

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Scott Clarkson, Presiding  
Courtroom 126 Calendar**

Wednesday, November 02, 2016

Hearing Room 126

10:00 AM

**6:16-15017 Ignacio Ramirez and Gloria Ramirez**

**Chapter 7**

**#1.00**

Hrg. on approval of Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation, in the amount of \$15,953.44

Re: 2013 Toyota Camry

Docket 11

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Ignacio Ramirez

Represented By  
Roberto Gil

**Joint Debtor(s):**

Gloria Ramirez

Represented By  
Roberto Gil

**Trustee(s):**

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Scott Clarkson, Presiding  
Courtroom 126 Calendar**

Wednesday, November 02, 2016

Hearing Room 126

10:00 AM

**6:16-15017 Ignacio Ramirez and Gloria Ramirez**

**Chapter 7**

**#2.00**

Hrg. on approval of Reaffirmation Agreement between Debtor and Toyota Motor Credit Corporation, in the amount of \$13,243.65

re: 2012 Toyota Corolla

Docket 13

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Ignacio Ramirez

Represented By  
Roberto Gil

**Joint Debtor(s):**

Gloria Ramirez

Represented By  
Roberto Gil

**Trustee(s):**

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
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Courtroom 126 Calendar**

**Wednesday, November 02, 2016**

**Hearing Room 126**

10:00 AM

**6:16-16494 Juan Carlos Loli**

**Chapter 7**

**#3.00**

Hrg. on approval of Reaffirmation Agreement Between Debtor and Santander Consumer USA Inc., in the amount of \$14,779.05

Re: 2015 Nissan Sentra

Docket 8

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Juan Carlos Loli

Pro Se

**Trustee(s):**

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Scott Clarkson, Presiding  
Courtroom 126 Calendar**

Wednesday, November 02, 2016

Hearing Room 126

10:00 AM

**6:16-16793 Rachel S Martin**

**Chapter 7**

**#4.00**

Hrg. on Approval of Reaffirmation Agreement filed 9/7/16 etween Debtor and Toyota Motor Credit Corporation in the amount of \$18,846.15

Re: 2016 Toyota Corolla

Docket 10

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

Rachel S Martin

Represented By  
Daniel King

**Trustee(s):**

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Scott Clarkson, Presiding  
Courtroom 126 Calendar**

**Wednesday, November 02, 2016**

**Hearing Room 126**

10:00 AM

**6:16-17320 MARTHA GAIL HERNANDEZ**

**Chapter 7**

**#5.00**

Hrg. on approval of Reaffirmation Agreement filed 9/8/16 Between Debtor and Alaska USA Federal Credit Union, in the amoun of \$25,968.23

Re: 2013 Chevy Tahoe

Docket 7

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

MARTHA GAIL HERNANDEZ Pro Se

**Trustee(s):**

Larry D Simons (TR) Pro Se

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Scott Clarkson, Presiding  
Courtroom 126 Calendar**

**Wednesday, November 02, 2016**

**Hearing Room 126**

1:30 PM

**6:14-19919 Pradeep Singh**

**Chapter 7**

Adv#: 6:14-01304 Taylor v. Singh et al

**#8.00**

Hrg. on Plaintiff's Motion filed 10/12/16 to withdraw deemed admissions pursuant to Federal Rule of Civil Procedure 36 and Federal Rule of Bankruptcy Procedure 7016 and 7036

EH\_\_\_\_\_

Docket 74

**Tentative Ruling:**

Tentative for 11/2/16:

The Court notes the unusual history of this case and also notes that no trial date has been set. As this Court favors resolution of matters on their merits, and any perceived prejudice to Defendant can be eliminated by extending the discovery cutoff date as to matters pertaining to the requests for admissions, the Court is inclined to GRANT the motion and modify the scheduling order entered 4/12/16 [Dk. 56].

The Court proposes the following modifications, but will consider argument from the parties regarding the dates:

The discovery cutoff date, for matters relating to the requests for admissions, is extended to January 13, 2017.

The motions cutoff date is extended to March 7, 2017, which will also be the date of the continued status conference.

Appearances required.

