

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:16-23699 Elia Concha

Chapter 13

#1.00 Motion for relief from stay [UD]

PEDRO ROSALES
VS
DEBTOR

fr. 11-8-16

Docket 8

Tentative Ruling:

The Court continued this matter to December 6, 2016 to allow Movant time to file an amended motion and correct the deficiencies listed in the Court's tentative ruling of November 8, 2016. However, to date, no amended motion has been filed. Further, on November 4, 2016, the Court entered an order dismissing the debtor's bankruptcy case. Movant requested annulment of the automatic stay but did not provide grounds for such relief. Accordingly, the motion is DENIED. **Appearances waived.**

Tentative Ruling of 11/8/16:

The motion is DENIED without prejudice pursuant to 11 U.S.C. § 362(d)(1). Movant's declaration is not properly executed, as it appears to have been signed by Movant's counsel instead of by Movant, who is listed as the declarant. Thus, the evidence attached to the declaration is not properly authenticated. **Appearances waived.**

Movant shall lodge an appropriate order via the Court's LOU system.

Party Information

Debtor(s):

Elia Concha

Pro Se

Movant(s):

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
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Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

CONT... Elia Concha
Pedro Rosales

Represented By
Raudel Fernandez

Chapter 13

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:16-23150 Lauro Quiroz

Chapter 13

#2.00 Motion for relief from stay [UD]

ANITA TARO-ESPINOZA
VS
DEBTOR

Docket 13

***** VACATED *** REASON: CASE DISMISSED 11/18/16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lauro Quiroz

Pro Se

Movant(s):

ANITA TARO-ESPINOZA

Represented By
Stephen C Duringer

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:16-24242 Brad Fredric Elkins

Chapter 13

#3.00 Motion for relief from stay [UD]

DAVID BOCKOFF
VS
DEBTOR

Docket 13

Tentative Ruling:

Pursuant to LBR 5005-2(d), movant is required to serve a "Judge's Copy" on chambers in the manner, and not later than the deadline, set forth in the Court Manual. Accordingly, the Court takes this matter OFF CALENDAR for non-receipt of a Judge's Copy. Movant is to select a new available hearing date, provide notice of the new hearing date to all interested parties, and provide chambers with a Judge's Copy of the motion. **Appearances waived.**

Party Information

Debtor(s):

Brad Fredric Elkins

Represented By
Sanaz S Bereliani

Movant(s):

David Bockoff

Represented By
Helen G Long

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
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Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:16-12944 Robert Jon Brown and Kim Renee Brown

Chapter 13

#4.00 Motion for relief from stay [PP]

BMW BANK OF NORTH AMERICA
VS
DEBTOR

Docket 44

Tentative Ruling:

On November 18, 2016, the debtors filed a response to the motion, confirming that the subject property has already been surrendered to Movant. The debtors also assert that Movant has received insurance proceeds for the vehicle. Accordingly, the Court grants Movant's requested relief as provided below.

The motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is secured by a security interest and lien on the debtors' 2015 BMW 328i. Movant regained possession of the vehicle post-petition. This is "cause" to terminate the stay under 11 U.S.C. § 362(d) (1). **Appearances waived.**

The 14-day period specified in FRBP 4001(a)(3) is waived. This order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code. **All other relief is denied.**

The movant shall upload an appropriate order via the Court's LOU system.

Party Information

Debtor(s):

Robert Jon Brown

Represented By
Kahlil J McAlpin

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
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Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

CONT... Robert Jon Brown and Kim Renee Brown

Chapter 13

Joint Debtor(s):

Kim Renee Brown

Represented By
Kahlil J McAlpin

Movant(s):

BMW Bank of North America

Represented By
Marian Garza
Timothy J Silverman

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:16-13821 Suzanne Yvette Edmeier

Chapter 13

#5.00 Motion for relief from stay [PP]

CARMAX BUSINESS SERVICES LLC
VS
DEBTOR

Docket 30

Tentative Ruling:

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is secured by a security interest and lien on the debtor's 2012 Lexus HS 250H. The debtor has failed to pay 5 post-petition payments. This is "cause" to terminate the stay under 11 U.S.C. § 362(d) (1). **Appearances waived.**

The 14-day period specified in FRBP 4001(a)(3) is waived. This order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code. **All other relief is denied.**

The movant shall upload an appropriate order via the Court's LOU system.

