

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Wednesday, November 09, 2016

Hearing Room 302

11:00 AM

1:16-11671 Yoram Talasazan

Chapter 7

Adv#: 1:16-01119 Moussighi et al v. Talasazan

■

#1.00 Status Conference Re: Complaint
for NonDischargeability of Debt Pursuant to
11 U.S.C. Sec. 523 and 727.

Docket No: 1

***** VACATED *** REASON: Cont'd to 11/30/16 at 11:00 per Order #9. If**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Yoram Talasazan

Represented By
Raymond H. Aver

Defendant(s):

Yoram Talasazan

Pro Se

Plaintiff(s):

Hanrit Moussighi

Represented By
Donna R Dishbak
Donna R Dishbak

Moeir Moussighi

Represented By
Donna R Dishbak

Trustee(s):

Nancy J Zamora (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Wednesday, November 09, 2016

Hearing Room 302

11:00 AM

1:16-10655 Sandra B Perez

Chapter 7

Adv#: 1:16-01081 Cesar v. Perez

#2.00 Status Conference re: Complaint

fr. 8/3/16

Docket No: 1

Tentative Ruling:

The last activity shown on this case was to continue teh discovery cut off date to 11/30/16. No continuation of the pretrial stipulation due date was provided for. No status report or pretrial stipulation has been filed. If the parties would like to continue the status conference and pretrial date, they need to stipulate to do so ASAP and contact chambers. .

Party Information

Debtor(s):

Sandra B Perez

Represented By
Chirnese L Liverpool

Defendant(s):

Sandra B Perez

Pro Se

Plaintiff(s):

Rhodier Cesar

Represented By
Silvio Nardoni

Trustee(s):

Nancy J Zamora (TR)

Pro Se

US Trustee(s):

United States Trustee (SV)

Pro Se

**United States Bankruptcy Court
Central District of California
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Wednesday, November 09, 2016

Hearing Room 302

11:00 AM

1:16-12095 Roger L Garrett and Rachel B Garrett

Chapter 7

#3.00 Motion for relief from stay

US BANK NATIONAL ASSOCIATION

Docket No: 25

Tentative Ruling:

Petition Date: 7/20/16
Chapter: 7 (converted from 13 on 9/13/16)
Service: Proper. No opposition.
Property: 104 North Satinwood Ave., Oak Park, CA 91377
Property Value: \$ 718,827 (per Debtor's schedules)
Amount Owed: \$ 575,066.42
Equity Cushion: 11.9%
Equity: \$0.00 (considering junior IRS lien of \$87,744.84)
Delinquency: 10 payments of \$41,354.16

Disposition: GRANT relief under 11 U.S.C. 362(d)(1). GRANT seeks relief in paragraphs **2** (proceed under non-bankruptcy law); **3** (Movant permitted to engage in loss mitigation activities); and **7** (waiver of 14-day stay).

NO APPEARANCE REQUIRED—RULING MAY BE MODIFIED AT HEARING. MOVANT TO LODGE ORDER WITHIN 7 DAYS.

Party Information

Debtor(s):

Roger L Garrett

Represented By
Julie J Villalobos

Joint Debtor(s):

Rachel B Garrett

Represented By
Julie J Villalobos

Movant(s):

U.S. Bank National Association as Inde

Represented By
Jenelle C Arnold

**United States Bankruptcy Court
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11:00 AM

CONT... Roger L Garrett and Rachel B Garrett

Chapter 7

Trustee(s):

David Seror (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Maureen Tighe, Presiding
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Wednesday, November 09, 2016

Hearing Room 302

11:00 AM

1:11-15530 Edwin Mauricio Diaz and Senia Ivette Diaz

Chapter 13

#4.00 Motion for relief from stay

U.S. BANK NATIONAL ASSOC.

fr. 10/5/16

Docket No: 97

Tentative Ruling:

This hearing was continued from October 5, 2016 for parties to discuss payment discrepancies.

Nothing new has been filed. What is the status of this motion?

APPEARANCE REQUIRED.

10/5/16 Tentative

Petition Date: 5/4/11

Chapter: 13 (plan confirmed on 3/13/12)

Service: Proper. Opposition filed 9/28/16.

Property: 15128 Brand Blvd., Los Angeles CA 91345

Property Value: \$ 227,700 (per Debtor's schedules)

Amount Owed: \$ 383,573.41

Equity Cushion: 0%

Equity: \$0.00

Post-Petition Delinquency: \$ 3,840.06 (post-confirmation: 3 payments of \$1,019.84).

Debtors in opposition dispute the amount of arrears owed under the loan and believe that it is current on all payments.

Movant requests relief under 11 U.S.C. 362(d)(1). Movant seeks relief in paragraphs **2** (proceed under non-bankruptcy law); **3** (Movant permitted to engage in loss mitigation activities); **6** (waiver of 14-day stay); and **11** (Debtor is defined as a borrower for purposes of Cal. Civ. Code §2923.5).

APPEARANCE REQUIRED.

