

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

Thursday, April 22, 2021

Hearing Room 5A

9:30 AM
8:00-00000

Chapter

#1.00 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.

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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/1613356013>

Meeting ID: 161 335 6013

Password: 078356

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

Thursday, April 22, 2021

Hearing Room 5A

9:30 AM
CONT...

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

Thursday, April 22, 2021

Hearing Room 5A

9:30 AM

CONT...

- NONE LISTED -

Chapter

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

Thursday, April 22, 2021

Hearing Room 5A

9:30 AM

8:17-10423 Chad Paul Delannoy

Chapter 7

Adv#: 8:17-01073 Woodlawn Colonial, L P v. Delannoy

#2.00 CON'TD STATUS CONFERENCE RE: Complaint for Determination of Non-Dischargeability of Debt

FR: 7-27-17; 9-21-17, 4-12-18; 5-31-18; 7-19-18; 9-20-18; 12-6-18; 3-21-19; 5-9-19; 6-18-19; 9-19-19; 11-21-19; 1-30-20; 4-2-20; 7-16-20; 10-22-20

Docket 1

***** VACATED *** REASON: CONTINUED TO 7/22/2021 AT 9:30 A.M.,
Per Order Entered 4/8/2020 (XX)-am**

Courtroom Deputy:

SPECIAL NOTE: Order Granting Plaintiff Woodlawn Colonial, L.P.'s Motion (1) to Dismiss Plaintiff's First & Second Claims for Relief; & (2) for Entry of Judgment on Plaintiff's Third Claim for Relief Entered 9/6/2019; Non-Dischargeable Judgment Entered 9/6/2019. Remaining Issue is Defendant's Counterclaim fld 6/12/17, dkt #7 - td (9/6/2019)

CONTINUED: Status Conference Continued to 7/22/2021 at 9:30 a.m., Per Order Entered 4/8/2020 (XX) - am (4/8/2021)

Tentative Ruling:

July 27, 2017

No tentative ruling -- the disposition of the status conference will depend upon the outcome of Plaintiff's motion for stay of the adversary proceeding, which set on today's 10:30am calendar.

September 21, 2017

Impose sanctions against counsel for Plaintiff in the amount of \$100 for failure to file joint status report as required by LBR 7016-1.

Discovery Cut-off Date: Jan. 18, 2018

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

Thursday, April 22, 2021

Hearing Room

5A

9:30 AM

CONT...

Chad Paul Delannoy

Chapter 7

Deadline to File Pretrial Motions:	Feb. 1, 2018
Reserved hearing date re Pretrial Motions:	Mar. 8, 2018 at 2:00 p.m. (xx)
Pretrial Conference: (XX)	Apr. 12, 2018 at 9:30 a.m.
Deadline to File Pretrial Stipulation	Mar. 29, 2018

Special Note: Defendant's counterclaim may be moot in light of the sale of the truck by the Trustee.

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.

July 19, 2018

In light of pending appeal, continue status conference to September 20, 2018 at 9:30 a.m., updated status report must be filed by September 13, 2018.
(XX)

Note: Appearances at this hearing are not required.

September 20, 2018

Continue status conference to December 6, 2018 at 9:30 a.m.; updated status report must be filed by November 29, 2018. (XX)

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

December 6, 2018

Continue status conference to March 21, 2019 at 9:30 a.m.; updated joint status report must be filed by March 7, 2019 (XX)

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

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

Thursday, April 22, 2021

Hearing Room 5A

9:30 AM

CONT... Chad Paul Delannoy

Chapter 7

March 21, 2019

Continue status conference to May 9, 2019 at 2:00 p.m., same date/time as hearing on Plaintiff's motion for summary judgment; updated status report not required. (XX)

Note: Appearances at the March 21, 2019 status conference are not required.