Party Information

Debtor(s):

Suzanne Yvette Edmeier

Represented By
Dennis A Rasmussen

Movant(s):

Carmax Business Services LLC

Represented By

**United States Bankruptcy Court
Central District of California
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CONT... Suzanne Yvette Edmeier

Jennifer H Wang

Chapter 13

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:16-23445 Fernando Bautista

Chapter 13

#6.00 Motion for relief from stay [PP]

FINANCIAL SERVICES VEHICLE TRUST
VS
DEBTOR

Docket 25

Tentative Ruling:

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is the lessor of the debtor's 2013 BMW 328i. The debtor surrendered the vehicle to Movant pre-petition, on September 8, 2016, but lease payments were still due and owing at that time. This is "cause" to terminate the stay under 11 U.S.C. § 362(d)(1). **Appearances waived.**

The 14-day period specified in FRBP 4001(a)(3) is waived. This order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code. **All other relief is denied.**

The movant shall upload an appropriate order via the Court's LOU system.

Party Information

Debtor(s):

Fernando Bautista

Represented By
Luis G Torres

Movant(s):

Financial Services Vehicle Trust

Represented By

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
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Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

CONT... Fernando Bautista

Timothy J Silverman

Chapter 13

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:12-26243 Bobbie Joe Bennett

Chapter 13

#7.00 Motion for relief from stay [RP]

NEW PENN FINANCIAL, LLC
VS
DEBTOR

fr. 10-18-16; 11-8-16

Stipulation for adequate protection filed 12/2/16

Docket 44

Tentative Ruling:

None.

Party Information

Debtor(s):

Bobbie Joe Bennett

Represented By
Gary Leibowitz

Movant(s):

New Penn Financial, LLC d/b/a

Represented By
Kelly M Raftery

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
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Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:14-31987 Candy I Avelar

Chapter 13

#8.00 Motion for relief from stay [RP]

CITIMORTGAGE, INC
VS
DEBTOR

11-8-16

Docket 33

Tentative Ruling:

None.

Party Information

Debtor(s):

Candy I Avelar

Represented By
Luis G Torres

Movant(s):

CitiMortgage,Inc.

Represented By
Cheryl A Knapmeyer
Sharon Hunt
William F McDonald III

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
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Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:15-15021 Daniel Rodriguez and Karina Padilla

Chapter 13

#9.00 Motion for relief from stay [RP]

WELLS FARGO BANK
VS
DEBTOR

fr 10-11-16; 11-8-16

Docket 54

Tentative Ruling:

None.

Party Information

Debtor(s):

Daniel Rodriguez

Represented By
Michael E Clark
Barry E Borowitz

Joint Debtor(s):

Karina Padilla

Represented By
Michael E Clark
Barry E Borowitz

Movant(s):

Wells Fargo Bank, N.A.

Represented By
Brandye N Foreman

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
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Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:15-22363 Jesse Lee Pernisco

Chapter 13

#10.00 Motion for relief from stay [RP]

JPMORGAN CHASE BANK
VS
DEBTOR

fr. 11-8-16

Docket 39

Tentative Ruling:

Tentative for 12/6/2016:

None.

