

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 09, 2016

Hearing Room 6C

9:00 AM

8:11-12113 Ronald Villegas, Sr. and Margaret Meraz Villegas

Chapter 11

#1.00

CONT'D POST EFFECTIVE STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case; and (2) Requiring Report on Status of Chapter 11 Case (Set at Plan Confirmation hearing held 1/23/13)

FR: 4-18-11; 6-1-11; 8-10-11; 11-9-11; 2-8-12, 5-2-12, 8-22-12; 10-10-12; 1-23-13; 3-6-13; 7-10-13; 12-18-13; 4-9-14; 12-3-14; 12-10-14; 5-6-15; 12-2-15; 12-9-15; 5-25-16; 6-1-16; 7-27-16

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The status report was reviewed by the Court.

Continue the status conference to February 8, 2017 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Ronald Villegas Sr.

Represented By
Michael R Totaro

Joint Debtor(s):

Margaret Meraz Villegas

Represented By
Michael R Totaro

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Hearing Room 6C

9:00 AM

8:14-12328 Andrew Grimalda

Chapter 7

Adv#: 8:16-01104 Golden v. Professional Healthcare Billing Services, LLC et a

#2.00

CONT'D Hearing RE: Trustee's Request For Preliminary Injunction To Consider: (1) Whether This Court Has Personal Jurisdiction Over Prestige And/Or Horizon India; (2) Whether The Plaintiff Has Served Presitge And Horizon India With The Motion And Other Pleading In The Action In Accordance With Applicable Law; And (3) Whether The Plaintiff Has Established Adequate Cause To Impose A Preliminary Injunction Against Prestige, Horizon India, AMG, Christopher Grimalda, Matthew Grimalda, And/Or Devin Grimalda (Motion filed 4/29/16)

FR: 5-11-16; 6-22-16; 8-24-16

Docket 5

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will treat this hearing as a status conference and will inquire into the status of settlement negotiations.

Next status conference hearing on this matter: January 11, 2017 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Andrew Grimalda

Represented By
Richard G Heston

Defendant(s):

The Estate of Marcello Grimalda

Pro Se

The Estate of Antonio Grimalda

Pro Se

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CONT... Andrew Grimalda Chapter 7

AMG Inter Vivos Trust	Pro Se
Historic Ice House, LLC	Represented By Robert S Marticello
Prestige Trust Co. LTD	Pro Se
Matthew Grimalda	Represented By Ryan D ODea
Devin Grimalda	Represented By Ryan D ODea
Christopher Grimalda	Represented By Ryan D ODea
Steven Bartlette	Pro Se
Mia Lauren Grossman	Pro Se
Coastal Creative Services, LLC	Pro Se
Davanti	Pro Se
Davanti USA, LLC	Pro Se
Trefratelli, LLC	Pro Se
Professional Healthcare Billing	Pro Se
Professional Healthcare Billing, Inc	Pro Se
Centre Barre Studios, LLC	Pro Se
Horizon Physicians Billing PVT	Pro Se
Horizon Third Party Administrators,	Pro Se
Horizon Health Administrators, LLC	Pro Se
Horizon Healthcare Billing, LLC	Pro Se

Joint Debtor(s):

Margaret Grimalda	Represented By Richard G Heston
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CONT... Andrew Grimalda

Chapter 7

Plaintiff(s):

Jeffrey I. Golden

Represented By
Fahim Farivar
Ashley M McDow
Michael T Delaney

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

Jeffrey I Golden (TR)

Represented By
Ashley M McDow
Michael T Delaney
Fahim Farivar

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

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

Hearing Room 6C

9:00 AM

8:15-11639 Geoffrey Floyd Wilson and Dawn Lauren Wilson

Chapter 11

#3.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 4/1/15)

FR: 6-17-15; 9-2-15; 12-2-15; 3-16-16; 4-25-16; 8-3-16; 8-24-16

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into compliance with United States Trustee guidelines and requirements.