Party Information

Debtor(s):

Chad Paul Delannoy

Represented By
Robert P Goe
Charity J Manee

Defendant(s):

Chad Paul Delannoy

Represented By
Robert P Goe
Charity J Manee
Thomas J Eastmond

Plaintiff(s):

Woodlawn Colonial, L P

Represented By
Howard M Bidna
Evan Rothman

Trustee(s):

Thomas H Casey (TR)

Represented By
Thomas H Casey
Kathleen J McCarthy

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

Thursday, April 22, 2021

Hearing Room 5A

9:30 AM

8:17-11370 David Tudor Chamberlain

Chapter 11

Adv#: 8:17-01101 Martin D. Fern, individually and as Trustee of the v. Chamberlain et al

#3.00 CONT Hearing RE: Plaintiffs Martin D. Fern and Linda Taylor-Fern's Motion to Strike Defendants' Answer to Complaint

[fr: 9/26/17, 3/7/18, 9/26/18, 1/9/19, 6/12/19, 12/11/19, 3/4/20]; 9/30/20, Rm 5D; 10-1-20; 1-21-21

Docket 20

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

October 1, 2020

In light of pending state court litigation, continue this matter to January 21, 2021 at 10:30 a.m. (XX)

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

January 21, 2021

In light of pending state court litigation, continue this matter to April 22, 2021 at 9:30 a.m.; updated Joint Status Report must be filed no later than April 8, 2021 and must include a copy of the Superior Court order or notice re the suspension of civil trials. (XX)

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

April 22, 2021

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

Thursday, April 22, 2021

Hearing Room 5A

9:30 AM

CONT... David Tudor Chamberlain

Chapter 11

Continue hearing to August 19, 2021 at 9:30 a.m.; updated joint status report must be filed by August 5, 2021.

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

Party Information

Debtor(s):

David Tudor Chamberlain

Represented By
Jeffrey I Golden
Alan J Friedman
Beth Gaschen

Defendant(s):

David Tudor Chamberlain

Represented By
Gregory S Page

Linda Chamberlain, an individual

Represented By
Gregory S Page

Plaintiff(s):

Martin D. Fern, individually and as

Represented By
Eric P Israel
Sonia Singh

Linda Taylor-Fern, individually and

Represented By
Eric P Israel
Sonia Singh

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

Thursday, April 22, 2021

Hearing Room 5A

9:30 AM

8:17-11370 David Tudor Chamberlain

Chapter 11

Adv#: 8:17-01101 Martin D. Fern, individually and as Trustee of the v. Chamberlain et al

#4.00 CONT STATUS CONFERENCE RE: Complaint to determine nondischargeability of debts pursuant to 11 U.S.C. Sections 523(a) and 524(a) (3)

[fr: 8/22/17, 9/26/17, 3/7/18, 9/26/18, 1/9/19, 6/12/19, 12/11/19, 3/4/20]; 9-30-20, Rm 5D; 10-1-20; 1-21-21

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

October 1, 2020

In light of pending state court litigation, continue this matter to January 21, 2021 at 10:30 a.m. Plaintiff shall file a status report regarding the status of the state court trial by or before January 7, 2021.(XX)

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

January 21, 2021

In light of pending state court litigation, continue this matter to April 22, 2021 at 9:30 a.m.; updated Joint Status Report must be filed no later than April 8, 2021 and must include a copy of the Superior Court order or notice re the suspension of civil trials. (XX)

Note: If the parties accept the foregoing tentative ruling, 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 22, 2021

Hearing Room 5A

9:30 AM

CONT... **David Tudor Chamberlain**

Chapter 11

April 22, 2021

Continue hearing to August 19, 2021 at 9:30 a.m.; updated joint status report must be filed by August 5, 2021.

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

Party Information

Debtor(s):

David Tudor Chamberlain

Represented By
Jeffrey I Golden
Alan J Friedman
Beth Gaschen

Defendant(s):

David Tudor Chamberlain

Pro Se

Linda Chamberlain, an individual

Pro Se

Plaintiff(s):

Martin D. Fern, individually and as

Represented By
Eric P Israel

Linda Taylor-Fern, individually and

Represented By
Eric P Israel

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

Thursday, April 22, 2021

Hearing Room

5A

9:30 AM

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

Chapter 7

Adv#: 8:19-01218 Marshack v. Kim et al

#5.00 CONTD PRE-TRIAL CONFERENCE RE: Complaint for: 1. Breach of Fiduciary Duty; 2. Accounting; and 3. Defalcation of Trust **(as to Defendant Minho An)**

FR: 2-6-20; 10-8-20; 1-21-21

Docket 1

***** VACATED *** REASON: CONTINUED TO 5/20/2021 AT 9:30 A.M.,
PER ORDER ENTERED 3/29/2021 (XX)**

Courtroom Deputy:

**SPECIAL NOTE: Status Conference Scheduled for 4/22/2021 at 9:30 a.m.
(as to Defendants Gill Sun and Ik Kim) - td (7/31/2020)**

**SPECIAL NOTE: Notice of Voluntary Dismissal of Only Defendant Ik
Dong Kim, aka Kim Zk Dong, an individual, with Prejudice, filed
2/3/2021 - td (2/3/2021); Notice of Voluntary Dismissal of Only Defendant
Gill Su Sun, an individual, with Prejudice, filed 3/25/2021 - td (3/26/2021)**

**CONTINUED: Pre-trial Conference Continued to 5/20/2021 at 9:30 a.m.,
Per Order Enteed 3/29/2021 (XX) - td (3/29/2021)**

Tentative Ruling:

February 6, 2020

Discovery Cut-off Date:	June 1, 2020
Deadline to Attend Mediation:	June 15, 2020
Pretrial Conference Date:	July 16, 2020 at 9:30 a.m.
(XX)	
Deadline to Lodge Joint Pretrial Stipulation:	July 6, 2020

Special Note: The joint status report filed 1/28/20 provides very little information regarding the status of the case, why there is no discovery schedule, and why Plaintiff is waiting for non-answering defendants to

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

Thursday, April 22, 2021

Hearing Room 5A

9:30 AM

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

Chapter 7

participate. Per the docket, only one defendant, Minho An, was granted an extension of time to January 7, 2020 to file an answer. An's answer was timely filed.

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):

Prime Metals U.S.A., Inc.

Represented By
Steven Werth

Defendant(s):

Ik Dong Kim

Pro Se

Gill Su Sun

Pro Se

Minho An

Pro Se

Plaintiff(s):

Richard A Marshack

Represented By
Ronald S Hodges
Robert P Goe
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
Courtroom 5A Calendar

Thursday, April 22, 2021

Hearing Room 5A

9:30 AM

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

Chapter 7

Adv#: 8:19-01218 Marshack v. Kim et al

#6.00 CON'TD STATUS CONFERENCE RE: RE: Complaint for: 1. Breach of Fiduciary Duty; 2. Accounting; and 3. Defalcation of Trust **(as to Defendants Gill Sun and Ik Kim)**

(Another Summons Issued 2/11/2020)
FR: 4-30-10; 6-4-20; 8-6-20; 11-5-20

Docket 1

***** VACATED *** REASON: OFF CALENDAR: Notice of Voluntary Dismissal of Only Defendant Ik Dong Kim, aka Kim Zk Dong, an individual, with Prejudice, filed 2/3/2021; Notice of Voluntary Dismissal of Only Defendant Gill Su Sun, an individual, with Prejudice, filed 3/25/2021 (No Answer Nor Motion for Summary Judgment filed by Either Defendant Filed)**

Courtroom Deputy:

SPECIAL NOTE: Pre-trial Conference Scheduled for 4/22/2021 at 9:30 a.m. (as to Defendant Minho An) - td (7/31/2020)

OFF CALENDAR: Notice of Voluntary Dismissal of Only Defendant Ik Dong Kim, aka Kim Zk Dong, an individual, with Prejudice, filed 2/3/2021; Notice of Voluntary Dismissal of Only Defendant Gill Su Sun, an individual, with Prejudice, filed 3/25/2021 (No Answer Nor Motion for Summary Judgment filed by Either Defendant Filed) - td (3/26/2021)

Tentative Ruling:

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

August 6, 2020

Joint status report was not timely filed by July 23, 2020 as required by this court's order entered June 2, 2020 [docket #24]. Impose sanctions in the amount of \$100 against Plaintiff's counsel.

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

Thursday, April 22, 2021

Hearing Room 5A

9:30 AM

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

Chapter 7

November 5, 2020

Continue the adversary proceeding as a Status Conference as to defendants Gill Sun and Ik Kim to April 22, 2021 at 9:30 a.m. Any request for default and/or motion for default judgment as to Defendant Sun must be filed so that it can be heard or decided on or prior to April 22, 2021. Defendant Kim must be served with the summons and complaint on or prior to February 1, 2021. As to Defendant Minho An, the existing discovery and mediation deadlines stand, as well as the pretrial conference scheduled for April 22, 2021 at 9:30 a.m. (XX)

Note: If the parties accept the foregoing tentative ruling, appearances at this hearing are not required and Plaintiff shall lodge an order consistent with the same within 7 days of the hearing.

