

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

2:16-20827 Gabriel S Fernando

Chapter 13

#1.00 Hrg re: Motion for relief from stay [RP]

TOWD POINT MORTGAGE TRUST 2020-1
U.S. BANK NATIONAL ASSOC
vs
DEBTOR

Docket 85

Tentative Ruling:

ZoomGov Instructions for all matters on today's calendar:

Meeting ID: 160 056 6881

Password: 862147

Meeting URL: <https://cacb.zoomgov.com/j/1600566881>

Telephone: +1 669 254 5252 or +1 646 828 7666 or 833 568 8864 (Toll Free)

Please connect at least 5 minutes before the start of your hearing, and wait with your microphone muted until your matter is called. You do not need to call Chambers for advance approval. ZoomGov appearances are free.

Time when these tentative rulings were first posted (for purposes of determining when anyone contesting the tentative ruling must notify other parties of intent to do so, per the "Procedures of Judge Bason," posted at www.cacb.uscourts.gov): see the time stamp at the bottom of this page.

Tentative Ruling for In re Fernando [2:16-bk-20827-NB]:

Appearances are not required.

Grant as set forth below.

Proposed order: Movant is directed to lodge a proposed order via LOU within 7 days after the hearing date. See LBR 9021-1(b)(1)(B).

Termination

Terminate the automatic stay under 11 U.S.C. 362(d)(1).

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

CONT...

Gabriel S Fernando

Chapter 13

To the extent, if any, that the motion seeks to terminate the automatic stay in *other* past or pending bankruptcy cases, such relief is denied on the present record. See *In re Ervin* (Case No. 14-bk-18204-NB, docket no. 311).

Effective date of relief

Deny the request to waive the 14-day stay provided by FRBP 4001(a) (3) for lack of sufficient cause shown.

Co-debtor stay

Any co-debtor stay (11 U.S.C. 1301(c)) has not been shown to have any basis for any different treatment from the stay under 11 U.S.C. 362(a), so the tentative ruling is to grant the identical relief regarding any co-debtor stay.

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Party Information

Debtor(s):

Gabriel S Fernando

Represented By
Julie J Villalobos

Movant(s):

Towd Point Mortgage Trust 2020-1,

Represented By
Kirsten Martinez

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

CONT... Gabriel S Fernando

Chapter 13

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

2:19-22867 Frederick A. Cordova

Chapter 13

#2.00 Hrg re: Motion for relief from stay [RP]

HOMEBRIDGE FINANCIAL SERVICES, INC.
vs
DEBTOR

Docket 25

Tentative Ruling:

Appearances required.

There is no tentative ruling, but the parties should be prepared to address (a) whether the alleged arrears have been brought current and/or (b) whether they will agree to the terms of an adequate protection order (see the debtor's response, dkt. 27).

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Party Information

Debtor(s):

Frederick A. Cordova

Represented By
W. Derek May

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

CONT... Frederick A. Cordova

Chapter 13

Movant(s):

HomeBridge Financial Services, Inc.

Represented By
Diana Torres-Brito

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

2:20-11993 Tony Lavell Middleton

Chapter 13

#3.00 Hrg re: Motion for relief from stay [PP]

WHEELS FINANCIAL GROUP, LLC
vs
DEBTOR

Docket 33

Tentative Ruling:

Appearances required.

There is no tentative ruling, but the parties should be prepared to address (a) whether the alleged arrears have been brought current and/or (b) whether they will agree to the terms of an adequate protection order or treatment of the arrears owed to Movant in Debtor's proposed chapter 13 plan (see the debtor's response, dkt. 36).

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Party Information

Debtor(s):

Tony Lavell Middleton

Represented By
Steven A Alpert

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

CONT... Tony Lavell Middleton

Chapter 13

Movant(s):

WHEELS FINANCIAL GROUP,

Represented By
Sheryl D Noel

Trustee(s):

Kathy A Dockery (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

2:20-15695 Alexander Zerkovsky

Chapter 13

#4.00 Hrg re: Motion for Retroactive Relief from Stay
and Annulment of the Stay Pursuant to 11 U.S.C.
362(d)

KATHLEEN AND PATRICK STONE
vs
DEBTOR

Docket 39

Tentative Ruling:

Appearances are not required.

Grant, with a caution that in future Movant must use this Court's mandatory forms of motion for relief from the automatic stay.