Sua sponte, the Court will move the deadline for filing a plan and disclosure statement to March 31, 2017.

Next status conference: February 15, 2017 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Geoffrey Floyd Wilson

Represented By
Michael Jones
Laily Boutaleb
Sara Tidd

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CONT... Geoffrey Floyd Wilson and Dawn Lauren Wilson

Chapter 11

Joint Debtor(s):

Dawn Lauren Wilson

Represented By
Michael Jones
Laily Boutaleb
Sara Tidd

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Wednesday, November 09, 2016

Hearing Room 6C

9:00 AM

8:15-14015 Ahmad J Tukhi

Chapter 7

Adv#: 8:15-01449 Olomi v. Tuhki

#4.00

Hearing RE: Plaintiff Abdul Habib Olomi's Motion For Reconsideration Of Order Of Dismissal
(Motion filed 10/3/16)

Docket 14

Tentative Ruling:

APPEARANCES REQUIRED.

This matter comes before the Court on the motion of Abdul Olomi ("Plaintiff") for reconsideration (the "Motion") of this Court's Order Pursuant to Pretrial Conference Dismissing Case filed and entered on September 30, 2016 (the "Dismissal Order") as a sanction for Plaintiff's total and complete failure to comply with the requirements of this Court's Local Bankruptcy Rules relating to pretrial conferences despite prior oral and written warnings by the Court that material failure to comply with such rules was most likely to result in dismissal of the case.

Plaintiff commenced this adversary proceeding by filing a complaint against debtor Ahmad Tukhi ("Defendant") on November 18, 2015. The complaint's gravamen is that the Court should except from discharge Plaintiff's claim against Defendant arising out of a motor vehicle collision on the ground that Plaintiff's injuries were the result of Defendant's allegedly willful and malicious conduct.

Defendant duly answered the complaint on December 7, 2015, and the Court held a status conference in the adversary proceeding on March 2, 2016. Appearances were made by Nickolaus Reed, Esq. on behalf of Plaintiff and Larry Fieselman, Esq. on Defendant's behalf. After discussing scheduling matters, the Court made the following statement to Messrs. Reed and Fieselman:

THE COURT: And the Court wishes to advise the parties that the Court applies the Local Bankruptcy Rules relating to pretrial conferences very strictly. The Court views the pretrial conference as an indispensable part of

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Chapter 7

the resolution of this matter and probably the second most important proceeding after the trial itself. And, for that reason, it's the Court's practice that if there is a material default by the plaintiff in compliance with the Local Bankruptcy Rules relating to pretrial conferences, the most likely outcome is that the Court will grant judgment of dismissal in favor of the defendant and, on the other hand, if there's a material default by the defendant, the Court's most likely outcome is that the Court would strike the answer and enter a default. These consequences are in the nature of terminating sanctions. The Court believes that those types of --- that that type of sanction is appropriate in connection with pretrial conferences because to allow a material breach of those rules and to simply impose a monetary sanctions it could be viewed as setting up a situation where there's simply a toll charge for violating the Local Bankruptcy Rules and I don't think that's appropriate. So the parties are on notice of the Court's intentions in this regard and the Court will certainly be looking to the parties to fully comply with those Local Bankruptcy Rules.

Reporter's Transcript of March 2, 2016 Hearing at page 4, lines 14-25 and page 5, lines 1-15.

Subsequently, the Court's Scheduling Order was filed and entered on March 7, 2016 and provided in relevant part as follows in boldfaced type:

The parties are placed on notice that it is the Court's policy to strictly enforce the Local Bankruptcy Rules relating to pre-trial conferences and this Court's procedures supplement to those rules, which are published on the court's website. Failure to comply with the provisions of this order may subject the responsible party to sanctions, including judgment of dismissal or the entry of a default and a striking of the answer.

