

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

8:30 AM

2:11-34740 Miles LaBrie Nelson, Sr.

Chapter 13

#1.10 Hrg re debtor's motion to avoid junior
lien on principal residence

creditor: Mercury Insurance Company

Docket No: 131

Tentative Ruling:

10/20/16

Appearances required.

Party Information

Debtor(s):

Miles LaBrie Nelson Sr.

Represented By

Matthew D Resnik
Matthew D Resnik
Matthew D Resnik
S Renee Sawyer Blume
S Renee Sawyer Blume
S Renee Sawyer Blume

Movant(s):

Miles LaBrie Nelson Sr.

Represented By

Matthew D Resnik
Matthew D Resnik
Matthew D Resnik
S Renee Sawyer Blume
S Renee Sawyer Blume
S Renee Sawyer Blume

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

8:30 AM

2:15-25922 Jimmie L. Wilson

Chapter 13

#2.10 Hrg re debtor's motion to avoid junior
lien on principal residence

creditor: Virginia Estates HOA

Docket No: 44

Tentative Ruling:

10/20/16

Appearances required.

Party Information

Debtor(s):

Jimmie L. Wilson

Represented By
James D. Hornbuckle

Movant(s):

Jimmie L. Wilson

Represented By
James D. Hornbuckle

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

8:30 AM

2:16-13861 Salvador Mojica and Bernarda A. Mojica

Chapter 13

#3.10 Hrg re debtor's motion to avoid junior
lien on principal residence

creditor: Real Time Resolution, Inc.

Docket No: 30

Tentative Ruling:

10/20/16

The debtors' motion is granted. The claim of the junior lienholder is to be treated as an unsecured claim and to be paid through the plan pro rata with all other unsecured claims. The beneficiary of the trust deed encumbered by the junior lien will retain its lien against the subject property to the extent recognized by applicable nonbankruptcy law unless and until the debtors fully perform under the chapter 13 plan or the debtors receive a discharge pursuant to 11 U.S.C. §1328. Upon the completion of all payments under the chapter 13 plan or upon entry of a discharge pursuant to 11 U.S.C. §1328 in this case, the junior lien arising from the deed of trust against the subject property will be void and will not constitute an encumbrance on the subject property.

Pursuant to LBR 9021-1(b)(1)(B), movant must serve and lodge a proposed order via LOU within 7 days of the hearing. Appearances waived.

Party Information

Debtor(s):

Salvador Mojica

Represented By

Rene Lopez De Arenosa Jr

Joint Debtor(s):

Bernarda A. Mojica

Represented By

Rene Lopez De Arenosa Jr

Movant(s):

Salvador Mojica

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

8:30 AM

CONT...

Salvador Mojica and Bernarda A. Mojica

Chapter 13

Rene Lopez De Arenosa Jr

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

8:30 AM

2:16-15456 Emmanuel O Agaranna

Chapter 13

#4.10 Hrg re debtor's amended motion to
avoid junior lien on principal residence

creditor: Bank of America

fr. 9-1-16

Docket No: 24

Tentative Ruling:

10/20/16

The debtor's motion is granted. The claim of the junior lienholder is to be treated as an unsecured claim and to be paid through the plan pro rata with all other unsecured claims. The beneficiary of the trust deed encumbered by the junior lien will retain its lien against the subject property to the extent recognized by applicable nonbankruptcy law unless and until the debtor fully performs under the chapter 13 plan or the debtor receives a discharge pursuant to 11 U.S.C. §1328. Upon the completion of all payments under the chapter 13 plan or upon entry of a discharge pursuant to 11 U.S.C. §1328 in this case, the junior lien arising from the deed of trust against the subject property will be void and will not constitute an encumbrance on the subject property.

Pursuant to LBR 9021-1(b)(1)(B), movant must serve and lodge a proposed order via LOU within 7 days of the hearing. Appearances waived.

9/1/16

The debtor's motion is deficient as follows:

(1) The motion does not attach a declaration of broker Marco Amato.

This matter shall be continued to 10/20/16 at 8:30 a.m. in order for the debtor to address the above deficiency. **Failure to address the deficiency at least 14 days before the continued hearing will result in a denial of the motion without prejudice.** Appearances waived.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

8:30 AM

CONT... Emmanuel O Agaranna

Chapter 13

Party Information

Debtor(s):

Emmanuel O Agaranna

Represented By
Dominic Afzali

Movant(s):

Emmanuel O Agaranna

Represented By
Dominic Afzali

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

8:30 AM

2:16-16297 Larry A Ehrlich

Chapter 13

#5.10 Hrg re debtor's motion to avoid junior
lien on principal residence

creditor: Department of Treasury - IRS

Docket No: 45

Tentative Ruling:

10/20/16

The debtor's motion is deficient as follows:

(1) The motion does not attach a copy of the appraisal prepared by appraiser Ben Horowitz.

(2) The motion and declaration of debtor refer to Exhibits A, B, C, D, E, F, G, H, J, and K but no such exhibits are attached.

This matter shall be continued to 11/17/16 at 8:30 a.m. in order for the debtor to address the above deficiencies. **Failure to address the deficiencies at least 21 days before the continued hearing will result in a denial of the motion without prejudice.** Appearances waived.

Party Information

Debtor(s):

Larry A Ehrlich

Represented By
Joshua L Sternberg

Movant(s):

Larry A Ehrlich

Represented By
Joshua L Sternberg

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

8:30 AM

2:16-18004 Jefflyn Charlene Dangerfield

Chapter 13

#6.10 Hrg re debtor's motion to avoid junior
lien on principal residence

creditor: S.B.S. Loan Services

Docket No: 19

Tentative Ruling:

10/20/16

The debtor's motion is deficient as follows:

(1) The motion does not attach a declaration of appraiser Mark Schweitzer.

This matter shall be continued to 11/17/16 at 8:30 a.m. in order for the debtor to address the above deficiency. **Failure to address the deficiency at least 21 days before the continued hearing will result in a denial of the motion without prejudice.** Appearances waived.