Tentative for 11/8/2016:

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is secured by a deed of trust encumbering the debtor's residence. The debtor has failed to pay 5 post-petition payments. This is cause to terminate the automatic stay. See Ellis v. Parr (In re Ellis), 60 B.R. 432, 434-35 (9th Cir. BAP 1985). **Appearances waived.**

The 14-day period specified in FRBP 4001(a)(3) is waived. Movant, or its agents, may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement. Movant, through its servicing agent, may contact the Debtor by telephone or written correspondence to offer such an agreement. Any such agreement

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CONT... **Jesse Lee Pernisco**

Chapter 13

shall be nonrecourse unless stated in a reaffirmation agreement. **All other relief is denied.**

The movant shall upload an appropriate order via the Court's LOU system.

Party Information

Debtor(s):

Jesse Lee Pernisco

Represented By
Bruce C Vosguvian

Movant(s):

JPMorgan Chase Bank, National

Represented By
Gilbert R Yabes
Joseph C Delmotte

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
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Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:15-29069 Rosario Vergara

Chapter 13

#11.00 Motion for relief from stay [RP]

WELLS FARGO BANK, N.A.
VS
DEBTOR

fr. 10-18-16; 11-8-16

Stipulation for adequate protectio filed 11/29/16

Docket 47

Tentative Ruling:

None.

Party Information

Debtor(s):

Rosario Vergara

Represented By
Luis G Torres

Movant(s):

Wells Fargo Bank, N.A., Its

Represented By
Merdaud Jafarnia
Corey Phuse
Kelly M Raftery

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
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Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:11-41203 Kevin B Walker

Chapter 13

#12.00 Motion for relief from stay [RP]

BANK OF AMERICA
VS
DEBTOR

Docket 88

Tentative Ruling:

None.

Party Information

Debtor(s):

Kevin B Walker

Represented By
Michael Jay Berger

Movant(s):

Bank of America, N.A.

Represented By
William F McDonald III

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:11-47723 Karina Parra

Chapter 13

#13.00 Motion for relief from stay [RP]

U.S. BANK NATIONAL ASSOCIATION
VS
DEBTOR

Docket 46

Tentative Ruling:

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is secured by a deed of trust encumbering the debtor's residence. The debtor has failed to pay 28 post-petition payments. This is cause to terminate the automatic stay. See Ellis v. Parr (In re Ellis), 60 B.R. 432, 434-35 (9th Cir. BAP 1985). **Appearances waived.**

The 14-day period specified in FRBP 4001(a)(3) is waived. Movant, or its agents, may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement. Movant, through its servicing agent, may contact the Debtor by telephone or written correspondence to offer such an agreement. Any such agreement shall be nonrecourse unless stated in a reaffirmation agreement. **All other relief is denied.**

The movant shall upload an appropriate order via the Court's LOU system.

Party Information

Debtor(s):

Karina Parra

Represented By
William G Cort

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
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Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

CONT... Karina Parra

Chapter 13

Movant(s):

U.S. Bank National Association, as

Represented By
Brett P Ryan

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:12-21911 Esperanza Antonio Morales and Danilo Nicolas Morales

Chapter 13

#14.00 Motion for relief from stay [RP]

BAYVIEW LOAN SERVICING, LLC
VS
DEBTOR

Docket 34

Tentative Ruling:

No opposition was filed. The Court takes judicial notice of the Amended Chapter 13 Plan filed in this case on November 27, 2012 in which the debtors stated an intention to surrender the property to movant.

The motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is secured by a deed of trust encumbering the debtor's residence. The debtors have failed to pay 52 post-petition payments. This is cause to terminate the automatic stay. See Ellis v. Parr (In re Ellis), 60 B.R. 432, 434-35 (9th Cir. BAP 1985). **Appearances waived.**

The 14-day period specified in FRBP 4001(a)(3) is waived. The stay having been terminated as to the debtor and no opposition having been filed by the codebtor, movant is granted relief as to any codebtor on the note pursuant to 11 U.S.C. § 1301 (d). Movant, or its agents, may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement. Movant, through its servicing agent, may contact the Debtors by telephone or written correspondence to offer such an agreement. Any such agreement shall be nonrecourse unless stated in a reaffirmation agreement. **All other relief is denied.**