Proposed order: Movant is directed to lodge a proposed order via LOU within 7 days after the hearing date. See LBR 9021-1(b)(1) (B).

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Party Information

Debtor(s):

Alexander Zerkovsky

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

CONT... Alexander Zerkovsky

Khachik Akhkashian

Chapter 13

Movant(s):

Kathleen and Patrick Stone

Pro Se

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

2:20-18570 Maria Francesca Gayman

Chapter 7

#5.00 Hrg re: Motion in Individual Case for Order Confirming Termination of Stay under 11 U.S.C. 362(j) or That No Stay is in Effect under 11 U.S.C. 362(c)(4)(A)(ii)

U.S. BANK NATIONAL ASSOCIATION
vs
DEBTOR

Docket 11

Tentative Ruling:

Appearances are not required.

Grant as set forth below.

Proposed order: Movant is directed to lodge a proposed order via LOU within 7 days after the hearing date, and attach a copy of this tentative ruling, thereby incorporating it as this Court's final ruling, subject to any changes ordered at the hearing. See LBR 9021-1(b)(1)(B).

The automatic stay does not apply

Grant the motion under 11 U.S.C. 362(c)(3) and (j): there is no automatic stay because (a) Debtor's prior case (#2:19-bk-10241-NB) was dismissed (on 10/29/2019) within one year before this case was filed (on 9/21/20), (b) that dismissal was not under 11 U.S.C. 707(b), and (c) no finding of good faith was timely sought and obtained. The automatic stay has terminated both as to Debtor *in personam* and as to property of Debtor. See *In re Reswick*, 446 B.R. 362 (9th Cir. BAP 2011); *In re Hernandez*, case no. 2:11-bk-53730-NB, docket #40 (Memorandum Decision).

In the alternative and in addition, the tentative ruling is to grant relief from the automatic stay as follows.

Note regarding mootness: Judge Bason's standard tentative ruling is as follows. For three reasons the above tentative ruling that there *is no stay* does not moot requests for relief from whatever stay might apply. First, such

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

CONT... **Maria Francesca Gayman**

Chapter 7

alternative rulings are appropriate because (i) the very nature of *tentative* rulings is that this Court could be persuaded to depart from any one of them, and (ii) a *final* ruling on any one issue could be reversed on appeal. Second, even if there is currently no stay, that could change - *e.g.*, if there is no stay because of dismissal of this bankruptcy case, such dismissal could be vacated and that might reimpose the stay even if there is a lack of adequate protection, or other grounds why the stay should not apply, and therefore the movant will suffer cognizable harm unless the issues are addressed now (Judge Bason regularly vacates dismissals based on stipulations or other good cause). Third, if the motion includes any request for relief as to *past* acts (annulment) or *future* cases (*in rem* relief), those things are still at issue even if there is no *current* automatic stay. See *In re Aheong*, 276 B.R. 233 (9th Cir. BAP 2002). For all of these reasons, the tentative ruling is that it is appropriate to address the following issues.

Termination

Terminate the automatic stay under 11 U.S.C. 362(d)(1).

To the extent, if any, that the motion seeks to terminate the automatic stay in *other* past or pending bankruptcy cases, such relief is denied on the present record. See *In re Ervin* (Case No. 14-bk-18204-NB, docket no. 311).

Effective date of relief

Grant the request to waive the 14-day stay provided by FRBP 4001(a) (3).

Co-debtor stay

Any co-debtor stay (11 U.S.C. 1301(c)) has not been shown to have any basis for any different treatment from the stay under 11 U.S.C. 362(a), so the tentative ruling is to grant the identical relief regarding any co-debtor stay.

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

CONT... **Maria Francesca Gayman**

Chapter 7

COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Party Information

Debtor(s):

Maria Francesca Gayman

Represented By
Brad Weil

Movant(s):

U.S. Bank National Association as

Represented By
Diane Weifenbach

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

2:20-21157 Bianca Flora Avenia

Chapter 13

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

Docket 12

Tentative Ruling:

Appearances required.