Party Information

Debtor(s):

Jefflyn Charlene Dangerfield

Represented By
Anthony Obehi Egbase
Crystle J Lindsey

Movant(s):

Jefflyn Charlene Dangerfield

Represented By
Anthony Obehi Egbase
Crystle J Lindsey

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

8:30 AM

2:16-18631 Mary Jane E Cosme

Chapter 13

#7.10 Hrg re debtor's motion to avoid junior
lien on principal residence

creditor: National City Bank

fr. 9-1-16

Docket No: 14

Tentative Ruling:

10/20/16

Appearances required.

9/1/16

Trojan Capital Investments, LLC (TCI) filed an opposition to the motion challenging the valuation of the subject property offered by the debtor and requesting an opportunity to obtain its own appraisal. TCI shall be permitted to submit an appraisal in support of its opposition. Any such appraisal must be filed and served (including a judge's copy) no later 9/29/16. Any response by the debtor must be filed and served (including a judge's copy) no later than 10/6/16. The hearing on the debtor's motion is continued to 10/20/16 at 8:30 a.m. Appearances waived.

Party Information

Debtor(s):

Mary Jane E Cosme

Represented By
Leon D Bayer
Leon D Bayer
Leon D Bayer

Movant(s):

Mary Jane E Cosme

Represented By
Leon D Bayer
Leon D Bayer

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

8:30 AM

CONT... Mary Jane E Cosme

Chapter 13

Leon D Bayer

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

8:30 AM

2:16-20698 Cesar Enrique Vega Cruz

Chapter 13

#8.10 Hrg re debtor's motion to avoid junior
lien on principal residence

creditor: Bank of America Home Loans N. A

Docket No: 13

Tentative Ruling:

10/20/16

Debtor's case was dismissed on 10/4/16. Appearances waived.

Party Information

Debtor(s):

Cesar Enrique Vega Cruz

Represented By
Sydell B Connor

Movant(s):

Cesar Enrique Vega Cruz

Represented By
Sydell B Connor

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

2:12-17241 Milagros Salazar Guelos

Chapter 13

#9.10 Hrg re motion to modify plan or
suspend plan payments

Docket No: 39

Tentative Ruling:

10/20/16

Appearances required.

Party Information

Debtor(s):

Milagros Salazar Guelos

Represented By
Todd J Roberts

Movant(s):

Milagros Salazar Guelos

Represented By
Todd J Roberts

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

2:12-40293 Josh Randall Reno and Tammy Joan Reno

Chapter 13

#10.10 Hrg re motion to modify plan or
suspend plan payments

fr. 8-4-16

Docket No: 56

Tentative Ruling:

10/20/16

Appearances required.

8/4/16

Appearances required.

Party Information

Debtor(s):

Josh Randall Reno

Represented By
G Marshall Hann

Joint Debtor(s):

Tammy Joan Reno

Represented By
G Marshall Hann

Movant(s):

Tammy Joan Reno

Represented By
G Marshall Hann

Josh Randall Reno

Represented By
G Marshall Hann

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

2:12-42522 Michael P Villareal

Chapter 13

#11.10 Hrg re motion to modify plan or
suspend plan payments

fr. 6-9-16, 8-4,

Docket No: 65

Tentative Ruling:

10/20/16

Appearances required.

8/4/16

Appearances required.

6/9/16

Appearances required.

Party Information

Debtor(s):

Michael P Villareal

Represented By
Gary Leibowitz

Movant(s):

Michael P Villareal

Represented By
Gary Leibowitz

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

2:12-49717 Manouchehr Samani Khalili

Chapter 13

#12.10 Hrg re motion to modify plan or
suspend plan payments

fr. 8-4-16

Docket No: 113

Tentative Ruling:

10/20/16

Appearances required.

8/4/16

Appearances required.

Party Information

Debtor(s):

Manouchehr Samani Khalili

Represented By
Todd J Roberts

Movant(s):

Manouchehr Samani Khalili

Represented By
Todd J Roberts

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

2:13-32776 Charles B Whittaker

Chapter 13

#13.10 Hrg re motion to modify plan or
suspend plan payments

Docket No: 103

Tentative Ruling:

10/20/16

Appearances required.

Party Information

Debtor(s):

Charles B Whittaker

Represented By
Todd J Roberts

Movant(s):

Charles B Whittaker

Represented By
Todd J Roberts

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

2:13-37258 Evangelina Narvaez

Chapter 13

#14.10 Hrg re motion to modify plan or suspend plan payments **ORD. ENT. 9/20/16 DISM. CASE**

fr. 7-7-16, 9-1,

Docket No: 56

Tentative Ruling:

9/1/16

Debtor's case was dismissed on 9/20/16. Appearances waived.

7/7/16

Appearances required.

Party Information

Debtor(s):

Evangelina Narvaez

Represented By
Sylvia Lew
David A Tilem

Movant(s):

Evangelina Narvaez

Represented By
Sylvia Lew
David A Tilem

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

2:13-37917 Paula Ramirez

Chapter 13

#15.10 Hrg re motion to modify plan or
suspend plan payments

Docket No: 49

Tentative Ruling:

10/20/16

Appearances required.

Party Information

Debtor(s):

Paula Ramirez

Represented By
Julie J Villalobos

Movant(s):

Paula Ramirez

Represented By
Julie J Villalobos
Julie J Villalobos

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

2:15-15434 Merle A. Lintz, Jr.

Chapter 13

#16.10 Hrg re motion to modify plan or
suspend plan payments

fr. 9-21-16

Docket No: 42

Tentative Ruling:

10/20/16

Appearances required.

9/21/16

Appearances required.

Party Information

Debtor(s):

Merle A. Lintz Jr.

Represented By
William J Smyth
Andrew Edward Smyth

Movant(s):

Merle A. Lintz Jr.

Represented By
William J Smyth
Andrew Edward Smyth

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

2:15-21208 Frances Evelin Medrano

Chapter 13

#17.10 Hrg re motion to modify plan or
suspend plan payments

Docket No: 26

Tentative Ruling:

10/20/16

Appearances required.

