

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**8:06-10373 Jay Johnson**

**Chapter 7**

Adv#: 8:06-01312 Johnson et al v. Lapidés et al

**#1.00** PRE-TRIAL CONFERENCE RE: Complaint for 1) declaratory relief regarding Richard Lapidés' claim; 2) damages against Richard Lapidés for violation of the discharge injunction

FR: 4-21-16

Docket 0

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**April 21, 2016**

Plaintiff's counsel to advise court why it should not impose sanctions of \$100 for failure to timely file a joint status report as required by Local Bankruptcy Rule 7016-1(a)(2).

Due to the lack of a joint status report, the court is unable to issue a substantive tentative ruling regarding discovery cut-off date, mediation, pre-trial motions, pretrial conference, etc.

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**November 17, 2016**

Take matter off calendar in light of granting of Defendant's motion for judgment on the pleadings.

*Special note: Defendant has lodged a proposed judgment that includes an award of costs in an unspecified amount. Defendant must seek costs by complying with LBR 7054-1(c) and Section 2(e) of the Court Manual.*

**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, November 17, 2016

Hearing Room 5A

9:30 AM

CONT... Jay Johnson

Chapter 7

**Party Information**

**Debtor(s):**

Jay Johnson

Represented By  
David M Reeder  
James Andrew Hinds Jr  
Paul R Shankman  
Burton V McCullough

**Defendant(s):**

Richard Lapides

Represented By  
Mitchell B Ludwig

Rosendo Gonzalez

Pro Se

Janis Lapides

Represented By  
Mitchell B Ludwig

**Joint Debtor(s):**

Debra Johnson

Represented By  
David M Reeder  
James Andrew Hinds Jr  
Paul R Shankman  
Burton V McCullough

**Plaintiff(s):**

Jay W Johnson

Represented By  
Burton V McCullough

Randal A Johnson

Represented By  
David M Reeder

Debra F Johnson

Represented By  
Burton V McCullough

**Trustee(s):**

Rosendo Gonzalez (TR)

Represented By  
James Andrew Hinds Jr

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Judge Erithe Smith, Presiding  
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**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**CONT...**

**Jay Johnson**

Paul R Shankman  
Cristina F Keith

**Chapter 7**

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**8:09-20845 Commercial Services Building Inc**

**Chapter 7**

Adv#: 8:15-01114 Anderson v. MRI Saddlehorn Riviera Investment Fund

**#2.00** CON'TD Hearing RE: Defendant's Motion for Summary Judgment

FR: 1-7-16; 3-10-16; 5-12-16; 7-28-16; 9-8-16

Docket 11

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**May 12, 2016**

Impose sanctions in the amount of \$100 against Plaintiff's counsel for failure to file updated status report by April 28, 2016 pursuant to this court's order entered 3/9/16 [docket #36]

***Note: Appearance at this hearing is required.***

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**July 28, 2016**

In light of pending settlement, continue matter to September 8, 2016 at 9:30 a.m. (XX)

See tentative ruling for related status conference on today's calendar.

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling.***

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**September 8, 2016**

In light of pending settlement, continue hearing one final time to November

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

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9:30 AM

CONT... Commercial Services Building Inc  
17, 2016 at 9:30 a.m. (XX)

Chapter 7

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling; Plaintiff to serve notice re the continued hearing date/time.***

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**November 17, 2016**

In light of pending motion for approval of settlement re this adversary proceeding, continue hearing to February 9, 2017 at 9:30 a.m.; updated status report must be filed by February 2, 2017 if the settlement has not been approved by such date. (XX)

***Note: Appearances at this hearing are not required.***

**Party Information**

**Debtor(s):**

Commercial Services Building Inc	Represented By Phillip B Greer
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**Defendant(s):**

MRI Saddlehorn Riviera Investment	Represented By Dennis Matthew Holmgren
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**Plaintiff(s):**

Karl T Anderson	Represented By Thomas J Polis
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**Trustee(s):**

Karl T Anderson (TR)	Represented By Misty A Perry Isaacson Misty A Perry Isaacson Thomas J Polis
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Karl T Anderson (TR)	Pro Se
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**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Judge Erithe Smith, Presiding  
Courtroom 5A Calendar**

**Thursday, November 17, 2016**

**Hearing Room 5A**

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9:30 AM

**CONT... Commercial Services Building Inc**

**Chapter 7**

**U.S. Trustee(s):**

United States Trustee (SA)

Pro Se

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**8:09-20845 Commercial Services Building Inc**

**Chapter 7**

Adv#: 8:15-01115 Anderson v. MRI Pioneer & Colorado Investment Fund, LP

**#3.00 CON'TD Hearing RE: Defendant's Motion for Summary Judgment**

FR: 1-7-16; 3-10-16; 5-12-16; 7-28-16; 9-8-16

Docket 11

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**May 12, 2016**

Impose sanctions in the amount of \$100 against Plaintiff's counsel for failure to file updated status report by April 28, 2016 pursuant to this court's order entered 3/9/16 [docket #29]

***Note: Appearance at this hearing is required.***

-----

**July 28, 2016**

In light of pending settlement, continue matter to September 8, 2016 at 9:30 a.m. (XX)

See tentative ruling for related status conference on today's calendar.

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling.***

-----

**September 8, 2016**

In light of pending settlement, continue hearing one final time to November

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
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Courtroom 5A Calendar**

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Hearing Room 5A

9:30 AM

CONT... Commercial Services Building Inc  
17, 2016 at 9:30 a.m. (XX)

Chapter 7

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling; Plaintiff to serve notice re the continued hearing date/time.***

-----

**November 17, 2016**

In light of pending motion for approval of settlement re this adversary proceeding, continue hearing to February 9, 2017 at 9:30 a.m.; updated status report must be filed by February 2, 2017 if the settlement has not been approved by such date. (XX)

***Note: Appearances at this hearing are not required.***

<b>Party Information</b>
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**Debtor(s):**

Commercial Services Building Inc	Represented By Phillip B Greer
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**Defendant(s):**

MRI Pioneer & Colorado Investment	Represented By Dennis Matthew Holmgren
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**Plaintiff(s):**

Karl T Anderson	Represented By Thomas J Polis
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**Trustee(s):**

Karl T Anderson (TR)	Represented By Misty A Perry Isaacson Misty A Perry Isaacson Thomas J Polis
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**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Judge Erithe Smith, Presiding  
Courtroom 5A Calendar**

**Thursday, November 17, 2016**

**Hearing Room 5A**

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9:30 AM

**CONT... Commercial Services Building Inc**

**Chapter 7**

Karl T Anderson (TR)

Pro Se

**U.S. Trustee(s):**

United States Trustee (SA)

Pro Se

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**8:09-20845 Commercial Services Building Inc**

**Chapter 7**

Adv#: 8:15-01116 Anderson v. MRI Saddlehorn Calhoun Investment Fund, LLC,

**#4.00** CON'TD Hearing RE: Defendant's Motion for Summary Judgment

FR: 1-7-16; 3-10-16; 5-12-16; 7-28-16; 9-8-16

Docket 11

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**May 12, 2016**

Impose sanctions in the amount of \$100 against Plaintiff's counsel for failure to file updated status report by April 28, 2016 pursuant to this court's order entered 3/9/16 [docket #29]

***Note: Appearance at this hearing is required.***

-----

**July 28, 2016**

In light of pending settlement, continue matter to September 8, 2016 at 9:30 a.m. (XX)

See tentative ruling for related status conference on today's calendar.

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling.***

-----

**September 8, 2016**

In light of pending settlement, continue hearing one final time to November

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
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Courtroom 5A Calendar**

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9:30 AM

CONT... Commercial Services Building Inc  
17, 2016 at 9:30 a.m. (XX)

Chapter 7

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling; Plaintiff to serve notice re the continued hearing date/time.***

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**November 17, 2016**

In light of pending motion for approval of settlement re this adversary proceeding, continue hearing to February 9, 2017 at 9:30 a.m.; updated status report must be filed by February 2, 2017 if the settlement has not been approved by such date. (XX)

***Note: Appearances at this hearing are not required.***

<b>Party Information</b>
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**Debtor(s):**

Commercial Services Building Inc

Represented By  
Phillip B Greer

**Defendant(s):**

MRI Saddlehorn Calhoun

Represented By  
Dennis Matthew Holmgren

**Plaintiff(s):**

Karl T Anderson

Represented By  
Thomas J Polis

**Trustee(s):**

Karl T Anderson (TR)

Represented By  
Misty A Perry Isaacson  
Misty A Perry Isaacson  
Thomas J Polis

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

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9:30 AM

**CONT... Commercial Services Building Inc**

**Chapter 7**

Karl T Anderson (TR)

Pro Se

**U.S. Trustee(s):**

United States Trustee (SA)

Pro Se

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**8:09-20845 Commercial Services Building Inc**

**Chapter 7**

Adv#: 8:15-01117 Anderson v. MRI Red Bank Investment Fund, LLC,

**#5.00** CON'TD Hearing RE: Defendant's Motion for Summary Judgment

FR: 1-7-16; 3-10-16; 5-12-16; 7-28-16; 9-8-16

Docket 11

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**May 12, 2016**

Impose sanctions in the amount of \$100 against Plaintiff's counsel for failure to file updated status report by April 28, 2016 pursuant to this court's order entered 3/9/16 [docket #29]

***Note: Appearance at this hearing is required.***

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**July 28, 2016**

In light of pending settlement, continue matter to September 8, 2016 at 9:30 a.m. (XX)

See tentative ruling for related status conference on today's calendar.

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling.***

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**September 8, 2016**

In light of pending settlement, continue hearing one final time to November 17, 2016 at 9:30 a.m. (XX)

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

Thursday, November 17, 2016

Hearing Room 5A

9:30 AM

CONT... Commercial Services Building Inc

Chapter 7

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling; Plaintiff to serve notice re the continued hearing date/time.***

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**November 17, 2016**

In light of pending motion for approval of settlement re this adversary proceeding, continue hearing to February 9, 2017 at 9:30 a.m.; updated status report must be filed by February 2, 2017 if the settlement has not been approved by such date. (XX)

***Note: Appearances at this hearing are not required.***

<b>Party Information</b>
--------------------------

**Debtor(s):**

Commercial Services Building Inc

Represented By  
Phillip B Greer

**Defendant(s):**

MRI Red Bank Investment Fund,

Represented By  
Dennis Matthew Holmgren

**Plaintiff(s):**

Karl T Anderson

Represented By  
Thomas J Polis

**Trustee(s):**

Karl T Anderson (TR)

Represented By  
Misty A Perry Isaacson  
Misty A Perry Isaacson  
Thomas J Polis

Karl T Anderson (TR)

Pro Se

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

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9:30 AM

**CONT... Commercial Services Building Inc**

**Chapter 7**

**U.S. Trustee(s):**

United States Trustee (SA)

Pro Se

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**8:09-20845 Commercial Services Building Inc**

**Chapter 7**

Adv#: 8:15-01118 Anderson v. MRI Economy Industrial Portfolio, LP

**#6.00** CON'TD Hearing RE: Defendant's Motion for Summary Judgment

FR: 1-7-16; 3-10-16; 5-12-16; 7-28-16; 9-8-16

Docket 11

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**May 12, 2016**

Impose sanctions in the amount of \$100 against Plaintiff's counsel for failure to file updated status report by April 28, 2016 pursuant to this court's order entered 3/9/16 [docket #29]

***Note: Appearance at this hearing is required.***

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**July 28, 2016**

In light of pending settlement, continue matter to September 8, 2016 at 9:30 a.m. (XX)

See tentative ruling for related status conference on today's calendar.

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling.***

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**September 8, 2016**

In light of pending settlement, continue hearing one final time to November

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

Thursday, November 17, 2016

Hearing Room 5A

9:30 AM

CONT... Commercial Services Building Inc  
17, 2016 at 9:30 a.m. (XX)

Chapter 7

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling; Plaintiff to serve notice re the continued hearing date/time.***

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**November 17, 2016**

In light of pending motion for approval of settlement re this adversary proceeding, continue hearing to February 9, 2017 at 9:30 a.m.; updated status report must be filed by February 2, 2017 if the settlement has not been approved by such date. (XX)

***Note: Appearances at this hearing are not required.***

<b>Party Information</b>
--------------------------

**Debtor(s):**

Commercial Services Building Inc

Represented By  
Phillip B Greer

**Defendant(s):**

MRI Economy Industrial Portfolio,

Represented By  
Dennis Matthew Holmgren

**Plaintiff(s):**

Karl T Anderson

Represented By  
Thomas J Polis

**Trustee(s):**

Karl T Anderson (TR)

Represented By  
Misty A Perry Isaacson  
Misty A Perry Isaacson  
Thomas J Polis

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

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9:30 AM

**CONT... Commercial Services Building Inc**

**Chapter 7**

Karl T Anderson (TR)

Pro Se

**U.S. Trustee(s):**

United States Trustee (SA)

Pro Se

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**8:09-20845 Commercial Services Building Inc**

**Chapter 7**

Adv#: 8:15-01119 Anderson v. MRI Saddlehorn Superstition Investment Fund, LLC

**#7.00** CON'TD Hearing RE: Defendant's Motion for Summary Judgment

FR: 1-7-16; 3-10-16; 5-12-16; 7-28-16; 9-8-16

Docket 11

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**May 12, 2016**

Impose sanctions in the amount of \$100 against Plaintiff's counsel for failure to file updated status report by April 28, 2016 pursuant to this court's order entered 3/9/16 [docket #29]

***Note: Appearance at this hearing is required.***

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**July 28, 2016**

In light of pending settlement, continue matter to September 8, 2016 at 9:30 a.m. (XX)

See tentative ruling for related status conference on today's calendar.

