

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

10:00 AM

8:13-12153 DRI Companies

Chapter 7

Adv#: 8:15-01396 Marshack v. ASL Builders, Inc.

#1.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance Recovery, And Preservation Of Preferential Transfer [11 U.S.C. Sections 544,547,550, and 551] (Complaint filed 10/24/15) (Another Summons issued 3/3/16)

FR: 1-13-16; 3-9-16

Docket 1

Tentative Ruling:

Tentative for 5/25/16:

The Court has received and reviewed the Joint Status Report [Dk. 18] filed on 5/11/2016. The Court has determined that this matter is appropriate for disposition without a hearing and will set the following dates and deadlines:

1. Discovery cutoff: 10/1/2016. This includes the date by which all discovery-related motions must be heard and resolved.
2. Motions cutoff: 11/23/2016. This includes the date by which all non-discovery-related motions must be heard and resolved.
3. Pretrial conference: 12/14/2016, at 10:00 a.m. in Courtroom 5C, 411 West Fourth Street, Santa Ana, CA 92701.

Failure to comply precisely with all applicable federal and local rules may result in monetary or non-monetary sanctions, including striking the answer or dismissing the complaint.

Appearances are EXCUSED for this hearing. Movant to lodge an order within seven (7) days.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

10:00 AM

CONT... DRI Companies

Chapter 7

Tentative for 3/09/16:

The Court has received and reviewed the status report filed 3/2/16 [Dk. 12] and will CONTINUE this matter to June 29, 2016 at 10:00 a.m. A status report (whether it is unilateral or joint) is due 14 days in advance.

Appearances are excused.

Tentative for 1/13/16:

The Court has received and reviewed the unilateral status report filed 1/06/16 [Dk. 7] and will CONTINUE this matter to March 9, 2016 at 10:00 a.m. A status report is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

DRI Companies

Represented By
Todd C. Ringstad
Christopher Minier
Brian R Nelson

Defendant(s):

ASL Builders, Inc.

Represented By
William C Hoggard

Plaintiff(s):

Richard A. Marshack

Represented By
Judith E Marshack
Chad V Haes

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

10:00 AM

CONT... DRI Companies

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
Chad V Haes
Kyra E Andrassy

Richard A Marshack (TR)

Represented By
Judith E Marshack

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar

Wednesday, May 25, 2016

Hearing Room 5C

10:00 AM

8:13-12153 DRI Companies

Chapter 7

Adv#: 8:15-01404 Marshack v. Veritas Financial Partners, LLC

#2.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance,
Recovery, And Preservation Of Preferential Transfer
[11 U.S.C. Sections 544, 547, 550, And 551]
(Complaint filed 10/25/15) (Alias Summons issued 10/29/15)

FR: 2-10-16; 3-31-16

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING
STIPULATION FOR DISMISSAL OF ADVERSARY PROCEEDING
ENTERED 4-11-16 - [Docket No. 26]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

DRI Companies

Represented By
Todd C. Ringstad
Christopher Minier
Brian R Nelson

Defendant(s):

Veritas Financial Partners, LLC

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By
Judith E Marshack
Chad V Haes

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room

5C

10:00 AM

CONT... DRI Companies

Chapter 7

Chad V Haes
Kyra E Andrassy

Richard A Marshack (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

10:00 AM

8:13-12153 DRI Companies

Chapter 7

Adv#: 8:15-01413 Marshack v. Lockton Insurance Brokers, Inc. et al

#3.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance, Recovery, And Preservation Of Preferential Transfers [11 U.S.C. Sections 544, 547, 550, And 551] (Complaint filed 10/27/15)

FR: 2-10-16

Docket 1

***** VACATED *** REASON: OFF CALENDAR - PER ORDER APPROVING STIPULATION FOR DISMISSAL OF ADVERSARY PROCEEDING ENTERED 5-11-16 - [Docket No. 10]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

DRI Companies

Represented By
Todd C. Ringstad
Christopher Minier
Brian R Nelson

Defendant(s):

Lockton Insurance Agency, Inc.