Despite these explicit oral and written warnings regarding the necessity of complying with the Local Bankruptcy Rules pertaining to pretrial conferences and the severe consequences of failing to do so, Plaintiff's counsel did precisely what he was warned against doing, namely, he completely and totally failed to comply with the provisions of Local Bankruptcy Rule 7016-1 pertaining to pretrial conferences.

Local Bankruptcy Rule 7016-1(c) provides that it is the plaintiff's duty to prepare and

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file a proposed pretrial stipulation that is complete in all respects (except for other parties' lists of exhibits and witnesses) and to serve the proposed pretrial stipulation in such a manner that it will be actually received by opposing counsel at least seven days prior to the deadline for filing a joint proposed pretrial stipulation with the Court. The purpose of this rule is to allow the parties a reasonable amount of time to negotiate the terms of a joint proposed pretrial stipulation, which should not be too difficult because the applicable rules permit the parties to agree to disagree. Plaintiff's counsel neither timely prepared a draft of a proposed pretrial stipulation nor served it on opposing counsel. As of the time of the pretrial conference in this adversary proceeding on September 28, 2016, Plaintiff's counsel had completely and totally failed to comply with Local Bankruptcy Rule 7016-1(c). This is not a case where there was late compliance. Rather, it is a case where no proposed pretrial stipulation at all was served by Plaintiff's counsel on opposing counsel prior to the pretrial conference.

As a result of Plaintiff's counsel's failure to comply, it was impossible for the Court to conduct a proper pretrial conference, resulting in a complete waste of the Court's time. The Court then issued the Dismissal Order, which was filed and entered September 30, 2016. Plaintiff filed a notice of appeal of the Dismissal Order on October 3, 2016 and, on that same date, filed the Motion.

The Motion requests the Court to reconsider its decision, vacate the Dismissal Order and impose a sanction short of dismissal on the ground of Plaintiff's "good faith efforts." Plaintiff argues that a joint proposed pretrial stipulation was prepared in July 2016 "but the paralegal saved it in a part of the file that counsel did not expect given normal office practices." Plaintiff Abdul Habib Olomi's Memorandum of Points and Authorities In Support of Motion for Reconsideration of Order of Dismissal, Docket No.16, filed October 3, 2016 (the "Motion Memorandum") at page 2, lines 11-12. The paralegal was not in the office when the time came to file pleadings in connection with the pretrial conference, leading Plaintiff's counsel to believe he had all the documents he needed. *Id.* at page 2, lines 12-14. Plaintiff's counsel then prepared a status report – a document not required by the Local Bankruptcy Rules in connection with pretrial conferences – and sent it to opposing counsel.

The Motion is entitled "Motion For Reconsideration of Order of Dismissal" and was filed on October 3, 2016. A motion for reconsideration can be either a motion to alter

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or amend a judgment under Federal Rule of Civil Procedure 59(e) (made applicable by Federal Rule of Bankruptcy Procedure 9023) or a motion for relief from a judgment or order under Federal Rule of Civil Procedure 60 (made applicable by Federal Rule of Bankruptcy Procedure 9024). Where a motion for reconsideration is filed no later than 10 days (some authorities state 14 days) after entry of the adverse judgment or order and seeks to modify such judgment or order, the motion must be treated as a motion under Rule 59(e) rather than Rule 60. *Am. Ironworks & Erectors Inc. v. N. Am. Constr. Corp.*, 248 F.3d 892, 898-99 (9th Cir. 2001); *Robinson v. Wix Filtration Corp. LLC*, 599 F.3d 403, 412 (4th Cir. 2010); *Shepherd v. Int'l Paper Co.*, 372 F.3d 326, 328 n.1 (5th Cir. 2004); *Stephens v. Smith (In re Gomez)*, No. CC-12-1144-DHKi, 2012 Bankr. LEXIS 5562, at *10 (B.A.P. 9th Cir., Nov. 28, 2012). Because this Motion was filed on October 3, 2016, which is within both 10 and 14 days of the Dismissal Order's entry date of September 30, 2016, the Court will, therefore, treat the Motion as a motion to alter or amend a judgment pursuant to Federal Rule of Civil Procedure 59(e), made applicable to this proceeding by Federal Rule of Bankruptcy Procedure 9023. The Court also notes that it has jurisdiction to hear and determine the Motion in view of the fact that the filing of the Motion postpones the effective date of the notice of appeal of the Dismissal Order pursuant to the provisions of Federal Rule of Bankruptcy Procedure 8002(b)(2) until the entry of the order determining this Motion.