Party Information

Debtor(s):

Frances Evelin Medrano

Represented By
Danelle Lloyd

Movant(s):

Frances Evelin Medrano

Represented By
Danelle Lloyd
Danelle Lloyd

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

2:16-20617 Manuel Edmund Vela

Chapter 13

#18.10 Hrg re motion to vacate dismissal

Docket No: 19

Tentative Ruling:

10/20/16

Appearances required.

Party Information

Debtor(s):

Manuel Edmund Vela

Pro Se

Movant(s):

Manuel Edmund Vela

Pro Se

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

2:11-18201 Jose Angel Lopez and Lorenza Lopez

Chapter 13

#19.10 Hrg re motion for relief from
order dismissing case

Docket No: 77

Tentative Ruling:

10/20/16

Appearances required.

Party Information

Debtor(s):

Jose Angel Lopez

Represented By
Michael A Rivera

Joint Debtor(s):

Lorenza Lopez

Represented By
Michael A Rivera

Movant(s):

Lorenza Lopez

Represented By
Michael A Rivera

Jose Angel Lopez

Represented By
Michael A Rivera

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

2:10-43589 Linda Felicia Rice Bullock

Chapter 13

#20.10 Hrg re motion for: (1) an order reopening debtor's chapter 13 Case; and (2) an order to allow movant to file a complaint pursuant to 11 U.S.C. § 523(a)(3) (3) for nondischargeability of debt

Docket No: 138

Tentative Ruling:

10/20/16

Appearances required.

Party Information

Debtor(s):

Linda Felicia Rice Bullock

Represented By
Ali R Nader

Movant(s):

Roland Leroy Reese

Pro Se

Trustee(s):

Kathy A Dockery (TR)

Represented By
Kathy A Dockery (TR)

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

2:14-16064 Tariq Amin

Chapter 13

#21.10 Hrg re motion for authorization to enter
into loan modification agreement

Docket No: 61

Tentative Ruling:

10/20/16

Debtor's unopposed "Motion for Authorization to Enter Into Loan Modification Agreement" is GRANTED. The Court finds that entering into a loan modification agreement does not violate the automatic stay provision of 11 U.S.C. § 362 or any other provision of the Bankruptcy Code. The Court, however, will neither review nor approve the specific terms of any such agreement.

As a procedural note, this type of motion can be brought without a hearing pursuant to LBR 9013-1(o)(1).

Pursuant to LBR 9021-1(b)(1)(B), movant must serve and lodge a proposed order via LOU within 7 days of the hearing. Any order granting this motion must include the following language: "*This Order grants relief only regarding the authority of the Debtor and Ocwen Loan Servicing, LLC to enter into a loan modification agreement. The Court has not and will not review, adopt or approve the terms of any loan modification agreement.*" Appearances waived

Party Information

Debtor(s):

Tariq Amin

Represented By
Tamar Terzian

Movant(s):

Tariq Amin

Represented By
Tamar Terzian

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

CONT...

Tariq Amin

Chapter 13

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

2:16-21132 Christine Ellen Chavez

Chapter 13

#22.10 Hrg re motion for order determining
value of collateral

Docket No: 10

Tentative Ruling:

10/20/16

The debtor's motion is deficient as follows:

(1) The motion was not filed using mandatory form F4003-2.4.JR.LIEN.MOTION.

(2) The motion was not served on junior lienholder Specialized Loan Servicing, LLC's agent for service of process per the California Secretary of State website (Capitol Corporate Services, Inc.)

(3) The motion does not attach any admissible evidence of the current balance owing on the senior lien against the property.

This matter shall be continued to 11/17/16 at 8:30 a.m. in order for the debtor to address the above deficiencies. **Failure to address the deficiencies at least 14 days before the continued hearing will result in a denial of the motion without prejudice.** Appearances waived.

Party Information

Debtor(s):

Christine Ellen Chavez

Represented By
Claudia L Phillips

Movant(s):

Christine Ellen Chavez

Represented By
Claudia L Phillips

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

CONT... Christine Ellen Chavez

Chapter 13

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

2:11-44001 Robert Weston Collins and Maylene Joy Collins

Chapter 13

#23.10 Hrg re objection to claim no. 3 filed
by Claimant Wells Fargo Bank, N.A.

Docket No: 73

Tentative Ruling:

10/20/16

Appearances required.

Party Information

Debtor(s):

Robert Weston Collins

Represented By
Steven A Alpert
Steven A Alpert
Steven A Alpert
Steven A Alpert

Joint Debtor(s):

Maylene Joy Collins

Represented By
Steven A Alpert

Movant(s):

Maylene Joy Collins

Represented By
Steven A Alpert

Robert Weston Collins

Represented By
Steven A Alpert
Steven A Alpert
Steven A Alpert
Steven A Alpert

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

2:11-59817 Pauline Jose

Chapter 13

#24.10 Hrg re motion objecting to the proof
of claim no. 1 filed by claimant Discover Bank

Docket No: 57

Tentative Ruling:

10/20/16

This objection to proof of claim number 1-1 filed by Discover Bank has been set for hearing on at least 30 days notice to the claimant as required by FRBP 3007 and LBR 3007-1. The failure of the claimant to file a written response at least 14 days before the hearing as required by LBR 3007-1(b)(6) is considered consent to the sustaining of the objection. See LBR 9013-1(h). Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). In the absence of any filed response by claimant and for good cause, debtor's motion is GRANTED.

Pursuant to LBR 9021-1(b)(1)(B), movant must serve and lodge a proposed order via LOU within 7 days of the hearing. Appearances waived.

If any party wishes to appear on 10/20/16 regardless of the Court's tentative ruling, that party must notify counsel for the opposing party of said intent and be prepared to offer testimony in court regarding the efforts taken to notify counsel for the opposing party of the intended appearance.