Represented By
Phillip Maltin

Lockton Companies

Represented By
Phillip Maltin

Lockton Insurance Brokers, Inc.

Represented By
Phillip Maltin

Plaintiff(s):

Richard A. Marshack

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room

5C

10:00 AM

CONT... DRI Companies

Chapter 7

Judith E Marshack
Chad V Haes

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
Chad V Haes
Kyra E Andrassy

Richard A Marshack (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

10:00 AM

8:13-12153 DRI Companies

Chapter 7

Adv#: 8:15-01422 Marshack v. Solarworld California, LLC et al

#4.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance, Recovery, And Preservation Of Fraudulent Transfers [11 U.S.C. Sections 544, 548, 550, And 551; Cal. Civ. Code Sections 3439 et seq.]
(Complaint filed 10/27/15)

FR: 3-9-16

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER DISMISSING
ADVERSARY PROCEEDING ENTERED 4-13-16 - [Docket No. 21]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

DRI Companies

Represented By
Todd C. Ringstad
Christopher Minier
Brian R Nelson

Defendant(s):

Solarworld Industries Services

Pro Se

Solarworld Industries America LP

Pro Se

Solarworld California, LLC

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By
Judith E Marshack
Chad V Haes

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

10:00 AM

CONT... DRI Companies

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
Chad V Haes

Richard A Marshack (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

10:00 AM

8:13-13163 Evergreen Oil, Inc.

Chapter 11

Adv#: 8:15-01174 Oversight Committee v. Wood Group Field Services, Inc

#5.00

PRE-TRIAL CONFERENCE Hearing RE: Complaint For:
(1) Avoidance And Recovery Of Preferential Transfers [11 U.S.C. Sections 547
(b), 550(a), And 551]; And
(2) Disallowance Of Any Claims Held By Defendant
(Complaint filed 4/7/15) (PTC set at S/C held 7/9/15)

FR: 7-9-15; 3-3-16

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER DISMISSING
COMPLAINT ENTERED 4-13-16 - [Docket No. 19]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Evergreen Oil, Inc.

Represented By
Allan D Sarver
Heather M McKeon

Defendant(s):

Wood Group Field Services, Inc

Pro Se

Plaintiff(s):

Oversight Committee

Represented By
Alan I Nahmias

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

10:00 AM

8:13-14500 Osseous Technologies of America Inc

Chapter 7

Adv#: 8:15-01300 Marshack v. Gordon & Silver, Ltd.

#6.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance, Recovery, And Preservation Of Fraudulent, And Unauthorized Post-Petition Transfers

[11 U.S.C. Sections 544, 548, 549, 550, and 551]
(Complaint filed 7/10/15)

FR: 10-8-15; 12-17-15; 2-10-16; 3-31-16

Docket 1

Tentative Ruling:

Tentative for 5/25/16:

The Court has received and reviewed the joint status report filed 5/12/16 [Dk. 30] and will CONTINUE this matter to 8/17/16 at 10:00 a.m. A status report (whether joint or unilateral) is due 14 days in advance.

Appearances are excused.

Tentative for 3/31/16:

Matter continued to 5/25/16 at 10:00 a.m. per order granting stipulation to continue.

Hearing VACATED.

Tentative for 10/8/2015:

Neither a joint status report, nor a unilateral report has been filed in this case.

Appearances required.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

10:00 AM

CONT... Osseous Technologies of America Inc

Chapter 7

Party Information

Debtor(s):

Osseous Technologies of America

Represented By
Robert P Goe

Defendant(s):

Gordon & Silver, Ltd.

Represented By
Gary E Klausner
Irving M Gross

Plaintiff(s):

Richard A. Marshack

Represented By
Matthew Grimshaw
David Wood

Trustee(s):

Richard A Marshack (TR)

Represented By
Matthew Grimshaw
D Edward Hays
David Wood
Anthony Bisconti

Richard A Marshack (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

10:00 AM

8:13-14500 Osseous Technologies of America Inc

Chapter 7

Adv#: 8:15-01309 Marshack v. Bank of America, N.A.