Grant, subject to (1) any opposition at the hearing, (2) the following conditions and (3) denial of all attorney fees related to the motion, due to counsel's failure to serve all of the parties directed by this Court's order (dkt.22) shortening time. See POS (dkt.24)

After the hearing date this Court will prepare an order and the tentative ruling is to include the following language in that order:

The stay of 11 U.S.C. 362(a) applies subject to the following modifications and conditions:

(1) Service and reconsideration. Any party in interest who was not timely served in accordance with FRBP 7004 (incorporated by FRBP 9014(b)) is hereby granted through 14 days after proper service to seek reconsideration, including retroactive relief (under FRBP 9023 and/or 9024). Any such person (a) may set a hearing on 14 days' notice, (b) may appear by telephone (if arrangements are made per Judge Bason's posted procedures), and (c) may present all arguments orally at the hearing (*i.e.*, no written argument is required). If written arguments appear necessary then this court will set a briefing schedule at the hearing.

(2) Reasons. (a) It appears appropriate to impose the automatic stay, and to impose it as to all persons rather than just as to selected persons, because one purpose of the automatic stay is to preventing a "race to collect" that could unfairly advantage some creditors at the expense of others. (b) To prevent possible abuse, this Court provides the foregoing simple process for reconsideration.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

CONT...

Bianca Flora Avenia

Chapter 13

(3) Very limited ruling. This Court's tentative ruling to grant the foregoing relief is solely for purposes of this motion, and is not intended to have any binding effect with respect to any future assertions by any party in interest regarding the existence or lack of existence of good faith in any other context.

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Party Information

Debtor(s):

Bianca Flora Avenia

Represented By
Madhu Kalra

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

2:17-23156 Robin Kashmire Roane

Chapter 13

#7.00 Cont'd hrg re: Motion for relief from stay [RP]
fr. 12/8/20

U.S. BANK TRUST NATIONAL ASSOC
vs
DEBTOR

Docket 38

Tentative Ruling:

Tentative Ruling for 1/12/21:
Appearances required.

Based on the arguments and representations of the parties at the hearing on 12/8/20, this Court continued this matter to this date to allow time for Debtor to seek a forbearance. There is no tentative ruling, but the parties should be prepared to update this Court on the status of those efforts.

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Tentative Ruling for 12/8/20:
Appearances required.

There is no tentative ruling, but the parties should be prepared to address (a)

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

CONT... **Robin Kashmire Roane**

Chapter 13

whether the alleged arrears have been brought current and/or (b) whether they will agree to the terms of an adequate protection order (see the debtor's response, dkt. 40).

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Party Information

Debtor(s):

Robin Kashmire Roane

Represented By
Barry E Borowitz

Movant(s):

U.S. Bank Trust National

Represented By
Merdaud Jafarnia
Jennifer C Wong
JaVonne M Phillips

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

2:19-12991 Diana Eugenia Rojas

Chapter 13

#8.00 Cont'd hrg re: Motion for relief from stay [RP]
fr. 7/28/20, 9/15/20, 10/27/20, 12/8/20

CARRINGTON MORTGAGE SERVICES, LLC
vs
DEBTOR

Docket 37

*** VACATED *** REASON: Withdrawal of Motion Filed on 12/31/20
(Dkt. 85)

Tentative Ruling:

Party Information

Debtor(s):

Diana Eugenia Rojas

Represented By
Anthony Obehi Egbase

Movant(s):

CARRINGTON MORTGAGE

Represented By
Diana Torres-Brito
Julian T Cotton

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

2:19-14249 Aquita Winslow

Chapter 13

#9.00 Cont'd hrg re: Motion for relief from stay [RP]
fr. 8/4/20, 9/1/20, 11/10/20, 12/8/20

HSBC BANK USA, NA
vs
DEBTOR

Docket 37

Tentative Ruling:

Tentative Ruling for 1/12/21:
Appearances required.

At the hearing on 12/8/20 this matter was continued to allow the parties to address an alleged shortfall in the proceeds received for the sale of the property. There is no tentative ruling, however the parties should be prepared to discuss the status of their investigation.

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Tentative Ruling for 12/8/20:
Appearances required.

At the hearing on 11/10/20 this matter was continued for Debtor to close the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

CONT... Aquita Winslow

Chapter 13

proposed sale of the subject property. See dkt.47. Has that sale closed?

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Tentative Ruling for 11/10/20:

Appearances required. At the hearing on 9/1/20 this matter was continued for Debtor to close the proposed sale of the subject property. See dkt.47. Has that sale closed?

