

**United States Bankruptcy Court
Central District of California
Northern Division
Judge Peter Carroll, Presiding
Courtroom 201 Calendar**

Wednesday, October 12, 2016

Hearing Room 201

10:00 AM

9:08-11457 Estate Financial Inc

Chapter 11

#1.00 Hearing
RE: [3984] Motion to Disallow Claims Notice of Fifty-Third Omnibus Motion and Fifty-Third Omnibus Motion of Trustee for Order Reclassifying Certain Secured Claims of Subject Investors; Memorandum of Points and Authorities and Declaration of Thomas P. Jeremiassen in Support Thereof (Claim Nos. 62, 191, 565, 704, 787, 964, 1017, 1315, 1462, 1552, 1553, 1613, 1672, 1778, 1883, 2144, 2208) (Attachments: # 1 Exhibit Part 1 # 2 Exhibit Part 2 # 3 Exhibit Part 3 # 4 Exhibit Part 4 # 5 POS) (Kandel, Jeffrey)

FR. 9-14-16, 9-21-16

Docket 3984

***** VACATED *** REASON: Order granting motion entered 10/5/16.**

Tentative Ruling:

.

Party Information

Debtor(s):

Estate Financial Inc

Represented By
Robert B Orgel
Robyn B Sokol

Movant(s):

Thomas P Jeremiassen (TR)

Represented By
Samuel R Maizel
Robert B Orgel
Roger Frederickson
David M Poitras
Jeffrey L Kandel
Kelly A Woodruff
Steven T Gubner
Corey R Weber
Larry W Gabriel
David A Juhnke

**United States Bankruptcy Court
Central District of California
Northern Division
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Courtroom 201 Calendar**

Wednesday, October 12, 2016

Hearing Room 201

10:00 AM

CONT... Estate Financial Inc

Chapter 11

Peter Susi
Brutzkus Gubner Rozansky Seror Weber LLP

Trustee(s):

Thomas P Jeremiassen (TR)

Represented By
Samuel R Maizel
Robert B Orgel
Roger Frederickson
David M Poitras
Jeffrey L Kandel
Kelly A Woodruff
Steven T Gubner
Corey R Weber
Larry W Gabriel
David A Juhnke
Peter Susi
Brutzkus Gubner Rozansky Seror Weber LLP

**United States Bankruptcy Court
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10:00 AM

9:15-10364 Allan Stephen Wachs

Chapter 11

#2.00 Status Hearing
RE: [1] Chapter 11 Voluntary Petition.

FR. 5-6-15, 9-23-15, 11-18-15, 2-17-16, 4-6-16, 6-8-16, 9-7-16

Docket 1

***** VACATED *** REASON: Continued to December 14, 2016, at 10:00 a.m.**

Tentative Ruling:

.

Party Information

Debtor(s):

Allan Stephen Wachs

Represented By
M Jonathan Hayes

Movant(s):

Allan Stephen Wachs

Represented By
M Jonathan Hayes

**United States Bankruptcy Court
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Courtroom 201 Calendar**

Wednesday, October 12, 2016

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10:00 AM

9:15-10364 Allan Stephen Wachs

Chapter 11

#3.00 Hearing

RE: [83] Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 6761 Wandermere Rd, Malibu, California 90265-4135 with Proof of Service. (Estle, Mark)

FR. 8-3-16, 9-7-16

Docket 83

***** VACATED *** REASON: Continued to December 14, 2016, at 10:00 a.m.**

Tentative Ruling:

.

Party Information

Debtor(s):

Allan Stephen Wachs

Represented By
M Jonathan Hayes

Movant(s):

Wells Fargo Bank, N.A.