Party Information

Debtor(s):

Pauline Jose

Represented By
Thomas B Ure

Movant(s):

Pauline Jose

Represented By
Thomas B Ure

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

2:11-59817 Pauline Jose

Chapter 13

#25.10 Hrg re motion objecting to the proof of
claim no. 2 filed by claimant Back Bowl I LLC

Docket No: 56

Tentative Ruling:

10/20/16

Back Bowl I, LLC filed an amended claim (Claim No. 2-2) on 10/6/16. Amended Claim No. 2-2 supersedes the originally filed claim. As such, the claim objection is denied as MOOT. Pursuant to LBR 9021-1(b)(1)(B), movant must serve and lodge a proposed order via LOU within 7 days of the hearing. Appearances waived.

If any party wishes to appear on 10/20/16 regardless of the Court's tentative ruling, that party must notify counsel for the opposing party of said intent and be prepared to offer testimony in court regarding the efforts taken to notify counsel for the opposing party of the intended appearance.

Party Information

Debtor(s):

Pauline Jose

Represented By
Thomas B Ure

Movant(s):

Pauline Jose

Represented By
Thomas B Ure

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

2:13-28963 Aleida M. Rodriguez

Chapter 13

#26.10 Hrg re motion objecting to claim no. 2 VOL. DISM. OF OBJ. FILED 10/17/16
filed by claimant LVNV FUNDING, LLC

Docket No: 48

Tentative Ruling:

10/20/16

Withdrawal of Claim No. 2-1 filed by LVNV Funding, LLC on 10/6/16.
Voluntary dismissal of motion filed 10/17/16. Appearances waived.

Party Information

Debtor(s):

Aleida M. Rodriguez

Represented By
Thomas B Ure

Movant(s):

Aleida M. Rodriguez

Represented By
Thomas B Ure

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

2:13-28963 Aleida M. Rodriguez

Chapter 13

#27.10 Hrg re motion objecting to the proof of claim no. 3-1 filed by claimant LVNV Funding, LLC *VOL. DISM. OF OBJ. FILED 10/17/16*

Docket No: 49

Tentative Ruling:

10/20/16

Withdrawal of Claim No. 3-1 filed by LVNV Funding, LLC on 10/6/16.
Voluntary dismissal of motion filed 10/17/16. Appearances waived.

Party Information

Debtor(s):

Aleida M. Rodriguez

Represented By
Thomas B Ure

Movant(s):

Aleida M. Rodriguez

Represented By
Thomas B Ure

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

2:15-23600 Menandro Aranador Cocjin

Chapter 13

#28.10 Hrg re objection to claim #11
filed by claimant Loanme, Inc

Docket No: 27

Tentative Ruling:

10/20/16

LoanMe, Inc. filed an amended claim (Claim No. 11-2) on 10/6/16. Amended Claim No. 11-2 supersedes the originally filed claim. As such, the claim objection is denied as MOOT. Pursuant to LBR 9021-1(b)(1)(B), movant must serve and lodge a proposed order via LOU within 7 days of the hearing. Appearances waived.

If any party wishes to appear on 10/20/16 regardless of the Court's tentative ruling, that party must notify counsel for the opposing party of said intent and be prepared to offer testimony in court regarding the efforts taken to notify counsel for the opposing party of the intended appearance.

Party Information

Debtor(s):

Menandro Aranador Cocjin

Represented By
Hasmik Jasmine Dzhanszyan

Movant(s):

Menandro Aranador Cocjin

Represented By
Hasmik Jasmine Dzhanszyan

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

2:15-23600 Menandro Aranador Cocjin

Chapter 13

#29.10 Hrg re objection to claim #12 filed by
claimant Loanme, Inc.

Docket No: 28

Tentative Ruling:

10/20/16

This objection to proof of claim number 12-1 filed by LoanMe, Inc. has been set for hearing on at least 30 days notice to the claimant as required by FRBP 3007 and LBR 3007-1. The failure of the claimant to file a written response at least 14 days before the hearing as required by LBR 3007-1(b)(6) is considered consent to the sustaining of the objection. See LBR 9013-1(h). Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). In the absence of any filed response by claimant and for good cause, debtor's objection is SUSTAINED.

Pursuant to LBR 9021-1(b)(1)(B), movant must serve and lodge a proposed order via LOU within 7 days of the hearing. Appearances waived.

If any party wishes to appear on 10/20/16 regardless of the Court's tentative ruling, that party must notify counsel for the opposing party of said intent and be prepared to offer testimony in court regarding the efforts taken to notify counsel for the opposing party of the intended appearance.

Party Information

Debtor(s):

Menandro Aranador Cocjin

Represented By
Hasmik Jasmine Dzhanszyan

Movant(s):

Menandro Aranador Cocjin

Represented By
Hasmik Jasmine Dzhanszyan

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

CONT... Menandro Aranador Cocjin

Chapter 13

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

2:16-14113 Silvia Patricia Feliciano

Chapter 13

#30.10 Hrg re motion objecting to claim no. 3
filed by claimant Employment Development Dept.

Docket No: 19

Tentative Ruling:

10/20/16

This objection to proof of claim number 3-1 filed by Employment Development Department has been set for hearing on at least 30 days notice to the claimant as required by FRBP 3007 and LBR 3007-1. The failure of the claimant to file a written response at least 14 days before the hearing as required by LBR 3007-1(b)(6) is considered consent to the sustaining of the objection. See LBR 9013-1(h). Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). In the absence of any filed response by claimant and for good cause, debtor's motion is GRANTED.

Pursuant to LBR 9021-1(b)(1)(B), movant must serve and lodge a proposed order via LOU within 7 days of the hearing. Appearances waived.

If any party wishes to appear on 10/20/16 regardless of the Court's tentative ruling, that party must notify counsel for the opposing party of said intent and be prepared to offer testimony in court regarding the efforts taken to notify counsel for the opposing party of the intended appearance.