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling.***

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**September 8, 2016**

In light of pending settlement, continue hearing one final time to November 17, 2016 at 9:30 a.m. (XX)

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

Thursday, November 17, 2016

Hearing Room 5A

9:30 AM

CONT... Commercial Services Building Inc

Chapter 7

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling; Plaintiff to serve notice re the continued hearing date/time.***

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**November 17, 2016**

In light of pending motion for approval of settlement re this adversary proceeding, continue hearing to February 9, 2017 at 9:30 a.m.; updated status report must be filed by February 2, 2017 if the settlement has not been approved by such date. (XX)

***Note: Appearances at this hearing are not required.***

<b>Party Information</b>
--------------------------

**Debtor(s):**

Commercial Services Building Inc

Represented By  
Phillip B Greer

**Defendant(s):**

MRI Saddlehorn Superstition

Represented By  
Dennis Matthew Holmgren

**Plaintiff(s):**

Karl T Anderson

Represented By  
Thomas J Polis

**Trustee(s):**

Karl T Anderson (TR)

Represented By  
Misty A Perry Isaacson  
Misty A Perry Isaacson  
Thomas J Polis

Karl T Anderson (TR)

Pro Se

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

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9:30 AM

**CONT... Commercial Services Building Inc**

**Chapter 7**

**U.S. Trustee(s):**

United States Trustee (SA)

Pro Se

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**8:09-20845 Commercial Services Building Inc**

**Chapter 7**

Adv#: 8:15-01120 Anderson v. Riverfront Mobile Estates, LLC

**#8.00** CON'TD Hearing RE: Defendant's Motion for Summary Judgment

FR: 1-7-16; 3-10-16; 5-12-16; 7-28-16; 9-8-16

Docket 20

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**May 12, 2016**

Impose sanctions in the amount of \$100 against Plaintiff's counsel for failure to file updated status report by April 28, 2016 pursuant to this court's order entered 3/9/16 [docket #36]

***Note: Appearance at this hearing is required.***

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**July 28, 2016**

In light of pending settlement, continue matter to September 8, 2016 at 9:30 a.m. (XX)

See tentative ruling for related status conference on today's calendar.

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling.***

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**September 8, 2016**

In light of pending settlement, continue hearing one final time to November

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

Thursday, November 17, 2016

Hearing Room 5A

9:30 AM

CONT... Commercial Services Building Inc  
17, 2016 at 9:30 a.m. (XX)

Chapter 7

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling; Plaintiff to serve notice re the continued hearing date/time.***

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**November 17, 2016**

In light of pending motion for approval of settlement re this adversary proceeding, continue hearing to February 9, 2017 at 9:30 a.m.; updated status report must be filed by February 2, 2017 if the settlement has not been approved by such date. (XX)

***Note: Appearances at this hearing are not required.***

<b>Party Information</b>
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**Debtor(s):**

Commercial Services Building Inc

Represented By  
Phillip B Greer

**Defendant(s):**

Riverfront Mobile Estates, LLC

Represented By  
Dennis Matthew Holmgren

**Plaintiff(s):**

Karl T Anderson

Represented By  
Thomas J Polis

**Trustee(s):**

Karl T Anderson (TR)

Represented By  
Misty A Perry Isaacson  
Misty A Perry Isaacson

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

**Thursday, November 17, 2016**

**Hearing Room     5A**

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9:30 AM

**CONT...     Commercial Services Building Inc**

**Chapter 7**

Thomas J Polis

Karl T Anderson (TR)

Pro Se

**U.S. Trustee(s):**

United States Trustee (SA)

Pro Se

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**8:09-20845 Commercial Services Building Inc**

**Chapter 7**

Adv#: 8:15-01114 Anderson v. MRI Saddlehorn Riviera Investment Fund

**#9.00** CON'TD STATUS CONFERENCE RE: Judgment Creditor Chapter 7 Trustee, Karl T. Anderson's Complaint for Turnover and Accounting of Property of The Bankruptcy Estate Under Section 542 of The Bankruptcy Code

FR: 6-4-15; 12-17-15; 1-7-16; 3-10-16; 5-12-16; 7-28-16; 9-8-16

Docket 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**June 4, 2015**

Discovery Cut-off Date:	Oct. 2, 2015
Deadline to Attend Mandatory Mediation:	Nov. 13, 2015
Pretrial Conference Date:	Dec.17, 2015 at 10:30 a.m.
(XX)	
Deadline to Lodge Joint Pretrial Stipulation:	Dec. 3, 2015

Re consolidation, either the parties should submit a stipulation for consolidation or one or more parties may file a motion on notice to all other parties.

***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.***

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**December 17, 2015**

Continue as a status conference to January 7, 2016 at 2:00 p.m.; joint status report not required. (XX)

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

Thursday, November 17, 2016

Hearing Room 5A

9:30 AM

CONT... Commercial Services Building Inc

Chapter 7

***Note: Appearances at this hearing are waived.***  
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**May 12, 2016**

No tentative ruling.

Outcome will depend upon disposition of summary judgment matter also on today's calendar.  
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**July 28, 2016**

In light of pending settlement, continue status conference to September 8, 2016 at 9:30 a.m.; updated joint status report to be filed by August 25, 2016 if the settlement has not been approved by such date. (XX)

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling -- Plaintiff to serve notice of the continued hearing date/time.***  
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**September 8, 2016**

In light of pending settlement, continue hearing one final time to November 17, 2016 at 9:30 a.m. (XX)

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling; Plaintiff to serve notice re the continued hearing date/time.***  
-----

**November 17, 2016**

In light of pending motion for approval of settlement re this adversary proceeding, continue status conference to February 9, 2017 at 9:30 a.m.;

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

Thursday, November 17, 2016

Hearing Room 5A

9:30 AM

CONT... **Commercial Services Building Inc** **Chapter 7**  
updated status report must be filed by February 2, 2017 if the settlement has not been approved by such date. (XX)

***Note: Appearances at this hearing are not required.***

<b>Party Information</b>
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**Debtor(s):**

Commercial Services Building Inc	Represented By Phillip B Greer
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**Defendant(s):**

MRI Saddlehorn Riviera Investment	Pro Se
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**Plaintiff(s):**

Karl T Anderson	Represented By Thomas J Polis
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**Trustee(s):**

Karl T Anderson (TR)	Represented By Misty A Perry Isaacson Misty A Perry Isaacson Thomas J Polis
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Karl T Anderson (TR)	Pro Se
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**U.S. Trustee(s):**

United States Trustee (SA)	Pro Se
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**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Judge Erithe Smith, Presiding  
Courtroom 5A Calendar**

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**8:09-20845 Commercial Services Building Inc**

**Chapter 7**

Adv#: 8:15-01115 Anderson v. MRI Pioneer & Colorado Investment Fund, LP

**#10.00** CON'TD STATUS CONFERENCE RE: Judgment Creditor Chapter 7 Trustee, Karl T. Anderson's Complaint for Turnover and Accounting of Property of The Bankruptcy Estate Under Section 542 of The Bankruptcy Code

FR: 6-4-15; 12-17-15; 1-7-16; 3-10-16; 5-12-16; 7-28-16; 9-8-16

Docket 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**June 4, 2015**

Discovery Cut-off Date:	Oct. 2, 2015
Deadline to Attend Mandatory Mediation:	Nov. 13, 2015
Pretrial Conference Date:	Dec.17, 2015 at 10:30 a.m.
(XX)	
Deadline to Lodge Joint Pretrial Stipulation:	Dec. 3, 2015

Re consolidation, either the parties should submit a stipulation for consolidation or one or more parties may file a motion on notice to all other parties.

***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.***

-----

**December 17, 2015**

Continue as a status conference to January 7, 2016 at 2:00 p.m.; joint status report not required. (XX)

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

Thursday, November 17, 2016

Hearing Room 5A

9:30 AM

CONT... Commercial Services Building Inc

Chapter 7

***Note: Appearances at this hearing are waived.***  
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**May 12, 2016**

No tentative ruling.

Outcome will depend upon disposition of summary judgment matter also on today's calendar.  
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**July 28, 2016**

In light of pending settlement, continue status conference to September 8, 2016 at 9:30 a.m.; updated joint status report to be filed by August 25, 2016 if the settlement has not been approved by such date. (XX)

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling -- Plaintiff to serve notice of the continued hearing date/time.***  
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**September 8, 2016**

In light of pending settlement, continue hearing one final time to November 17, 2016 at 9:30 a.m. (XX)

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling; Plaintiff to serve notice re the continued hearing date/time.***  
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**November 17, 2016**

In light of pending motion for approval of settlement re this adversary proceeding, continue status conference to February 9, 2017 at 9:30 a.m.;

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**CONT... Commercial Services Building Inc Chapter 7**  
updated status report must be filed by February 2, 2017 if the settlement has not been approved by such date. (XX)

***Note: Appearances at this hearing are not required.***

<b>Party Information</b>
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**Debtor(s):**

Commercial Services Building Inc	Represented By Phillip B Greer
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**Defendant(s):**

MRI Pioneer & Colorado Investment	Pro Se
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**Plaintiff(s):**

Karl T Anderson	Represented By Thomas J Polis
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**Trustee(s):**

Karl T Anderson (TR)	Represented By Misty A Perry Isaacson Misty A Perry Isaacson Thomas J Polis
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Karl T Anderson (TR)	Pro Se
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**U.S. Trustee(s):**

United States Trustee (SA)	Pro Se
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**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Judge Erithe Smith, Presiding  
Courtroom 5A Calendar**

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**8:09-20845 Commercial Services Building Inc**

**Chapter 7**

Adv#: 8:15-01116 Anderson v. MRI Saddlehorn Calhoun Investment Fund, LLC,

**#11.00** CON'TD STATUS CONFERENCE RE: Judgment Creditor Chapter 7 Trustee, Karl T. Anderson's Complaint for Turnover and Accounting of Property of The Bankruptcy Estate Under Section 542 of The Bankruptcy Code

FR: 6-4-15; 12-17-15; 1-7-16; 3-10-16; 5-12-16; 7-28-16; 9-8-16

Docket 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**June 4, 2015**

Discovery Cut-off Date:	Oct. 2, 2015
Deadline to Attend Mandatory Mediation:	Nov. 13, 2015
Pretrial Conference Date:	Dec.17, 2015 at 10:30 a.m.
(XX)	
Deadline to Lodge Joint Pretrial Stipulation:	Dec. 3, 2015

Re consolidation, either the parties should submit a stipulation for consolidation or one or more parties may file a motion on notice to all other parties.

***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.***

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**December 17, 2015**

Continue as a status conference to January 7, 2016 at 2:00 p.m.; joint status report not required. (XX)

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**CONT... Commercial Services Building Inc**

**Chapter 7**

***Note: Appearances at this hearing are waived.***

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**May 12, 2016**

No tentative ruling.

Outcome will depend upon disposition of summary judgment matter also on today's calendar.

-----

**July 28, 2016**

In light of pending settlement, continue status conference to September 8, 2016 at 9:30 a.m.; updated joint status report to be filed by August 25, 2016 if the settlement has not been approved by such date. (XX)

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling -- Plaintiff to serve notice of the continued hearing date/time.***

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**September 8, 2016**

In light of pending settlement, continue hearing one final time to November 17, 2016 at 9:30 a.m. (XX)

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling; Plaintiff to serve notice re the continued hearing date/time.***

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**November 17, 2016**

In light of pending motion for approval of settlement re this adversary proceeding, continue status conference to February 9, 2017 at 9:30 a.m.; updated status report must be filed by February 2, 2017 if the settlement has

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**CONT...** Commercial Services Building Inc  
not been approved by such date. (XX)

**Chapter 7**

***Note: Appearances at this hearing are not required.***

<b>Party Information</b>
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**Debtor(s):**

Commercial Services Building Inc	Represented By Phillip B Greer
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**Defendant(s):**

MRI Saddlehorn Calhoun	Pro Se
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**Plaintiff(s):**

Karl T Anderson	Represented By Thomas J Polis
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**Trustee(s):**

Karl T Anderson (TR)	Represented By Misty A Perry Isaacson Misty A Perry Isaacson Thomas J Polis
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Karl T Anderson (TR)	Pro Se
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**U.S. Trustee(s):**

United States Trustee (SA)	Pro Se
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**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Judge Erithe Smith, Presiding  
Courtroom 5A Calendar**

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**8:09-20845 Commercial Services Building Inc**

**Chapter 7**

Adv#: 8:15-01117 Anderson v. MRI Red Bank Investment Fund, LLC,

**#12.00** CON'TD STATUS CONFERENCE RE: Judgment Creditor Chapter 7 Trustee, Karl T. Anderson's Complaint for Turnover and Accounting of Property of The Bankruptcy Estate Under Section 542 of The Bankruptcy Code

FR: 6-4-15; 12-17-15; 1-7-16; 3-10-16; 5-12-16; 7-28-16; 9-8-16

Docket 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**June 4, 2015**

Discovery Cut-off Date:	Oct. 2, 2015
Deadline to Attend Mandatory Mediation:	Nov. 13, 2015
Pretrial Conference Date: (XX)	Dec.17, 2015 at 10:30 a.m.
Deadline to Lodge Joint Pretrial Stipulation:	Dec. 3, 2015

Re consolidation, either the parties should submit a stipulation for consolidation or one or more parties may file a motion on notice to all other parties.