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, all appearances are telephonic via CourtCall at (888) 882-6878.

Tentative Ruling for 9/1/20:

Grant as set forth below because as of the drafting of this tentative ruling, Debtor has not filed a motion to sell the property as proposed in her opposition (dkt. 40) and at the 8/4/20 hearing. Appearances are not required. If you wish to dispute the tentative ruling you must notify other parties of your intent to appear telephonically.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

CONT... Aquita Winslow

Chapter 13

Pursuant to Judge Bason's COVID19 Procedures, **ONLY TELEPHONIC APPEARANCES WILL BE PERMITTED** until further notice. Please contact CourtCall at (888) 882-6878 to make arrangements for any telephonic appearance. There is no need to contact the Court for permission. Parties who are not represented by an attorney will be able to use CourtCall for free through 9/30/20. Attorneys will receive a 25% discount (for more information, see www.cacb.uscourts.gov, "Judges," "Bason, N.," "Telephonic Instructions").

Proposed order: Movant is directed to lodge a proposed order via LOU within 7 days after the hearing date. See LBR 9021-1(b)(1)(B).

Termination

Terminate the automatic stay under 11 U.S.C. 362(d)(1).

To the extent, if any, that the motion seeks to terminate the automatic stay in *other* past or pending bankruptcy cases, such relief is denied on the present record. See *In re Ervin* (Case No. 14-bk-18204-NB, docket no. 311).

Effective date of relief

Grant the request to waive the 14-day stay provided by FRBP 4001(a)(3).

Co-debtor stay

Any co-debtor stay (11 U.S.C. 1301(c)) has not been shown to have any basis for any different treatment from the stay under 11 U.S.C. 362(a), so the tentative ruling is to grant the identical relief regarding any co-debtor stay.

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear telephonically without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing.

Tentative Ruling for 8/4/20:

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

CONT... Aquita Winslow
Appearances required.

Chapter 13

Pursuant to Judge Bason's COVID19 Procedures, **ONLY TELEPHONIC APPEARANCES WILL BE PERMITTED** until further notice. Please contact CourtCall at (888) 882-6878 to make arrangements for any telephonic appearance. There is no need to contact the Court for permission. Parties who are not represented by an attorney will be able to use CourtCall for free through 8/31/20. Attorneys will receive a 25% discount (for more information, see www.cacb.uscourts.gov, "Judges," "Bason, N.," "Telephonic Instructions").

There is no tentative ruling, but the parties should be prepared to address the issues raised in Debtor's response (dkt. 40).

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear telephonically without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing.

Party Information

Debtor(s):

Aquita Winslow

Represented By
Elena Steers

Movant(s):

HSBC BANK USA, N.A

Represented By
Sean C Ferry
Eric P Enciso

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

2:19-16545 Bianca Marie Aranda

Chapter 13

#10.00 Cont'd hrg re: Motion for relief from stay [RP]
fr. 9/29/20, 11/10/20, 12/22/20

PENNYMAC LOAN SERVICES, LLC
vs
DEBTOR

Docket 52

Tentative Ruling:

Tentative Ruling for 1/12/21:
Appearances required.

At the 12/22/20 hearing, the Court was persuaded to continue the hearing to allow the debtor to provide evidence of the forbearance application, evidence of sufficient equity in the property to support a finding of adequate protection, and/or motion for authority to sell the subject property. Debtor has now provided a real estate broker's price opinion (dkt.58, the "BPO") estimating the property's value at \$413,000. According to Debtor's prior calculations, that would result in an equity cushion of over \$100,000.

Although BPOs are not the best evidence of value, they are some evidence, and based on the apparent equity cushion the tentative ruling is that there is adequate protection of the movant's interest in the property to warrant additional time for Debtor (a) to seek a forbearance agreement, (b) to attempt to negotiate repayment of the postpetition arrears over a period of months pursuant to an adequate protection order ("APO"), (c) to attempt to modify the confirmed chapter 13 plan to address both prepetition and postpetition arrears, (d) to attempt to sell the subject property, or (e) to address the defaults and pre- and postpetition arrears in some other way. The inclusion of each of the foregoing hypothetical alternatives should not be construed as a ruling that any one of them would be acceptable in this particular case. The parties are directed to address whether Debtor realistically can pursue one or more alternatives, and how long a continuance this Court should provide for that, and/or for Movant to obtain its own valuation of the subject property, and/or for any other course of action by

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

CONT... **Bianca Marie Aranda**
either party.