#7.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance, Recovery, And Preservation Of Fraudulent And Unauthorized Post-Petition Transfers

[11 U.S.C. Sections 544, 548, 549, 550, 551, and Cal. Civ. Pro. Sectons 3439.04, 3439.05, et al]

(Complaint filed 7/22/15)

FR: 10-8-15; 11-5-15; 12-3-15; 1-13-16; 3-30-16

Docket 1

Tentative Ruling:

Tentative for 5/25/16:

The Court has received and reviewed the status report filed 5/13/16 [Dk. 31] and will CONTINUE this matter to 8/17/16 at 10:00 a.m. A status report (whether joint or unilateral) is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Osseous Technologies of America

Represented By
Robert P Goe

Defendant(s):

Bank of America, N.A.

Represented By
Adam N Barasch

Plaintiff(s):

Richard A. Marshack

Represented By
David Wood

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room

5C

10:00 AM

CONT... Osseous Technologies of America Inc

Chapter 7

Matthew Grimshaw

Trustee(s):

Richard A Marshack (TR)

Represented By
Matthew Grimshaw
D Edward Hays
David Wood
Anthony Bisconti

Richard A Marshack (TR)

Represented By
David Wood

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

10:00 AM

8:13-14500 Osseous Technologies of America Inc

Chapter 7

Adv#: 8:15-01349 Marshack v. Mascarenhas

#8.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance, Recovery, And Preservation Of Fraudulent Transfers [11 U.S.C. Sections 544, 548, 550, And 551; Cal. Civ. Code Sections 3439 et seq.]
(Complaint filed 8/21/15)]

FR: 11-5-15; 12-3-15; 1-13-16; 3-2-16; 3-9-16

Docket 1

Tentative Ruling:

Tentative for 5/25/16:

The Court has received and reviewed the status report filed 5/16/16 [Dk. 27] and will CONTINUE this matter to 8/17/16 at 10:00 a.m. A status report (whether joint or unilateral) is due 14 days in advance.

Appearances are excused.

Party Information

Debtor(s):

Osseous Technologies of America

Represented By
Robert P Goe

Defendant(s):

Eduardo Valiera Mascarenhas

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By
Sarah C Boone
D Edward Hays
Matthew Grimshaw

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

10:00 AM

CONT... Osseous Technologies of America Inc

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Represented By
Matthew Grimshaw
D Edward Hays
David Wood
Anthony Bisconti

Richard A Marshack (TR)

Represented By
Matthew Grimshaw

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

10:00 AM

8:13-14500 Osseous Technologies of America Inc

Chapter 7

Adv#: 8:15-01350 Marshack v. Russo, Jr.

#9.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance, Recovery, And Preservation Of Fraudulent Transfers [11 U.S.C. Sections 544, 548, 550, And 551; Cal. Civ. Code Sections 3439 et seq.]
(Complaint filed 8/21/15)]

FR: 11-5-15; 12-3-15; 1-13-16; 3-2-16; 3-9-16; 4-6-16

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING
STIPULATION FOR DISMISSAL OF ADVERSARY PROCEEDING
ENTERED 5-17-16 - [Docket No. 29**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Osseous Technologies of America

Represented By
Robert P Goe

Defendant(s):

Peter A. Russo Jr.

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By
Sarah C Boone
D Edward Hays
Matthew Grimshaw
David Wood

Trustee(s):

Richard A Marshack (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room

5C

10:00 AM

CONT... Osseous Technologies of America Inc

Chapter 7

Matthew Grimshaw
D Edward Hays
David Wood
Anthony Bisconti

Richard A Marshack (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

10:00 AM

8:13-14500 Osseous Technologies of America Inc

Chapter 7

Adv#: 8:15-01351 Marshack v. Barnett, DDS

#10.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance, Recovery, And Preservation Of Fraudulent Transfers [11 U.S.C. Sections 544, 548, 550, And 551; Cal. Civ. Code Sections 3439 et seq.] (Complaint filed 8/21/15) (Alias Summons issued 10/30/15)

FR: 11-5-15; 1-14-16; 3-9-16; 4-27-16

Docket 1

Tentative Ruling:

Tentative for 5/25/16:

The Court has received and reviewed the unilateral status report filed 5/19/16 [Dk. 21]. The Court will CONTINUE this matter to 7/20/16 at 11:00 a.m. A status report (whether unilateral or joint) is due 14 days in advance.

