

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Martin R. Barash, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

1:30 PM

1:15-12112 Emmanuel Louis

Chapter 11

#1.00 First Amended Disclosure statement describing chapter 11 plan of reorganization

fr. 8/23/16; 10/4/16

Docket 115

Tentative Ruling:

Ruling for October 4, 2016:

Continued to 11/1/16 @ 1:30 p.m. Dtr's revised disclosure statement due 10/18/16. No further notice of the continued disclosure statement hearing is required.

Ruling for August 23, 2016:

Tentative adopted

Tentative Ruling for August 23, 2016:

Continue to 10/4/16 at 1:30 pm to allow Debtor to provide notice of the hearing on the disclosure statement to ALL creditors and to fix Exhibit B to the Disclosure Statement. If the Debtor submits on this tentative, his appearance on August 23 is waived.

Debtor's Notice of the Hearing on Adequacy of Debtor's Disclosure Statement (dkt. 116) was only served via NEF and the only parties listed on the proof of service are the Office of the United States Trustee and Todd Garan, who represents both Wells Fargo & BONYM. FRBP 2002(b) requires ALL creditors to be served with the Notice, and LBR 3017-1(a) requires 36 days' notice. Debtor's Notice was timely served, but he only served two of the approximately 29 creditors in this case. Some, but not all, of the unsecured creditors were scheduled as disputed claims and the creditors failed to file POCs. However, even for those creditors whose claims were scheduled as disputed, Debtor has not filed an objection to the claims; those creditors are still entitled to notice under FRBP 2002(b).

Also, Exhibit B to the Disclosure Statement includes historical and projected financials. Page 1 of Exhibit B indicates a projected income of \$5,000 per month for

**United States Bankruptcy Court
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Tuesday, November 01, 2016

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1:30 PM

CONT...

Emmanuel Louis

Chapter 11

the first six months, but Page 3 of Exhibit B indicates a projected income of \$30,000 per month. The Court cannot tell which is correct; this will need to be corrected to eliminate the inconsistency.

Party Information

Debtor(s):

Emmanuel Louis

Represented By
Thomas B Ure

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Martin R. Barash, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

1:30 PM

1:15-12112 Emmanuel Louis

Chapter 11

#2.00 Scheduling and case management conference re
Chapter 11 Voluntary Petition

fr. 8/11/15; 12/15/15, 1/5/16, 4/5/16; 5/24/16; 5/31/16, 8/9/16, 8/23/16, 10/4/16

Docket 1

Tentative Ruling:

Ruling for October 4, 2016:

Continued to 11/1/16 @ 1:30 p.m.

Ruling for August 23, 2016:

Tentative adopted

Tentative Ruling for August 23, 2016:

Continue to 10/4/16 at 1:30 pm. No new status report is required. Appearances waived.

Ruling for August 9, 2016:

Continued to August 23, 2016 at 1:30 pm. **No appearances required on August 9.** This continuance is being made in conjunction with the upcoming hearing on the adequacy of Debtor's disclosure statement, which is also set for August 23, 2016 at 1:30 p.m.

Ruling for May 31, 2016:

Tentative adopted

Tentative Ruling for May 31, 2016:

Continued to August 9, 2016 at 1:30 p.m.

Per Debtor's status report, Debtor intends to file a motion to approve the adequacy of the disclosure statement by May 31, 2016. Debtor may set such a motion for hearing on August 23, 2016 at 1:30 p.m.

Appearances for May 31 are waived.

**United States Bankruptcy Court
Central District of California
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Judge Martin R. Barash, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

1:30 PM

CONT... Emmanuel Louis

Chapter 11

Ruling for April 5, 2016:

Tentative adopted.

Tentative Ruling for April 5, 2016:

Status conference continued to May 24, 2016 at 1:30 p.m. Debtor to file and serve a notice of continued status conference. Appearances on April 5 are waived.

The Court sets a hearing on debtor's disclosure statement for May 31, 2016 at 1:30 pm. The Debtor shall promptly provide notice upon the filing of its plan and disclosure statement.

Ruling for January 5, 2016:

Tentative adopted.

Tentative Ruling for January 5, 2016:

Appearances waived. Status conference continued to April 5, 2016 at 1:30 p.m.