Party Information

Debtor(s):

Silvia Patricia Feliciano

Represented By
S Renee Sawyer Blume

Movant(s):

Silvia Patricia Feliciano

Represented By
S Renee Sawyer Blume

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

CONT... Silvia Patricia Feliciano

Chapter 13

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

2:15-16689 Tyrone Victor Shepherd and Victoria E Shepherd

Chapter 13

■
#31.10 Hrg re motion to determine that Tyrone & Victoria Shepherd are the prevailing party on their objection to claim #10 of JP Morgan Chase for an unsubstantiated mortgage arrearage and for an award of attorney's fees In the amount of \$4,143.98 against JP Morgan Chase, plus attorney's fees In connection with this prevailing party motion

Docket No: 59

Tentative Ruling:

10/20/16

Before the Court is debtors Tyrone Sheperd and Victoria Sheperd's (Debtors) "Motion to Determine that Tyrone and Victoria Sheperd are the Prevailing Party on Their Objection to Claim #10...and for an Award of Attorney's Fees and Costs..." (Motion). Docket #59.

Background: Debtors filed a chapter 13 petition on 4/28/15. Docket #1.

On 11/3/15, Debtors filed an objection to the proof of claim (Claim No. 10-1) filed by JP Morgan Chase Bank (Chase) reflecting arrears of \$5,405.28 based on a projected escrow shortage. Docket #36. On 11/24/15, Chase filed a response to the claim objection. Docket #42. On 11/25/15, Debtors filed a reply. Docket #43. The claim objection came on for hearing on 12/3/15 at which time the matter was continued to 1/28/16 on request of Chase so that it could review the escrow analysis at issue. The claim objection was sustained at the continued hearing. On 2/1/16, an order sustaining the Debtors' objection to Claim No. 10-1 was entered. Docket # 51.

On 2/1/16, Debtors' counsel filed a supplemental fee application seeking fees of \$4,040 and costs of \$103.98 (total of \$4,143.98) incurred in litigating the claim objection. Docket #52. On 3/7/16, the Court entered an order approving the supplemental fee application. Docket #56.

The instant Motion was filed on 9/5/16. Docket #59. Chase filed a response

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

CONT... Tyrone Victor Shepherd and Victoria E Shepherd

Chapter 13

(Response) to the Motion on 10/4/16. Docket #61.

Motion: The Debtors seek an award of attorney's fees and costs, pursuant to Cal. Civ. Code §1717 and Cal. Civ. Pro. Code § 1032 and §1033.5, on the following grounds:

- (1) Debtors successfully objected to Chase's proof of claim in a hotly contested matter that was vigorously opposed by Chase. Motion at 4.
- (2) Debtors' claim objection constituted an action on a contract. Id. at 6.
- (3) Chase's promissory note (Note) and Deed of Trust (Deed) both contain contractual provisions for attorney's fees in connection with efforts by Chase to enforce the Note and Deed. Id. at 7.
- (4) As the prevailing party on the claim objection, Debtors are entitled to an award of attorney's fees. Id.

Based on the foregoing, Debtors request that the Court award fees and costs in the total amount of \$4,143.98 incurred in bringing the claim objection. Debtors further request that the Court award additional fees and costs of \$2,800 incurred in filing the instant motion.

Response: Chase makes the following contentions in response to the Motion:

- (1) An objection to a proof of claim for an escrow shortage does not constitute an "action on a contract." Response at 2.
- (2) Chase maintains that the Debtors' claim objection lacked merit and that the inclusion of the escrow shortage in Claim No. 10-1 was appropriate based on applicable law. Id. at 3.

Based on the foregoing, Chase requests that the Motion be denied.

Reply: Debtors make the following contentions in reply to Chase's response:

- (1) Chase provides no applicable case law in support of its assertion that

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

CONT... Tyrone Victor Shepherd and Victoria E Shepherd Chapter 13

attorney's fees are not recoverable in the context of a claim objection. Reply at 2.

(2) Debtors were clearly the prevailing party on the claim objection which constituted an action on the contract between the parties. Id.

(3) As the prevailing party, Debtors are entitled to recover attorney's fees and costs as provided in the Note and Deed. Id. at 3.

Applicable Statutory Law:

Cal. Civ. Code § 1717. Action on contract; award of attorney's fees and costs; prevailing party; deposit of amounts in insured, interest-bearing account; damages not based on contract (partial)

(a) In any action on a contract, where the contract specifically provides that attorney's fees and costs, which are incurred to enforce that contract, shall be awarded either to one of the parties or to the prevailing party, then the party who is determined to be the party prevailing on the contract, whether he or she is the party specified in the contract or not, shall be entitled to reasonable attorney's fees in addition to other costs.

Where a contract provides for attorney's fees, as set forth above, that provision shall be construed as applying to the entire contract, unless each party was represented by counsel in the negotiation and execution of the contract, and the fact of that representation is specified in the contract.

Reasonable attorney's fees shall be fixed by the court, and shall be an element of the costs of suit.

Attorney's fees provided for by this section shall not be subject to waiver by the parties to any contract which is entered into after the effective date of this section. Any provision in any such contract which provides for a waiver of attorney's fees is void.

Cal. C. C. P. § 1032. Prevailing party in any action or proceeding; stipulation to alternative procedures (partial)

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

CONT... Tyrone Victor Shepherd and Victoria E Shepherd

Chapter 13

(a) As used in this section, unless the context clearly requires otherwise:

(4) "Prevailing party" includes the party with a net monetary recovery, a defendant in whose favor a dismissal is entered, a defendant where neither plaintiff nor defendant obtains any relief, and a defendant as against those plaintiffs who do not recover any relief against that defendant. When any party recovers other than monetary relief and in situations other than as specified, the "prevailing party" shall be as determined by the court, and under those circumstances, the court, in its discretion, may allow costs or not and, if allowed may apportion costs between the parties on the same or adverse sides pursuant to rules adopted under Section 1034.

(b) Except as otherwise expressly provided by statute, a prevailing party is entitled as a matter of right to recover costs in any action or proceeding.

Cal. C. C. P. § 1033.5. Items allowable (partial)

(a) The following items are allowable as costs under Section 1032:

(10) Attorney's fees, when authorized by any of the following:

(A) Contract.

