Overrule that portion of the objection based on Sec. 502(b)(1) as moot in light of this court's order re substantive consolidation.

As to the 502(b)(4) portion of the objection, the following will apply:

**United States Bankruptcy Court
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CONT... Bruce Elieff

Chapter 7

1. Discovery deadline of September 4, 2020
2. Continued hearing date: October 22, 2020 at 2:00 p.m. (XX)
3. Any supplemental pleadings by the objecting party must be filed by September 17, 2020; any supplemental response pleadings must be filed by October 1, 2020; any supplemental reply pleadings must be filed by October 8, 2020.

Note: If the parties accept the foregoing tentative ruling, appearance at this hearing is not required.

October 22, 2020

[Special Notice: This hearing is being conducted by Zoomgov. See the first page of the calendar for today's hearings for participation details.]

Continue hearing to February 4, 2021 at 2:00 p.m.(XX)

Note: Appearances at this hearing are not required.

February 4, 2021

Continue this matter to April 8, 2021 at 10:30 a.m. as a Status Conference; updated Status Report must be filed by April 1, 2021. (XX)

Note: Appearances at today's hearing are not required.

April 8, 2021

Overrule objection for failure to prosecute without prejudice to the chapter 7 trustee or other interested party re-filing an objection to the claim. Alternatively, Mr. Kurtin may verbally withdraw the objection during the

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CONT... Bruce Elieff

Chapter 7

calendar roll call, in which case a notice of withdrawal of objection must be filed within 7 days of today's hearing.

Party Information

Debtor(s):

Bruce Elieff

Represented By
Paul J Couchot
Lisa Nelson

Movant(s):

Todd Kurtin

Represented By
Lewis R Landau
Edward O Morales

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Alan G Tippie
Daniel A Lev
Sean A OKeefe

**United States Bankruptcy Court
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8:19-13858 Bruce Elieff

Chapter 7

#14.00 CON'TD STATUS CONFERENCE Hearing RE: Creditor Todd Kurtin's Objection to Claim #27 by Stephan Z. Elieff - \$4,464,870.00

FR: 5-7-20; 7-23-20; 10-22-20; 2-4-21

Docket 375

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

October 22, 2020

[Special Notice: This hearing is being conducted by Zoomgov. See the first page of the calendar for today's hearings for participation details.]

Continue hearing to February 4, 2021 at 2:00 p.m. (XX)

Note: Appearances at this hearing are not required.

February 4, 2021

Continue this matter to April 8, 2021 at 10:30 a.m. as a Status Conference; updated Status Report must be filed by April 1, 2021. (XX)

Note: Appearances at today's hearing are not required.

April 8, 2021

Overrule objection for failure to prosecute without prejudice to the chapter 7 trustee or other interested party re-filing an objection to the claim. Alternatively, Mr. Kurtin may verbally withdraw the objection during the

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CONT... Bruce Elieff

Chapter 7

calendar roll call, in which case a notice of withdrawal of objection must be filed within 7 days of today's hearing.

Party Information

Debtor(s):

Bruce Elieff

Represented By
Paul J Couchot
Lisa Nelson

Movant(s):

Todd Kurtin

Represented By
Lewis R Landau
Edward O Morales

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Alan G Tippie
Daniel A Lev
Sean A OKeefe

**United States Bankruptcy Court
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8:19-13858 Bruce Elieff

Chapter 7

#15.00 CON'TD STATUS CONFERENCE Hearing RE: Creditor Todd Kurtin's Objection to Claim #28 by Nevada Sun, Inc., a Nevada Corporation - \$28,367,797.00 [Affects Bruce Elieff]

FR: 5-7-20; 7-23-20; 10-22-20; 2-4-21

Docket 376

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

October 22, 2020

[Special Notice: This hearing is being conducted by Zoomgov. See the first page of the calendar for today's hearings for participation details.]

Continue hearing to February 4, 2021 at 2:00 p.m. (XX)

Note: Appearances at this hearing are not required.

February 4, 2021

Continue this matter to April 8, 2021 at 10:30 a.m. as a Status Conference; updated Status Report must be filed by April 1, 2021. (XX)

Note: Appearances at today's hearing are not required.