Chapter 13

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Tentative Ruling for 12/22/20:
Appearances required.

At the 11/10/20 hearing, the Court was persuaded to continue the hearing to allow the parties an opportunity to negotiate a forbearance. There is no tentative ruling, but the parties should be prepared to address the status of those negotiations.

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Tentative Ruling for 11/10/20 (same as for 9/29/20):

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

CONT... **Bianca Marie Aranda**
Appearances required.

Chapter 13

There is no tentative ruling, but the parties should be prepared to address (a) whether the alleged arrears have been brought current and/or (b) whether they will agree to the terms of an adequate protection order (see the debtor's response, dkt. 54).

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, all appearances are telephonic via CourtCall at (888) 882-6878.

Party Information

Debtor(s):

Bianca Marie Aranda

Represented By
William G Cort

Movant(s):

PennyMac Loan Services, LLC

Represented By
Megan E Lees
Robert P Zahradka
Christina J Khil
Josephine E Salmon

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

2:19-20496 Martha E Rodriguez

Chapter 13

#11.00 Cont'd hrg re: Motion for relief from stay [RP]
fr. 12/1/20

NEW REZ LLC
vs
DEBTOR

Docket 79

Tentative Ruling:

Tentative Ruling for 1/12/21:
Appearances required.

Based on the arguments and representations of the parties at the hearing on 12/1/20, this Court continued the matter to this date to allow time for Debtor to address unexpected delays with escrow closing on the sale of Debtor's property. There is no tentative ruling, but Debtor should be prepared to provide an update on where things stand and, if the sale has not yet closed, the anticipated date of closing.

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Tentative Ruling for 12/1/20:
Appearances required.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

CONT... Martha E Rodriguez

Chapter 13

On 11/2/20, this Court entered an order granting debtor's motion to sell the subject property (dkt. 76, dkt. 82), which - as stated in Debtor's response (dkt.84) to the present motion - contemplates paying off Movant's claim in full. Dkt. 76, p.2, para. "3" & Ex.C, p.2. There is no tentative ruling, but Debtor should be prepared to update this Court on the anticipated date of closing.

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Party Information

Debtor(s):

Martha E Rodriguez

Represented By
Scott Kosner

Movant(s):

NewRez LLC d/b/a Shellpoint

Represented By
Daniel K Fujimoto
Kristin A Zilberstein
Cassandra J Richey

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

2:20-17800 Ana Maria Ahmad

Chapter 13

#12.00 Cont'd hrg re: Motion for relief from stay [RP]
fr. 12/8/20

KESWICK FINANCIAL GROUP, INC.
vs
DEBTOR

Docket 22

Tentative Ruling:

Tentative Ruling for 1/12/21:
Appearances required.

Based on the arguments and representations of the parties at the hearing on 12/8/20, this Court continued this matter to this date to allow time for the parties to continue negotiating the terms of an adequate protection stipulation. There is no tentative ruling, but the parties should be prepared to update this Court on the status of those negotiations (if any).

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Tentative Ruling for 12/8/20:
Appearances required.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

CONT... Ana Maria Ahmad

Chapter 13

There is no tentative ruling, but the parties should be prepared to address (a) whether the alleged arrears have been brought current and/or (b) whether they will agree to the terms of an adequate protection order (see the debtor's response, dkt. 29).

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Party Information

Debtor(s):

Ana Maria Ahmad

Represented By
Rabin J Pournazarian

Movant(s):

Keswick Financial Group, Inc.

Represented By
Arnold L Graff

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

2:19-25218 Katrina Moss

Chapter 13

#13.00 Cont'd hrg re: Motion for relief from stay [RP]
fr. 10/27/20, 12/1/20

MEB LOAN TRUST IV
vs
DEBTOR

Docket 32

Tentative Ruling:

Tentative Ruling for 1/12/21:
Appearances required.

Based on the arguments and representations of the parties at the hearing on 12/1/20, this Court continued this matter to this date to allow time for the parties to negotiate the terms of an adequate protection stipulation. There is no tentative ruling, but the parties should be prepared to provide an update on the status of those negotiations.