Party Information

Debtor(s):

Emmanuel Louis

Represented By
Thomas B Ure

Movant(s):

Emmanuel Louis

Represented By
Thomas B Ure

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Martin R. Barash, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

1:30 PM

1:15-12310 Robert E. Thompson, MD, A Professional Corporation

Chapter 11

#3.00 Scheduling and case management conference re
Chapter 11 Voluntary Petition

fr. 8/11/15, 12/15/15; 4/26/16; 5/24/16(stip), 8/9/16, 10/25/16

Docket 1

Tentative Ruling:

Ruling for August 9, 2016:

Continued to 10/25/16 at 1:30 pm. Status report due no later than 10/11/16.

Tentative Ruling for August 9, 2016:

Appearances required.

Ruling for June 7, 2016:

Continued to August 9, 2016 at 1:30 p.m.

Ruling for December 15, 2015:

Tentative adopted.

Tentative Ruling for December 15, 2015:

Appearances waived. Status conference continued to April 26, 2016 at 1:30 pm.

Party Information

Debtor(s):

Robert E. Thompson, MD, A

Represented By
Mufthiha Sabaratnam

Movant(s):

Robert E. Thompson, MD, A

Represented By
Mufthiha Sabaratnam

**United States Bankruptcy Court
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San Fernando Valley
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Tuesday, November 01, 2016

Hearing Room 303

1:30 PM

1:15-13016 Robert M. Gerstein

Chapter 11

#4.00 Status conference re chapter 11 voluntary petition

fr. 11/10/15, 5/3/16, 8/30/16, 10/4/16

Docket 1

Tentative Ruling:

Tentative Ruling for November 1, 2016:

Continued to January 10, 2017 at 1:30 p.m. Debtor shall file and serve a chapter 11 status report by December 27, 2016. Appearances waived.

Ruling for October 4, 2016:

Continued to Nov. 1, 2016 at 1:30 p.m. No additional status report is required.

Ruling for August 30, 2016:

Counsel admonished and put on notice that he will be fined \$100.00 per day for every day a status report is filed late.

Counsel on notice that it appears Debtor is using cash collateral without authorization.

Continued to 10/04/16 at 1:30 pm. Status report due no later than 09/30/16. Court to enter an order with DS&P deadlines.

Ruling for May 3, 2016:

Cont'd to 8/30/16 @ 1:30. The deadline for the Dtr to file his plan and disclosure statement is extended from 5/20/16 to 8/1/16.

Tentative Ruling for May 3, 2016:

Appearances required.

Ruling for November 10, 2015:

Tentative adopted

Tentative Ruling for November 10, 2015:

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Martin R. Barash, Presiding
Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

1:30 PM

CONT... Robert M. Gerstein

Chapter 11

Fix general bar date as: January 4, 2016

Fix deadline to serve bar date notice and file proof of service thereof as November 23, 2015; the bar date notice must conform to LBR 3001-1

Fix deadline to object to claims that are filed by the general bar date: February 5, 2016

Continue chapter 11 status conference to May 3, 2016 at 1:30 PM

If the debtor submits on the foregoing tentative, and does not otherwise have questions for the Court, the appearance by the debtor at the November 10, 2015 status conference hearing is excused.

The debtor shall lodge an order conforming to the foregoing tentative ruling no later than November 17, 2015.

Party Information

Debtor(s):

Robert M. Gerstein

Represented By
Kenneth H J Henjum

Movant(s):

Robert M. Gerstein

Represented By
Kenneth H J Henjum

**United States Bankruptcy Court
Central District of California
San Fernando Valley
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Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

1:30 PM

1:15-14113 David Ludewig

Chapter 11

#5.00 Hrg re approval of disclosure statement describing chapter 11 plan of reorganization

fr. 8/9/16; 9/7/16

Docket 42

Tentative Ruling:

Tentative Ruling for November 1, 2016:

Continued to January 10, 2017 at 1:30 p.m. Appearances waived.

Ruling for September 7, 2016:

Tentative adopted.

Tentative Ruling for September 7, 2016:

Hearing on disclosure statement continued to November 1, 2016 at 1:30 pm. Appearances on September 7 waived.