Appearances are excused

Tentative for 4/27/16:

The Court has received and reviewed the unilateral status report filed 4/20/16 [Dk. 19] wherein Plaintiff requests a continuance of 30 days. The Court will CONTINUE this matter to 5/25/16 at 10:00 a.m.

Appearances are excused

Tentative for 3/09/16:

The Court has received and reviewed the unilateral status report [Dk. 17] filed on 2/25/16 in which Plaintiff requests a 60 day continuance. Accordingly, the

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

10:00 AM

CONT... Osseous Technologies of America Inc Chapter 7

Court will CONTINUE this matter to April 27, 2016 at 10:00 a.m. A status report is due 14 days in advance.

Appearances at 3/09/2016 hearing are excused.

Tentative for 1/14/2016:

The Court has received and reviewed the unilateral status report [Dk. 15] filed on 1/7/2016 in which Plaintiff asks for a 30 day continuance. Accordingly, the Court will CONTINUE this matter to 3/9/2016 at 10:00 a.m. A status report is due 14 days in advance.

Appearances at 1/14/2016 hearing are excused.

Party Information

Debtor(s):

Osseous Technologies of America

Represented By
Robert P Goe

Defendant(s):

Dr. Baron Barnett, DDS

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By
Sarah C Boone
D Edward Hays
David Wood
Matthew Grimshaw

Trustee(s):

Richard A Marshack (TR)

Represented By
Matthew Grimshaw
D Edward Hays
David Wood
Anthony Bisconti

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

10:00 AM

CONT... Osseous Technologies of America Inc

Chapter 7

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

10:00 AM

8:14-16755 Sean Michael Edwards

Chapter 7

Adv#: 8:15-01450 Golden v. Edwards

#11.00

CONT'D STATUS CONFERENCE Hearing RE: Trustee's Complaint To Avoid
And Recover Fraudulent Transfers
(Complaint filed 11/18/15)

FR: 2-10-16, 4-6-15

Docket 1

Tentative Ruling:

Tentative for 5/25/16 is to set the following dates and deadlines:

1. Discovery cutoff: 10/15/16. This includes the date by which all discovery-related motions must be heard and resolved.
2. Motions cutoff: 11/23/16. This includes the date by which all non-discovery-related motions must be heard and resolved.
3. Pretrial conference: 12/14/16, at 10:00 a.m. in Courtroom 5C, 411 West Fourth Street, Santa Ana, CA 92701.

Failure to comply precisely with all applicable federal and local rules may result in monetary or non-monetary sanctions, including striking the answer or dismissing the complaint.

Movant to lodge an order within seven (7) days.

Tentative for 3/09/16:

The Court has received and reviewed the status report filed 3/2/16 [Dk. 12] and will CONTINUE this matter to June 29, 2016 at 10:00 a.m. A status report (whether it is unilateral or joint) is due 14 days in advance.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

10:00 AM

CONT... Sean Michael Edwards
Appearances are excused.

Chapter 7

Tentative for 1/13/16:

The Court has received and reviewed the unilateral status report filed 1/06/16 [Dk. 7] and will CONTINUE this matter to March 9, 2016 at 10:00 a.m. A status report is due 14 days in advance.

Party Information

Debtor(s):

Sean Michael Edwards

Represented By
Michael A Wallin

Defendant(s):

Kammi D. Edwards

Pro Se

Mediator(s):

Vincent M. Coscino

Represented By
Vincent M Coscino

Plaintiff(s):

Jeffrey I. Golden

Represented By
Michael G D'Alba

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Eric P Israel
Michael G D'Alba

Jeffrey I Golden (TR)