The movant shall upload an appropriate order via the Court's LOU system.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
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CONT... Esperanza Antonio Morales and Danilo Nicolas Morales

Chapter 13

Debtor(s):

Esperanza Antonio Morales

Represented By
Paul M Allen

Joint Debtor(s):

Danilo Nicolas Morales

Represented By
Paul M Allen

Movant(s):

Bayview Loan Servicing, LLC, et al

Represented By
Melissa A Vermillion

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:12-44805 Maria Perez

Chapter 13

#15.00 Motion for relief from stay [RP]

CITIBANK, N.A.
VS
DEBTOR

Docket 47

Tentative Ruling:

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is secured by a deed of trust encumbering the debtor's residence. The debtor has failed to pay 4 post-petition payments. This is cause to terminate the automatic stay. See Ellis v. Parr (In re Ellis), 60 B.R. 432, 434-35 (9th Cir. BAP 1985). **Appearances waived.**

The 14-day period specified in FRBP 4001(a)(3) is waived. Movant, or its agents, may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement. Movant, through its servicing agent, may contact the Debtor by telephone or written correspondence to offer such an agreement. Any such agreement shall be nonrecourse unless stated in a reaffirmation agreement. **All other relief is denied.**

The movant shall upload an appropriate order via the Court's LOU system.

Party Information

Debtor(s):

Maria Perez

Represented By
Julie J Villalobos

**United States Bankruptcy Court
Central District of California
Los Angeles
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CONT... Maria Perez

Chapter 13

Movant(s):

Citibank, N.A., as Trustee, in trust

Represented By
Merdaud Jafarnia

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
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Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:12-26812 Debra Anita Hill

Chapter 13

#16.00 Motion for relief from stay [RP]

DEUTSCHE BANK NATIONAL TRUST
VS
DEBTOR

Docket 53

Tentative Ruling:

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is secured by a deed of trust encumbering the debtor's residence. The debtor has failed to pay 3 post-petition payments. This is cause to terminate the automatic stay. See Ellis v. Parr (In re Ellis), 60 B.R. 432, 434-35 (9th Cir. BAP 1985). **Appearances waived.**

The 14-day period specified in FRBP 4001(a)(3) is waived. Movant, or its agents, may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement. Movant, through its servicing agent, may contact the Debtor by telephone or written correspondence to offer such an agreement. Any such agreement shall be nonrecourse unless stated in a reaffirmation agreement. **All other relief is denied.**

The movant shall upload an appropriate order via the Court's LOU system.

Party Information

Debtor(s):

Debra Anita Hill

Represented By
Matthew D Resnik

**United States Bankruptcy Court
Central District of California
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Tuesday, December 06, 2016

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CONT... Debra Anita Hill

Chapter 13

Movant(s):

Deutsche Bank National Trust

Represented By
Brett P Ryan

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:13-18065 Francisco Zavalza and Graciela Zavalza

Chapter 13

#17.00 Motion for relief from stay [RP]

FEDERAL NATIONAL MORTGAGE
ASSOCIATION
VS
DEBTOR

Docket 33

Tentative Ruling:

On November 21, 2016, Debtors' counsel filed a limited opposition to the motion, stating that she has been unable to contact Debtors in order to take a more definite position on the motion. Accordingly, the Court grants the relief requested in the motion as provided below.

The motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtors or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is secured by a deed of trust encumbering the debtor's residence. The debtors have failed to pay 7 post-petition payments. This is cause to terminate the automatic stay. See Ellis v. Parr (In re Ellis), 60 B.R. 432, 434-35 (9th Cir. BAP 1985). **Appearances waived.**

The 14-day period specified in FRBP 4001(a)(3) is waived. Movant, or its agents, may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement. Movant, through its servicing agent, may contact the Debtors by telephone or written correspondence to offer such an agreement. Any such agreement shall be nonrecourse unless stated in a reaffirmation agreement. **All other relief is denied.**

The movant shall upload an appropriate order via the Court's LOU system.