The grounds for altering or amending a judgment are (1) manifest error of law, (2) manifest error of fact, and (3) newly-discovered evidence. *Hansen v. Moore (In re Hansen)*, 368 B.R. 868 (B.A.P. 9th Cir. 2007). Additional grounds for relief are that the motion is necessary to prevent manifest injustice or that there has been an intervening change in controlling law. *Turner v. Burlington N. Santa Fe R.R. Co.*, 338 F.3d 1058, 1063 (9th Cir. 2003). Evidence available to a party prior to judgment is not "newly discovered." *In re Walker*, 332 B.R. 820 (Bankr. D. Nev. 2005). Consequently, the Motion's explanation as to how it came to be that Plaintiff totally failed to comply with Local Bankruptcy Rule 7016-1 – the fact that the paralegal put the proposed pretrial stipulation in the "wrong" part of the case file – does not constitute newly discovered evidence nor does evidence relating to Plaintiff's counsel's preparation for the pretrial conference.

Likewise, there is no manifest error of fact here. The relevant facts remain now as they were at the time the Court entered the Dismissal Order, namely, that Plaintiff's

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counsel had totally and completely failed to heed this Court's multiple warnings and to comply with Local Bankruptcy Rule 7016-1(c).

No party has cited the Court to intervening changes in the law that may affect this matter, nor is the Court aware of any such changes. Considerations of whether a manifest injustice has occurred are discussed below.

The Court will now consider whether it committed a manifest error of law by applying the terminating sanction of dismissal.

Dismissal is a harsh penalty to be imposed only in extreme circumstances. *Henderson v. Duncan*, 779 F.2d 1421, 1423 (9th Cir. 1986). Generally speaking, dismissal is authorized only in extreme circumstances and only where the violation is due to willfulness, bad faith or fault. *Allen v. Exxon Corp. (In re Exxon Valdez)*, 102 F.3d 429, 432 (9th Cir. 1996). Once a court finds that a plaintiff's failure is due to willfulness, bad faith or fault, the court must weigh and apply the so-called "*Malone* factors" to determine whether dismissal is an appropriate sanction: (1) the public's interest in expeditious resolution of litigation; (2) the court's need to manage its dockets; (3) the risk of prejudice to the party seeking sanctions; (4) the public policy favoring disposition of cases on their merits; and (5) the availability of less drastic sanctions. *Malone v. U.S. Postal Service*, 833 F.2d 128, 130 (9th Cir. 1987); *Merrill v. Bessler (In re Bessler)*, BAP No. NV-15-1427-LDoKi, (B.A.P. 9th Cir., Nov. 1, 2016) (unpublished but cited for its persuasive value). In applying these factors, the Court relies upon a decision of the United States District Court for the Central District of California, *Alonzo v. City of Los Angeles*, No. CV 14-05636-RGK (C.D. Cal., July 24, 2015).

First, the Court determines that Plaintiff's failure is due to fault – the fault of not having complied with Local Bankruptcy Rule 7016-1 and despite multiple warnings from the Court. Plaintiff has failed to show that complying with this Rule was outside his control. *Jorgensen v. Cassidy*, 320 F.3d 906, 912 (9th Cir. 2003); *Alonzo, supra*.

Turning now to the first of the *Malone* factors, Plaintiff's total and complete failure to comply with Local Bankruptcy Rule 7016-1 created, in the Court's estimation, a delay of approximately four to six weeks. This is approximately the amount of time that the Court would have allowed for a continued pretrial conference. This is not a major

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delay, but it is some delay, and therefore this factor goes against Plaintiff in a minor way.