April 8, 2021

Overrule objection for failure to prosecute without prejudice to the chapter 7 trustee or other interested party re-filing an objection to the claim.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Erithe Smith, Presiding
Courtroom 5A Calendar**

Thursday, April 8, 2021

Hearing Room 5A

10:30 AM

CONT... Bruce Elieff

Chapter 7

Alternatively, Mr. Kurtin may verbally withdraw the objection during the calendar roll call, in which case a notice of withdrawal of objection must be filed within 7 days of today's hearing.

Party Information

Debtor(s):

Bruce Elieff

Represented By
Paul J Couchot
Lisa Nelson

Movant(s):

Todd Kurtin

Represented By
Lewis R Landau
Edward O Morales

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Alan G Tippie
Daniel A Lev
Sean A OKeefe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Erithe Smith, Presiding
Courtroom 5A Calendar**

Thursday, April 8, 2021

Hearing Room 5A

10:30 AM

8:20-10372 Broadband Nation LLC

Chapter 11

#16.00 CON'TD Hearing RE: Creditor Todd Kurtin's Objection to Claim # 1 by Miller Barondess LLP

FR: 5-12-20; 5-19-20; 6-23-20; 6-25-20; 7-16-20; 10-22-20; 2-4-21

Docket 36

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

June 25, 2020

TENTATIVE RULING

Continue hearing to July 16, 2020 at 2:00 p.m. (XX)

Note: Appearance at this hearing is not required.

July 16, 2020

Same tentative ruling as for #45

October 22, 2020

[Special Notice: This hearing is being conducted by Zoomgov. See the first page of the calendar for today's hearings for participation details.]

Continue hearing to February 4, 2021 at 2:00 p.m. (XX)

February 4, 2021

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Erithe Smith, Presiding
Courtroom 5A Calendar**

Thursday, April 8, 2021

Hearing Room 5A

10:30 AM

CONT... Broadband Nation LLC

Chapter 11

Continue this matter to April 8, 2021 at 10:30 a.m. as a Status Conference; updated Status Report must be filed by April 1, 2021. (XX)

Note: Appearances at today's hearing are not required.

April 8, 2021

Overrule objection for failure to prosecute without prejudice to the chapter 7 trustee or other interested party re-filing an objection to the claim. Alternatively, Mr. Kurtin may verbally withdraw the objection during the calendar roll call, in which case a notice of withdrawal of objection must be filed within 7 days of today's hearing.

Party Information

Debtor(s):

Broadband Nation LLC

Represented By
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Erithe Smith, Presiding
Courtroom 5A Calendar**

Thursday, April 8, 2021

Hearing Room 5A

10:30 AM

8:20-10372 Broadband Nation LLC

Chapter 11

#17.00 STATUS CONFERENCE Hearing RE: Creditor Todd Kurtin's Objection to Claim #2 by E.O.C. Ord, Inc.

FR: 5-12-20; 5-19-20; 6-23-20; 6-25-20; 7-16-20; 10-22-20; 2-4-21

Docket 35

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

June 25, 2020

TENTATIVE RULING

Continue hearing to July 16, 2020 at 2:00 p.m. (XX)

Note: Appearance at this hearing is not required.

July 16, 2020

Same tentative ruling as #46
(XX)

October 22, 2020

[Special Notice: This hearing is being conducted by Zoomgov. See the first page of the calendar for today's hearings for participation details.]

Continue hearing to February 4, 2021 at 2:00 p.m. (XX)

Note: Appearances at this hearing are not required.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Erithe Smith, Presiding
Courtroom 5A Calendar**

Thursday, April 8, 2021

Hearing Room 5A

10:30 AM

CONT... Broadband Nation LLC

Chapter 11

February 4, 2021

Continue this matter to April 8, 2021 at 10:30 a.m. as a Status Conference; updated Status Report must be filed by April 1, 2021. (XX)

Note: Appearances at today's hearing are not required.

April 8, 2021

Overrule objection for failure to prosecute without prejudice to the chapter 7 trustee or other interested party re-filing an objection to the claim. Alternatively, Mr. Kurtin may verbally withdraw the objection during the calendar roll call, in which case a notice of withdrawal of objection must be filed within 7 days of today's hearing.