Party Information

**United States Bankruptcy Court
Central District of California
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10:00 AM

CONT... Francisco Zavalza and Graciela Zavalza

Chapter 13

Debtor(s):

Francisco Zavalza

Represented By
Rebecca Tomilowitz

Joint Debtor(s):

Graciela Zavalza

Represented By
Rebecca Tomilowitz

Movant(s):

Federal National Mortgage

Represented By
Erin M McCartney

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:13-25697 Judy McCann

Chapter 13

#18.00 Motion for relief from stay [RP]

U.S. BANK NATIONAL ASSOCIATION
VS
DEBTOR

Docket 52

Tentative Ruling:

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is secured by a deed of trust encumbering the debtor's residence. The debtor has failed to pay 4 post-petition payments. This is cause to terminate the automatic stay. See Ellis v. Parr (In re Ellis), 60 B.R. 432, 434-35 (9th Cir. BAP 1985). **Appearances waived.**

The 14-day period specified in FRBP 4001(a)(3) is waived. Movant, or its agents, may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement. Movant, through its servicing agent, may contact the Debtor by telephone or written correspondence to offer such an agreement. Any such agreement shall be nonrecourse unless stated in a reaffirmation agreement. **All other relief is denied.**

The movant shall upload an appropriate order via the Court's LOU system.

Party Information

Debtor(s):

Judy McCann

Represented By
Thomas B Ure

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Central District of California
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CONT... Judy McCann

Chapter 13

Movant(s):

U.S. Bank National Association, as

Represented By
Brett P Ryan

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:13-27915 Sabah M Weaver

Chapter 13

#19.00 Motion for relief from stay [RP]

WELLS FARGO BANK
VS
DEBTOR

Docket 53

Tentative Ruling:

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is secured by a deed of trust encumbering the debtor's residence. The debtor has failed to pay 36 post-petition payments. This is cause to terminate the automatic stay. See Ellis v. Parr (In re Ellis), 60 B.R. 432, 434-35 (9th Cir. BAP 1985). **Appearances waived.**

The 14-day period specified in FRBP 4001(a)(3) is waived. The stay having been terminated as to the debtor and no opposition having been filed by the codebtor, movant is granted relief as to any codebtor on the note pursuant to 11 U.S.C. § 1301 (d). Movant, or its agents, may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement. Movant, through its servicing agent, may contact the Debtor by telephone or written correspondence to offer such an agreement. Any such agreement shall be nonrecourse unless stated in a reaffirmation agreement. **All other relief is denied.**

The movant shall upload an appropriate order via the Court's LOU system.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

CONT... Sabah M Weaver

Chapter 13

Debtor(s):

Sabah M Weaver

Represented By
Stella A Havkin

Movant(s):

WELLS FARGO BANK, N.A.

Represented By
Joseph C Delmotte

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:13-30364 Ronny Hall and Theresa R Hall

Chapter 13

#20.00 Motion for relief from stay [RP]

US BANK NATIONAL ASSOCIATION
VS
DEBTOR

Docket 114

Tentative Ruling:

No opposition was filed. The Court takes judicial notice of the Fourth Amended Chapter 13 Plan filed in this case on July 16, 2014 in which the debtors stated an intention to surrender the property to movant.

The motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is secured by a deed of trust encumbering the debtors' residence. The debtors have failed to pay 38 post-petition payments. This is cause to terminate the automatic stay. See Ellis v. Parr (In re Ellis), 60 B.R. 432, 434-35 (9th Cir. BAP 1985). **Appearances waived.**

The 14-day period specified in FRBP 4001(a)(3) is waived. Movant, or its agents, may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement. Movant, through its servicing agent, may contact the Debtor by telephone or written correspondence to offer such an agreement. Any such agreement shall be nonrecourse unless stated in a reaffirmation agreement. **All other relief is denied.**

The movant shall upload an appropriate order via the Court's LOU system.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

CONT... Ronny Hall and Theresa R Hall

Chapter 13

Debtor(s):

Ronny Hall

Represented By
Carolyn A Dye

Joint Debtor(s):

Theresa R Hall

Represented By
Carolyn A Dye

Movant(s):

US Bank National Association, as

Represented By
Erica T Loftis

Trustee(s):

Nancy K Curry (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:13-31511 Saul Quirarte and Guadalupe Z Quirarte

Chapter 13

#21.00 Motion for relief from stay [RP]

JPMORGAN CHASE BANK NATIONAL
ASSOCIATION
VS
DEBTOR

Docket 86

*** VACATED *** REASON: VOLUNTARY DISMISSAL OF MOTION
FILED 11/23/2016.

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Saul Quirarte

Represented By
Luis G Torres

Joint Debtor(s):

Guadalupe Z Quirarte

Represented By
Juanita V Miller
Luis G Torres

Movant(s):

JPMORGAN CHASE BANK,

Represented By
Robert P Zahradka
Terrionta K Levells
Lee Gates
Joseph C Delmotte

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:15-10946 Nancy Hisola Tan

Chapter 13

#22.00 Motion for relief from stay [RP]

WELLS FARGO BANK, NA
VS
DEBTOR

Docket 35

Tentative Ruling:

None.

Party Information

Debtor(s):

Nancy Hisola Tan

Represented By
William J Smyth
Kevin T Simon

Movant(s):

Wells Fargo Bank, N.A.

Represented By
Brandye N Foreman

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:15-15632 Gail Peifen Fan

Chapter 13

#23.00 Motion for relief from stay [RP]

WELLS FARGO BANK
VS
DEBTOR

Docket 27

Tentative Ruling:

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is secured by a deed of trust encumbering the debtor's residence. The debtor has failed to pay 12 post-petition payments. This is cause to terminate the automatic stay. See Ellis v. Parr (In re Ellis), 60 B.R. 432, 434-35 (9th Cir. BAP 1985). **Appearances waived.**

The 14-day period specified in FRBP 4001(a)(3) is waived. Movant, or its agents, may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement. Movant, through its servicing agent, may contact the Debtor by telephone or written correspondence to offer such an agreement. Any such agreement shall be nonrecourse unless stated in a reaffirmation agreement. **All other relief is denied.**

The movant shall upload an appropriate order via the Court's LOU system.

Party Information

Debtor(s):

Gail Peifen Fan

Represented By
Axel H Richter

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

CONT... Gail Peifen Fan

Chapter 13

Movant(s):

Wells Fargo Bank, N.A., As Trustee,

Represented By
Merdaud Jafarnia

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:15-23518 Roland Martin Lee, Jr.

Chapter 13

#24.00 Motion for relief from stay [RP]

WELLS FARGO BANK
VS
DEBTOR

Docket 29

Tentative Ruling:

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is secured by a deed of trust encumbering the debtor's residence. The debtor has failed to pay 3 post-petition payments. This is cause to terminate the automatic stay. See Ellis v. Parr (In re Ellis), 60 B.R. 432, 434-35 (9th Cir. BAP 1985). **Appearances waived.**

The 14-day period specified in FRBP 4001(a)(3) is waived. The stay having been terminated as to the debtor and no opposition having been filed by the codebtor, movant is granted relief as to any codebtor on the note pursuant to 11 U.S.C. § 1301 (d). Movant, or its agents, may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement. Movant, through its servicing agent, may contact the Debtor by telephone or written correspondence to offer such an agreement. Any such agreement shall be nonrecourse unless stated in a reaffirmation agreement. **All other relief is denied.**

The movant shall upload an appropriate order via the Court's LOU system.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

CONT... Roland Martin Lee, Jr.