***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.***

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**December 17, 2015**

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**May 12, 2016**

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**CONT... Commercial Services Building Inc**

**Chapter 7**

No tentative ruling.

Outcome will depend upon disposition of summary judgment matter also on today's calendar.

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**July 28, 2016**

In light of pending settlement, continue status conference to September 8, 2016 at 9:30 a.m.; updated joint status report to be filed by August 25, 2016 if the settlement has not been approved by such date. (XX)

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling -- Plaintiff to serve notice of the continued hearing date/time.***

-----  
**September 8, 2016**

In light of pending settlement, continue hearing one final time to November 17, 2016 at 9:30 a.m. (XX)

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling; Plaintiff to serve notice re the continued hearing date/time.***

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**November 17, 2016**

In light of pending motion for approval of settlement re this adversary proceeding, continue status conference to February 9, 2017 at 9:30 a.m.; updated status report must be filed by February 2, 2017 if the settlement has not been approved by such date. (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, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**CONT... Commercial Services Building Inc**

**Chapter 7**

<b>Party Information</b>
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**Debtor(s):**

Commercial Services Building Inc	Represented By Phillip B Greer
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**Defendant(s):**

MRI Red Bank Investment Fund,	Pro Se
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**Plaintiff(s):**

Karl T Anderson	Represented By Thomas J Polis
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**Trustee(s):**

Karl T Anderson (TR)	Represented By Misty A Perry Isaacson Misty A Perry Isaacson Thomas J Polis
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Karl T Anderson (TR)	Pro Se
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**U.S. Trustee(s):**

United States Trustee (SA)	Pro Se
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**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Judge Erithe Smith, Presiding  
Courtroom 5A Calendar**

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**8:09-20845 Commercial Services Building Inc**

**Chapter 7**

Adv#: 8:15-01118 Anderson v. MRI Economy Industrial Portfolio, LP

**#13.00** CON'TD STATUS CONFERENCE RE: Judgment Creditor Chapter 7 Trustee, Karl T. Anderson's Complaint for Turnover and Accounting of Property of The Bankruptcy Estate Under Section 542 of The Bankruptcy Code

FR: 6-4-15; 12-17-15; 1-7-16; 3-10-16; 5-12-16; 7-28-16; 9-8-16

Docket 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**June 4, 2015**

Discovery Cut-off Date:	Oct. 2, 2015
Deadline to Attend Mandatory Mediation:	Nov. 13, 2015
Pretrial Conference Date:	Dec.17, 2015 at 10:30 a.m.
(XX)	
Deadline to Lodge Joint Pretrial Stipulation:	Dec. 3, 2015

Re consolidation, either the parties should submit a stipulation for consolidation or one or more parties may file a motion on notice to all other parties.

***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.***

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**December 17, 2015**

Continue as a status conference to January 7, 2016 at 2:00 p.m.; joint status report not required. (XX)

***Note: Appearances at this hearing are waived.***

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

Thursday, November 17, 2016

Hearing Room 5A

9:30 AM

CONT... Commercial Services Building Inc

Chapter 7

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**May 12, 2016**

No tentative ruling.

Outcome will depend upon disposition of summary judgment matter also on today's calendar.

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**July 28, 2016**

In light of pending settlement, continue status conference to September 8, 2016 at 9:30 a.m.; updated joint status report to be filed by August 25, 2016 if the settlement has not been approved by such date. (XX)

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling -- Plaintiff to serve notice of the continued hearing date/time.***

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**September 8, 2016**

In light of pending settlement, continue hearing one final time to November 17, 2016 at 9:30 a.m. (XX)

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling; Plaintiff to serve notice re the continued hearing date/time.***

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**November 17, 2016**

In light of pending motion for approval of settlement re this adversary proceeding, continue status conference to February 9, 2017 at 9:30 a.m.; updated status report must be filed by February 2, 2017 if the settlement has not been approved by such date. (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, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**CONT... Commercial Services Building Inc**

**Chapter 7**

<b>Party Information</b>
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**Debtor(s):**

Commercial Services Building Inc	Represented By Phillip B Greer
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**Defendant(s):**

MRI Economy Industrial Portfolio,	Pro Se
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**Plaintiff(s):**

Karl T Anderson	Represented By Thomas J Polis
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**Trustee(s):**

Karl T Anderson (TR)	Represented By Misty A Perry Isaacson Misty A Perry Isaacson Thomas J Polis
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Karl T Anderson (TR)	Pro Se
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**U.S. Trustee(s):**

United States Trustee (SA)	Pro Se
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**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Judge Erithe Smith, Presiding  
Courtroom 5A Calendar**

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**8:09-20845 Commercial Services Building Inc**

**Chapter 7**

Adv#: 8:15-01119 Anderson v. MRI Saddlehorn Superstition Investment Fund, LLC

**#14.00** CON'TD STATUS CONFERENCE RE: Judgment Creditor Chapter 7 Trustee, Karl T. Anderson's Complaint for Turnover and Accounting of Property of The Bankruptcy Estate Under Section 542 of The Bankruptcy Code

FR: 6-4-15; 12-17-15; 1-7-16; 3-10-16; 5-12-16; 7-28-16; 9-8-16

Docket 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**June 4, 2015**

Discovery Cut-off Date:	Oct. 2, 2015
Deadline to Attend Mandatory Mediation:	Nov. 13, 2015
Pretrial Conference Date:	Dec.17, 2015 at 10:30 a.m.
(XX)	
Deadline to Lodge Joint Pretrial Stipulation:	Dec. 3, 2015

Re consolidation, either the parties should submit a stipulation for consolidation or one or more parties may file a motion on notice to all other parties.

***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.***

-----  
**December 17, 2015**

Continue as a status conference to January 7, 2016 at 2:00 p.m.; joint status report not required. (XX)

***Note: Appearances at this hearing are waived.***

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

Thursday, November 17, 2016

Hearing Room 5A

9:30 AM

CONT... Commercial Services Building Inc

Chapter 7

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**May 12, 2016**

No tentative ruling.

Outcome will depend upon disposition of summary judgment matter also on today's calendar.

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**July 28, 2016**

In light of pending settlement, continue status conference to September 8, 2016 at 9:30 a.m.; updated joint status report to be filed by August 25, 2016 if the settlement has not been approved by such date. (XX)

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling -- Plaintiff to serve notice of the continued hearing date/time.***

-----  
**September 8, 2016**

In light of pending settlement, continue hearing one final time to November 17, 2016 at 9:30 a.m. (XX)

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling; Plaintiff to serve notice re the continued hearing date/time.***

-----  
**November 17, 2016**

In light of pending motion for approval of settlement re this adversary proceeding, continue status conference to February 9, 2017 at 9:30 a.m.; updated status report must be filed by February 2, 2017 if the settlement has not been approved by such date. (XX)

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**CONT... Commercial Services Building Inc**

**Chapter 7**

***Note: Appearances at this hearing are not required.***

<b>Party Information</b>
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**Debtor(s):**

Commercial Services Building Inc	Represented By Phillip B Greer
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**Defendant(s):**

MRI Saddlehorn Superstition	Pro Se
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**Plaintiff(s):**

Karl T Anderson	Represented By Thomas J Polis
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**Trustee(s):**

Karl T Anderson (TR)	Represented By Misty A Perry Isaacson Misty A Perry Isaacson Thomas J Polis
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Karl T Anderson (TR)	Pro Se
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**U.S. Trustee(s):**

United States Trustee (SA)	Pro Se
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**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Judge Erithe Smith, Presiding  
Courtroom 5A Calendar**

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**8:09-20845 Commercial Services Building Inc**

**Chapter 7**

Adv#: 8:15-01120 Anderson v. Riverfront Mobile Estates, LLC

**#15.00** CON'TD STATUS CONFERENCE RE: Judgment Creditor Chapter 7 Trustee, Karl T. Anderson's Complaint for turnover and accounting of property of the bankruptcy estate under Section 542 of the Bankruptcy Code

FR: 6-4-15; 12-17-15; 1-7-16; 3-10-16; 5-12-16; 7-28-16; 9-8-16

Docket 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**June 4, 2015**

Discovery Cut-off Date:	Oct. 2, 2015
Deadline to Attend Mandatory Mediation:	Nov. 13, 2015
Pretrial Conference Date:	Dec.17, 2015 at 10:30 a.m.
(XX)	
Deadline to Lodge Joint Pretrial Stipulation:	Dec. 3, 2015

Re consolidation, either the parties should submit a stipulation for consolidation or one or more parties may file a motion on notice to all other parties.

***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.***

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**December 17, 2015**

Continue as a status conference to January 7, 2016 at 2:00 p.m.; joint status report not required. (XX)

***Note: Appearances at this hearing are waived.***

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**CONT... Commercial Services Building Inc**

**Chapter 7**

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**May 12, 2016**

No tentative ruling.

Outcome will depend upon disposition of summary judgment matter also on today's calendar.

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**July 28, 2016**

In light of pending settlement, continue status conference to September 8, 2016 at 9:30 a.m.; updated joint status report to be filed by August 25, 2016 if the settlement has not been approved by such date. (XX)

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling -- Plaintiff to serve notice of the continued hearing date/time.***

-----  
**September 8, 2016**

In light of pending settlement, continue hearing one final time to November 17, 2016 at 9:30 a.m. (XX)

***Note: Appearance at today's hearing is not required if both parties accept the foregoing tentative ruling; Plaintiff to serve notice re the continued hearing date/time.***

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**November 17, 2016**

In light of pending motion for approval of settlement re this adversary proceeding, continue status conference to February 9, 2017 at 9:30 a.m.; updated status report must be filed by February 2, 2017 if the settlement has

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**CONT...**      **Commercial Services Building Inc**  
not been approved by such date. (XX)

**Chapter 7**

***Note: Appearances at this hearing are not required.***

<b>Party Information</b>
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**Debtor(s):**

Commercial Services Building Inc	Represented By Phillip B Greer
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**Defendant(s):**

Riverfront Mobile Estates, LLC	Pro Se
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**Plaintiff(s):**

Karl T Anderson	Represented By Thomas J Polis
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**Trustee(s):**

Karl T Anderson (TR)	Represented By Misty A Perry Isaacson Misty A Perry Isaacson Thomas J Polis
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Karl T Anderson (TR)	Pro Se
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**U.S. Trustee(s):**

United States Trustee (SA)	Pro Se
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**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Judge Erithe Smith, Presiding  
Courtroom 5A Calendar**

Thursday, November 17, 2016

Hearing Room 5A

9:30 AM

**8:10-18712 Richard Yin-Ching Houg**

**Chapter 7**

Adv#: 8:12-01358 Kosmala v. Taishin International Bank Co., LTD.

**#16.00** CON'TD STATUS CONFERENCE Hearing RE: Defendant's Motion to Dismiss for Lack of Personal Jurisdiction

FR: 5-8-14; 8-21-14; 11-20-14; 4-28-15; 8-13-15; 10-15-15; 12-3-15; 2-18-16; 4-14-16; 5-19-16; 6-30-16; 9-1-16

Docket 60

**\*\*\* VACATED \*\*\* REASON: CONTINUED TO 2/2/17 AT 9:30 A.M.,  
PER ORDER ENTERED 11/7/16 (XX)**

**Courtroom Deputy:**

**CONT'D: Order Approving Stipulation to Continue Status Conference on Motion to Dismiss and Status Conference on Adversary Proceeding to February 2, 2017 at 9:30 a.m. entered 11-7-16 - liz/td (XX)**

**Tentative Ruling:**

**October 15, 2015**

Continue hearing to December 3, 2015 at 9:30 a.m. Updated status report to be filed by November 19, 2015. (XX)

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

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**June 30, 2016**

Continue status conference to Sept. 1, 2016 at 9:30 a.m.; updated status report to be filed by Aug. 18, 2016.