Represented By
Michael G D'Alba

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

10:00 AM

8:13-17965 Brent Roy Sepulveda

Chapter 7

Adv#: 8:14-01003 Adams, Jr. v. Sepulveda

#11.10

CONT'D TRIAL RE: First Amended Complaint Of George Adams, Jr. To Determine Non-Dischargeability Of Debt Pursuant To 11 U.S.C. Section 523 (Complaint filed 1/3/14) (PTC set for S/C held 4/3/14) (First Amended Complaint filed 4/22/14) (Trial set at PTC held 10/15/15)
[Holding Date for issuance of Judgment]

FR: 4-3-14; 7-31-14; 11-20-14, 4-2-15; 5-21-15; 6-15-15; 7-2-15; 8-13-15; 8-20-15; 10-15-15; 2-23-16; 5-11-16

Docket 1

Tentative Ruling:

Tentative for 5/25/2016:

Personal appearances by counsel are required. The Court observes that evidence is closed. Please read the below carefully and be prepared for the hearing.

Observations Regarding Damages

The Court has the following observations:

On February 16, 2016, Plaintiff made the following request regarding damages in his trial brief [Adv. Dk. 174] ("Plaintiff's Trial Brief"):

Plaintiff respectfully requests this Court to deem Defendant's debt to Plaintiff non-dischargeable in an amount not less than **\$683,467.53** (comprised of: (1) \$195,199.91 Arriola Lawsuit costs of defense; (2) \$18,401.81 Arriola Lawsuit defense consultant fees; (3) \$370,116.55 Arriola Judgment; (4) \$94,993.43 for fees and costs associated with the [State Court] Action; and (5) no less than \$150,000.00 in fees incurred in

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

10:00 AM

CONT...

Brent Roy Sepulveda

Chapter 7

connection with the adversary action), plus prejudgment interest and attorney fees incurred through trial. Plaintiff's Trial Brief, page 35, lines 10-16 (emphasis added).

The Court is confused as to how the Plaintiff arrived at the figure of \$683,467.53, when the amounts listed by the Plaintiff add up to **\$828,711.70**. Specifically, using the numbers provided by the Plaintiff in his Trial Brief, the Court arrived at the following calculations:

\$195,199.91 (Arriola Lawsuit costs of defense)
+ \$18,401.81 (Arriola Lawsuit consultant fees)
+ \$370,116.55 (Arriola Judgment)
+ \$94,993.43 (State Court Action fees and costs)
+ \$150,000.00 (Estimated Adversary fees and costs)
= \$828,711.70

On April 22, 2016, Plaintiff filed a closing brief [Adv. Dk. 195] ("Plaintiff's Closing Brief"), making the following **amended** request regarding damages:

Plaintiff respectfully requests this Court to deem Defendant's debt to Plaintiff non-dischargeable in an amount not less than **\$532,467.53** (actual amount to be subject to proof pursuant to stipulation (dk. #172), plus prejudgment interest and attorney fees incurred through trial). Plaintiff's Closing Brief, page 35, lines 15-18 (emphasis added).

Elsewhere in the Plaintiff's Closing Brief, the Plaintiff explains that the Plaintiff has already collected certain amounts from the Defendant:

Plaintiff's total damages he seeks through this action is no less than \$532,467.53 (comprised of: (1) \$195,199.91 Arriola Lawsuit costs of defense; (2) \$18,401.81 Arriola Lawsuit defense consultant fees; (3) \$370,116.55 Arriola Judgment; (4) \$94,993.43 for fees and costs associated with the Action; (5) no less than \$150,000.00 in fees incurred in connection with the adversary action (actual amount to be subject to proof pursuant to stipulation (dk. #172), and **subtracting the \$151,000 already**

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

10:00 AM

CONT...

Brent Roy Sepulveda
collected by Plaintiff. Plaintiff's Closing Brief, page 31, lines
4-10 (emphasis added).

Chapter 7

The Court is unclear about what damages the Plaintiff is seeking. The Court will require the Plaintiff to provide a clear explanation as to what damage components are sought, the legal basis for those damages, and a citation to the record for evidence supporting each damages component. Specifically:

1. What is the total amount of damages the Plaintiff is seeking? (Exclude, for the moment, any attorneys' fees related to the adversary proceeding.)
2. What is the basis in the record for these damages? (Identify precise citations to evidence in the record.)
3. Is there more than one component of damages (*i.e.*, fees and costs arising from the Arriola Lawsuit plus fees and costs arising from the Kofdarali Lawsuit)?