<b>Party Information</b>
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**Debtor(s):**

Pradeep Singh

Represented By  
M Wayne Tucker

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Scott Clarkson, Presiding  
Courtroom 126 Calendar**

**Wednesday, November 02, 2016**

**Hearing Room 126**

1:30 PM

**CONT... Pradeep Singh**

**Chapter 7**

**Defendant(s):**

Pradeep Singh

Represented By  
M Wayne Tucker

Rindi P Singh

Represented By  
Solomon A Cheifer  
M Wayne Tucker

**Joint Debtor(s):**

Rindi P Singh

Represented By  
M Wayne Tucker  
Solomon A Cheifer

**Plaintiff(s):**

Carole Taylor

Represented By  
Elliott R Speiser

**Trustee(s):**

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Scott Clarkson, Presiding  
Courtroom 126 Calendar**

Wednesday, November 02, 2016

Hearing Room 126

1:30 PM

**6:15-17538 Francisco Xavier Castellanos**

**Chapter 7**

Adv#: 6:16-01004 Simons v. Castellanos et al

**#9.00**

Hrg. on Defendant's Motion filed 9/30/16 for Relief from Defendant's Late-submitted Response to Request for Admissions

EH\_\_\_\_\_

Docket 0

**Tentative Ruling:**

Tentative for 11/2/16 is to GRANT.

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.

<b>Party Information</b>
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**Debtor(s):**

Francisco Xavier Castellanos

Represented By  
James Geoffrey Beirne

**Defendant(s):**

Rufilo Castellanos

Pro Se

Irma N Castellanos

Represented By  
Michael Jay Berger

**Plaintiff(s):**

Larry D Simons

Represented By  
Frank X Ruggier

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Scott Clarkson, Presiding  
Courtroom 126 Calendar**

**Wednesday, November 02, 2016**

**Hearing Room 126**

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1:30 PM

**CONT... Francisco Xavier Castellanos**

**Chapter 7**

**Trustee(s):**

Larry D Simons (TR)

Represented By  
Frank X Ruggier

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Scott Clarkson, Presiding  
Courtroom 126 Calendar**

**Wednesday, November 02, 2016**

**Hearing Room 126**

1:30 PM

**6:15-18066 Kenneth Edward Hartman**

**Chapter 7**

Adv#: 6:16-01124 Candelmo v. Hartman

**#10.00**

Hrg. on Plaintiff's Motion filed 10/3/16 to Compel Production of Documents/Comply with Subpoena

EH\_\_\_\_\_

Docket 32

**Tentative Ruling:**

Tentative for 11/2/2016 is to DENY without prejudice:

This action arises under § 727 of the Bankruptcy Code. Federal Rule of Evidence 502 provides specific rules governing the attorney-client privilege, including intentional and inadvertent disclosure. See Fed. R. Evid 502(b). Movant has provided insufficient analysis under this federal rule. Rather, Movant merely provides conclusory statements that the emails were "voluntary and intentional" and that they concern the same "subject matter" set forth in the subpoena. California law is cited throughout the motion, but it is not applicable.

Plaintiff has not met his burden in establishing an intentional waiver by Defendant, which is required under applicable federal law. Further, Plaintiff has not met his burden in establishing the applicability of the crime-fraud exception. The emails at issue do not equate to a "smoking gun" and are just as easily subject to an interpretation other than that proposed by Plaintiff.

Appearances required.

<b>Party Information</b>
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**Debtor(s):**

Kenneth Edward Hartman

Pro Se

**Defendant(s):**

James Hartman

Represented By

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Scott Clarkson, Presiding  
Courtroom 126 Calendar**

**Wednesday, November 02, 2016**

**Hearing Room 126**

1:30 PM

**CONT... Kenneth Edward Hartman**

William J Smyth

**Chapter 7**

**Plaintiff(s):**

James Candelmo

Represented By  
David Brian Lally

**Trustee(s):**

John P Pringle (TR)

Represented By  
Toan B Chung

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Scott Clarkson, Presiding  
Courtroom 126 Calendar**

Wednesday, November 02, 2016

Hearing Room 126

1:30 PM

**6:15-18964 Stacie June Thomas**

**Chapter 7**

Adv#: 6:16-01045 Frazer v. Hazelwood et al

**#11.00**

PRE-TRIAL CONFERENCE re: Complaint by Helen Ryan Frazer against Richard Hazelwood, Judith Hazelwood for fraudulent transfer and preference. EH\_\_\_\_\_

Docket 1

**\*\*\* VACATED \*\*\* REASON: Case dismissed 10/27/16**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Stacie June Thomas

Represented By  
Keith S Knochel

**Defendant(s):**

Richard Hazelwood

Pro Se

Judith Hazelwood

Pro Se

**Plaintiff(s):**

Helen Ryan Frazer

Pro Se

**Trustee(s):**

Helen R. Frazer (TR)