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Tentative Ruling for 12/1/20:
Appearances required.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

CONT... Katrina Moss

Chapter 13

Based on the arguments and representations of the parties at the hearing on 10/27/20, this Court continued the matter to this date to allow time for the parties to review their accounting. There is no tentative ruling, but the parties should be prepared to update this Court on the status of their investigations.

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Tentative Ruling for 10/27/20:
Appearances required.

There is no tentative ruling, but the parties should be prepared to address (a) whether the alleged arrears have been brought current and/or (b) whether they will agree to the terms of an adequate protection order (see the debtor's response, dkt. 44).

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, all appearances are telephonic via CourtCall at (888) 882-6878.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

10:00 AM

CONT... Katrina Moss

Chapter 13

Debtor(s):

Katrina Moss

Represented By
Barry E Borowitz

Movant(s):

MEB Loan Trust IV, as serviced by

Represented By
Austin P Nagel

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

11:00 AM

2:20-18465 Jeremy Daniel Kintner

Chapter 13

Adv#: 2:20-01656 Kintner v. State of California Department of Tax and Fee Admi

#1.00 Status conference re: Complaint to redetermine purported tax liability, to recover overpaid amounts, and to determine dischargeability of any amount otherwise due

Docket 1

Tentative Ruling:

Continue to 1/26/21 at 2:00 p.m. to be held contemporaneously with the hearing on the defendant's motion to dismiss (dkt. 4). Appearances are not required on 1/12/21.

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Party Information

Debtor(s):

Jeremy Daniel Kintner

Represented By
David S Hagen

Defendant(s):

State of California Department of

Pro Se

Plaintiff(s):

Jeremy Daniel Kintner

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

11:00 AM

CONT... Jeremy Daniel Kintner

Mark Bernsley

Chapter 13

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

11:00 AM

2:20-19262 Khevin P DeVaughn

Chapter 13

Adv#: 2:20-01655 CYB, LLC, a California limited liability v. DeVaughn et al

#2.00 Status conference re: Complaint to declare debt non-dischargeable pursuant to 11 U.S.C. sections 523(a)(2, 4, 6)

Docket 1

Tentative Ruling:

Appearances required.

(A) Current issues

(1) Late Status Report (adv.dkt.7)

The parties' status report was very late. The parties are cautioned that future failure to meet deadlines may result in adverse consequences.

(2) Amended complaint?

In the Status Report the statement is made:

Comstock Brewing Company, a California Corporation, has been named as defendant in this adversary. However, it is not in bankruptcy and, therefore, a complaint to determine dischargeability of any obligation owing from Comstock Brewing is inappropriate. Comstock Brewing has not filed a response and will not file a response. [Status Report (adv.dkt.7), p.2]

What is Plaintiff's intent regarding these issues? Does this Court need to set any deadlines or procedures relating to these issues?

(3) Related motions?

The Status Report also states (adv.dkt.7, p.2): "There are motions addressed to Claims Documents pending." What does that mean? No such motions appear to have been filed, based on this Court's review of the docket in both the main case (Case No. 2:20-bk-19262-NB) and this adversary proceeding.

(B) Standard requirements

The following are Judge Bason's standard requirements for status conferences. (To the extent that the parties have already addressed these issues in their status report, they need not repeat their positions at the status

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

11:00 AM

CONT... Khevin P DeVaughn
conference.)

Chapter 13

(1) Venue/jurisdiction/authority

The parties are directed to address any outstanding matters of (a) venue, (b) jurisdiction, (c) this Bankruptcy Court's authority to enter final orders or judgment(s) in this proceeding and, if consent is required, whether the parties do consent, or have already expressly or impliedly consented. *See generally Stern v. Marshall*, 131 S.Ct. 2594, 2608 (2011) (if litigant "believed that the Bankruptcy Court lacked the authority to decide his claim...then he should have said so – and said so promptly."); *Wellness Int'l Network, Ltd. v. Sharif*, 135 S.Ct. 1932 (2015) (consent must be knowing and voluntary but need not be express); *In re Bellingham Ins. Agency, Inc.*, 702 F.3d 553 (9th Cir. 2012) (implied consent), *aff'd on other grounds*, 134 S. Ct. 2165 (2014); *In re Pringle*, 495 B.R. 447 (9th Cir. BAP 2013) (rebuttable presumption that failure to challenge authority to issue final order is intentional and indicates consent); *In re Deitz*, 760 F.3d 1028 (9th Cir. 2014) (authority to adjudicate nondischargeability encompasses authority to liquidate debt and enter final judgment). *See generally In re AWTR Liquidation, Inc.*, 548 B.R. 300 (Bankr. C.D. Cal. 2016).