Party Information

Debtor(s):

Prime Metals U.S.A., Inc.

Represented By
Steven Werth

Defendant(s):

Ik Dong Kim

Pro Se

Gill Su Sun

Pro Se

Minho An

Represented By
Michael H Yi

Plaintiff(s):

Richard A Marshack

Represented By
Ronald S Hodges
Robert P Goe
Ryan S Riddles

Trustee(s):

Richard A Marshack (TR)

Represented By

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

Thursday, April 22, 2021

Hearing Room 5A

9:30 AM

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

Chapter 7

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
Courtroom 5A Calendar**

Thursday, April 22, 2021

Hearing Room 5A

9:30 AM

8:19-10275 Michael J Duff

Chapter 7

Adv#: 8:19-01084 Constantin et al v. Duff

**#7.00 TRIAL STATUS CONFERENCE RE: Complaint to Deny Debtor's Discharge
(Attorneys Only)**

(Set per Order Entered 2/8/2021)
FR: 3-11-21

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

April 22, 2021

Take this matter off calendar in light of Plaintiff's pending motion to dismiss this adversary proceeding.

Note: Appearances at this hearing are not required.

Party Information

Debtor(s):

Michael J Duff

Pro Se

Defendant(s):

Michael J. Duff

Represented By
David Brian Lally

Plaintiff(s):

Holly Constantin

Represented By
Alan W Forsley

Michael Constantin

Represented By
Alan W Forsley

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

Thursday, April 22, 2021

Hearing Room 5A

9:30 AM

CONT... Michael J Duff

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Pro Se

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

Thursday, April 22, 2021

Hearing Room 5A

9:30 AM

8:19-10898 Alicia K Pipitone

Chapter 13

Adv#: 8:19-01108 Pipitone v. Choice Motor Credit, LLC

#8.00 CONT'D PRE-TRIAL CONFERENCE RE: Complaint to Compel Turnover of Property to the Estate

FR: 8-22-19; 10-3-19; 11-21-19; 1-16-20; 8-6-20; 9-10-20; 11-5-20; 12-17-20

Docket 1

***** VACATED *** REASON: CONTINUED TO 6/17/2021 AT 9:30 A.M.,
PER ORDER ENTERED 3/1/2021 (XX)**

Courtroom Deputy:

**CONTINUED: Pre-trial Conference Continued to 6/17/2021 at 9:30 a.m.,
Per Order Entered 3/1/2021 (XX) - td (3/1/2021)**

Tentative Ruling:

August 22, 2019

Continue Status Conference to October 3, 2019 at 9:30 a.m. (XX)

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).

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.

Note: Appearance at this hearing is not required; Plaintiff to serve Defendant with notice of the continued status conference date/time.

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

Thursday, April 22, 2021

Hearing Room 5A

9:30 AM

CONT... Alicia K Pipitone

Chapter 13

October 3, 2019

Continue status conference to November 21, 2019 at 9:30 a.m.; updated status report must be filed by November 7, 2019. (XX)

The status conference is being continued in light of Plaintiff's representations in the status report that some issues have been resolved and that Defendant has hired new counsel to set aside default.

Note: Appearance at this hearing is not required; Plaintiff to serve Defendant with notice of the continued status conference date/time.

January 16, 2020

Discovery Cut-off Date:	May 15, 2020
Deadline to Attend Mediation:	June 30, 2020
Pretrial Conference Date:	Aug. 6, 2020 at 9:30 a.m. (XX)
Deadline to File Joint Pretrial Stipulation:	July 23, 2020

Special Note: In the JSR, Plaintiff seeks more than 7 months to complete discovery without explanation.

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

November 5, 2020

Continue the Pretrial Conference to December 17, 2020 at 9:30 a.m. Plaintiff must file and serve any motion for leave to amend the Complaint by or before November 19, 2020, such that the motion can be decided and/or heard by December 17, 2020. (XX)

Note: If both parties accept the foregoing tentative ruling, appearances

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

Thursday, April 22, 2021

Hearing Room 5A

9:30 AM

CONT... Alicia K Pipitone

Chapter 13

at today's hearing are not required.