Party Information

Debtor(s):

Broadband Nation LLC

Represented By
Robert P Goe

Movant(s):

Todd Kurtin

Represented By
Lewis R Landau

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Erithe Smith, Presiding
Courtroom 5A Calendar**

Thursday, April 8, 2021

Hearing Room 5A

10:30 AM

8:20-10373 Heritage Colorado LLC

Chapter 11

#18.00 STATUS CONFERENCE Hearing RE: Creditor Todd Kurtin's Objection to Claim #1 by Miller Barondess LLP

FR: 5-12-20; 5-19-20; 6-23-20; 6-25-20; 7-16-20; 10-22-20; 2-4-21

Docket 36

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

June 25, 2020

TENTATIVE RULING

Continue hearing to July 16, 2020 at 2:00 p.m. (XX)

Note: Appearance at this hearing is not required.

July 16, 2020

Same tentative ruling as #45
(XX)

October 22, 2020

[Special Notice: This hearing is being conducted by Zoomgov. See the first page of the calendar for today's hearings for participation details.]

Continue hearing to February 4, 2021 at 2:00 p.m. (XX)

Note: Appearances at this hearing are not required.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Erithe Smith, Presiding
Courtroom 5A Calendar**

Thursday, April 8, 2021

Hearing Room 5A

10:30 AM

CONT... Heritage Colorado LLC

Chapter 11

February 4, 2021

Continue this matter to April 8, 2021 at 10:30 a.m. as a Status Conference; updated Status Report must be filed by April 1, 2021. (XX)

Note: Appearances at today's hearing are not required.

April 8, 2021

Overrule objection for failure to prosecute without prejudice to the chapter 7 trustee or other interested party re-filing an objection to the claim. Alternatively, Mr. Kurtin may verbally withdraw the objection during the calendar roll call, in which case a notice of withdrawal of objection must be filed within 7 days of today's hearing.

Party Information

Debtor(s):

Heritage Colorado LLC

Represented By
Robert P Goe

Movant(s):

Todd Kurtin

Represented By
Lewis R Landau

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Erithe Smith, Presiding
Courtroom 5A Calendar**

Thursday, April 8, 2021

Hearing Room 5A

10:30 AM

8:20-10373 Heritage Colorado LLC

Chapter 11

#19.00 STATUS CONFERENCE Hearing RE: Creditor Todd Kurtin's Objection to Claim # 3 By E.O.C. Ord, Inc.

FR: 5-12-20; 5-19-20; 6-23-20; 6-25-20; 7-16-20; 10-22-20; 2-4-21

Docket 35

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

June 25, 2020

TENTATIVE RULING

Continue hearing to July 16, 2020 at 2:00 p.m. (XX)

Note: Appearance at this hearing is not required.

July 16, 2020

Same tentative ruling as #46
(XX)

October 22, 2020

[Special Notice: This hearing is being conducted by Zoomgov. See the first page of the calendar for today's hearings for participation details.]

Continue hearing to February 4, 2021 at 2:00 p.m. (XX)

Note: Appearances at this hearing are not required.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Erithe Smith, Presiding
Courtroom 5A Calendar**

Thursday, April 8, 2021

Hearing Room 5A

10:30 AM

CONT... Heritage Colorado LLC

Chapter 11

February 4, 2021

Continue this matter to April 8, 2021 at 10:30 a.m. as a Status Conference; updated Status Report must be filed by April 1, 2021. (XX)

Note: Appearances at today's hearing are not required.

April 8, 2021

Overrule objection for failure to prosecute without prejudice to the chapter 7 trustee or other interested party re-filing an objection to the claim. Alternatively, Mr. Kurtin may verbally withdraw the objection during the calendar roll call, in which case a notice of withdrawal of objection must be filed within 7 days of today's hearing.