***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, November 17, 2016

Hearing Room 5A

9:30 AM

CONT... Richard Yin-Ching Houng

Chapter 7

**Party Information**

**Debtor(s):**

Richard Yin-Ching Houng

Represented By  
Leonard M Shulman  
Mark Bradshaw  
Rika Kido

**Defendant(s):**

Taishin International Bank Co.,

Represented By  
Martina A Slocomb

**Interested Party(s):**

Courtesy NEF

Represented By  
D Edward Hays  
Martina A Slocomb

Joseph S. Wu

Pro Se

Joseph R. Dunn

Represented By  
Joseph R Dunn

**Plaintiff(s):**

Weneta Kosmala

Represented By  
Robert S Marticello  
David A Lee  
Autumn D Spaeth ESQ

**Trustee(s):**

Weneta M Kosmala (TR)

Represented By  
Kyra E Andrassy  
Weiland Golden Smiley Wang Ekvall &  
David A Lee  
Robert S Marticello  
Autumn D Spaeth ESQ  
Charles C H Wu

Weneta M Kosmala (TR)

Represented By

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

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9:30 AM

**CONT... Richard Yin-Ching Houng**

**Chapter 7**

Autumn D Spaeth ESQ  
Robert S Marticello

**U.S. Trustee(s):**

United States Trustee (SA)

Pro Se

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**8:10-18712 Richard Yin-Ching Houg**

**Chapter 7**

Adv#: 8:12-01358 Kosmala v. Taishin International Bank Co., LTD.

**#17.00** CON'TD STATUS CONFERENCE RE: Complaint : (1) To Avoid Fraudulent Transfers Pursuant to 11 U.S.C. Section 544 and California Civil Code Sections 3439.04(a)(1), 3439.07, and 3439.09; (2) To Avoid Fraudulent Transfers Pursuant to 11 U.S.C. Section 544 and California Civil Code Sections 3439.04 (a)(2), 3439.07, and 3439.09; (3) To Avoid Fraudulent Transfers Pursuant to 11 U.S.C. Section 544, and California Civil Code Sections 3439.05, 3439.07 and 3439.09; (4) To Recover Avoidable Transfers Pursuant to 11 U.S.C. Section 550; (5) To Preserve Avoidable Transfers for the Benefit of the Estate Pursuant to 11 U.S.C. Section 551; and (6) To Disallow Claims Pursuant to 11 U.S.C. Section 502(d) Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer))  
(4th Alias Summons Issued on 7-2-13)

FR: 10-17-13; 12-19-13; 1-30-14, 5-8-14; 8-21-14; 11-20-14; 4-28-15; 8-13-15; 10-15-15; 12-3-15; 2-18-16; 4-14-16; 5-19-16; 6-30-16; 9-1-16

Docket 1

**\*\*\* VACATED \*\*\* REASON: CONTINUED TO 2/2/17 AT 9:30 A.M.,  
PER ORDER ENTERED 11/7/16 (XX)**

**Courtroom Deputy:**

**CONT'D: Order Approving Stipulation to Continue Status Conference on  
Motion to Dismiss and Status Conference on Adversary Proceeding to  
February 2, 2017 at 9:30 a.m. entered 11-7-16 - liz/td (XX)**

**Tentative Ruling:**

**October 17, 2013**

Continue status conference to Dec. 19, 2013 at 9:30 a.m. to allow Plaintiff to complete service of summons and complaint. (XX)

***Note: Appearances at this hearing are not required.***

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

Thursday, November 17, 2016

Hearing Room 5A

9:30 AM

CONT... Richard Yin-Ching Houg

Chapter 7

**January 30, 2014**

As service on defendant is now complete, a responsive pleading by defendant must be filed by March 7, 2014.

Continue status conference to May 8, 2014 at 9:30 a.m.; joint status report to be filed by April 24, 2014. (XX)

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**October 15, 2015**

Continue hearing to December 3, 2015 at 9:30 a.m. Updated status report to be filed by November 19, 2015. (XX)

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

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**June 30, 2016**

Continue status conference to Sept. 1, 2016 at 9:30 a.m.; updated status report to be filed by Aug. 18, 2016.

***Note: Appearances at this hearing are not required.***

<b>Party Information</b>
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**Debtor(s):**

Richard Yin-Ching Houg

Represented By  
Leonard M Shulman  
Mark Bradshaw  
Rika Kido

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**CONT... Richard Yin-Ching Houg**

**Chapter 7**

**Defendant(s):**

Taishin International Bank Co.,

Represented By  
Martina A Slocomb

**Interested Party(s):**

Courtesy NEF

Represented By  
D Edward Hays  
Martina A Slocomb

Joseph S. Wu

Pro Se

Joseph R. Dunn

Represented By  
Joseph R Dunn

**Plaintiff(s):**

Weneta Kosmala

Represented By  
Robert S Marticello  
David A Lee  
Autumn D Spaeth ESQ

**Trustee(s):**

Weneta M Kosmala (TR)

Represented By  
Kyra E Andrassy  
Weiland Golden Smiley Wang Ekvall &  
David A Lee  
Robert S Marticello  
Autumn D Spaeth ESQ  
Charles C H Wu

Weneta M Kosmala (TR)

Represented By  
Autumn D Spaeth ESQ  
Robert S Marticello

**U.S. Trustee(s):**

United States Trustee (SA)

Pro Se

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**8:11-12718 Norman Wright Branyan**

**Chapter 11**

Adv#: 8:16-01022 Longview Financial Group, Inc. v. Branyan et al

**#18.00 STATUS CONFERENCE RE: Complaint for Declaratory Judgment and Relief  
Regarding Non-Discharge of Debt and Related Issues**

FR: 4-14-16; 5-10-16; 6-2-16

Docket 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**April 14, 2016**

Continue status conference to May 10, 2016 at 2:00 p.m. (XX)

***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.***

-----  
**June 2, 2016**

The Status Conference is continued to Sept. 8, 2016 at 9:30 a.m.; updated Joint Status Report must be filed by August 25, 2016.  
-----

**November 17, 2016**

The parties must appear and advise the court re the status of this matter. Have defendants obtained new counsel or do they intend to represent themselves?

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

Thursday, November 17, 2016

Hearing Room 5A

9:30 AM

CONT... Norman Wright Branyan

Chapter 11

***Note: Appearances at this hearing are required.***

<b>Party Information</b>
--------------------------

**Debtor(s):**

Norman Wright Branyan

Represented By  
Richard H Gibson

**Defendant(s):**

Tsarina Branyan

Pro Se

Norman Wright Branyan

Pro Se

**Plaintiff(s):**

Longview Financial Group, Inc.

Represented By  
Michael A Wallin

**U.S. Trustee(s):**

United States Trustee (SA)

Pro Se

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**8:11-12718 Norman Wright Branyan**

**Chapter 11**

Adv#: 8:16-01022 Longview Financial Group, Inc. v. Branyan et al

**#19.00 PRE-TRIAL CONFERENCE RE: Complaint for Declaratory Judgment and Relief Regarding Non-Discharge of Debt and Related Issues**

FR: 4-14-16; 5-10-16; 6-2-16

Docket 1

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR: Pre-trial Conference is Off Calendar; Status Conference Set for 11/17/16 at 9:30 a.m., Per Order Entered 9/20/16 (XX)**

**Courtroom Deputy:**

**OFF CALENDAR: Pre-trial Conference is Off Calendar; Status Conference Set for 11/17/16 at 9:30 a.m., Per Order Entered 9/20/16 (XX) - td (9/20/2016)**

**Tentative Ruling:**

**April 14, 2016**

Continue status conference to May 10, 2016 at 2:00 p.m. (XX)

***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.***

-----  
**June 2, 2016**

The Status Conference is continued to Sept. 8, 2016 at 9:30 a.m.; updated Joint Status Report must be filed by August 25, 2016.  
-----

**November 17, 2016**

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**CONT... Norman Wright Branyan**

**Chapter 11**

The parties must appear and advise the court re the status of this matter. Have defendants obtained new counsel or do they intend to represent themselves?

***Note: Appearances at this hearing are required.***

<b>Party Information</b>
--------------------------

**Debtor(s):**

Norman Wright Branyan

Represented By  
Richard H Gibson

**Defendant(s):**

Tsarina Branyan

Pro Se

Norman Wright Branyan

Pro Se

**Plaintiff(s):**

Longview Financial Group, Inc.

Represented By  
Michael A Wallin

**U.S. Trustee(s):**

United States Trustee (SA)

Pro Se

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**8:12-17186 Michael L. Keele**

**Chapter 7**

Adv#: 8:12-01591 Rabani et al v. Keele et al

**#20.00** CON'TD PRE-TRIAL CONFERENCE RE: Third Amended Complaint to Determine Dischargeability of Debt

FR: 1-15-15; 2-3-15; 4-16-15; 6-18-15; 12-17-15; 3-17-16; 4-21-16; 6-2-16; 7-21-16; 7-28-16; 9-22-16; 10-20-16

Docket 49

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**January 15, 2015**

Continue status conference to Feb. 3, 2015 at 2:00 p.m., same date/time as hearing on pending motion to dismiss. Status report not required for the 2/3/15 hearing. (XX)

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

-----

**February 3, 2015**

Continue Status Conference to April 16, 2015 at 9:30 a.m., Joint Status Report to be filed by April 2, 2015 (XX)

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**June 18, 2015**

Discovery Cut-off Date:	Sept. 15, 2015
Deadline to Attend Mediation:	Oct. 30, 2015
Pretrial Conference Date:	Dec. 3, 2015 at 9:30 a.m.
Deadline to Lodge Joint Pretrial Stipulation:	Nov. 19, 2015

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

Thursday, November 17, 2016

Hearing Room 5A

9:30 AM

CONT... Michael L. Keele

Chapter 7

***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.***  
-----

**April 21, 2016**

Impose sanctions in the amount of \$100 against both Plaintiff's and Defendant's counsel for failure to timely file a pretrial stipulation as required by LBR 7016-1(b)

***Note: Appearances at this hearing are required.***  
-----

**July 28, 2016**

Continue pretrial conference to September 22, 2016 at 9:30 a.m.. The parties are ordered to file a joint pretrial stipulation in compliance with Local Bankruptcy Rule 7016-1(b), (c), and (d) no later than September 8, 2016.  
(XX)

*Special Note: The court is aware that Plaintiff has filed a motion for default judgment (set for hearing on August 18, 2016) on the ground that Defendant did not file answer to the Third Amended Complaint until June 16, 2015 (the answer was due March 2015). However, as Plaintiff waited more than a year after the answer was filed to file the motion for default judgment, the pretrial conference shall remain on calendar.*

***Note: Appearances at this hearing are required.***  
-----

**September 22, 2016**

Impose sanctions in the amount of \$100 against each party for failure to timely file a Joint Pretrial Stipulation as ordered by the court at the July 28, 2016 pretrial conference. Impose an additional \$100 against each party if a

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

Thursday, November 17, 2016

Hearing Room 5A

9:30 AM

CONT... Michael L. Keele

Chapter 7

joint pretrial stipulation is not filed by 2:00 pm on September 21, 2016.

***Note: Appearances at this hearing are required.***  
-----

**October 20, 2016**

Court's Comments re the Joint Pretrial Stipulation (JPS) filed 10/7/16. In sum, the JPS is wholly deficient and unacceptable and is not ready for approval by the court.

A. Undisputed Facts

The court is incredulous that there is not a single undisputed fact and is inclined to sanction counsel for Plaintiff Allen and counsel for Defendant not less than \$1000 each for failure to file a proper Pretrial Stipulation. The court has neither the time nor the desire to go through all 86 paragraphs in detail in this tentative ruling. However, examples re only a random few of the paragraphs in Section 2 are highlighted below:

- #4: Is it really disputed that Rabani owned real property? Is it disputed that she was interested in selling it via 1031 tax exchange?
- #5 Is Keele denying that he ever met Rabani in person in 2009? Is every other fact in this paragraph disputed or are there portions that are not disputed?
- #6 Without reference to any representations, is there a dispute that Rabani invested (or loaned) \$100,000 re CVLCC?
- #9 Is each and every fact stated in this paragraph disputed? For example, did CVLLC collapse or cease doing business? Did Starkey receive a \$7,000 commission? Is there a dispute as to whether the commission was paid out of Rabani's CVLLC account? Was there any sort of written agreement between Keele and Rabani? Did it include the quote

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**CONT...**

**Michael L. Keele**  
set forth in this paragraph.

**Chapter 7**

#20 Is it disputed that Allen received a grant deed? Is it disputed that his name is not on it?

#22 Is there a dispute that the granted deed was not recorded?

#23 Does Keele deny that Allen and Rabani were not paid?

#35 Is it disputed that the Bakersfield City Redevelopment Agency selected Keele as the developer for CVLCC?

#73 Is there a dispute as to the date the bankruptcy case referenced in this paragraph was filed?

**B. Missing Facts**

In general, there must be undisputed facts surrounding Keele's contact/relationship with Rabani and Allen. In particular, in Section 5 of the JPS there is a reference to Keele's witness, Kathy Henry, who drafted "*various documents for the real estate transactions that the Plaintiffs were involved in along with Defendant.*" (emphasis added). This witness summary alone signals there are key, undisputed facts concerning the background and foundation of various real estate transactions that are not mentioned at all under the Undisputed Facts section of the JPS.