December 17, 2020

Continue the Pretrial Conference to April 22, 2021 at 9:30 a.m.; Joint Pretrial Stipulation must be filed by April 8, 2021. (XX)

Party Information

Debtor(s):

Alicia K Pipitone

Represented By
Marc A Goldbach

Defendant(s):

Choice Motor Credit, LLC

Represented By
Misty A Perry Isaacson

Plaintiff(s):

Alicia Pipitone

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

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

Thursday, April 22, 2021

Hearing Room 5A

9:30 AM

8:19-13441 Alpha Floors, Inc.

Chapter 7

Adv#: 8:20-01156 Kosmala v. Xia

#9.00 STATUS CONFERENCE RE: Complaint: (1) To Avoid Preferential Transfer Pursuant To 11 U.S.C. § 547; (2) To Avoid Fraudulent Transfer Pursuant To 11 U.S.C. § 548(A)(1)(A); (3) To Avoid Fraudulent Transfer Pursuant To 11 U.S.C. § 548(A)(1)(B); (4) For Recovery Of Avoided Transfers Under 11 U.S.C. § 550; (5) To Preserve Transfer For The Benefit Of The Estate Pursuant To 11 U.S.C. § 551; (6) Turnover Of The Property Of The Estate Pursuant To 11 U.S.C. § 542
Nature of Suit: (11 (Recovery of money/property - 542 turnover of property))

(Another Summons Issued 2-3-21)

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

April 22, 2021

In light of default entered against Defendant on April 9, 2021, continue the Status Conference to June 17, 2021 at 9:30 a.m.

Special Note:

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).

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.

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

Thursday, April 22, 2021

Hearing Room 5A

9:30 AM

CONT... Alpha Floors, Inc.

Chapter 7

Note: Appearance at this hearing is not required; Plaintiff shall serve Defendant with notice of the continued hearing date/time.

Party Information

Debtor(s):

Alpha Floors, Inc.

Represented By
Eric J Fromme

Defendant(s):

Feiyu Xia

Pro Se

Plaintiff(s):

Weneta Kosmala

Represented By
Reem J Bello

Trustee(s):

Weneta M.A. Kosmala (TR)

Represented By
Reem J Bello

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

Thursday, April 22, 2021

Hearing Room 5A

9:30 AM

8:19-13858 Bruce Elieff

Chapter 7

Adv#: 8:19-01234 Miller v. Elieff et al

#10.00 PRE-TRIAL CONFERENCE RE: Amended Complaint to Determine Dischargeability Pursuant to 11 U.S.C. Section 523(a)(2) and (6)

FR: 4-2-20; 6-18-20; 12-17-20

Docket 2

***** VACATED *** REASON: OFF CALENDAR: Order Approving Stipulation Between Plaintiff Jacqueline Miller and Defendant Bruce Elieff Regarding Resolution of Case Entered 4/12/2021. Order on Request for Dismissal Pursuant to FRBP 7041 of Defendant Camden, LLC Entered 4/19/2021**

Courtroom Deputy:

OFF CALENDAR: Order Approving Stipulation Between Plaintiff Jacqueline Miller and Defendant Bruce Elieff Regarding Resolution of Case Entered 4/12/2021. Order on Request for Dismissal Pursuant to FRBP 7041 of Defendant Camden, LLC Entered 4/19/2021 - td (4/19/2021)

Tentative Ruling:

April 2, 2020

No joint status report has been timely filed. The parties must appear and advise the court as to why the JSR was not timely filed..

Note: Telephonic appearances by the parties' counsel are required.

June 18, 2020

Continue status conference to December 17, 2020 at 9:30 a.m.; updated joint status report must be filed by December 3, 2020. (XX)

Note: If both parties accept the foregoing tentative ruling, appearances

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

Thursday, April 22, 2021

Hearing Room 5A

9:30 AM

CONT... Bruce Elieff

Chapter 7

at this hearing are not required and Plaintiff shall serve notice of the continued hearing date/time.