(B) Statute.

(C) Law.

(c) Any award of costs shall be subject to the following:

(1) Costs are allowable if incurred, whether or not paid.

(2) Allowable costs shall be reasonably necessary to the conduct of the litigation rather than merely convenient or beneficial to its preparation.

(3) Allowable costs shall be reasonable in amount.

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

CONT...

Tyrone Victor Shepherd and Victoria E Shepherd

Chapter 13

(4) Items not mentioned in this section and items assessed upon application may be allowed or denied in the court's discretion.

(5) When any statute of this state refers to the award of "costs and attorney's fees," attorney's fees are an item and component of the costs to be awarded and are allowable as costs pursuant to subparagraph (B) of paragraph (10) of subdivision (a). Any claim not based upon the court's established schedule of attorney's fees for actions on a contract shall bear the burden of proof. Attorney's fees allowable as costs pursuant to subparagraph (B) of paragraph (10) of subdivision (a) may be fixed as follows: (A) upon a noticed motion, (B) at the time a statement of decision is rendered, (C) upon application supported by affidavit made concurrently with a claim for other costs, or (D) upon entry of default judgment. Attorney's fees allowable as costs pursuant to subparagraph (A) or (C) of paragraph (10) of subdivision (a) shall be fixed either upon a noticed motion or upon entry of a default judgment, unless otherwise provided by stipulation of the parties.

Attorney's fees awarded pursuant to Section 1717 of the Civil Code are allowable costs under Section 1032 of this code as authorized by subparagraph (A) of paragraph (10) of subdivision (a).

Applicable Law:

Under the American Rule, litigants bear their own attorneys' fees. A prevailing litigant is ordinarily not entitled to attorneys' fees from the loser. Travelers Casualty & Surety Co. of America v. Pacific Gas & Electric Co., 549 U.S. 443, 448 (2007).

There is no general right to recover attorney's fees under the Bankruptcy Code. In re Morlas, 2010 WL 3069926, 1 (E.D. Cal., 2010). State law governs the interpretation and application of contractual attorneys' fees provisions. See Resolution Trust Corp. v. Midwest Fed. Sav. Bank, 36 F.3d 785, 800 (9th Cir. 1993)(applying California law to interpret contract that included fee shifting provisions). Under California law, parties may agree by contract to allocate the payment of attorneys' fees. See Cal. Civ. Proc. Code § 1021 (stating that "[e]xcept as attorney's fees are specifically provided by statute, the measure and mode of compensation of attorneys is left to the

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

CONT... **Tyrone Victor Shepherd and Victoria E Shepherd**
agreement, express or implies, of the parties.").

Chapter 13

California Civil Code § 1717 governs the recovery of attorney's fees pursuant to an underlying contract. It provides: "In any action on a contract, where the contract specifically provides that attorney's fees and costs, which are incurred to enforce that contract, shall be awarded either to one of the parties or to the prevailing party, then the party who is determined to be the party prevailing on the contract, whether he or she is the party specified in the contract or not, shall be entitled to reasonable attorney's fees in addition to other costs." Section 1717 ensures mutuality of remedy for contractual attorneys' fees claims by making an otherwise unilateral right reciprocal in nature when the contract provides the right to only one party. Santisas v. Goodin, 17 Cal.4th 599, 610–11 (1998). It allows the recovery of attorney's fees by the prevailing party whether or not it is the party specified in the contract. Id. at 611.

Attorney's fees awarded under § 1717 are specifically allowed as a recoverable cost under §§ 1032 and 1033.5

The fee applicant bears the burden of establishing entitlement to an award and documenting the appropriate hours expended and hourly rates. Hensley v. Eckerhart, 461 U.S. 424, 437 (1983). The Ninth Circuit requires a district court to calculate an award of attorney's fees by first calculating the "lodestar." See Caudle v. Bristow Optical Co. Inc., 224 F.3d 1014, 1028 (9th Cir. 2000). "The lodestar is calculated by multiplying the number of hours the prevailing party reasonably expended on the litigation by a reasonable hourly rate." Caudle, 224 F.3d at 1028. The lodestar should be presumed reasonable unless some exceptional circumstance justifies deviation. Quesada v. Thomason, 850 F.2d 537, 539 (9th Cir. 1998). As the Ninth Circuit has indicated, "a district court should exclude from the lodestar amount hours that are not reasonably expended because they are excessive, redundant, or otherwise unnecessary." Van Gerwen v. Guarantee Mutual Life Co., 214 F.3d 1040, 1045 (9th Cir. 2000). The court is under an independent duty to reach its own "lodestar" value. Hensley, 461 U.S. at 433.

After computing the lodestar, the district court is to assess whether additional considerations enumerated in Kerr v. Screen Extras Guild, Inc., 526 F.2d 67,

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

CONT... **Tyrone Victor Shepherd and Victoria E Shepherd**

Chapter 13

70 (9th Cir.1975), cert denied, 425 U.S. 951 (1976), require the court to adjust the figure. The Kerr facts are: (1) time and labor required; (2) the novelty and difficulty of the questions involved; (3) the skill requisite to perform the legal service properly; (4) the preclusion of other employment by the attorney due to acceptance of the case; (5) the customary fee; (6) whether the fee is fixed or contingent; (7) time limitations imposed by the client or the circumstances; (8) the amount involved and the results obtained; (9) the experience, reputation, and ability of the attorneys; (10) the "undesirability" of the case; (11) the nature and length of professional relationship with the client; and (12) awards in similar cases. Kerr, 526 F.2d at 70.

A bankruptcy court's determination of attorney's fees will not be disturbed unless the bankruptcy court abused its discretion or erroneously applied the law. In re Branford Partners, LLC, 2008 WL 8444795, 2 (9th Cir. BAP 2008). A bankruptcy court abuses its discretion if it bases its decision on an erroneous view of the law or clearly erroneous factual findings. Id.