Ruling for August 9, 2016:

Conditionally approved. Debtor to file an amended plan and disclosure statement that provide 1 year of historical financials and changing the interest rate paid to the IRS (from 3% to 4%).

Tentative Ruling for August 9, 2016:

Appearances required.

Party Information

Debtor(s):

David Ludewig

Represented By
James R Selth
Daniel J Weintraub
Elaine Nguyen

**United States Bankruptcy Court
Central District of California
San Fernando Valley
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Tuesday, November 01, 2016

Hearing Room 303

1:30 PM

1:15-14113 David Ludewig

Chapter 11

#6.00 Status conference re chapter 11 voluntary petition

from: 3/1/16, 8/2/16, 8/9/16, 9/7/16

Docket 1

Tentative Ruling:

Tentative Ruling for November 1, 2016:

Continued to January 10, 2017 at 1:30 p.m. Debtor shall file and serve a chapter 11 status report by December 27, 2016. Appearances waived.

Ruling for September 7, 2016:

Tentative adopted.

Tentative Ruling for September 7, 2016:

Status conference continued to November 1, 2016 at 1:30 pm. Appearances on September 7 waived.

Ruling for August 9, 2016:

Continue to 09/07/16 at 11:00 am. Status report due 08/24/16.

Tentative Ruling for August 9, 2016:

Appearances required.

Ruling for March 1, 2016:

Tentative adopted.

Tentative Ruling for March 1, 2016:

Set general bar date of May 19, 2016.

Require debtor to serve notice of the bar date no later than March 18, 2016.

Require debtor to file proof of service of bar date notice no later than March 21, 2016.

The debtor is required to use mandatory form F 3003-1.NOTICE.BARDATE

Continue chapter 11 status conference to August 2, 2016 at 1:30 pm

If debtor submits on the foregoing tentative ruling, debtor's appearance on March 1, 2016 is waived.

**United States Bankruptcy Court
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Tuesday, November 01, 2016

Hearing Room 303

1:30 PM

CONT... David Ludewig

Chapter 11

Party Information

Debtor(s):

David Ludewig

Represented By
James R Selth
Daniel J Weintraub
Elaine Nguyen

United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Martin R. Barash, Presiding
Courtroom 303 Calendar

Tuesday, November 01, 2016

Hearing Room 303

1:30 PM

1:16-12427 Julie Ann Lewis

Chapter 11

#7.00 Status conference re chapter 11 voluntary petition
from: 10/4/16

Docket 2

*** VACATED *** REASON: 10/20/16 order entered dismissing case

Tentative Ruling:

Ruling for October 4, 2016:

Continued to 11/1/16 @ 1:30 p.m.

Party Information

Debtor(s):

Julie Ann Lewis

Represented By
Stephen L Burton
Stephen L Burton

**United States Bankruptcy Court
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Courtroom 303 Calendar**

Tuesday, November 01, 2016

Hearing Room 303

2:30 PM

1:16-12349 Jenean Elizabeth Valencia

Chapter 13

#8.00 Emergency motion to enforce the automatic stay

from: 9/7/16

Docket 17

Tentative Ruling:

Ruling for September 7, 2016:

Denied as to Steve Mass, Mark Eisenberg, and Eisenberg & Associates.

Gerhart ordered to provide Debtor an opportunity to retrieve her personal property from the premises on mutually agreeable conditions within the next 10 days.

Debtor to file a supplemental brief and evidence in support thereof due 09/21/16.

Opposition and any evidence in support thereof due 10/05/16.

Reply and any evidence in support thereof due 10/18/16.

Matter continued to 11/01/16 at 2:30 pm.

Order to be entered by the Court

Party Information

Debtor(s):

Jenean Elizabeth Valencia

Pro Se

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
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Tuesday, November 01, 2016

Hearing Room 303

2:30 PM

1:16-12349 Jenean Elizabeth Valencia

Chapter 13

#9.00 Motion for relief from stay [UD]

AUDRA S. GERHARDT, AS TRUSTEE OF
THE AUDRA S. ERHARDT LIVING TRUST

Docket 42

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jenean Elizabeth Valencia

Pro Se

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se