The second *Malone* factor requires the Court to consider the effect on its own docket. In applying this factor, the Court notes that the close link between uniformity and justice requires the Court to consider the effect of relaxing its insistence on strict compliance with Local Bankruptcy Rule 7016-1 not only with respect to this case but also with respect to all pretrial conferences that come before it. The Court cannot be put in the position of enforcing compliance strictly in the case of *A v. B* but leniently in the case of *C v. D* where the underlying factual circumstances of noncompliance are essentially the same. Proceeding from these premises, it is clear that a relaxed and cavalier attitude toward enforcement of Local Bankruptcy Rule 7016-1 would contribute in a material way to the clogging up of the Court's docket because material noncompliance with this Rule is fairly common (despite the Court's practice of giving the warning twice in each case, once orally at the status conference and a second time in writing in the scheduling order). Phrased differently, the Court would be conducting two pretrial conferences instead of one in many of the cases that come before it. This factor strongly goes against Plaintiff.

The prejudice to Defendant is a delay in Defendant's fresh start, one of the key purposes of a chapter 7 proceeding. As discussed above, this delay amounts to about four to six weeks. Although a four to six week delay is not a major delay, it is nonetheless some delay and therefore this factor goes against Plaintiff in a minor way.

The fourth factor is the policy in favor of deciding cases on their merits. The United States Court of Appeals for the Ninth Circuit has held that this factor "lends little support' to a party whose responsibility it is to move a case toward disposition on the merits but whose conduct impedes progress in that direction." *Allen v. Bayer Corp. (In re Phenylpropanolamine (PPA) Prods. Liab. Litig.)*, 460 F.3d 1217, 1228 (9th Cir. 2006). This is a clear case where it was Plaintiff's responsibility to move the case toward resolution and where his own delinquent conduct in complying with Court rules has impeded progress in that direction. Accordingly, the fourth factor favors Plaintiff either not at all or, at best, in a very minor way ("little support").

The fifth factor relates to the availability of alternative sanctions. Of course, alternative sanctions short of dismissal are always available, but the real question is

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whether such alternative, lesser sanctions are appropriate, wise and proper. The Court believes that if it were to routinely penalize total and complete noncompliance with provisions of Local Bankruptcy Rule 7016-1 relating to pretrial conferences with merely a monetary sanction, such sanction would come to be viewed as (and, in truth, would end up constituting) a mere toll charge. In other words, parties would be free to pick and choose what portion, if any, of Rule 7016-1 they wished to comply with, knowing that the worst that would happen to them is that they would be required to pay a toll charge in the form of a monetary sanction for this privilege. It is very unlikely the drafters of Rule 7016-1 viewed compliance as optional, provided a toll charge is paid. This factor strongly goes against Plaintiff.

Weighing the *Malone* factors, two of which are strongly against Plaintiff, two of which go against Plaintiff in a minor way and one of which supports Plaintiff either not at all or only in a minor way, the Court has little difficulty concluding that the balance tilts strongly against Plaintiff and that judgment of dismissal is an entirely appropriate and even needful sanction in this case.

There is no manifest injustice here. The bottom line for the Court is that it warned Plaintiff not once, but twice, about the need to comply with the Local Bankruptcy Rules relating to pretrial conferences and the consequences of noncompliance. In the face of these quite explicit warnings, Plaintiff neglected to comply and now must face the consequences of a careless and cavalier attitude toward compliance with key Court rules. If rules mean anything, the end result of dismissal is entirely justified in this case.