Briefing Regarding Attorneys' Fees

With respect to the issue of attorneys' fees related to this adversary proceeding, the Court will allow the Plaintiff to submit (in accordance with the Parties' stipulation [Adv. Dk. 172]) proof of fees incurred by the Plaintiffs, along with legal analysis to support the Plaintiff's entitlement to such fees. The Plaintiff's briefs and billing records will be due on or before June 8, 2016, with appropriate chambers copies delivered by 4:00 p.m. Responses, if any, by the Defendant are due by June 15, 2016, with appropriate chambers copies delivered by 4:00 p.m.

Once all briefing has been completed, the Court will issue its decision without further hearing.

Tentative for 5/11/2016 is to CONTINUE this matter to 5/25/2016 at 10:00 a.m.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

10:00 AM

CONT... Brent Roy Sepulveda
Appearances are excused.

Chapter 7

Tentative for 2/23/2016:

None listed.

Tentative for 10/15/15:

The Court has reviewed the proposed joint pretrial stipulation filed 10/01/15 [Dk. 125] which is unsigned by the Defendant. The Court has also reviewed the Declaration of Plaintiff's counsel filed 10/1/15 [Dk. 126] with respect to non-cooperation by the Defendant and his counsel. Pursuant to the Order of this Court entered 8/24/15 [Dk. 122], the Court is inclined to strike the answer of the Defendant and instruct the Clerk to enter default against the Defendant. The Court is further inclined to set a default judgment prove-up hearing in December.

Finally, the Court is inclined to sanction Defendant's counsel, Mr. Samini, \$500.00 for non-cooperation and violation of the local bankruptcy rules regarding preparation of joint pretrial stipulations.

Tentative for 8/20/2015 is to CONTINUE to 10/15/2015 at 10:00 a.m.

The parties are required to prepare and submit a joint pretrial stipulation in accordance with LBR 7016-1. The joint pretrial stipulation will be drafted in accordance with the local rules without exception. The Court observes that the unilateral pretrial stipulation (which by its very nature is not a stipulation) contains conclusions of law within the undisputed facts section. This is, of course, inappropriate and should be remedied.

If the parties do not comply strictly with all local rules pertinent to development and filing of a joint pretrial stipulation, there will be monetary and non-monetary sanctions issued. Indeed, if Defendant fails to participate fully, the Court may strike the answer and enter default. Failure by Plaintiff to

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

10:00 AM

CONT... Brent Roy Sepulveda

Chapter 7

comply strictly with all local and federal rules may result in a dismissal with prejudice of the complaint.

This hearing is VACATED, and appearances are excused. Plaintiff is to lodge/upload an order providing for the foregoing.

Tentative for 4/3/14 is to set the following dates/deadlines:

1. Discovery cutoff date: July 31, 2014. Note: this date includes the date by which all discovery motions must be heard and resolved.
2. Motion cutoff date: August 31, 2014. Note: this date includes the date by which all non-discovery motions must be heard and resolved.
3. Pretrial: October 2, 2014 at 10:00 a.m.

Plaintiff is to lodge a scheduling order within seven (7) days.

Tentative for 4/3/14 is to set the following dates/deadlines:

1. Discovery cutoff date: July 31, 2014. Note: this date includes the date by which all discovery motions must be heard and resolved.
2. Motion cutoff date: August 31, 2014. Note: this date includes the date by which all non-discovery motions must be heard and resolved.
3. Pretrial: October 2, 2014 at 10:00 a.m.

Plaintiff is to lodge a scheduling order within seven (7) days.

Party Information

Debtor(s):

Brent Roy Sepulveda

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room

5C

10:00 AM

CONT... **Brent Roy Sepulveda**

Bruce C Bridgman

Chapter 7

Defendant(s):

Brent Roy Sepulveda

Represented By
Babak Samini

Plaintiff(s):

George Adams Jr.