**C. Relevancy of Facts**

Rabani and Allen assert nondischargeability under 523(a)(2)(A) and 523(a)(4). However, certain of the undisputed facts that are to be tried at trial appear not to relate to the elements required of either 523(a)(2)(A) or 523(a)(4), to wit:

#14 Keele's knowledge that Allen was 83 years old

#15 Relevance of Mao knowing Keele was in bankruptcy; meaning of

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

**Thursday, November 17, 2016**

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**5A**

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**CONT...**

**Michael L. Keele**

**Chapter 7**

the reference to Rabani's "restrictions."

#28 Relevance of other failed investments for purposes of 523(a)(2)(A) and (a)(4). See also #52

#38 Relevance of ownership in the Newport Beach residence to 523(a)(2)  
(A) and (a)(4). See also #s 64, 65

#70 Relevance of elder abuse allegation to 523(a)(2)(A) and (a)(4)

#88 Conversion is referenced as a disputed fact -- however, conversion  
falls under 523(a)(6) but 523(a)(6) is not alleged as a basis for nondischargeability. See Section 3, paragraphs 1 and 2.

D. List of Witnesses

Cindy L Wang -- relevance of this testimony to the 523(a)(2)(A) and (a)(4) claims

Ahuva Rabani: Section 5(B) -- this is not a summary of her testimony  
but allegations of her claims. Inappropriate for this section of the JPS.

E. Motions *In Limine*

Plaintiffs indicate they will file a motion *in limine*? About what?

F. Discovery Not Complete

Discovery ended more than a year ago on September 15, 2015. No motions to compel have ever been filed since such time. Why is Plaintiff Allen just now serving subpoenas on banks? Why is Plaintiff Rabani listing discovery requests in the JPS -- this is entirely inappropriate. By now, a motion to compel should have been filed. These adversaries have dragged

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
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**Thursday, November 17, 2016**

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9:30 AM

**CONT... Michael L. Keele Chapter 7**

on long enough, having been filed *four* years ago. The court will not entertain any motions to compel at this point.

The bottom line is this Joint Pretrial Stipulation is entirely unacceptable and must be re-done from top to bottom.

***Note: Appearances at this hearing are mandatory.***

-----  
**November 17, 2016**

No pretrial stipulation filed as 3:24 pm 11/16/16

<b>Party Information</b>
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**Debtor(s):**

Michael L. Keele	Represented By Thomas J Polis
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**Defendant(s):**

BMK Development LLC	Pro Se
Southwest Consulting Inc	Pro Se
Michael L Keele	Represented By Thomas J Polis

**Plaintiff(s):**

Cindy L Wang	Pro Se
Ahuva G Rabani	Represented By David B Lally
William L Allen	Represented By David B Lally

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

**Thursday, November 17, 2016**

**Hearing Room     5A**

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9:30 AM

**CONT...     Michael L. Keele**

**Chapter 7**

**Trustee(s):**

David L Hahn (TR)

Represented By  
Kristine A Thagard

David L Hahn (TR)

Pro Se

**U.S. Trustee(s):**

United States Trustee (SA)

Pro Se

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

Thursday, November 17, 2016

Hearing Room 5A

9:30 AM

**8:12-18188 Luis Savastano**

**Chapter 7**

Adv#: 8:13-01220 Bobinski v. Savastano

**#21.00** CON'TD Examination of Judgment Debtor Luis Savastano RE: Enforcement of Judgment

FR: 8-30-16; 9-22-16

Docket 71

**\*\*\* VACATED \*\*\* REASON: Order Approving Stipulation Between Defendant Luis Savastano and Assignee Crystal Bergstrom to Continue the Examination to 1/19/17 at 9:30 a.m. Entered 11/17/16 (XX)**

**Courtroom Deputy:**

**CONTINUED: Order Approving Stipulation Between Defendant Luis Savastano and Assignee Crystal Bergstrom to Continue the Examination to 1/19/17 at 9:30 a.m. Entered 11/17/16- mp/td (XX) (11/17/16)**

**Tentative Ruling:**

**September 22, 2016**

Judgment debtor Luis Savastano to appear in court to be sworn by the court clerk. Thereafter, the examination will take place outside the courtroom.  
-----

**November 17, 2016**

Judgment debtor Luis Savastano to appear in court to be sworn by the court clerk. Thereafter, the examination will take place outside the courtroom.

**Party Information**

**Debtor(s):**

Luis Savastano

Represented By  
Nathan Fransen

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**CONT... Luis Savastano**

**Chapter 7**

**Defendant(s):**

Luis Savastano

Represented By  
Nathan Fransen

**Plaintiff(s):**

Richard Bobinski

Pro Se

**Trustee(s):**

Karen S Naylor (TR)

Represented By  
Karen S Naylor (TR)

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**8:13-11464 Sandra Elisabeth Johnson**

**Chapter 11**

Adv#: 8:14-01145 Johnson v. Johnson

**#22.00** CON'TD STATUS CONFERENCE RE: Complaint for Declaratory Judgment; Turnover; Avoidance of Post-Petition Transfers; Recovery Upon Avoided Transfers; Disallowance of Claim.

FR: 7-31-14; 10-30-14; 2-19-15; 3-5-15; 3-6-15; 3-10-15; 10-8-15; 10-15-15; 12-3-15; 1-21-16; 3-17-16; 5-19-16; 8-18-16

Docket 1

**\*\*\* VACATED \*\*\* REASON: CONTINUED TO 2/2/17 AT 9:30 A.M.,  
PER ORDER ENTERED 11/7/16 (XX)**

**Courtroom Deputy:**

**CONTINUED: Order Approving Stipulation RE Continuance of Status  
Conference to February 2, 2017 entered 11/7/16 (XX) - liz/td (11/8/16)**

**Tentative Ruling:**

**October 30, 2014**

Continue status conference to February 19, 2015 at 9:30 a.m.; updated status report to be filed by February 5, 2015. (XX)

***Note: If all parties accept the foregoing tentative ruling, appearances at today's hearing are not required and plaintiff shall serve notice of the continued hearing date/time.***

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**March 10, 2015**

Discovery Cut-off Date:	June 30, 2015
Deadline to Attend Mandatory Mediation:	Aug. 28, 2015
Pretrial Conference Date:	Oct. 8, 2015 at 9:30 am (XX)
Deadline to Lodge Joint Pretrial Stipulation:	Sept. 24, 2015

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

Thursday, November 17, 2016

Hearing Room 5A

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9:30 AM

CONT... Sandra Elisabeth Johnson

Chapter 11

***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.***

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**October 15, 2015**

Continue pretrial conference to December 3, 2015 at 9:30 a.m.; joint pretrial stipulation to be filed by November 19, 2015. Failure of the plaintiff to participate in the preparation of a joint pretrial stipulation will result in dismissal of the adversary proceeding for failure to prosecute. (XX)

In light of the re-conversion of the case to chapter 7, the prosecution or nonprosecution of the adversary lies with the chapter 7 trustee. The trustee will need to make such a determination prior to the deadline for filing the pretrial stipulation.

***Note: If all parties accept the foregoing tentative ruling, appearances at this hearing are not required. Defendant's counsel may lodge an order consistent with the same.***

-----

**December 3, 2015**

Continue status conference to January 21, 2016 at 9:30 a.m.; Court to set OSC re dismissal of adversary proceeding (lack of prosecution) for same date/time.

***Note: Appearances at this hearing are not required.***

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**January 21, 2016**

In light of Defendant's recently filed bankruptcy case, continue as a status conference to March 17, 2016 at 9:30 a.m.; updated status report to be filed by March 3, 2016. (XX)

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

Thursday, November 17, 2016

Hearing Room 5A

9:30 AM

CONT... Sandra Elisabeth Johnson

Chapter 11

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

**March 19, 2016**

Continue Status Conference to May 19, 2016 at 9:30 a.m.; updated Joint Status Report must be filed by May 5, 2016 (XX)

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

**May 19, 2016**

Continue status conference to August 18, 2016 at 9:30 a.m.; updated status report to be filed by August 4, 2016. (XX)

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

<b>Party Information</b>
--------------------------

**Debtor(s):**

Sandra Elisabeth Johnson

Represented By  
Lorraine G Howell  
David R. Weinstein

**Defendant(s):**

James H. Johnson

Pro Se

**Plaintiff(s):**

Sandra Elisabeth Johnson

Represented By  
David R. Weinstein  
Lorraine G Howell

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**CONT... Sandra Elisabeth Johnson**

**Chapter 11**

**Trustee(s):**

Weneta M Kosmala (TR)

Pro Se

Weneta M Kosmala (TR)

Represented By  
Erin P Moriarty

**U.S. Trustee(s):**

United States Trustee (SA)

Pro Se

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**8:13-17920 Donald Woo Lee**

**Chapter 7**

Adv#: 8:15-01459 Marshack v. AWP Energy, Inc

**#23.00** CON'TD STATUS CONFERENCE RE: Complaint for Avoidance, Recovery, and Preservation of Unauthorized Post-Petition Transfers

FR: 3-3-16; 3-10-16; 6-9-16; 6-30-16; 9-22-16

Docket 1

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR: Order Granting Motion for Entry of Default Judgment Against AWP Energy, Inc. and Default Judgment Entered 11/15/16**

**Courtroom Deputy:**

**OFF CALENDAR: Order Granting Motion for Entry of Default Judgment Against AWP Energy, Inc. and Default Judgment Entered 11/15/16 - td (11/15/2016)**

**Tentative Ruling:**

**March 10, 2016**

Continue Status Conference to June 9, 2016 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***

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

Thursday, November 17, 2016

Hearing Room 5A

9:30 AM

CONT... Donald Woo Lee

Chapter 7

***notice of the continued hearing date/time.***

-----

**June 30, 2016**

Continue status conference to Sept. 22, 2016 at 9:30 a.m. as a holding date; updated joint status report to be filed by Sept. 8, 2016 if the adversary is still pending as of such date. (XX)

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

-----

**September 22, 2016**

In light of pending settlement, continue this hearing to Nov. 17, 2016 at 9:30 a.m.; updated JSR must be filed by Nov. 3, 2016 if the settlement has not been approved by such date. (XX)

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

-----

**November 17, 2016**

In light of the pending request for entry of order of default judgment, continue status conference to January 12, 2017 at 9:30 a.m.; updated status report must be filed by January 5, 2017 if a default judgment has not been entered by such date.

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

Party Information

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**CONT... Donald Woo Lee**

**Chapter 7**

**Debtor(s):**

Donald Woo Lee

Represented By  
Michael R Totaro

**Defendant(s):**

AWP Energy, Inc

Pro Se

**Joint Debtor(s):**

Linda Bae Lee

Represented By  
Michael R Totaro

**Plaintiff(s):**

Richard A. Marshack

Represented By  
David Wood  
Matthew Grimshaw

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
Kyra E Andrassy  
David Wood  
Matthew Grimshaw  
Nathan F Smith  
Arturo M Cisneros  
Norma Ann Dawson  
Robert S Lawrence

Richard A Marshack (TR)

Pro Se

**U.S. Trustee(s):**

United States Trustee (SA)

Pro Se

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

Thursday, November 17, 2016

Hearing Room 5A

9:30 AM

8:15-14780 Harry Joseph Steck, III

Chapter 7

Adv#: 8:16-01004 Gilbert et al v. Steck III

#24.00 PRE-TRIAL CONFERENCE RE: Complaint to Determine Non-Dischargeability  
of Debt

FR: 4-7-16

Docket 1

**Courtroom Deputy:**

**SPECIAL NOTE: Stipulation of Dismissal with Prejudice filed 11/4/16;  
Order Lodged (over the counter) on 11/4/16 - td (11/4/2016)**

**Tentative Ruling:**

**April 7, 2016**

Discovery Cut-off Date: Oct. 7, 2016  
Pretrial Conference Date: Nov. 17, 2016 at 9:30 a.m.  
(XX)  
Deadline to File Joint Pretrial Stipulation: Nov. 3, 2016

**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.**

**November 17, 2016**

Take matter off calendar in light of stipulation to dismiss adversary  
proceeding filed 11/4/16.