Party Information

Debtor(s):

Heritage Colorado LLC

Represented By
Robert P Goe

Movant(s):

Todd Kurtin

Represented By
Lewis R Landau

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Erithe Smith, Presiding
Courtroom 5A Calendar**

Thursday, April 8, 2021

Hearing Room 5A

10:30 AM

8:20-10374 TDV Development Corporation

Chapter 11

#20.00 STATUS CONFERENCE Hearing RE: Creditor Todd Kurtin's Objection to Claim #2 by Miller Barondess

FR: 5-12-20; 5-19-20; 6-23-20; 6-25-20; 7-16-20; 10-22-20; 2-4-21

Docket 36

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

June 25, 2020

TENTATIVE RULING

Continue hearing to July 16, 2020 at 2:00 p.m. (XX)

Note: Appearance at this hearing is not required.

July 16, 2020

Same tentative ruling as #45
(XX)

October 22, 2020

[Special Notice: This hearing is being conducted by Zoomgov. See the first page of the calendar for today's hearings for participation details.]

Continue hearing to February 4, 2021 at 2:00 p.m. (XX)

Note: Appearances at this hearing are not required.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Erithe Smith, Presiding
Courtroom 5A Calendar**

Thursday, April 8, 2021

Hearing Room 5A

10:30 AM

CONT... TDV Development Corporation

Chapter 11

February 4, 2021

Continue this matter to April 8, 2021 at 10:30 a.m. as a Status Conference; updated Status Report must be filed by April 1, 2021. (XX)

Note: Appearances at today's hearing are not required.

April 8, 2021

Overrule objection for failure to prosecute without prejudice to the chapter 7 trustee or other interested party re-filing an objection to the claim. Alternatively, Mr. Kurtin may verbally withdraw the objection during the calendar roll call, in which case a notice of withdrawal of objection must be filed within 7 days of today's hearing.

Party Information

Debtor(s):

TDV Development Corporation

Represented By
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Erithe Smith, Presiding
Courtroom 5A Calendar**

Thursday, April 8, 2021

Hearing Room 5A

10:30 AM

8:20-10374 TDV Development Corporation

Chapter 11

#21.00 STATUS CONFERENCE Hearing RE: Creditor Todd Kurtin's Objection to Claim #3 by E.O.C. Ord, Inc.

FR: 5-12-20; 5-19-20; 6-23-20; 6-25-20; 7-16-20; 10-22-20; 2-4-21

Docket 35

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

June 25, 2020

TENTATIVE RULING

Continue hearing to July 16, 2020 at 2:00 p.m. (XX)

Note: Appearance at this hearing is not required.

Continue hearing to February 4, 2021 at 2:00 p.m. (XX)

Note: Appearances at this hearing are not required.

February 4, 2021

Continue this matter to April 8, 2021 at 10:30 a.m. as a Status Conference; updated Status Report must be filed by April 1, 2021. (XX)

Note: Appearances at today's hearing are not required.

April 8, 2021

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Erithe Smith, Presiding
Courtroom 5A Calendar**

Thursday, April 8, 2021

Hearing Room 5A

10:30 AM

CONT... TDV Development Corporation

Chapter 11

Overrule objection for failure to prosecute without prejudice to the chapter 7 trustee or other interested party re-filing an objection to the claim.

Alternatively, Mr. Kurtin may verbally withdraw the objection during the calendar roll call, in which case a notice of withdrawal of objection must be filed within 7 days of today's hearing.

Party Information

Debtor(s):

TDV Development Corporation

Represented By
Robert P Goe

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Erithe Smith, Presiding
Courtroom 5A Calendar**

Thursday, April 8, 2021

Hearing Room 5A

10:30 AM

8:20-11507 HCA West, Inc

Chapter 11

#22.00 Hearing RE: Debtors and Debtors in Possessions' Motion for Order Further Extending the Time Periods During Which the Debtors Have the Exclusive Rights to File a Plan and to Solicit Acceptances Thereof Pursuant to Section 1121(D) of the Bankruptcy Code

Docket 439

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

April 8, 2021

Grant the Motion.

Note: This matter appears to be uncontested. Accordingly, no court appearance by the Movant is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Movant will be so notified.