Analysis:

1. Is the claim objection an "action on contract" within the meaning of California Civil Code § 1717?

The single case cited to by Debtors- In re Bennet, 298 F.3d 1059 (9th Cir. 2002)- in support of their contention that a claim objection is an "action on contract" does not address/discuss claim objections in the context of Cal. Civ. Code § 1717. Chase's Response cites to one case- In re Johnson, 756 F.2d 738 (9th Cir. 1985)- holding that a motion for relief from stay is not an "action on contract" and Chase argues that a claim objection is analogous to a relief from stay motion. That case is inapposite especially in light of recent 9th Circuit case law holding that that litigation regarding a proof of claim is an "action on contract." See In re Brosio, 505 B.R. 903 (9th Cir. BAP 2014)(Chapter 13 debtor, whose objection to creditor's proof of claim resulted in creditor filing an amended proof of claim removing the amount claimed for attorney fees from its secured claim was precluded from being the "prevailing party" under subsection of California fee statute providing that no prevailing party will exist when an action has been voluntarily dismissed; creditor's filing

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

CONT... **Tyrone Victor Shepherd and Victoria E Shepherd**

Chapter 13

of a proof of claim was analogous to filing a complaint and debtor's claim objection was analogous to an answer, creditor thus was the "plaintiff" and debtor the "defendant," and creditor's abandonment of its claim for attorney fees in the amended proof of claim was akin to a voluntary dismissal, which prevented debtor from prevailing on her claim); *In re Blendheim*, 2016 WL 4264058 (Bankr. W.D. Wash. 2016)(Litigation regarding a proof of claim was an "action on contract," debtors were the prevailing party in the proof of claim litigation, and debtors obtained a final judgment, therefore, an award of fees was appropriate).

II. Is the debtor entitled to an award of attorney's fees pursuant to California Civil Code § 1717?

In order for Debtors to recover attorney's fees and costs: (1) the contract at issue must authorize such fees, (2) the Debtor must be the prevailing party in the litigation, and (3) the fees incurred must be reasonable.

(a) Does the contract at issue authorize such fees?

Chase's Note contains a provision for attorney's fees and costs at ¶ 6E. See Motion at Exh. 3. The Deed also contains a provision for attorney's fees and costs at ¶ 9. See Motion at Exh. 4. Cal. Civ. Code § 1717 ensures mutuality of remedy for contractual attorney's fees claims by making the otherwise unilateral right, in favor of the Chase, reciprocal in nature (i.e., it allows the recovery of attorney's fees by the Debtors regardless of the fact that they are not the party specified in the Note and Deed).

(c) Is the debtor the prevailing party in the proof of claim litigation?

The Court sustained the Debtors' claim objection at the continued 1/28/16 hearing, after allowing each side to file supplemental briefing in support of their respective positions and present oral argument to the Court. As such, the Debtors are the prevailing party in the proof of claim litigation. The fact that Chase continues to maintain that its inclusion of the escrow shortage in Claim No. 10-1 was proper does not change the fact that the Debtors prevailed on the claim objection. Further, Chase has not filed a motion for

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

CONT... **Tyrone Victor Shepherd and Victoria E Shepherd** Chapter 13

reconsideration of the 2/1/16 order sustaining the claim objection nor did it file a timely appeal of the order.

(3) Are the fees incurred reasonable?

Yes. Debtors' counsel spent approximately 10.7 hours, at a fixed hourly rate of \$400 per hour, litigating the contested claim objection (See Motion at Exh. "2A"- Supplemental Fee Application of Richard Garber). Counsel's hourly rate is within the realm of reasonableness. Chapter 13 attorneys bill at an hourly rate of anywhere between as low as \$225 to as high as \$500 an hour. With regard to the number of hours billed for the work performed, a review of counsel's billing invoice reflects what appear to be a reasonable number of hours billed based on the scope of the claim objection litigation.

Ruling: Based on the foregoing, the Motion is GRANTED. Pursuant to LBR 9021-1(b)(1)(B), movant must serve and lodge a proposed order via LOU within 7 days of the hearing. Appearances waived.

If any party wishes to appear on 10/20/16 regardless of the Court's tentative ruling, that party must notify counsel for the opposing party of said intent and be prepared to offer testimony in court regarding the efforts taken to notify counsel for the opposing party of the intended appearance.

Party Information

Debtor(s):

Tyrone Victor Shepherd

Represented By
Richard Mark Garber

Joint Debtor(s):

Victoria E Shepherd

Represented By
Richard Mark Garber

Movant(s):

Victoria E Shepherd

Represented By
Richard Mark Garber

Tyrone Victor Shepherd

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

CONT...

Tyrone Victor Shepherd and Victoria E Shepherd

Richard Mark Garber

Chapter 13

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

2:16-22117 Nasser Javidzad

Chapter 13

#32.10 Hrg re motion for order vacating dismissal and reinstating chapter 13 case *VOL. DISM. OF MTN. FILED 10/5/16*

Docket No: 21

Tentative Ruling:

10/20/16

Voluntary dismissal of motion filed on 10/5/16. Appearances waived.

Party Information

Debtor(s):

Nasser Javidzad

Represented By
Allan S Williams

Movant(s):

Nasser Javidzad

Represented By
Allan S Williams

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

9:00 AM

2:11-18271 Shahen Melik Kasumyan

Chapter 13

#33.10 Hrg re motion to vacate dismissal

Docket No: 75

Tentative Ruling:

10/20/16

Appearances required.