**Note: Appearances at this hearing is not required.**

Party Information

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**CONT... Harry Joseph Steck, III**

**Chapter 7**

**Debtor(s):**

Harry Joseph Steck III

Represented By  
John Morkos

**Defendant(s):**

Harry Joseph Steck III

Pro Se

**Plaintiff(s):**

Sue Gilbert

Represented By  
Philip E McDermott

Joel Gilbert

Represented By  
Philip E McDermott

**Trustee(s):**

Richard A Marshack (TR)

Pro Se

Richard A Marshack (TR)

Pro Se

**U.S. Trustee(s):**

United States Trustee (SA)

Pro Se

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**8:15-15472 Orange County Imaging Specalists, Inc.**

**Chapter 7**

Adv#: 8:16-01117 Golden v. Farhad Khorashadi, M.D., A Medical Corporation

**#25.00 PRE-TRIAL CONFERENCE RE: Complaint for Avoidance and Recovery of Preferential Transfers.**

FR: 7/21/16

Docket 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**July 21, 2016**

Discovery Cut-off Date:	Sep. 30, 2016
Pretrial Conference Date: (XX)	Nov. 17, 2016 at 9:30 a.m.
Deadline to file Joint Pretrial Stipulation:	Nov. 3, 2016

***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.***

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**November 17, 2016**

In light of the pending the settlement agreement, continue hearing as a status conference to February 16, 2017 at 9:30 a.m.; updated status report must be filed by February 2, 2017 if the settlement agreement has not been approved by such time. (XX)

***Note: Appearances at this 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, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**CONT... Orange County Imaging Specalists, Inc.**

**Chapter 7**

**Party Information**

**Debtor(s):**

Orange County Imaging Specalists,	Represented By Daren M Schlecter
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**Defendant(s):**

Farhad Khorashadi, M.D., A	Pro Se
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**Plaintiff(s):**

Jeffrey I Golden	Represented By Steven Werth
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**Trustee(s):**

Jeffrey I Golden (TR)	Pro Se
Jeffrey I Golden (TR)	Represented By Steven Werth

**U.S. Trustee(s):**

United States Trustee (SA)	Pro Se
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**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Judge Erithe Smith, Presiding  
Courtroom 5A Calendar**

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**8:15-15472 Orange County Imaging Specialists, Inc.**

**Chapter 7**

Adv#: 8:16-01118 Golden v. Maurice Yu, M.D., A Professional Corporation

**#26.00 PRE-TRIAL CONFERENCE RE: Complaint for Avoidance and Recovery of Preferential Transfers.**

FR: 7-21-16

Docket 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**July 21, 2016**

Discovery Cut-off Date:	Sep. 30, 2016
Pretrial Conference Date: (XX)	Nov. 17, 2016 at 9:30 a.m.
Deadline to file Joint Pretrial Stipulation:	Nov. 3, 2016

***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.***

-----

**November 17, 2016**

In light of the pending the settlement agreement, continue hearing as a status conference to February 16, 2017 at 9:30 a.m.; updated status report must be filed by February 2, 2017 if the settlement agreement has not been approved by such time. (XX)

***Note: Appearances at this 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, November 17, 2016**

**Hearing Room 5A**

9:30 AM

CONT... **Orange County Imaging Specalists, Inc.**

**Chapter 7**

**Party Information**

**Debtor(s):**

Orange County Imaging Specalists,

Represented By  
Daren M Schlecter

**Defendant(s):**

Maurice Yu, M.D., A Professional

Pro Se

**Plaintiff(s):**

Jeffrey I Golden

Represented By  
Steven Werth

**Trustee(s):**

Jeffrey I Golden (TR)

Represented By  
Steven Werth

Jeffrey I Golden (TR)

Pro Se

**U.S. Trustee(s):**

United States Trustee (SA)

Pro Se

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**8:15-15472 Orange County Imaging Specalists, Inc.**

**Chapter 7**

Adv#: 8:16-01119 Golden v. Shahrokni

**#27.00 PRE-TRIAL CONFERENCE RE: Complaint for Avoidance and Recovery of Preferential Transfers**

FR: 7-21-16

Docket 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**July 21, 2016**

Discovery Cut-off Date:	Sep. 30, 2016
Pretrial Conference Date: (XX)	Nov. 17, 2016 at 9:30 a.m.
Deadline to file Joint Pretrial Stipulation:	Nov. 3, 2016

***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.***

-----

**November 17, 2016**

In light of the pending the settlement agreement, continue hearing as a status conference to February 16, 2017 at 9:30 a.m.; updated status report must be filed by February 2, 2017 if the settlement agreement has not been approved by such time. (XX)

***Note: Appearances at this 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, November 17, 2016**

**Hearing Room 5A**

9:30 AM

CONT... **Orange County Imaging Specalists, Inc.**

**Chapter 7**

**Party Information**

**Debtor(s):**

Orange County Imaging Specalists,

Represented By  
Daren M Schlecter

**Defendant(s):**

Seyed H Shahrokni

Pro Se

**Plaintiff(s):**

Jeffrey I Golden

Represented By  
Steven Werth

**Trustee(s):**

Jeffrey I Golden (TR)

Represented By  
Steven Werth

Jeffrey I Golden (TR)

Pro Se

**U.S. Trustee(s):**

United States Trustee (SA)

Pro Se

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

Thursday, November 17, 2016

Hearing Room 5A

9:30 AM

8:15-15488 Matthew J Masterson

Chapter 7

Adv#: 8:16-01039 SchoolsFirst Federal Credit Union v. Masterson et al

#28.00 PRE-TRIAL CONFERENCE RE: Complaint to determine dischargeability of debt  
[11 U.S.C. 523(a)(2)(A)]

FR: 5-5-16

Docket 1

\*\*\* VACATED \*\*\* REASON: OFF CALENDAR: Order Approving  
Stipulation for Settlement and Entry of Judgment to Determine  
Dischargeability of Debt Entered 7/20/16

Courtroom Deputy:

OFF CALENDAR: Order Approving Stipulation for Settlement and Entry  
of Judgment to Determine Dischargeability of Debt Entered 7/20/16 - td  
(7/28/2016)

Tentative Ruling:

May 5, 2016

Discovery Cut-off Date: Sept. 8, 2016  
Deadline to Attend Mediation: Oct. 20, 2016  
Pretrial Conference Date: Nov. 17, 2016 at 9:30 a.m.  
(XX)  
Deadline to Lodge Joint Pretrial Stipulation: Nov. 3, 2016

**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):**

Matthew J Masterson

Represented By

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**CONT... Matthew J Masterson**

**Chapter 7**

Stewart H Lim

**Defendant(s):**

Graciela Masterson

Represented By  
Stewart H Lim

Matthew Masterson

Represented By  
Stewart H Lim

**Joint Debtor(s):**

Graciela O Masterson

Represented By  
Stewart H Lim

**Plaintiff(s):**

SchoolsFirst Federal Credit Union

Represented By  
Jesse Melendrez

**Trustee(s):**

Jeffrey I Golden (TR)

Pro Se

Jeffrey I Golden (TR)

Pro Se

**U.S. Trustee(s):**

United States Trustee (SA)

Pro Se

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**8:15-15557 Helen Nguyen**

**Chapter 7**

Adv#: 8:16-01181 Naylor v. Nguyen

**#29.00 STATUS CONFERENCE RE: Complaint for Avoidance of Preferential Transfer  
[11 U.S.C. Section 547]**

Fr: 10-13-16

Docket 1

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR: Judgment Entered  
11/15/16**

**Courtroom Deputy:**

**OFF CALENDAR: Judgment Entered 11/15/16 - td (11/15/2016)**

**Tentative Ruling:**

**November 17, 2016**

Discovery cut-off date: 12/31/16

Deadline to file summary judgment motion: 1/31/17

Trial setting status conference: 3/30/17 at 9::30 a.m.

***Note: If all parties accept the foregoing tentative ruling, appearances at this hearing is not required; Plaintiff to serve/lodge a scheduling order consistent with the same.***

**Party Information**

**Debtor(s):**

Helen Nguyen

Represented By

Marvin Maurice Oliver

**Defendant(s):**

Trang Doan Nguyen

Pro Se

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

9:30 AM

**CONT... Helen Nguyen**

**Chapter 7**

**Plaintiff(s):**

Karen Sue Naylor

Represented By  
William M Burd

**Trustee(s):**

Karen S Naylor (TR)

Represented By  
William M. Burd

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

Thursday, November 17, 2016

Hearing Room 5A

10:00 AM

8:12-18774 Raymond David Gomez, Jr.

Chapter 13

#30.00 CONT'D Hearing RE: Motion for relief from the automatic stay  
[REAL PROPERTY]

SETERUS, INC.

VS.

DEBTOR

FR: 4-12-16; 5-10-16; 7-19-16; 8-16-16; 9-13-16

Docket 87

**Courtroom Deputy:**

**SPECIAL NOTE: Stipulation to Continue Hearing on Motion filed  
11/15/16; Order on Stipulation Lodged in LOU on 11/15/16, Order #  
3408131 - td (11/15/2016)**

**Tentative Ruling:**

**April 12, 2016**

Grant with 4001(a)(3) waiver on condition that Movant files, within 7 days of today's hearing, a supplemental pleading clarifying Movant's beneficial interest in the subject property.

Motion does not establish complete chain of title leading to Movant.

***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.***

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**May 10, 2016**

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

Thursday, November 17, 2016

Hearing Room 5A

10:00 AM

CONT... **Raymond David Gomez, Jr.**

**Chapter 13**

The parties are ordered to meet and confer prior to the hearing regarding the missing payments. If, in fact, the Moving Party rejected Debtor's payments at some point, he (Debtor) should still have the funds and should be able to bring the account postpetition current.

-----  
**July 19, 2016**

Off calendar in light of filing of stipulation.

***Note: Appearances at this hearing are not required.***

-----  
**August 16, 2016**

Movant to advise the court re the status of this matter.

-----  
**September 13, 2016**

Movant to advise the court re the status of this matter.

-----  
**November 17, 2016**

Movant to advise the court re the status of this matter.

**Party Information**

**Debtor(s):**

Raymond David Gomez Jr.

Pro Se

**Movant(s):**

Seterus, Inc., as the authorized

Represented By  
Darren J Devlin

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

10:00 AM

**CONT... Raymond David Gomez, Jr.**

**Chapter 13**

**Trustee(s):**

Amrane (SA) Cohen (TR)

Represented By  
Amrane (SA) Cohen (TR)

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

10:00 AM

**8:15-10719 Margaret Allen Rawson**

**Chapter 7**

**#31.00** Hearing RE: Motion for relief from automatic stay  
[ACTION IN NON-BANKRUPTCY FORUM]

PEGGY CAIN, JEFFREY CAIN, AND HELI-OPS, INTERNATIONAL, INC.

VS.

DEBTOR

Docket 56

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**November 17, 2016**

Grant motion.

Overrule Debtor's objections as unpersuasive. First, under Section 362(c)(2) (C), the automatic stay terminated on August 18, 2016, the date of entry of the order re denial of discharge. Second, the order denying discharge is a final judgment. Third, there is no stay pending appeal and the opposition cannot be deemed a motion for stay pending appeal (untimely as a motion and lacking in legal analysis).

**Party Information**

**Debtor(s):**

Margaret Allen Rawson

Represented By  
Sylvia Lew  
David A Tilem

**Movant(s):**

Jeffrey Cain

Represented By

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

10:00 AM

**CONT... Margaret Allen Rawson**

**Chapter 7**

	Misty A Perry Isaacson
Peggy Cain	Represented By Misty A Perry Isaacson
Heli-Ops International, LLC	Represented By Misty A Perry Isaacson

**Trustee(s):**

Richard A Marshack (TR)	Represented By Misty A Perry Isaacson Donald W Sieveke
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United States Bankruptcy Court  
Central District of California  
Santa Ana  
Judge Erithe Smith, Presiding  
Courtroom 5A Calendar

Thursday, November 17, 2016

Hearing Room 5A

10:00 AM

8:15-11014 Maricela Diaz and Ruben Diaz

Chapter 13

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

WELLS FARGO BANK, N.A.

VS.

DEBTORS

Docket 91

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**November 17, 2016**

In light of Debtor's response to the Motion, the parties are ordered to meet and confer re the status of postconfirmation payments prior to the hearing. Continue hearing to December 15, 2016 at 10:00 a.m. if the parties require more time to consider a resolution.

***Note: Appearances at this hearing are required unless the parties agree to a continuance.***

**Party Information**

**Debtor(s):**

Maricela Diaz

Represented By  
Steve S Gohari

**Joint Debtor(s):**

Ruben Diaz

Represented By  
Steve S Gohari

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

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10:00 AM

**CONT... Maricela Diaz and Ruben Diaz**

**Chapter 13**

**Movant(s):**

Wells Fargo Bank N.A.

Represented By  
Joseph Smith  
Darlene C Vigil

**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, November 17, 2016

Hearing Room 5A

10:00 AM

8:16-12277 Aurora Arriaga

Chapter 7

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

BANK OF AMERICA, N.A.

VS.

DEBTOR

Docket 34

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR: Order of Dismissal for Failure to Appear at 341(a) Meeting Entered 11/2/16**

**Courtroom Deputy:**

**OFF CALENDAR: Order of Dismissal for Failure to Appear at 341(a) Meeting Entered 11/2/16 - td (11/2/2016)**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

Aurora Arriaga

Pro Se

**Movant(s):**

Bank of America, N.A.

Represented By  
Dane W Exnowski

**Trustee(s):**

Thomas H Casey (TR)

Pro Se

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

Thursday, November 17, 2016

Hearing Room 5A

10:00 AM

8:16-12683 Scott Langdon Campos

Chapter 13

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

U.S. BANK NATIONAL ASSOCIATION

VS.

DEBTOR

Docket 45

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**November 17, 2016**

Grant motion with 4001(a)(3) waiver unless debtor is current by the time of the hearing, in which case an adequate protection order shall be granted. Continue hearing to December 15, 2016 at 10:00 a.m. if the parties require more time to consider a resolution.