Plaintiff argues in his reply that Defendant also violated the Local Bankruptcy Rules by failing to lodge a unilateral proposed pretrial stipulation following Plaintiff's default in compliance. LBR 7016-1(d). Plaintiff cites the Court to no authority for the proposition that one party's violation of Local Bankruptcy Rule 7016-1 excuses another party's violation of Local Bankruptcy Rule 7016-1. The Court notes that it was Plaintiff who commenced this adversary proceeding by filing the complaint and it is Plaintiff who has the duty to prosecute it diligently and move the case along. Under these circumstances, the Court believes the termination sanction should fall on the Plaintiff, not the Defendant. Were the Court to excuse noncompliance for all parties, the burden of noncompliance essentially then would shift to the Court, which would be put in the position of routinely allowing do-overs to the serious detriment of its

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CONT... **Ahmad J Tukhi**
own docket.

Chapter 7

The Motion is denied with prejudice.

Party Information

Debtor(s):

Ahmad J Tukhi

Represented By
Julie J Villalobos

Defendant(s):

Ahmad J Tukhi

Represented By
Phillip Michael Woog
Nikolaus Reed

Plaintiff(s):

Abdul Habib Olomi

Represented By
Nikolaus Reed
Phillip Michael Woog

Trustee(s):

Thomas H Casey (TR)

Pro Se

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Hearing Room 6C

9:00 AM

8:15-15920 Juan Lopez

Chapter 7

Adv#: 8:16-01035 Ramos v. Lopez

#5.00

Hearing RE: Motion For Entry Of Default Judgment Against Defendant Juan Lopez
[LBR 7055-1; FRCP 55]
(Motion filed 10/7/16)

Docket 46

Tentative Ruling:

APPEARANCES REQUIRED.

Grant plaintiff's request for judicial notice.

Pursuant to LBR 9013-1(h), the Court deems Defendant's failure to file a pleading in opposition to the Motion to be consent to the granting of the Motion. Additionally, the Court determines that the *Eitel v. McCool*, 782 F.2d 1470, 1471-72 (9th Cir. 1986), factors favor granting the motion and that entry of a default judgment is proper under FRCP 55, FRBP 7055 and LBR 7055-1.

Grant the motion.

PLAINTIFF TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Juan Lopez

Represented By
Abel H Fernandez

Defendant(s):

Juan Lopez

Pro Se

Plaintiff(s):

Maribel Ramos

Represented By

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Juan Lopez

Charles A Mollis

Chapter 7

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

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9:00 AM

8:15-15920 Juan Lopez

Chapter 7

Adv#: 8:16-01035 Ramos v. Lopez

#6.00

Hearing RE: Motion For Orders For: (1) Award Of Attorney's Fees To Plaintiff;
And (2) Pre-Judgment Interest On Excepted Debt
(Motion filed 10/12/16)

Docket 52

Tentative Ruling:

APPEARANCES REQUIRED.

Grant the motion.

PLAINTIFF TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Juan Lopez

Represented By
Abel H Fernandez

Defendant(s):

Juan Lopez

Pro Se

Plaintiff(s):

Maribel Ramos

Represented By
Charles A Mollis

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

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Hearing Room 6C

9:00 AM

8:15-15920 Juan Lopez

Chapter 7

Adv#: 8:16-01035 Ramos v. Lopez

#7.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For:

1. To Except Debts From Discharge Pursuant To 11 U.S.C. Section 523(a)(2);
 2. To Except Debts From Discharge Pursuant To 11 U.S.C. Section 523(a)(4);
 - And 3. To Except Debts From Discharge Pursuant To 11 U.S.C. Section 523(a)(6)
- (Complaint filed 2/8/16)
(PTC set at S/C held 4/27/16)

FR: 4-27-16

Docket 1

***** VACATED *** REASON: ADVANCED TO AUGUST 17, 2016 AT
9:00 A.M. PER HEARING HELD ON 6-15-16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Juan Lopez

Represented By
Abel H Fernandez

Defendant(s):

Juan Lopez

Pro Se

Plaintiff(s):

Maribel Ramos

Represented By
Charles A Mollis

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
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Wednesday, November 09, 2016