Represented By
Mark D Estle

**United States Bankruptcy Court
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Courtroom 201 Calendar**

Wednesday, October 12, 2016

Hearing Room 201

10:00 AM

9:15-10364 Allan Stephen Wachs

Chapter 11

#4.00 Confirmation Hearing
RE: [42] Amended Chapter 11 Plan ,with Proof of Service 32 Chapter 11 Plan of Reorganization , with Proof of Service . (Hayes, M)

FR. 11-18-15, 2-17-16, 4-6-16, 5-31-16, 9-7-16

Docket 42

***** VACATED *** REASON: Continued to December 14, 2016, at 10:00 a.m.**

Tentative Ruling:

.

Party Information

Debtor(s):

Allan Stephen Wachs

Represented By
M Jonathan Hayes

Movant(s):

Allan Stephen Wachs

Represented By
M Jonathan Hayes

**United States Bankruptcy Court
Central District of California
Northern Division
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Courtroom 201 Calendar**

Wednesday, October 12, 2016

Hearing Room 201

10:00 AM

9:15-10528 Dorothy Hannah Hamilburg

Chapter 11

#5.00 Hearing
RE: [416] Motion to Appoint Trustee Notice of Motion For: Creditor Donato Errico's Motion to Appoint A Chapter 11 Trustee; Declaration in Support Thereof; Request for Judicial Notice Filed Concurrently Herewith with Proof of Service

FR. 9-7-16

Docket 416

***** VACATED *** REASON: Continued to November 2, 2016, at 10:00 a.m.**

Tentative Ruling:

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Party Information

Debtor(s):

Dorothy Hannah Hamilburg

Represented By
Michael R Adele
Leslie A Cohen

Movant(s):

Donato Errico

Represented By
Jeffrey S Shinbrot

**United States Bankruptcy Court
Central District of California
Northern Division
Judge Peter Carroll, Presiding
Courtroom 201 Calendar**

Wednesday, October 12, 2016

Hearing Room 201

10:00 AM

9:15-10528 Dorothy Hannah Hamilburg

Chapter 11

#6.00 Hearing
RE: [450] Motion to Reconsider (related documents 441 Memorandum of decision (BNC-PDF), 442 ORDER disallowing claim(s) (BNC-PDF)) Notice of Motion and Motion By Debtor for Partial Reconsideration of Order Granting Debtor's Motion Objecting to Donato Errico's Proof of Claim (Claim No. 15); Memorandum of Points and Authorities; Declaration of J'aime Williams

FR. 9-21-16

Docket 450

*** VACATED *** REASON: Continued to November 2, 2016, at 10:00 a.m.

Tentative Ruling:

.

Party Information

Debtor(s):

Dorothy Hannah Hamilburg

Represented By
Michael R Adele
Michael R Adele
Leslie A Cohen
Leslie A Cohen

**United States Bankruptcy Court
Central District of California
Northern Division
Judge Peter Carroll, Presiding
Courtroom 201 Calendar**

Wednesday, October 12, 2016

Hearing Room 201

10:00 AM

9:15-10528 Dorothy Hannah Hamilburg

Chapter 11

#7.00 Status Hearing
RE: [1] Chapter 11 Voluntary Petition.

FR. 5-6-15, 7-29, 9-30, 1-20-16, 2-17, 4-6, 6-8, 7-26, 7-27, 9-7

Docket 1

***** VACATED *** REASON: Continued to November 2, 2016, at 10:00 a.m.**

Tentative Ruling:

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Party Information

Attorney(s):

Lobel Weiland Golden Friedman

Represented By
Jeffrey I Golden
Beth Gaschen

Courtesy NEF

Represented By
Daniel Gunning
Steven L Bryson

Steven L. Bryson

Pro Se

Creditor(s):

Samir Rafeh

Represented By
Daniel Gunning

Edmund C. Olson

Represented By
Gary F Torrell

Rick Rubin

Represented By
Martin S Zohn

John McLaughlin

Represented By
Michael Avanesian

Wilmington Savings Fund Society,

Represented By

**United States Bankruptcy Court
Central District of California
Northern Division
Judge Peter Carroll, Presiding
Courtroom 201 Calendar**