(2) Mediation

Is there is any reason why this Court should not order the parties to mediation before one of the volunteer mediators (*not* a Bankruptcy Judge), and meanwhile set the deadlines set forth below? The tentative ruling is to set a **deadline of 1/26/21** for the parties to lodge a proposed mediation order (the parties are directed to use the time between now and that deadline to find a mutually agreeable mediator whose schedule can accommodate the needs of this matter; and if the parties cannot even agree on a mediator they may lodge separate orders and Judge Bason will chose among them, or issue his own order).

(3) Deadlines

This adversary proceeding has been pending since 11/3/20. Pursuant to LBR 9021-1(b)(1)(B), plaintiff is directed to lodge a proposed order via LOU within 7 days after the status conference, attaching a copy of this tentative ruling or otherwise memorializing the following.

Joinder of parties/amendment of pleadings-deadline: 3/30/21

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

11:00 AM

CONT...

Khevin P DeVaughn

Chapter 13

Discovery cutoff (for completion of discovery): 4/13/21

Expert(s) - deadline for reports: N/A

Expert(s) - discovery cutoff (if different from above): N/A

Dispositive motions to be heard no later than: 6/1/21

Joint Status Report: 5/18/21.

Continued status conference: 6/1/21 at 11:00 a.m.

Lodge Joint Proposed Pre-Trial Order: TBD

Pretrial conference: TBD

Deliver trial exhibits to other parties and chambers, including direct testimony by declaration unless excused: TBD

Trial commencement: TBD

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

Party Information

Debtor(s):

Khevin P DeVaughn

Represented By
Julie J Villalobos

Defendant(s):

Dimitra S DeVaughn

Pro Se

Khevin P DeVaughn

Pro Se

Comstock Brewing Company,a

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

11:00 AM

CONT... Khevin P DeVaughn

Chapter 13

Joint Debtor(s):

Dimitra S DeVaughn

Represented By
Julie J Villalobos

Plaintiff(s):

CYB, LLC, a California limited

Represented By
Lane M Nussbaum

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

1:00 PM

2:20-12166 **Olinda Esperanza Lytle**

Chapter 11

#1.00 Status Conference re: Post confirmation
fr. 03/31/20, 4/21/20, 6/2/20, 6/16/20, 6/30/20,
7/28/20, 9/29/20, 11/10/20

Docket 1

Tentative Ruling:

Tentative Ruling for 1/12/21:

Appearances required.

(1) Current issues

(a) Missing status report

This Court's order confirming Debtor's Plan (dkt. 113) directed Debtor to file a post-confirmation status report by no later than 12/29/20 (*id.*, p.3:2-4). As of the preparation of this tentative ruling, no status report is on file. Why not?

(2) Deadlines/dates

This case was filed on 2/26/20, and Debtor's plan was confirmed on 9/29/20 (dkt. 113). The tentative ruling is to set a further continued Status Conference for 3/2/21 at 1:00 p.m. with a brief status report due 2/16/21.

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

1:00 PM

CONT... **Olinda Esperanza Lytle**

Chapter 11

Tentative Ruling for 11/10/20:

Continue to 1/12/21 at 1:00 p.m., *brief* post-confirmation status report due 12/29/20. Appearances are not required on 11/10/20.

(1) Current issues

(a) Anyama Law Firm's final fee application (dkt. 117, 118, 121), no opposition is on file

Approve Anyama Law Firm's request for \$10,680 in fees and \$601.55 in expenses, for a total final fee award of \$11,281.55, subject to Applicant submitting a declaration that complies with LBR 2016-1(a)(1)(J) within 7 days after the hearing.

Proposed order: Applicant is directed to lodge a proposed order via LOU within 7 days after the hearing date. See LBR 9021-1(b)(1)(B).

(2) Deadlines/dates

This case was filed on 2/26/20, and Debtor's plan was confirmed on 9/29/20 (dkt. 113).

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, all appearances are telephonic via CourtCall at (888) 882-6878.