Party Information

Debtor(s):

HCA West, Inc

Represented By
John W Lucas
Jason H Rosell
Victoria Newmark

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Erithe Smith, Presiding
Courtroom 5A Calendar**

Thursday, April 8, 2021

Hearing Room 5A

10:30 AM

8:21-10608 DEA Brothers Sisters LLC

Chapter 11

#23.00 Hearing RE: Debtor's Motion Pursuant to Section 363(C) of the Bankruptcy Code and Rule 4001(B) of the Federal Rules of Bankruptcy Procedure for an Order Authorizing the Use of Cash Collateral for the Shopping Center Located at 16502 S. Main St., Carson CA90248; Request for Order of Adequate Protection

Docket 18

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

April 8, 2021

Grant motion on an interim basis on the terms set forth in the Motion, except that no postpetition cash collateral shall be used to pay legal fees, through and including June 10, 2021. All secured creditors will retain their liens in the same priority as existed as of the petition date. A final hearing shall be held on June 10, 2021 at 10:30 a.m.; Debtor must file any supplemental pleadings in support of the Motion by May 20, 2021; any further opposition or response must be filed by May 27, 2021; any reply must be filed by June 3, 2021. Debtor to self-calendar a hearing on any motion to value property on its own.

Court's Comments re the Motion and Opposition:

1. Payment of operating expenses on the property maintains the value of the property to benefit of objecting creditor A&G. A&G's objection to the use of cash collateral to pay utilities, landscaping, repairs, etc. is unreasonable. Moreover, Debtor has offered a replacement lien in the cash collateral expended (in order of priority).
2. Because net rents are insufficient to pay the contractual payments to the senior, 1st position lender, Debtor is not required to apportion the net rents between such senior lender and the junior lender A&G.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Erithe Smith, Presiding
Courtroom 5A Calendar**

Thursday, April 8, 2021

Hearing Room 5A

10:30 AM

CONT... **DEA Brothers Sisters LLC**

Chapter 11

3. A&G has not established a diminution in the value of its interest in the subject property entitling it to adequate protection payments. See *US v. Timbers of Inwood Forest*, 484 U.S. 365 (1988).

4. The court accepts Debtor's valuation of the property on an interim basis as it is the only admissible evidence of value that has been presented at this point. As aptly stated in *In re Russell*, 567 B.R. 833, 840 (Bankr.Mont.2017): "an owner is competent to give his or her opinion on the value of his or her property, most often simply by stating the conclusion without stating a reason. See Hon. Barry Russell, BANKRUPTCY EVIDENCE MANUAL, 2016–2017 ed. § 701:2; *South Central Livestock Dealers, Inc. v. Security State Bank of Hedley, Tex.*, 614 F.2d 1056, 1061 (5th Cir. 1980). While a debtor's estimate of value may be acceptable in certain cases, the Court may give little weight to an opinion if not based upon sufficient facts. *In re Plummer*, 20 Mont. B.R. 468, 478 (Bankr. D. Mont. 2003). . . ." See also, Fed.R.Evid. 701. A&G's citation to Zillow is, as it has acknowledged, completely inadmissible. It's evidentiary objections to the statement of value by Enayat Ali Jiwani are, therefore, overruled.

5. A&G's evidentiary objection to the exhibits attached to the Motion on the basis of insufficient authentication are well-taken. Mr. Jiwani's declaration should have specifically addressed and authenticated each exhibit. **Proper authentication/personal knowledge/foundation will need to be provided for the final hearing.**

6. The court does not base its decision to grant the motion on an interim on the declaration of real estate broker David Pai as Mr. Pai is 1) not the owner of the property and 2) the conclusory declaration does not rise to the level of even a broker's opinion (e.g., no cap rate, comparables, etc.).

7. Pursuant to LBR 1001-1(a), the court waives the requirement of the use of Statement Regarding Cash Collateral or Debtor in Possession Financing as required by LBR 4001-2(a) in this instance but cautions Debtor's counsel to utilize this form in the future.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Erithe Smith, Presiding
Courtroom 5A Calendar**

Thursday, April 8, 2021

Hearing Room 5A

10:30 AM

CONT... DEA Brothers Sisters LLC

Chapter 11

Debtor(s):

DEA Brothers Sisters LLC

Represented By
Roger J Plasse

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Erithe Smith, Presiding
Courtroom 5A Calendar**

Thursday, April 8, 2021

Hearing Room 5A

10:30 AM

8:21-10608 DEA Brothers Sisters LLC

Chapter 11

#24.00 Hearing RE: Application of Debtor-in-Possession to Employ Financial Relief Legal Advocates, Inc. and its Attorney, John H. Bauer, as General Bankruptcy Counsel

Docket 23

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

April 8, 2021

Approve employment application.