***Note: Appearances at this hearing are required unless the parties have agreed to the terms of an adequate protection order or a continuance by the time of the hearing***

**Party Information**

**Debtor(s):**

Scott Langdon Campos

Represented By  
Christopher J Langley

**Movant(s):**

U.S. Bank National Association, as

Represented By  
Darlene C Vigil

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

10:00 AM

**CONT... Scott Langdon Campos**

**Chapter 13**

**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, November 17, 2016

Hearing Room 5A

10:00 AM

8:16-12854 Paul Edward Rubio

Chapter 13

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

VENTURES TRUST 2013-1-H-R BY MCM CAPITAL PARTNERS LLC, ITS TRUSTEE

VS.

DEBTOR

Docket 52

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**November 17, 2016**

Grant with 4001(a)(3) waiver and all other relief requested in the Motion, including 362(d)(4) relief.

***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):**

Paul Edward Rubio

Represented By  
Lauren Rode

**Movant(s):**

VENTURES TRUST 2013-1-H-R

Represented By  
Erin M McCartney

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

10:00 AM

**CONT... Paul Edward Rubio**

**Chapter 13**

**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, November 17, 2016

Hearing Room 5A

10:00 AM

8:16-12854 Paul Edward Rubio

Chapter 13

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

DEUTSCHE BANK NATIONAL TRUST CO.

VS.

DEBTOR; AND AMRANE COHEN, CHAPTER 13 TRUSTEE

Docket 54

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**November 17, 2016**

Grant with 4001(a)(3) waiver and all other relief requested in the Motion except relief request #11.

This court does not grant indefinite *in rem* relief.

***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):**

Paul Edward Rubio

Represented By  
Lauren Rode

**Movant(s):**

Deutsche Bank National Trust

Represented By  
Kristin A Zilberstein

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

10:00 AM

**CONT... Paul Edward Rubio**

**Chapter 13**

**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, November 17, 2016

Hearing Room 5A

10:00 AM

8:16-14051 Steven Louis Reille and Wendi Denise Reille

Chapter 7

#37.00 Hearing RE: Motion for relief from the automatic stay [PERSONAL PROPERTY]  
BMW BANK OF NORTH AMERICA  
VS.  
DEBTORS

Docket 11

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**November 17, 2016**

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):**

Steven Louis Reille

Represented By  
James A Hayes Jr

**Joint Debtor(s):**

Wendi Denise Reille

Represented By  
James A Hayes Jr

**Movant(s):**

BMW Bank of North America

Represented By

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

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10:00 AM

**CONT... Steven Louis Reille and Wendi Denise Reille  
Austin P Nagel**

**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, November 17, 2016

Hearing Room 5A

10:00 AM

**8:16-14295 James Jay Keener, Jr. and Sadie Elizabeth Keener**

**Chapter 7**

**#38.00** Hearing RE: Motion in Individual Case for Order Imposing a Stay or Continuing the Automatic Stay as the Court Deems Appropriate

Docket 8

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**November 17, 2016**

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.***

<b>Party Information</b>
--------------------------

**Debtor(s):**

James Jay Keener Jr.

Represented By  
Harlene Miller

**Joint Debtor(s):**

Sadie Elizabeth Keener

Represented By  
Harlene Miller

**Trustee(s):**

Thomas H Casey (TR)

Pro Se

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

Thursday, November 17, 2016

Hearing Room 5A

10:30 AM

**8:08-16731 Cary Don Floyd**

**Chapter 7**

Adv#: 8:09-01054 Stewart v. Floyd

**#39.00** Hearing RE: Motion for Earnings Withholding Order Against Judgment Debtor Spouse

Docket 42

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**November 17, 2016**

Grant motion -- Plaintiff must complete and file with the court the appropriate California form for an earnings withholding order.

***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.***

<b>Party Information</b>
--------------------------

**Debtor(s):**

Cary Don Floyd

Represented By  
Annie Verdries

**Defendant(s):**

Cary Don Floyd

Represented By  
Annie Verdries

**Joint Debtor(s):**

Sharlan Michelle Floyd

Represented By  
Annie Verdries

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

---

10:30 AM

**CONT... Cary Don Floyd**

**Chapter 7**

**Plaintiff(s):**

John Stewart

Represented By  
Timothy Krantz

**Trustee(s):**

Karen S Naylor (TR)

Pro Se

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

Thursday, November 17, 2016

Hearing Room 5A

10:30 AM

8:11-12317 Wandalizabeth Curtis

Chapter 13

#40.00 Hearing RE: Debtor Wanda Curtis Motion to Determine Final Cure Payment re Rule 3002.1

Docket 103

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR: Debtor's Notice of Withdrawal of Debtor Wanda Curtis Motion to Determine Final Cure and Payment Re Rule 3002.1 filed 10/10/16.**

**Courtroom Deputy:**

**OFF CALENDAR: Debtor's Notice of Withdrawal of Debtor Wanda Curtis Motion to Determine Final Cure and Payment Re Rule 3002.1 filed 10/10/16 - adm (10/11/16)**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

Wandalizabeth Curtis

Represented By  
Michael F Frank

**Trustee(s):**

Amrane (SA) Cohen (TR)

Represented By  
Amrane (SA) Cohen (TR)

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

Thursday, November 17, 2016

Hearing Room 5A

10:30 AM

8:13-19816 Shyne, Inc.

Chapter 7

#41.00 Hearing RE: Trustee's Final Report and Application for Compensation and Reimbursement of Expenses

**[RICHARD A. MARSHACK, CHAPTER 7 TRUSTEE]**

Docket 176

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**November 17, 2016**

Approve fees and expenses as requested.

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

<b>Party Information</b>
--------------------------

**Debtor(s):**

Shyne, Inc.

Represented By  
Alaa A Yasin

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
John D Ott  
Beth Gaschen

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

Thursday, November 17, 2016

Hearing Room 5A

10:30 AM

8:13-19816 Shyne, Inc.

Chapter 7

#42.00 Hearing RE: Second and Final Application for Allowance and Payment of Fees and Reimbursement of Expenses

[LOBEL WEILAND GOLDEN, FRIDEMAN LLP, COUNSEL FOR THE TRUSTEE]

Docket 173

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**November 17, 2016**

Approve fees and expenses as requested.

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

**Party Information**

**Debtor(s):**

Shyne, Inc.

Represented By  
Alaa A Yasin

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
John D Ott  
Beth Gaschen

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

Thursday, November 17, 2016

Hearing Room 5A

10:30 AM

8:13-19816 Shyne, Inc.

Chapter 7

#42.10 Hearing RE: First and Final Fee Application for Allowance of Fees and Expenses from January 28, 2015 through August 3, 2016

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

Docket 172

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**November 17, 2016**

Approve fees and expenses as requested.

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

<b>Party Information</b>
--------------------------

**Debtor(s):**

Shyne, Inc.

Represented By  
Alaa A Yasin

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
John D Ott  
Beth Gaschen

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

Thursday, November 17, 2016

Hearing Room 5A

10:30 AM

8:14-10391 Mariana V. Gerzanych and Timothy L Mason

Chapter 11

#43.00 CON'TD Post Confirmation Status Conference RE: Second Amended Individual Debtors' Chapter 11 Joint Plan of Reorganization  
**[Order Granting Debtor's Application for Joint Administration of Cases Entered 3/20/14 [Lead Case: Mariana V. Gerzanych, 8:14-10391-ES; Member Case Timothy L. Mason, 8:14-10395-ES]**

(Set at Plan Conf. hrg. held 11-3-15)  
FR: 5-12-16

Docket 153

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR Order Granting an Order Closing Cases on Interim Basis Entered 9/20/16**

**Courtroom Deputy:**

**OFF CALENDAR Order Granting an Order Closing Cases on Interim Basis Entered 9/20/16 - td (9/21/2016)**

**Tentative Ruling:**

**May 12, 2016**

Continue the postconfirmation status conference to Nov. 17, 2016 at 10:30 a.m.; updated status report to be filed by November 3, 2016. (XX)

***Note: If Debtors are in substantial compliance with the requirements of the US Trustee, appearance at today's hearing is not required -- it is Debtors' responsibility to confirm compliance status with the US Trustee's Office.***

**Party Information**

**Debtor(s):**

Timothy L Mason

Represented By  
Ovsanna Takvoryan

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

10:30 AM

**CONT...**

**Mariana V. Gerzanych and Timothy L Mason**

**Chapter 11**

Frank T Pepler

Mariana V. Gerzanych

Represented By

Kurt Ramlo

Krikor J Meshefejian

Frank T Pepler

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

10:30 AM

**8:14-15071 Leslie B. Rand-Luby**

**Chapter 11**

**#44.00** CON'TD Post-Confirmation Status Conference RE: Individual Debtor's First Amended Chapter 11 Plan of Reorganization

(Set at Plan Conf. hrg. held 11-17-15)  
FR: 5-12-16

Docket 98

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**May 12, 2016**

Continue the postconfirmation status conference to Nov. 17, 2016 at 10:30 a.m.; updated status report to be filed by November 3, 2016 (unless the case has been closed by such date). (XX)

***Note: If Debtor is in substantial compliance with the requirements of the US Trustee, appearance at today's hearing is not required -- it is Debtor's responsibility to confirm compliance status with the US Trustee's Office.***

-----

**November 17, 2016**

Take matter off calendar in light of the court's order granting of Debtor's motion to close case on an interim basis, entered Sept. 30, 2016 [docket # 171]

***Note: Appearance at this hearing is not required.***

**Party Information**

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

10:30 AM

**CONT... Leslie B. Rand-Luby**

**Chapter 11**

**Debtor(s):**

Leslie B. Rand-Luby

Represented By  
J Scott Williams

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

10:30 AM

**8:15-10719 Margaret Allen Rawson**

**Chapter 7**

**#45.00** Hearing RE: Trustee's Motion for Order Compelling Debtor to Turn Over Bankruptcy Estate Assets

Docket 60

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**November 17, 2016**

Deny motion requiring turnover of all funds and all trust powers to the Trustee. Grant alternative relief for turnover of one-half of the trust funds deposited with FFEC to the Trustee. The Trustee's trust powers are limited to the Family Bypass and Marital Trust sub-trusts.

Basis for Tentative Ruling:

1. The court notes preliminarily that the Trustee appears to be attempting to re-litigate matters of partial summary adjudication determined by this court in connection with Defendant's motion for summary judgment. See this court Order entered October 12, 2016 ("Oct. 12 Order"), wherein the court held that a) the Debtor's interest in the Surviving Spouse's Sub-Trust is not property of the estate, b) the Trustee is not entitled to turnover of the Surviving Spouse's Sub-Trust, and c) the Trustee is not entitled to injunctive relief as to the Surviving Spouse's Sub-Trust.
2. As the court found that the Family Bypass and Marital Trust sub-trusts are property of the estate, funds attributable to those sub-trusts should be turned over.
3. The foregoing assumes the parties agree to a 50/50 split regarding the funds deposited with FFEC. The court has never made a determination as to the amount in each sub-trust and neither the Trustee or Trustee Rawson has

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

10:30 AM

**CONT...**     **Margaret Allen Rawson**  
provided a tracing analysis regarding the same.

**Chapter 7**

<b>Party Information</b>
--------------------------

**Debtor(s):**

Margaret Allen Rawson

Represented By  
Sylvia Lew  
David A Tilem

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
Misty A Perry Isaacson  
Donald W Sieveke  
Chad V Haes

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

10:30 AM

**8:15-10719 Margaret Allen Rawson**

**Chapter 7**

Adv#: 8:15-01285 Marshack v. Rawson et al

**#46.00** Hearing RE: Order to Show Cause RE Civil Contempt Against Margaret A. Rawson, Individually and Margaret A. Rawson, Successor Trustee of The Preston M. and Marvel L. Jones Family Trust for Violation Preliminary Injunction (OSC ISSUED 10/7/16)

Docket 77

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**November 17, 2016**

Deny motion. Insufficient evidence of contempt.

While it is true that this court entered its order approving the preliminary injunction stipulation between the Trustee, Trustee Rawson and Individual Rawson regarding the prohibition of distribution of trust funds to Rawson, Rawson's family, and stepfamily, stipulation provides for such restriction until "further order of the Bankruptcy Court.. Stipulation at paragraph 6. On October 12, 2016, this court entered its order *dissolving* the preliminary injunction as to the Surviving Spouse's Sub-Trust. The order is based on the court's ruling made at the February 16, 2016 hearing on Trustee Rawson's motion for summary judgment. Consequently, the preliminary injunction remained in effect only as to the Family Bypass and Marital Trust sub-trusts. The Trustee has not provided evidence sufficient to establish that Trustee Rawson distributed funds belonging to the Family Bypass and Marital Trust sub-trusts.