United States Bankruptcy Court
Central District of California
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Wednesday, November 09, 2016

Hearing Room 302

11:00 AM

CONT... Edwin Mauricio Diaz and Senia Ivette Diaz

Chapter 13

Party Information

Debtor(s):

Edwin Mauricio Diaz

Represented By
Clifford Bordeaux

Joint Debtor(s):

Senia Ivette Diaz

Represented By
Clifford Bordeaux

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
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Courtroom 302 Calendar**

Wednesday, November 09, 2016

Hearing Room 302

11:00 AM

1:13-16367 Andrea Viglietta-Pichler

Chapter 13

#5.00 Motion for relilef from stay

WELLS FARGO BANK, NA

fr. 10/19/16

Docket No: 41

Tentative Ruling:

This hearing was continued from October 19, 2016. At the hearing, Debtor presented two cashier's checks, \$3,938 and \$114.

After reviewing the attached bank statements, Movant's allegation regarding Debtor's delinquency is unsupported by sufficient evidence.

The post-petition arrears for March to September 2016 (\$13,750.19) were fully paid by Debtor as evidence by Wells Fargo bank statements. See Opposition, Exh. E. As for post-petition payments from November 2013 to February 2016 (\$54,969.46), Debtor appears to have made \$57,953.75, thereby leaving a Debtor suspense balance of \$2,984.29.

Along with the cashier checks presented at the last hearing, Debtor appears to be current on all post-petition payments. The issue appears to be Movant's double entries for "classified payment amount due" for October 2015 and January 2014.

Motion to be DENIED

Party Information

Debtor(s):

Andrea Viglietta-Pichler

Represented By
Rob R Nichols

Movant(s):

Wells Fargo Bank, N.A.

Represented By
Roshni V Patel
Merdaud Jafarnia

**United States Bankruptcy Court
Central District of California
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Courtroom 302 Calendar**

Wednesday, November 09, 2016

Hearing Room 302

11:00 AM

CONT... Andrea Viglietta-Pichler

Chapter 13

Avangela Wiggins
LeeAnne D May
Kristin A Zilberstein
Corey Phuse

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
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Wednesday, November 09, 2016

Hearing Room 302

11:00 AM

1:16-12905 Rafael Flores

Chapter 13

#5.01 Motion for relief from stay

JAMES T STROUD

fr. 11/2/16

Docket No: 11

Tentative Ruling:

This hearing was continued for Movant to properly serve Debtor with the RFS Motion. The Motion was served only on Debtor's counsel, but not on Debtor personally, in violation of LBR 4001-1(c)(1)(A). As of Nov. 7, 2016, an amended proof of service has not been filed.

APPEARANCE REQUIRED.

[11-2-16 TENTATIVE BELOW]

Petition Date: 9/13/16

Chapter: 7

Service: **Improper** per LBR 4001(c)(1)(A) – motion was not served on Debtor

Movant: Granada Hills

Property Address: 14066 Filmore St., Arleta California, 91331

Type of Property: Residential

Occupancy: Month-to-Month (Tenancy at Will)

Foreclosure Sale: None

UD case filed: 8/19/16

UD Judgment: None (Trial was continued to 11/4/16)

Movant requests relief under 11 U.S.C. 362(d)(2) and (d)(4). Movant seeks relief as requested in paragraphs **2** (proceed under non-bankruptcy law), and **6** (waiver of 4001(a)(3) stay); **7** (designated law enforcement officer may evict any occupant, upon a recording of the order in compliance with applicable non-bankruptcy law); **8** (relief under 11 U.S.C. §362(d)(4) – *Movant is not a secured creditor*); **9** (binding and effective against any debtor for 180 days); **10** (binding in any bankruptcy affecting the Property for 2 years); and **11** (order be binding and effective in any future cases).

CONTINUED to November 9, 2016 at 11:00 a.m.

**United States Bankruptcy Court
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11:00 AM

CONT... Rafael Flores

Chapter 13

APPEARANCE IS WAIVED on November 2, 2016.

Party Information

Debtor(s):

Rafael Flores

Represented By
R Grace Rodriguez

Movant(s):

James T Stroud

Pro Se

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Wednesday, November 09, 2016

Hearing Room 302

11:00 AM

1:16-12984 Andre Fitzgerald Hayes

Chapter 13

#6.00 Motion in Individual Case for Order
Imposing a Stay or Continuing the
Automatic Stay as the Court Deems Appropriate

Docket No: 10

Tentative Ruling:

On October 17, 2016, Debtor filed this chapter 13 case. Debtor has one previous bankruptcy case that was dismissed within the previous year. The First Filing, 16-11739-MT, was a chapter 13 that was filed on 6/10/16 and dismissed on 8/25/16 for failure to make plan payment prior to confirmation.

Debtors now move for an order continuing the automatic stay as to all creditors. Debtors argue that the present case was filed in good faith notwithstanding the dismissal of the previous case for failure to make plan payments. Debtor fell behind on payments because of unforeseen expenses. Debtor claim that the presumption of bad faith is overcome as to all creditors per 11 U.S.C. 362(c)(3)(C)(i) because there has been a change in finances and Debtor seeks to propose a 100% chapter 13 plan.

Service proper. No opposition filed.
MOTION GRANTED. NO APPEARANCE REQUIRED.

Party Information

Debtor(s):

Andre Fitzgerald Hayes

Represented By
Nicholas M Wajda

Movant(s):

Andre Fitzgerald Hayes

Represented By
Nicholas M Wajda

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se