Special Note: The approval of this application may not be interpreted as implying approval of "co-counsel" Osborn & Plasse ("O&P") who has not filed an employment application. It is unclear what O&P's role would be re the representation of Debtor in this bankruptcy case.

Note: As this matter appears to be uncontested, appearance at the hearing is not required.

Party Information

Debtor(s):

DEA Brothers Sisters LLC

Represented By
Roger J Plasse
John H Bauer

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Erithe Smith, Presiding
Courtroom 5A Calendar**

Thursday, April 8, 2021

Hearing Room 5A

2:00 PM

8:18-13638 Friendly Village MHP Associates LP

Chapter 7

Adv#: 8:20-01136 Marshack v. Levy et al

#25.00 Hearing RE: Defendants' Motion (1) To Dismiss Plaintiff's First Amended Complaint; (2) To Strike Plaintiff's Prayer for Specific Performance or, Alternatively, for Reconsideration of Defendants' Prior Motion to Dismiss

Docket 30

***** VACATED *** REASON: CONTINUED TO 6/10/2021 AT 10:30 A.M.,
PER ORDER ENTERED 3/31/21 (XX)**

Courtroom Deputy:

**CONTINUED: Status Conference Continued to 6/10/2021 at 10:30 am, Per
Order Entered 3/31/2021 (XX) - am/td (4/1/2021)**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Friendly Village MHP Associates LP	Represented By Howard Camhi
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Defendant(s):

Shaoul J. Levy	Represented By Howard Steinberg
Levy Affiliated Holdings LLC	Represented By Howard Steinberg
LEVY FRIENDLY VILLAGE, LLC	Represented By Howard Steinberg
5450 PARAMOUNT LP	Represented By Howard Steinberg

Plaintiff(s):

Richard A Marshack	Represented By Shant Kabateck LLP Karnikian
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Erithe Smith, Presiding
Courtroom 5A Calendar**

Thursday, April 8, 2021

Hearing Room 5A

2:00 PM

CONT... Friendly Village MHP Associates LP

Chapter 7

Joana Fang
Nineli Sarkissian
Brian Kabateck

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
Kristine A Thagard
Arthur Grebow
David Wood
Tinho Mang
Stefan Perovich

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Erithe Smith, Presiding
Courtroom 5A Calendar**

Thursday, April 8, 2021

Hearing Room 5A

2:00 PM

8:18-13638 Friendly Village MHP Associates LP

Chapter 7

Adv#: 8:20-01136 Marshack v. Levy et al

#26.00 CON'TD STATUS CONFERENCE RE: Complaint For: 1) Specific Performance;
and 2) Breach of Contract

FR: 12-10-20; 2-18-21

Docket 1

***** VACATED *** REASON: CONTINUED TO 6/10/2021 AT 10:30 A.M.,
PER ORDER ENTERED 3/31/21 (XX)**

Courtroom Deputy:

**CONTINUED: Status Conference Continued to 6/10/2021 at 10:30 am, Per
Order Entered 3/31/2021 (XX) - am/td (4/1/2021)**

Tentative Ruling:

December 10, 2020

No tentative ruling -- disposition will depend on the outcome of Defendants'
motion to dismiss also set for this date.

Party Information

Debtor(s):

Friendly Village MHP Associates LP	Represented By Howard Camhi
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Defendant(s):

Shaoul J. Levy	Pro Se
Levy Affiliated Holdings LLC	Pro Se
LEVY FRIENDLY VILLAGE, LLC	Pro Se
5450 PARAMOUNT LP	Pro Se

Plaintiff(s):

Richard A Marshack	Represented By
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**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Erithe Smith, Presiding
Courtroom 5A Calendar**

Thursday, April 8, 2021

Hearing Room 5A

2:00 PM

CONT... Friendly Village MHP Associates LP

Chapter 7

Shant Kabateck LLP Karnikian
Joana Fang
Nineli Sarkissian
Brian Kabateck

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
Kristine A Thagard
Arthur Grebow
David Wood
Tinho Mang