December 17, 2020

Discovery Cut-off Date: Mar. 17, 2021
Pretrial Conference Date: Apr. 22, 2021 at 9:30 a.m.
(XX)
Deadline to file Joint Pretrial Stipulation: Apr. 8, 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):

Bruce Elieff

Represented By
Paul J Couchot
Lisa Nelson

Defendant(s):

Bruce Elieff

Represented By
Jeffrey S Benice

4627 Camden, LLC

Represented By
Jeffrey S Benice

Plaintiff(s):

Jacqueline Miller

Represented By
James Denison

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

Thursday, April 22, 2021

Hearing Room 5A

9:30 AM

CONT... Bruce Elieff

Chapter 7

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 22, 2021

Hearing Room 5A

10:00 AM

8:19-14023 Jorge Sanchez and Zoila Quinonez

Chapter 7

#11.00 Hearing RE: Motion for relief from the automatic stay [PERSONAL PROPERTY]
TD AUTO FINANCE LLC
VS.
DEBTORS

Docket 46

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

April 22, 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):

Jorge Sanchez

Represented By
Kevin Tang

Joint Debtor(s):

Zoila Quinonez

Represented By
Kevin Tang

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

Thursday, April 22, 2021

Hearing Room 5A

10:00 AM

CONT... Jorge Sanchez and Zoila Quinonez

Chapter 7

Movant(s):

TD Auto Finance LLC

Represented By
Sheryl K Ith

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

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

Thursday, April 22, 2021

Hearing Room 5A

10:00 AM

8:21-10525 The Source Hotel, LLC

Chapter 11

#12.00 Hearing RE: Motion for relief from the automatic stay [REAL PROPERTY]

SHADY BIRD LENDING, LLC

VS.

DEBTOR

Docket 62

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

April 22, 2021

Continue hearing to June 3, 2021 at 2:00 p.m., same date and time as the hearing on Movant's motion to excuse the state court receiver from the turnover requirements of 11 U.S.C. Section 543. Ordinary 21/14/7 briefing deadlines under LBR 9013-1 apply.

Special Note:

Tentative ruling for 6/3/21: Based on the evidence presented thus far, the court is inclined to deny the Motion due to the lack of evidence that the property has declined in value since the petition date and the lack of evidence to refute the owner's opinion as to the value of the property. Despite the tentative ruling, the court declines to rule at today's hearing or to entertain oral argument because it would like to view the Motion in the context of the turnover motion.

Additional note to the parties: In this court, pleadings rife with snide, petty, snarky hyperbole is unpleasantly distracting and degrades the quality of one's argument and position.

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

Thursday, April 22, 2021

Hearing Room 5A

10:00 AM

CONT... The Source Hotel, LLC

Chapter 11

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

Party Information

Debtor(s):

The Source Hotel, LLC

Represented By
Ron Bender
Juliet Y Oh

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

Thursday, April 22, 2021

Hearing Room 5A

10:00 AM

8:21-10570 Jonathan E Hicks and Christi A Hicks

Chapter 7

#13.00 Hearing RE: Motion for relief from the automatic stay [PERSONAL PROPERTY]

ACAR LEASING LTD

VS.

DEBTORS

Docket 10

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

April 22, 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):

Jonathan E Hicks

Represented By
Bert Briones

Joint Debtor(s):

Christi A Hicks

Represented By
Bert Briones

Movant(s):

ACAR Leasing LTD d/b/a GM

Represented By

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

Thursday, April 22, 2021

Hearing Room 5A

10:00 AM

CONT... Jonathan E Hicks and Christi A Hicks

Chapter 7

Sheryl K Ith

Trustee(s):

Richard A Marshack (TR)

Pro Se

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

Thursday, April 22, 2021

Hearing Room 5A

10:00 AM

8:21-10860 Erica Duarte Bruce

Chapter 13

#14.00 Hearing RE: Motion in Individual Case for Order Imposing a Stay or Continuing the Automatic Stay as the Court Deems Appropriate 11931 Buckingham Circle, Garden Grove, CA 92840

Docket 10

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

April 22, 2021

Grant motion on condition that Debtor provides proof of permanent loan modification from SPS by or before April 29, 2021. If Debtor fails to provide such proof, the Motion will be denied.

Basis for Tentative Ruling

1. The loan modification eliminating over \$50,000 in arrearages is the only substantive changed financial circumstances. Absent the loan modification, Debtor is actually in a worse financial condition in the current case (see below).