Party Information

Debtor(s):

Shahen Melik Kasumyan

Represented By
Aris Artounians

Movant(s):

Shahen Melik Kasumyan

Represented By
Aris Artounians

Trustee(s):

Kathy A Dockery (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar

Thursday, October 20, 2016

Hearing Room 1575

10:00 AM
2:00-00000

Chapter

#0.00 **PLEASE BE ADVISED THAT THE CHAPTER 13 10:00 A.M. CONFIRMATION CALENDAR CAN BE VIEWED ON THE COURTS WEBSITE (www.cacb.uscourts.gov) UNDER: CALENDAR INFORMATION >SELF CALENDARING> KLEIN, S (LA) > DATES > HONORABLE SANDRA R. KLEIN > CHAPTER 13>CHAPTER 13 CALENDAR**

Docket No: 0

Tentative Ruling:

- NONE LISTED -

United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar

Thursday, October 20, 2016

Hearing Room 1575

10:30 AM
2:00-00000

Chapter

#0.00 **PLEASE BE ADVISED THAT THE CHAPTER 13 10:30 A.M. TRUSTEE'S MOTION TO DISMISS CALENDAR CAN BE VIEWED ON THE COURTS WEBSITE (www.cacb.uscourts.gov) UNDER: CALENDAR INFORMATION > SELF CALENDARING> KLEIN, S (LA) > DATES > HONORABLE SANDRA R. KLEIN > CHAPTER 13>MOTION HEARINGS CALENDAR**

Docket No: 0

Tentative Ruling:

- NONE LISTED -

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

1:30 PM

2:16-23679 Associated Third Party Administrators

Chapter 11

Telephonic Hearing

#300.00 Hrg re third party administrator' emergency motion for entry of an order authorizing debtor to provide adequate assurance of future payment to utility companies

Docket No: 5

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Associated Third Party Administrators

Represented By
Ron Bender
Lindsey L Smith
Jacqueline L James
Eve H Karasik

Movant(s):

Associated Third Party Administrators

Represented By
Ron Bender
Lindsey L Smith
Jacqueline L James
Eve H Karasik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

1:30 PM

2:16-23682 Allied Fund Administrators LLC

Chapter 11

#301.00 Hrg re third party administrator' emergency motion for entry of an order authorizing debtor to provide adequate assurance of future payment to utility companies

Docket No: 5

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Allied Fund Administrators LLC

Represented By
Ron Bender
Lindsey L Smith
Jacqueline L James
Eve H Karasik

Movant(s):

Allied Fund Administrators LLC

Represented By
Ron Bender
Lindsey L Smith
Jacqueline L James
Eve H Karasik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

1:30 PM

2:16-23679 Associated Third Party Administrators

Chapter 11

#302.00 Hrg re debtors' emergency motion for an order:
(1) authorizing the continued use of debtors' cash management system,
(2) authorizing the maintenance of debtors' existing bank accounts, and
(3) ordering banks to release administrative holds and/or freezes on
debtors prepetition accounts

Docket No: 6

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Associated Third Party Administrators

Represented By
Ron Bender
Lindsey L Smith
Jacqueline L James
Eve H Karasik

Movant(s):

Associated Third Party Administrators

Represented By
Ron Bender
Lindsey L Smith
Jacqueline L James
Eve H Karasik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

1:30 PM

2:16-23682 Allied Fund Administrators LLC

Chapter 11

#303.00 Hrg re debtors' emergency motion for an order:
(1) authorizing the continued use of debtors' cash management system,
(2) authorizing the maintenance of debtors' existing bank accounts, and
(3) ordering banks to release administrative holds and/or freezes on
debtors prepetition accounts

Docket No: 6

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Allied Fund Administrators LLC

Represented By
Ron Bender
Lindsey L Smith
Jacqueline L James
Eve H Karasik

Movant(s):

Allied Fund Administrators LLC

Represented By
Ron Bender
Lindsey L Smith
Jacqueline L James
Eve H Karasik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

1:30 PM

2:16-23679 Associated Third Party Administrators

Chapter 11

#304.00 Hrg re debtors' emergency motion for entry of an order approving break-up fee and expense reimbursement

Docket No: 7

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Associated Third Party Administrators

Represented By
Ron Bender
Lindsey L Smith
Jacqueline L James
Eve H Karasik

Movant(s):

Associated Third Party Administrators

Represented By
Ron Bender
Lindsey L Smith
Jacqueline L James
Eve H Karasik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

1:30 PM

2:16-23682 Allied Fund Administrators LLC

Chapter 11

#305.00 Hrg re debtors' emergency motion for entry of an order approving break-up fee and expense reimbursement

Docket No: 7

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Allied Fund Administrators LLC

Represented By
Ron Bender
Lindsey L Smith
Jacqueline L James
Eve H Karasik

Movant(s):

Allied Fund Administrators LLC

Represented By
Ron Bender
Lindsey L Smith
Jacqueline L James
Eve H Karasik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

1:30 PM

2:16-23679 Associated Third Party Administrators

Chapter 11

#306.00 Hrg re debtors' emergency motion for authority to (1) pay pre-petition priority wages and related paid time off, union dues, and taxes; and (2) honor paid time off obligations

Docket No: 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Associated Third Party Administrators

Represented By
Ron Bender
Lindsey L Smith
Jacqueline L James
Eve H Karasik

Movant(s):

Associated Third Party Administrators

Represented By
Ron Bender
Lindsey L Smith
Jacqueline L James
Eve H Karasik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

1:30 PM

2:16-23682 Allied Fund Administrators LLC

Chapter 11

#307.00 Hrg re debtors' emergency motion for authority to (1) pay pre-petition priority wages and related paid time off, union dues, and taxes; and (2) honor paid time off obligations

Docket No: 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Allied Fund Administrators LLC

Represented By
Ron Bender
Lindsey L Smith
Jacqueline L James
Eve H Karasik

Movant(s):

Allied Fund Administrators LLC

Represented By
Ron Bender
Lindsey L Smith
Jacqueline L James
Eve H Karasik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sandra Klein, Presiding
Courtroom 1575 Calendar**

Thursday, October 20, 2016

Hearing Room 1575

1:30 PM

2:16-23679 Associated Third Party Administrators

Chapter 11

#308.00 Hrg re emergency motion for entry
of an order authorizing use of cash
collateral of debtor associated third
party administrators

Docket No: 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Associated Third Party Administrators

Represented By
Ron Bender
Lindsey L Smith
Jacqueline L James
Eve H Karasik

Movant(s):

Associated Third Party Administrators

Represented By
Ron Bender
Lindsey L Smith
Jacqueline L James
Eve H Karasik