Chapter 13

Debtor(s):

Roland Martin Lee Jr.

Represented By
Brian J Soo-Hoo

Movant(s):

Wells Fargo Bank, N.A.

Represented By
Mark D Estle

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:16-19850 Marci Boswell

Chapter 13

#25.00 Motion for relief from stay [RP]

ASO LLC
VS
DEBTOR

Docket 28

Tentative Ruling:

None.

Party Information

Debtor(s):

Marci Boswell

Represented By
Sylvia Lew
David A Tilem

Movant(s):

ASO LLC

Represented By
Fredric J Greenblatt

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:16-22074 Antonio Gonzales

Chapter 13

#26.00 Motion for relief from stay [RP]

WELLS FARGO BANK, NA
VS
DEBTOR

Docket 15

Tentative Ruling:

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(4) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is secured by a deed of trust encumbering real property. The debtor received an interest in the property through an unauthorized grant deed. The court finds that the filing of the petition was part of a scheme to hinder, delay and defraud creditors involving a transfer of all or part ownership of, or other interest in, the subject property without the consent of the movant or court approval and multiple bankruptcy filings affecting the subject property. 11 U.S.C. § 362(d)(4). **Appearances waived.**

Movant requests in the motion that "extraordinary relief" be granted by the Court. An order prohibiting for 180 days, or longer, the subsequent filing of a bankruptcy case by the debtor or by another person or entity to whom the subject property may be transferred is in the nature of an injunction not specifically authorized by the Bankruptcy Code. Johnson v. TRE Holdings LLC (In re Johnson), 346 B.R. 190, 196 (9th Cir. BAP 2006). Nor does there "appear to be direct statutory authority for an order that bans the filing of future bankruptcy cases by other persons, bans automatic stays in future cases, and authorizes the sheriff to ignore a future bankruptcy case when conducting an eviction." In re Van Ness, 399 B.R. 897, 903 (Bankr. E.D. Cal. 2009). Therefore, a motion is not the appropriate vehicle for

**United States Bankruptcy Court
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Los Angeles
Judge Julia Brand, Presiding
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Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

CONT...

Antonio Gonzales

Chapter 13

obtaining the "extraordinary relief" requested. Movant must seek this aspect of relief by adversary proceeding. Johnson, 346 B.R. at 195. **Accordingly, the movant's request for "extraordinary relief" is denied.**

The 14-day period specified in FRBP 4001(a)(3) is waived. This order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code. Movant, or its agents, may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement. Movant, through its servicing agent, may contact the Debtor by telephone or written correspondence to offer such an agreement. Any such agreement shall be nonrecourse unless stated in a reaffirmation agreement. Provided the order is recorded in compliance with applicable state law, the order granting this motion will be binding and effective in any other case under this title purporting to affect the subject property filed not later than 2 years after the date of entry of the order, except that the debtor in a subsequent case under this title may move for relief from such order based upon changed circumstances or for good cause shown, after notice and a hearing. 11 U.S.C. § 362(d)(4). **All other relief is denied.**

Movant shall upload an appropriate order via the Court's LOU system.

Party Information

Debtor(s):

Antonio Gonzales

Represented By
Stephen S Smyth
William J Smyth

Movant(s):

Wells Fargo Bank, NA

Represented By
Joseph C Delmotte

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:16-23305 Jose Manuel Duenas

Chapter 13

#27.00 Motion for relief from stay [RP]

U.S. BANK NATIONAL ASSOCIATION
VS
DEBTOR

Case dismissed on 10/25/2016

Docket 15

Tentative Ruling:

Debtor's case was dismissed on October 25, 2016; however, because movant has requested in rem / (d)(4) relief, the Court will retain its jurisdiction to hear the matter under 11 U.S.C. § 362.