**Party Information**

**Debtor(s):**

Margaret Allen Rawson

Represented By  
Sylvia Lew

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

10:30 AM

**CONT... Margaret Allen Rawson**

**Chapter 7**

David A Tilem

**Defendant(s):**

DR Rawson, Third Successor

Pro Se

Margaret Allen Rawson, Successor

Represented By  
Eric J Olson  
Arbella Azizian

Margaret Allen Rawson

Represented By  
Kevin S Lacey  
David A Tilem

**Plaintiff(s):**

Richard Marshack

Represented By  
Misty A Perry Isaacson

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
Misty A Perry Isaacson  
Donald W Sieveke

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

10:30 AM

**8:15-12147 Matthew Jason Whitman and Carla Maria Whitman**

**Chapter 7**

**#47.00** Hearing RE: Chapter 7 Trustee's Motion for Order Disallowing Claims Pursuant to 11 U.S.C. Section 502:

Claim #7-1 Art and Automation, Inc. \$637.33

Claim #10-1 American Express Centurion Bank \$41,141.39

Claim #11-1 American Express Centurion Bank \$475.97

Docket 198

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**November 17, 2016**

Grant as to Claims 7-1(Art & Automation) and 11-1 (American Express)

Deny as to Claim(s) 10-1/10-2 (American Express)

The trustee objected to the original claim on the ground that the claim is barred by the statute of limitations. The claimant then responded with evidence of a prepetition judgment indicating a principal amount in the exact amount set forth in the original proof of claim *to the penny*. The trustee then objected to the amended claim on the ground that it constitutes a "new claim" that does not relate back to the original claim. The court finds the trustee's argument completely unpersuasive and logically unstainable. Clearly, the judgment does not represent a "new" claim and the amended properly includes prepetition interest and costs associated with the principal as allowed under California law. Claimant has satisfied its ultimate burden of proof.

**Party Information**

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

10:30 AM

**CONT... Matthew Jason Whitman and Carla Maria Whitman**

**Chapter 7**

**Debtor(s):**

Matthew Jason Whitman

Represented By  
Derik N Lewis  
Marian Garza

**Joint Debtor(s):**

Carla Maria Whitman

Represented By  
Derik N Lewis

**Trustee(s):**

Jeffrey I Golden (TR)

Represented By  
Beth Gaschen  
Christopher J Green

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

**Thursday, November 17, 2016**

**Hearing Room**

**5A**

10:30 AM

**8:15-12147 Matthew Jason Whitman and Carla Maria Whitman**

**Chapter 7**

**#48.00** Hearing RE: Chapter 7 Trustee's Motion for Order Disallowing Claims Pursuant to 11 U.S.C. Section 502:

Claim #6-1	American Claims Services, Inc., division of York Risk Services Group	\$91,857.00
Claim #9-1	American Express Bank, FSB	\$64,590.82
Claim #16	American Contractors Indemnity Company	\$8,598.54 + unliquidated/undetermined damages

Docket 204

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**November 17, 2016**

Grant as to Claims 6 (American Claim Servs) and 16 (American Contractors Indemnity)

Deny as to Claim(s) 9-1/9-2 (American Express)

The trustee objected to the original claim of American Express on the ground that the claim is barred by the statute of limitations. The claimant then responded with evidence of a prepetition judgment indicating a principal amount in the exact amount set forth in the original proof of claim *to the penny*. The trustee then objected to the amended claim on the ground that it constitutes a "new claim" that does not relate back to the original claim. The court finds the trustee's argument completely unpersuasive and logically unstainable. Clearly, the judgment does not represent a "new" claim and the amended properly includes prepetition interest and costs associated with the principal as allowed under California law. Claimant has satisfied its ultimate burden of proof.

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

10:30 AM

**CONT... Matthew Jason Whitman and Carla Maria Whitman**

**Chapter 7**

**Party Information**

**Debtor(s):**

Matthew Jason Whitman

Represented By  
Derik N Lewis  
Marian Garza

**Joint Debtor(s):**

Carla Maria Whitman

Represented By  
Derik N Lewis

**Trustee(s):**

Jeffrey I Golden (TR)

Represented By  
Beth Gaschen  
Christopher J Green

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

10:30 AM

**8:16-13741 Moses Ugochukwu Anusiem and Chibuzo Blessing Anusiem Chapter 13**

**#49.00 CON'TD Hearing RE: Debtors' Motion to Avoid Junior Lien on Principal Residence [Ditech Financial LLC]**

FR: 10-13-16

Docket 15

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**October 13, 2016**

Continue hearing to November 17, 2016 at 10:30 a.m. to allow Debtors to correct service issue: Ditech Financial LLC was not served per FRBP 7004 (b)(3) as required by FRBP 9014 for contested matters; Officer, director or agent for service not served. The Secretary of State website indicates that the agent for service is CT Corporation. Additionally, declaration of Debtor not accompanied by a scanned copy of their signature -- see Court Manual Rule 3.4(b)(2). (XX)

Tentative ruling for 11/17/16 hearing (if unopposed): Grant.

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

-----

**November 17, 2016**

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***

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

10:30 AM

**CONT... Moses Ugochukwu Anusiem and Chibuzo Blessing Anusiem Chapter 13**  
***whether further hearing is required and Movant will be so notified.***

<b>Party Information</b>
--------------------------

**Debtor(s):**

Moses Ugochukwu Anusiem

Represented By  
Anthony Obehi Egbase  
Crystle J Lindsey

**Joint Debtor(s):**

Chibuzo Blessing Anusiem

Represented By  
Anthony Obehi Egbase  
Crystle J Lindsey

**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, November 17, 2016

Hearing Room 5A

10:30 AM

8:16-13741 Moses Ugochukwu Anusiem and Chibuzo Blessing Anusiem

Chapter 13

#50.00 Hearing RE: Debtors' Motion to Avoid Junior Lien on Principal Residence  
[Creditor: Ditech Financial LLC]

Docket 22

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

November 17, 2016

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):**

Moses Ugochukwu Anusiem

Represented By  
Anthony Obehi Egbase  
Crystle J Lindsey

**Joint Debtor(s):**

Chibuzo Blessing Anusiem

Represented By  
Anthony Obehi Egbase  
Crystle J Lindsey

**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, November 17, 2016**

**Hearing Room 5A**

10:30 AM

**CONT... Moses Ugochukwu Anusiem and Chibuzo Blessing Anusiem**

**Chapter 13**

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

2:00 PM

**8:14-10918 Robert Boyajian**

**Chapter 11**

Adv#: 8:16-01012 Boyajian et al v. Ordoubadi et al

**#51.00** Hearing RE: Creditors Shahrokh Shawn Ordoubadi and Raham Honeya Ordoubadi's Motion for Partial Summary Judgment in Robert Boyajian and Mayor Dune, Inc.'s Adversary Proceeding Against Them

(Advanced from 1-12-17)

Docket 15

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**November 17, 2016**

Grant in part; deny in part. Grant partial adjudication in favor of Defendants as to the First MB Judgment as time-barred (dismiss with prejudice); Grant as to claims. Deny as to all other partial adjudication requested in Motion.

Basis for Tentative Ruling:

Summary Judgment Standard

A party seeking summary judgment bears the initial responsibility of demonstrating the absence of a genuine issue of material fact, and establishing that it is entitled to judgment as a matter of law as to those matters upon which it has the burden of proof. *Celotex Corporation v. Catrett*, 477 U.S. 317, 323 (1986). The opposing party must make an affirmative showing on all matters placed in issue by the motion as to which it has the burden of proof at trial. *Id.* at 324. The substantive law will identify which facts are material. *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248 (1986). Only disputes over facts that might affect the outcome of the suit under the governing law will properly preclude the entry of summary judgment. *Id.* A factual dispute is genuine where the evidence is such that a reasonable jury

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

Thursday, November 17, 2016

Hearing Room 5A

---

2:00 PM

CONT... **Robert Boyajian**

Chapter 11

could return a verdict for the nonmoving party. *Id.* The court must view the evidence presented on the motion in the light most favorable to the opposing party. *Id.*

Merits

1. The First Transfer is time-barred

Plaintiffs dispute that the First Transfer is time-barred, citing California Rule of Court 1.10. While Plaintiffs correctly cite to the applicable California fraudulent transfer statutes, i.e., 3439.04(a)(1) and (a)(2), Plaintiffs incorrectly cite to California procedural rules. Such rules do not apply to this adversary proceeding. Rather, federal rules (national and local) apply. Plaintiffs have cited to no applicable federal procedures relevant to the timeliness of the First Transfer. The court agrees with Defendants' analysis re timeliness and finds that the claim re the First Transfer is, therefore, barred as a matter of law as to both Debtor and Mayor Dune. The court incorporates by reference herein Defendants' analysis. Motion at 4-7.

The notes parenthetically that though partial adjudication in favor of Defendants as to the First Transfer is warranted based upon the statute of limitations, the court was not persuaded by Defendant's argument that the fraudulent transfer claim was not sustainable due to the inapplicability of 11 USC 544. Section 544 only applies to transactions involving property of the debtor. The transfers at issue here did not involve property of the debtor. That said, the court agrees with Plaintiffs that section 541(a) broadly includes all legal, equitable, contingent and unliquidated claims of Debtor, which would include fraudulent transfer claim against a third party. Accordingly, the prosecution of a claim under CC 3439.04 is not dependent upon Section 544 when property of the debtor is not involved.

2. Defendant has not established that Mayor Dune lacks standing to assert claims on its own behalf.

Based on a review of the Complaint, as well as argument set forth in Plaintiff's Opposition, it does not appear that Mayor Dune is prosecuting any claim on behalf of Debtor or Debtor's estate. FRBP 7020 (Permissive

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

2:00 PM

**CONT... Robert Boyajian Chapter 11**

Joinder) incorporates FRCP 20. To the extent that Mayor Dune is asserting its own independent claim arising under the same transaction or series of transactions as Debtor, its involvement as a party plaintiff appears to be allowed under Rule 20.

2.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Robert Boyajian

Represented By  
Tamar Terzian  
Alan G Tippie

**Defendant(s):**

Raham Honeya Ordoubadi

Represented By  
Nicholas W Gebelt  
Nicholas W Gebelt

Shahrokh Shawn Ordoubadi

Represented By  
Nicholas W Gebelt  
Nicholas W Gebelt

**Plaintiff(s):**

Mayor Dune, Inc.

Represented By  
Alan G Tippie  
Robert Boyajian

Robert Boyajian

Represented By  
Alan G Tippie

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

2:00 PM

**8:14-10918 Robert Boyajian**

**Chapter 11**

Adv#: 8:16-01012 Boyajian et al v. Ordoubadi et al

**#52.00** CON'TD PRE-TRIAL CONFERENCE RE: Complaint to: (1) Avoid Fraudulent Assignments of Money Judgments; (2) For Declaratory Relief; (3) Quiet Title to Real Property; and (4) Objections to Claims

FR: 4-7-16; 10-13-16

Docket 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**April 7, 2016**

Discovery Cut-off Date:	Sept. 9, 2016
Pretrial Conference Date: (XX)	Oct. 13, 2016 at 9:30 a.m.
Deadline to File Joint Pretrial Stipulation:	Sept. 29, 2016

***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.***

-----

**October 13, 2016**

Continue hearing to November 17, 2016 at 2:00 p.m.; joint pretrial stipulation not required. (XX)

***Note: Appearances at this hearing are not required***

**Party Information**

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

2:00 PM

**CONT... Robert Boyajian**

**Chapter 11**

**Debtor(s):**

Robert Boyajian

Represented By  
Tamar Terzian  
Alan G Tippie

**Defendant(s):**

Raham Honeya Ordoubadi

Represented By  
Nicholas W Gebelt

Shahrokh Shawn Ordoubadi

Represented By  
Nicholas W Gebelt

**Plaintiff(s):**

Mayor Dune, Inc.

Represented By  
Alan G Tippie  
Robert Boyajian

Robert Boyajian

Represented By  
Alan G Tippie

**U.S. Trustee(s):**

United States Trustee (SA)

Pro Se

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

Thursday, November 17, 2016

Hearing Room 5A

2:00 PM

8:14-14461 Murad Shuqom

Chapter 7

Adv#: 8:14-01271 JJ Brother, LLC v. Shuqom et al

#53.00 **CONT'D ORAL RULING RE: TRIAL RE: Complaint to Determine the Non-Dischargeability of the Debt**

(Set at PTC held 8-20-15)

FR: 3-21-16; 3-23-16; 5-23-16; 5-27-16; 7-27-16; 11-7-16

Docket 1

**\*\*\* VACATED \*\*\* REASON: CONTINUED TO 1/10/17 AT 2:00 P.M.  
PER ORDER APPROVING STIPULATION ENTERED 8/19/16 (XX)**

**Courtroom Deputy:**

**CONTINUED: Order Approving Stipulation RE Briefing Schedule Entered on 8/19/16. Oral Ruling Continued to 1/10/17 at 2:00 p.m. (XX) - Liz- (8/19/2016)**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

Murad Shuqom

Represented By  
Melissa A Clark

**Defendant(s):**

RBS Royalty Motorsports, Inc.

Represented By  
Melissa A Clark  
Mathew K Higbee  
Kimberly Wright

Murad Shuqom

Represented By  
Melissa A Clark  
Mathew K Higbee  
Kimberly Wright

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

**Thursday, November 17, 2016**

**Hearing Room 5A**

2:00 PM

**CONT... Murad Shuqom**

**Chapter 7**

**Plaintiff(s):**

JJ Brother, LLC

Represented By  
Helen Wong

**Trustee(s):**

John M Wolfe (TR)

Represented By  
Leonard M Shulman  
Melissa Davis Lowe  
Ryan D ODea

John M Wolfe (TR)

Pro Se

**U.S. Trustee(s):**

United States Trustee (SA)

Pro Se