Wednesday, October 12, 2016

Hearing Room 201

10:00 AM

CONT... Dorothy Hannah Hamilburg

Chapter 11

Angie M Marth

Sam Rafeh

Pro Se

Donato Errico

Represented By
Jeffrey S Shinbrot

John Kissonas

Pro Se

Max Korolov

Pro Se

Fadlon & Rozio LLP

Represented By
Ian Landsberg

Zacky P Rozio Esquire

Pro Se

Debtor(s):

Dorothy Hannah Hamilburg

Represented By
Michael R Adele
Michael R Adele
Leslie A Cohen
Leslie A Cohen

Interested Party(s):

Courtesy NEF

Represented By
Gary F Torrell
Christopher J Green
Greg P Campbell
Darlene C Vigil

U.S. Trustee(s):

United States Trustee (ND)

Represented By
Brian D Fittipaldi

**United States Bankruptcy Court
Central District of California
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Courtroom 201 Calendar**

Wednesday, October 12, 2016

Hearing Room 201

10:00 AM

9:15-10528 Dorothy Hannah Hamilburg

Chapter 11

#8.00 Hearing
RE: [467] Motion Notice Of Motion And Motion For Order Authorizing, Nunco Pro Tunc, The Debtor To Incur Debt Pursuant To 11 U.S.C. § 363 And 364(c); Memorandum Of Points And Authorities; And Declarations Of Leslie Cohen And Dorothy Hannah Hamilburg In Support Thereof; Proof of Service

Docket 467

*** VACATED *** REASON: Continued to November 2, 2016, at 10:00 a.m.

Tentative Ruling:

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Party Information

Debtor(s):

Dorothy Hannah Hamilburg

Represented By
Michael R Adele
Michael R Adele
Leslie A Cohen
Leslie A Cohen

United States Bankruptcy Court
Central District of California
Northern Division
Judge Peter Carroll, Presiding
Courtroom 201 Calendar

Wednesday, October 12, 2016

Hearing Room 201

10:00 AM

9:15-10528 Dorothy Hannah Hamilburg

Chapter 11

#9.00 Hearing

RE: [473] Motion to File Amended Proof of Claim Notice of Motion and Motion for Order Allowing Amendment To Proof of Claim of Donato Errico (Claim No. 15); Declarations In Support Thereof; Request For Judicial Notice Filed Concurrently Herewith with Proof of Service

Docket 473

*** VACATED *** REASON: Continued to November 2, 2016, at 10:00 a.m.

Tentative Ruling:

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Party Information

Debtor(s):

Dorothy Hannah Hamilburg

Represented By
Michael R Adele
Michael R Adele
Leslie A Cohen
Leslie A Cohen

**United States Bankruptcy Court
Central District of California
Northern Division
Judge Peter Carroll, Presiding
Courtroom 201 Calendar**

Wednesday, October 12, 2016

Hearing Room 201

10:00 AM

9:15-10528 Dorothy Hannah Hamilburg

Chapter 11

#10.00 HearingRE: [478] Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: \$150,000 deposit paid into escrow for purchase of Debtor's residence. Debtor rejected the contract. Due to rejection of the contract, Debtor has no ownership interest in the deposit. Please see Exhibits, 1,2, & 3 Notice of Motion and Motion For Relief From The Automatic Stay Under 11 U.S.C. Section 362 (with supporting declarations) (PERSONAL PROPERTY) with Proof of Service.

Docket 478

Tentative Ruling:

None.

Party Information

Debtor(s):

Dorothy Hannah Hamilburg

Represented By
Michael R Adele
Michael R Adele
Leslie A Cohen
Leslie A Cohen

**United States Bankruptcy Court
Central District of California
Northern Division
Judge Peter Carroll, Presiding
Courtroom 201 Calendar**

Wednesday, October 12, 2016

Hearing Room 201

10:00 AM

9:15-10528 Dorothy Hannah Hamilburg

Chapter 11

#10.10 Hearing
RE: [484] Motion to Convert Case From Chapter 11 to 7. Michael)

Docket 484

***** VACATED *** REASON: Continued to November 2, 2016, at 10:00 a.m.**

Tentative Ruling:

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Party Information

Debtor(s):

Dorothy Hannah Hamilburg

Represented By
Michael R Adele
Leslie A Cohen

**United States Bankruptcy Court
Central District of California
Northern Division
Judge Peter Carroll, Presiding
Courtroom 201 Calendar**

Wednesday, October 12, 2016

Hearing Room 201

10:00 AM

9:15-12436 Denise Stansfield and David Elphick Stansfield

Chapter 11

#11.00 HearingRE: [104] Application for Compensation Re: First Interim Fee Application for Compensation for Legal Services Rendered and Reimbursement of Expenses Incurred by Attorney for Chapter 11 Debtor In Possession for Onyinye N Anyama, Debtor's Attorney, Period: 12/22/2015 to 8/29/2016, Fee: \$13510.00, Expenses: \$567.88.

Docket 104

Tentative Ruling:

None.

Final Ruling. This first interim fee application has been set for hearing on the notice required by LBR 9013-1(d)(2) and other applicable rules. The failure of the debtors and all other parties in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9013-1(f) is considered as consent to the granting of the motion. LBR 9013-1(h). *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court is granting the relief requested by the moving party and for which a *prima facie* case has been established, an actual hearing is not necessary. *See Boone v. Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006). Their defaults are entered and the matter will be resolved without oral argument. LBR 9013-1(j) (3). **No appearance is necessary.**

Anyama Law Firm. Anyama Law Firm, as counsel for the debtors (“Applicant”), has filed its first application for an interim allowance of fees and expenses in this case. Applicant has itemized \$13,510.00 in fees and \$567.88 of costs, for a total of \$14,077.88. No creditor or other party in interest, including the United States trustee, has filed an objection to the application.

Section 330(a)(1)(A) & (B) permit approval of “reasonable compensation for actual, necessary services rendered by . . . [a] professional person, or . . . any para-professional person” and “reimbursement for actual, necessary expenses.” 11 U.S.C. § 330(a)(1)(A) & (B). The court may award an interim allowance of compensation after notice and a hearing. 11 U.S.C. §

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Wednesday, October 12, 2016

Hearing Room 201

10:00 AM

CONT... Denise Stansfield and David Elphick Stansfield

Chapter 11

331. In the present case, Applicant was employed to assist in the administration of the estate. The fee application satisfies the requirements of LBR 2016-1(a) and demonstrates that Applicant rendered services to the estate and incurred expenses on behalf of the estate during the period for which an interim allowance of compensation and reimbursement of expenses is sought.

Based on the foregoing, the court will allow the fees and expenses requested as interim compensation. This interim allowance is subject to the court's reexamination and adjustment in making a final determination of the nature, extent, and value of the services performed upon the conclusion of the case. Leichty v. Neary (In re Strand), 375 F.3d 854 (9th Cir. 2004). Provided the estate is not administratively insolvent, the trustee or debtor in possession, as the case may be, is authorized, in its judgment, to pay the allowed fees and expenses from unencumbered funds of the estate.

Applicant shall submit an appropriate order.

Party Information

Debtor(s):

Denise Stansfield

Represented By
Onyinye N Anyama
Onyinye N Anyama
Onyinye N Anyama

Joint Debtor(s):

David Elphick Stansfield

Represented By
Onyinye N Anyama

**United States Bankruptcy Court
Central District of California
Northern Division
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Courtroom 201 Calendar**

Wednesday, October 12, 2016

Hearing Room 201

10:00 AM

9:16-10922 Chinacode, Inc.

Chapter 11

#12.00 Hearing

RE: [75] Motion to Appoint Trustee or, in the Alternative Converting the Case to a Case Under Chapter 7 of the Bankruptcy Code (Beck, Shiva)

Docket 75

***** VACATED *** REASON: Order converting case to Chapter 7 was entered on 9/21/16.**

Tentative Ruling:

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Party Information

Debtor(s):

Chinacode, Inc.

Represented By
Peter Susi