2. Notwithstanding the slight increase in her spouse's hourly wage rate, Debtor's net monthly income in the current case (\$6,418.35) is *less* than her net monthly income in the prior case (\$6,487.58). More significantly, Debtor's net disposable income in the current case (\$1,603.82) is less than the disposable income in her prior case (\$2,852.58), a reduction of \$1,248.76 in disposable income. Further, it appears Debtor has fallen further behind in HOA payments -- \$38,686.04 in arrearages in the prior plan vs. \$45,235.00 in the current plan. Finally, Debtor now has a \$520.00 monthly car payment and

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

Thursday, April 22, 2021

Hearing Room 5A

10:00 AM

CONT... Erica Duarte Bruce

Chapter 13

overall monthly expenses have increased by \$1,179.53.

3. Debtor has had two prior unsuccessful chapter 13 cases (18-13735ES and 19-13509), both of which were dismissed due to failure to make plan payments with disposable income almost double the current case.

Note: If Debtor accepts the tentative ruling, appearance at this hearing is not required.

Party Information

Debtor(s):

Erica Duarte Bruce

Represented By
Andrew Moher

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

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

Thursday, April 22, 2021

Hearing Room 5A

10:30 AM

8:20-11507 HCA West, Inc

Chapter 11

#15.00 CON'TD STATUS CONFERENCE Hearing RE: Status of Chapter 11 Case; and (2) Requiring Report on Status of Chapter 11 Case
[Lead Case: (Lead Case: Hytera Communications America (West), Inc. (Case Number: 8:20-bk-11507-ES)] Jointly Administered With Member Cases: Hytera America Incorporated (Case Number: 8:20-bk-11508-ES) and HYT North America, Inc. (Case Number: 8:20-bk-11509-ES)]

FR: 8-6-20; 12-17-20

Docket 1

***** VACATED *** REASON: CONTINUED TO 5/6/2021 AT 10:30 A.M. ON COURT'S OWN MOTION. Pachulski Stang Ziehl & Jones LLP will Provide Notice, per Nancy Lockwood (XX)**

Courtroom Deputy:

CONTINUED: Status Conference Continued to 5/6/2021 at 10:30 a.m. on Court's Own Motion. Pachulski Stang Ziehl & Jones LLP will Provide Notice, per Nancy Lockwood (XX) - td (2/17/2021)

Tentative Ruling:

August 6, 2020

Continue Status Conference to December 17, 2020 at 10:30 am; updated Status Report must be filed by December 3, 2020. (XX)

Note: If Debtors are in substantial compliance with the requirements of the United States Trustee, appearance at this Status Conference is not required. It is Debtors' responsibility to confirm the status of their compliance with the UST in advance of the hearing. The court will issue its own order re continuance of the hearing.

December 17, 2020

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

Thursday, April 22, 2021

Hearing Room 5A

10:30 AM

CONT... HCA West, Inc

Chapter 11

Continue Status Conference to April 22, 2021 at 10:30 a.m.; updated Status Report must be filed by April 15, 2021 unless a plan and disclosure statement has been filed by such date, in which case the requirement of an updated status report shall be waived. (XX)

Note: Appearance at this hearing is not required.

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 22, 2021

Hearing Room 5A

2:00 PM

8:17-12213 Solid Landings Behavioral Health, Inc.

Chapter 11

Adv#: 8:20-01010 Grobstein v. Degner

#16.00 Hearing RE: Plaintiff's Motion for Partial Summary Judgment on First Claim for Relief

Docket 82

***** VACATED *** REASON: CONTINUED TO MAY 6, 2021 AT 2:00PM
ON THE COURT'S OWN MOTION. Plaintiff to Provide Notice (XX)**

Courtroom Deputy:

**CONTINUED: Hearing Continued to 5/6/2021 at 2:00 p.m. on the Court's
Own Motion. Plaintiff to Provide Notice (XX) - am/td (4/19/2021)**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Solid Landings Behavioral Health,

Represented By
David L. Neale
Juliet Y Oh
Jeffrey S Kwong
David M Samuels

Defendant(s):

Gerik M. Degner

Represented By
Ismail Amin

Plaintiff(s):

Howard B Grobstein

Represented By
Rodger M. Landau
Monica Rieder