Pro Se

Helen R. Frazer (TR)

Pro Se

**U.S. Trustee(s):**

United States Trustee (RS)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Scott Clarkson, Presiding  
Courtroom 126 Calendar**

Wednesday, November 02, 2016

Hearing Room 126

1:30 PM

**6:16-13897 David Ari Goldberg**

**Chapter 7**

Adv#: 6:16-01203 American Express Bank, FSB v. Goldberg

**#12.00**

STATUS CONFERENCE Re: complaint objecting to the dischargeability of debt under 11 U.S.C. §§ 523(a)(14)

EH\_\_\_\_\_

Docket 1

**\*\*\* VACATED \*\*\* REASON: Judgment entered 9/22/16 - jc**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

David Ari Goldberg

Represented By  
H. Christopher Heritage

**Defendant(s):**

David Ari Goldberg

Pro Se

**Plaintiff(s):**

American Express Bank, FSB

Represented By  
Robert S Lampl

**Trustee(s):**

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Scott Clarkson, Presiding  
Courtroom 126 Calendar**

**Wednesday, November 02, 2016**

**Hearing Room 126**

1:30 PM

**6:16-14012 Jerry Edward Awberry**  
Adv#: 6:16-01204      Horn v. Awberry

**Chapter 7**

**#13.00**

STATUS CONFERENCE Re: complaint to determine dischargeability under 11 U.S.C. § 523(a)(6)

EH\_\_\_\_\_

Docket      1

**Tentative Ruling:**

Tentative for 11/2/16 is to set the following dates/deadlines:

1.      Discovery cutoff: 4/28/17. Note: this date includes the date by which all discovery motions must be heard and resolved.
  
2.      Motion cutoff: 5/31/17. Note: this date includes the date by which all non-discovery motions must be heard and resolved.
  
3.      Pretrial: 6/14/17 at 1:30 p.m.

The parties are specifically advised to follow all applicable local and federal rules. The failure to do so may result in the imposition of monetary and/or non-monetary sanctions, including the dismissal of the action or the striking of the answer.

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

Appearances required.

<b>Party Information</b>
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**Debtor(s):**

Jerry Edward Awberry

Represented By  
Jenny L Doling

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Scott Clarkson, Presiding  
Courtroom 126 Calendar**

**Wednesday, November 02, 2016**

**Hearing Room 126**

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1:30 PM

**CONT... Jerry Edward Awberry**

**Chapter 7**

**Defendant(s):**

Jerry Edward Awberry

Pro Se

**Plaintiff(s):**

Harrison H Horn

Represented By  
Douglas A Plazak

**Trustee(s):**

Charles W Daff (TR)

Pro Se

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

Wednesday, November 02, 2016

Hearing Room 5C

11:00 AM

8:14-16839 Lakhwinder Singh

Chapter 7

#6.00

Hearing RE: Chapter 7 Trustee's Final Report And Application For  
Compensation And Reimbursement Of Expenses  
(Final Report filed 9/29/16)

**[RE: JEFFREY I. GOLDEN - Chapter 7 Trustee]  
[Fees: \$750.00; Expenses: \$91.90]**

Docket 31

**Tentative Ruling:**

Tentative for 11/2/16 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee 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 Trustee will be so notified.

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

<b>Party Information</b>
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**Debtor(s):**

Lakhwinder Singh

Represented By  
Rajiv Jain

**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, November 02, 2016

Hearing Room 5C

11:00 AM

**8:16-10619 Miguel Lavie and Elsa Lavie**

**Chapter 7**

**#7.00**

Hearing RE: Motion For Order Reopening Chapter 7 Case And Temporarily Vacating Discharge In Order To File Reaffirmation Agreement (Motion filed 10/7/16)

Docket 16

**Tentative Ruling:**

Tentative for 11/2/2016 is to DENY.

The motion seeks an order reopening the case and vacating the discharge to allow a reaffirmation agreement to be filed. However, a motion to reopen **may not be coupled with a request for any other relief other than reopening the case.** See LBR 5010-1(b)(1) ("A request for any relief other than the reopening of a case, including relief based upon the grounds for reopening the case, must be made in a separate motion or adversary proceeding, which may be filed concurrently with the motion to reopen.").

**Party Information**

**Debtor(s):**

Miguel Lavie

Represented By  
Brian J Soo-Hoo

**Joint Debtor(s):**

Elsa Lavie

Represented By  
Brian J Soo-Hoo

**Trustee(s):**

Thomas H Casey (TR)

Pro Se