Hearing Room 6C

9:00 AM

8:16-10849 Casey John Simon

Chapter 7

Adv#: 8:16-01187 Gordy v. Simon et al

#8.00

STATUS CONFERENCE Hearing RE: Complaint To Deny And Object To The Debtors' Discharge Pursuant To 11 U.S.C. Section 727 (Complaint filed 8/12/16)

Docket 1

*** VACATED *** REASON: CONTINUED TO MARCH 8, 2017 AT 9:00 A.M. PER ORDER ENTERED 10-18-16 - [Docket No. 13]

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Casey John Simon

Represented By
Kelly Zinser

Defendant(s):

Korrine Ellen Simon

Represented By
Kelly Zinser

Casey John Simon

Represented By
Kelly Zinser

Joint Debtor(s):

Korrine Ellen Simon

Represented By
Kelly Zinser

Plaintiff(s):

Paul Thomas Gordy

Represented By
Gary Leibowitz

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
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Wednesday, November 09, 2016

Hearing Room 6C

9:00 AM

8:16-12133 Isaiah Carey Meripo

Chapter 7

Adv#: 8:16-01195 SchoolsFirst Federal Credit Union v. Meripo

#9.00

STATUS CONFERENCE HEARING RE: Complaint for Avoidance Recovery, and Preservation of Preferential Transfers [11 U.S.C. Section 544, 547, 550, and 551]

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue a scheduling order:

All discovery shall close on March 31, 2017.

All discovery motions shall be heard before April 30, 2017.

All pretrial motions (except motions in limine) shall be heard before May 31, 2017.

Pretrial conference is set for June 28, 2017 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Isaiah Carey Meripo

Represented By
Joseph Collier

Defendant(s):

Isaiah Carey Meripo

Pro Se

Plaintiff(s):

SchoolsFirst Federal Credit Union

Represented By
Jesse Melendrez

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CONT... Isaiah Carey Meripo

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Trustee(s):

Thomas H Casey (TR)

Pro Se

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Wednesday, November 09, 2016

Hearing Room 6C

9:00 AM

8:16-12643 Christina Marie Taylor

Chapter 7

Adv#: 8:16-01194 Realty Services, Inc. v. Taylor

#10.00

STATUS CONFERENCE Hearing RE: Complaint To Determine Dischargeability of Debts [11 U.S.C. Sections 523(A)(2), (4) And (6)] (Complaint filed 8/24/16)

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue a scheduling order:

All discovery shall close on May 31, 2017.

All discovery motions shall be heard before June 30, 2017.

All pretrial motions (except motions in limine) shall be heard before July 31, 2017.

Pretrial conference is set for August 30, 2017 at 9:00 a.m.

The Court will order this case into mediation. Parties to lodge a mediation order on before December 15, 2016.

COURT TO PREPARE SCHEDULING ORDER.

Party Information

Debtor(s):

Christina Marie Taylor

Represented By
Brian J Soo-Hoo

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 09, 2016

Hearing Room 6C

9:00 AM

CONT... Christina Marie Taylor

Chapter 7

Defendant(s):

Christina Marie Taylor

Represented By
Bert Briones

Plaintiff(s):

Saywitz Realty Services, Inc.

Represented By
William Halle

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Wednesday, November 09, 2016

Hearing Room 6C

9:00 AM

8:16-13380 Eric Martinson

Chapter 11

#11.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status of Chapter 11 Case;
And (2) Requiring Report On Status Of Chapter 11 Case
(Petition filed 8/9/16)

FR: 10-12-16

Docket 8

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into compliance with United States Trustee guidelines and requirements.

The Court will set a deadline of January 31, 2017 for filing proofs of claims and a deadline of November 30, 2016 for filing and serving notice of the Bar Date.

The Court will set a deadline of June 30, 2017 for filing a plan and disclosure statement and a deadline of March 31, 2017 for objecting to any claim filed on or before the Bar Date.

Next status conference: February 15, 2017 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Eric Martinson

Represented By
Richard Lynn Barrett