Represented By
James C Bastian Jr
Melissa Davis Lowe
Ryan D ODea

Trustee(s):

Thomas H Casey (TR)

Pro Se

Thomas H Casey (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar

Wednesday, May 25, 2016

Hearing Room 5C

11:00 AM

8:13-12153 DRI Companies

Chapter 7

Adv#: 8:15-01407 Marshack v. Roofline, Inc.

#12.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For Avoidance,
Recovery, And Preservation Of Preferential Transfers
[11 U.S.C. Sections 544, 547, 550, And 551]
(Complaint filed 10/26/15) (Alias Summons issued 10/28/15)
PTC set at S/C held 1/13/16)

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER DISMISSING
ADVERSARY PROCEEDING ENTERED 4-4-16 - [Docket No. 12]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

DRI Companies

Represented By
Todd C. Ringstad
Christopher Minier
Brian R Nelson

Defendant(s):

Roofline, Inc.

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By
Chad V Haes
Judith E Marshack

Trustee(s):

Richard A Marshack (TR)

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room

5C

11:00 AM

CONT... DRI Companies

Chapter 7

D Edward Hays
Chad V Haes

Richard A Marshack (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar

Wednesday, May 25, 2016

Hearing Room 5C

11:00 AM

8:13-14494 William K Knox

Chapter 7

#13.00

Hearing RE: Motion For Order Extending Deadline For Filing An Adversary Complaint Pursuant To 11 U.S.C. Section 727 And F.R.B.P. Rule 4004(b)(2) (Motion filed 4/19/16)

Docket 346

*** VACATED *** REASON: CONTINUED TO JUNE 29, 2016 AT 11:00 A.M., PER STIPULATION AND ORDER ENTERED 5-9-16 - [Docket No. 12]

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

William K Knox

Represented By
Robert P Goe

Movant(s):

United States Trustee (SA)

Represented By
Frank Cadigan

Trustee(s):

Richard A Marshack (TR)

Represented By
David Wood
Matthew Grimshaw
D Edward Hays

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

11:00 AM

8:16-10754 Isabella Suji Kang

Chapter 7

#15.00

Hearing RE: Motion For Redemption Of 2013 Mercedes-Benz E Class,
Financed Through US Bank Under 11 U.S.C. 722
(Motion filed 4/20/16)

Docket 12

Tentative Ruling:

Tentative for 5/25/16 is to DENY:

Debtor seeks to redeem a 2013 Mercedes-Benz pursuant to §722, which provides:

An individual debtor may, whether or not the debtor has waived the right to redeem under this section, redeem tangible personal property intended primarily for personal, family, or household use, from a lien securing a dischargeable consumer debt, if such property is exempted under section 522 of this title or has been abandoned under section 554 of this title, by paying the holder of such lien the amount of the allowed secured claim of such holder that is secured by such lien in full at the time of redemption.

A prerequisite to redemption is an exemption or abandonment. Notwithstanding her declaration in which she states that her "interest is fully exempt or has been abandoned by the estate" (Dk. 12, Decl. ¶15), Debtor did not exempt the vehicle and it has not been abandoned pursuant to §554.

Party Information

Debtor(s):

Isabella Suji Kang

Represented By
Sanaz S Bereliani

Movant(s):

Isabella Suji Kang

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room

5C

11:00 AM

CONT... Isabella Suji Kang

Sanaz S Bereliani

Chapter 7

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

11:00 AM

8:16-10911 Reynaldo Garcia

Chapter 7

#16.00

Hearing RE: Motion For Denial Of Discharge Pursuant To 11 U.S.C. Section 727(A)(8)
(Motion filed 4/25/16)

Docket 15

***** VACATED *** REASON: OFF CALENDAR - ORDER and notice of dismissal for failure to appear at 341(a) meeting ENTERED 5-12-16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Reynaldo Garcia

Pro Se

Movant(s):

United States Trustee (SA)

Represented By
Frank Cadigan

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

11:00 AM

8:16-10738 PCA Aerostructures Company

Chapter 7

#16.10

Hearing RE: First Interim Application For Allowance And Reimbursement Of Expenses For The Period From March 9, 2016 Through May 3, 2016 (Application filed 5/4/16)

[RE: LOBEL WEILAND GOLDEN FRIEDMAN, LLP - Counsel For The Trustee]

[Fees: \$15,375.00; Expenses: \$195.92]

Docket 73

Tentative Ruling:

Tentative for 5/25/16 is to APPROVE.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Movant will be so notified.