[PRIOR TENTATIVE RULINGS OMITTED]

Party Information

Debtor(s):

Olinda Esperanza Lytle

Represented By
Onyinye N Anyama

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

2:00 PM

2:19-10552 Attitude Marketing, Inc.

Chapter 7

Adv#: 2:20-01147 Gonzalez v. MacMillan et al

- #1.00** Pretrial Conference re: Complaint 1. Actual Fraudulent Transfer [Bankruptcy Code Section 548(1)(a); Cal. Civ.Code Section 3439.04(A)(1) 2. Constructive Fraudulent Transfer [Bankruptcy Code Section 548(1)(b); Cal. Civ. Code Sections 3439.04(B)(2) and 3439.05] 3. To Recover Shareholder Loans 4. For Money Had and Received 5. To Avoid Preferential Payments (11 U.S.C. Section 547) fr. 9/1/20, 12/1/20

Docket 1

Tentative Ruling:

Tentative Ruling for 1/12/21:

Continue as set forth below. Appearances are not required on 1/12/21.

(A) Current issues

Following the initial status conference on 9/1/20, and based on the parties' representations that this matter was straightforward, this Court set a pretrial conference for 11/10/20, which was further continued to 12/1/20 and then to this date. Based on this Court's review of the parties' joint status report (adv.dkt. 5) and the other filed documents and records in this adversary proceeding, it appears the parties were not able to resolve this dispute through a global settlement and that they now seek additional time for discovery and other matters.

Accordingly, the tentative ruling is to treat this hearing as a status conference and direct Plaintiff to lodge a scheduling order consistent with the dates and deadlines set forth in Section "(B)(3)" below.

(B) Standard requirements

The following are Judge Bason's standard requirements for status conferences. (To the extent that the parties have already addressed these issues in their status report, they need not repeat their positions at the status conference.)

(1) Venue/jurisdiction/authority

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

2:00 PM

CONT...

Attitude Marketing, Inc.

Chapter 7

Matters of venue, jurisdiction, and authority have been determined and/or waived or forfeited (adv.dkt. 5).

(2) Mediation [Intentionally omitted].

(3) Deadlines

This adversary proceeding has been pending since 6/30/20. Pursuant to LBR 9021-1(b)(1)(B), plaintiff is directed to lodge a proposed order via LOU within 7 days after the status conference, attaching a copy of this tentative ruling or otherwise memorializing the following.

Joinder of parties/amendment of pleadings-deadline: 5/18/21

Discovery cutoff (for completion of discovery): 6/1/21

Expert(s) - deadline for reports: 6/8/21

Expert(s) - discovery cutoff (if different from above): 6/15/21

Dispositive motions to be heard no later than: 8/3/21

Joint Status Report: 7/20/21.

Continued status conference: 8/3/21 at 11:00 a.m.

Lodge Joint Proposed Pre-Trial Order: TBD

Pretrial conference: TBD

Deliver trial exhibits to other parties and chambers, including direct testimony by declaration unless excused: TBD

Trial commencement: TBD

If appearances are not required at the start of this tentative ruling but you wish to dispute the tentative ruling, or for further explanation of "appearances required/are not required," please see Judge Bason's Procedures (posted at www.cacb.uscourts.gov) then search for "tentative rulings." If appearances are required, and you fail to appear without adequately resolving this matter by consent, then you may waive your right to be heard on matters that are appropriate for disposition at this hearing. Pursuant to Judge Bason's COVID-19 procedures, **all appearances are via ZoomGov**. For ZoomGov instructions for all matters on calendar, please see the tentative ruling for the first matter on today's calendar (*i.e.*, page 1 of the posted tentative rulings). Unless otherwise stated, appearances via CourtCall are no longer permitted.

[PRIOR TENTATIVE RULINGS OMITTED]

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, January 12, 2021

Hearing Room 1545

2:00 PM

CONT... Attitude Marketing, Inc.

Chapter 7

Party Information

Debtor(s):

Attitude Marketing, Inc.

Represented By
James A Dumas Jr
Christian T Kim

Defendant(s):

David MacMillan

Represented By
Robert S Altagen

Cynthia Barrett Martin

Represented By
Robert S Altagen

Plaintiff(s):

Rosendo Gonzalez

Represented By
James A Dumas Jr
Christian T Kim

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
Christian T Kim
James A Dumas Jr