Movant to lodge an order within seven (7) days.

Party Information

Debtor(s):

PCA Aerostructures Company

Represented By
Mark S Horoupian

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Christopher J Green
Reem J Bello

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar

Wednesday, May 25, 2016

Hearing Room 5C

1:30 PM

8:15-10721 American Spectrum Realty Inc., a Maryland Corporat

Chapter 11

#17.00

CONT'D Hearing RE: Debtor's Motion For Order Disallowing Claim:
(Motion filed 3/1/16)

Claim No. 89 JPMCC 2006-LDP7 Office 2401, LLC \$664,703.93

FR: 3-31-16; 4-28-16

Docket 408

*** VACATED *** REASON: OFF CALENDAR - PER ORDER
APPROVING STIPULATION ENTERED 5-12-16 - [Docket No. 852]

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

American Spectrum Realty Inc., a

Represented By
Robert E Opera
Peter W Lianides
Jeannie Kim
Andrew B Levin
Amelia Puertas-Samara

Movant(s):

American Spectrum Realty Inc., a

Represented By
Robert E Opera
Peter W Lianides
Jeannie Kim
Andrew B Levin
Amelia Puertas-Samara

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

1:30 PM

8:15-13153 Local Corporation, a Delaware corporation

Chapter 11

#18.00

CONT'D Hearing RE: Motion For Order Disallowing In Part The Claim Of U.S. Bank National Association, As Trustee In Respect Of Series A Notes (Motion filed 2/1/16)

Claim No. 42	U.S. Bank National Association	\$5,860,435.19
	As Trustee In Respect Of Series A Notes	

FR: 3-10-16; 4-7-16; 4-28-16

Docket 338

***** VACATED *** REASON: CONTINUED TO JULY 7, 2016 AT 11:00 A.M., PER STIPULATION AND ORDER ENTERED 5-9-16 [Docket No. 495]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Local Corporation, a Delaware

Represented By

Marc J Winthrop
Garrick A Hollander
Jeannie Kim
Peter W Lianides
Andrew B Levin
Amelia Puertas-Samara

Movant(s):

Local Corporation, a Delaware

Represented By

Marc J Winthrop
Garrick A Hollander
Jeannie Kim
Peter W Lianides
Andrew B Levin

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

1:30 PM

CONT... Local Corporation, a Delaware corporation

Chapter 11

Amelia Puertas-Samara

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room 5C

1:30 PM

8:15-13153 Local Corporation, a Delaware corporation

Chapter 11

#19.00

CONT'D Hearing RE: Motion For Order Disallowing In Part The Claim Of U.S. Bank National Association, As Trustee In Respect Of Series B Notes (Motion filed 2/1/16)

Claim No. 43	U.S. Bank National Association	\$4,910,312.36
	As Trustee In Respect Of Series B Notes	

FR: 3-10-16; 4-7-16; 4-28-16

Docket 340

***** VACATED *** REASON: CONTINUED TO JULY 7, 2016 AT 11:00 A.M., PER STIPULATION AND ORDER ENTERED 5-9-16 - [Docket No. 495]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Local Corporation, a Delaware

Represented By

Marc J Winthrop
Garrick A Hollander
Jeannie Kim
Peter W Lianides
Andrew B Levin
Amelia Puertas-Samara

Movant(s):

Local Corporation, a Delaware

Represented By

Marc J Winthrop
Garrick A Hollander
Jeannie Kim
Peter W Lianides
Andrew B Levin

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Scott Clarkson, Presiding
Courtroom 5C Calendar**

Wednesday, May 25, 2016

Hearing Room

5C

1:30 PM

CONT... Local Corporation, a Delaware corporation

Chapter 11

Amelia Puertas-Samara