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(4) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is secured by a deed of trust encumbering real property. The debtor received an interest in the property through an unauthorized grant deed. The court finds that the filing of the petition was part of a scheme to hinder, delay and defraud creditors involving a transfer of all or part ownership of, or other interest in, the subject property without the consent of the movant or court approval. 11 U.S.C. § 362(d)(4). **Appearances waived.**

Movant requests in the motion that "extraordinary relief" be granted by the Court. An order prohibiting for 180 days, or longer, the subsequent filing of a bankruptcy case by the debtor or by another person or entity to whom the subject property may be transferred is in the nature of an injunction not specifically authorized

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
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Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

CONT... Jose Manuel Duenas

Chapter 13

by the Bankruptcy Code. Johnson v. TRE Holdings LLC (In re Johnson), 346 B.R. 190, 196 (9th Cir. BAP 2006). Nor does there "appear to be direct statutory authority for an order that bans the filing of future bankruptcy cases by other persons, bans automatic stays in future cases, and authorizes the sheriff to ignore a future bankruptcy case when conducting an eviction." In re Van Ness, 399 B.R. 897, 903 (Bankr. E.D. Cal. 2009). Therefore, a motion is not the appropriate vehicle for obtaining the "extraordinary relief" requested. Movant must seek this aspect of relief by adversary proceeding. Johnson, 346 B.R. at 195. **Accordingly, the movant's request for "extraordinary relief" is denied.**

The 14-day period specified in FRBP 4001(a)(3) is waived. This order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code. The stay having been terminated as to the debtor and no opposition having been filed by the codebtor, movant is granted relief as to any codebtor on the note pursuant to 11 U.S.C. § 1301 (d). Movant, or its agents, may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement. Movant, through its servicing agent, may contact the Debtor by telephone or written correspondence to offer such an agreement. Any such agreement shall be nonrecourse unless stated in a reaffirmation agreement. Provided the order is recorded in compliance with applicable state law, the order granting this motion will be binding and effective in any other case under this title purporting to affect the subject property filed not later than 2 years after the date of entry of the order, except that the debtor in a subsequent case under this title may move for relief from such order based upon changed circumstances or for good cause shown, after notice and a hearing. 11 U.S.C. § 362(d)(4). **All other relief is denied.**

Movant shall upload an appropriate order via the Court's LOU system.

Party Information

Debtor(s):

Jose Manuel Duenas

Pro Se

Movant(s):

U.S. Bank National Association, as

Represented By
Merdaud Jafarnia

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
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Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

CONT... Jose Manuel Duenas

Chapter 13

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:16-24137 Sergio Ceja

Chapter 13

#28.00 Motion for relief from stay [RP]

STONEGATE MORTGAGE CORPORATION
VS
DEBTOR

Docket 7

***** VACATED *** REASON: MOTION HEARD ON 11/15/16 @ 10:00
AM PER NTC FILED 11/2/16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sergio Ceja

Pro Se

Movant(s):

Stonegate Mortgage Corporation, its

Represented By
Michelle R Ghidotti

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:16-16241 Javier Castellon

Chapter 7

#29.00 Motion for relief from stay [UD]

HUNG NGUYEN
VS
DEBTOR

Docket 35

Tentative Ruling:

The motion is DENIED without prejudice due to improper service. Local Bankruptcy Rule 4001-1(c) requires relief from stay motions involving residential unlawful detainer actions to be served on the debtor and the debtor's attorney, if any. Here, Movant failed to serve the motion on the debtor at the address for service listed on the Court's docket. **Appearances waived.**

Movant shall lodge an appropriate order via the Court's LOU system.

Party Information

Debtor(s):

Javier Castellon

Represented By
Juanita V Miller

Movant(s):

Hung Nguyen

Represented By
Anh Nguyen

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:16-22177 Soo Yeon Chae

Chapter 7

#30.00 Motion for relief from stay [PP]

TOYOTA MOTOR CREDIT CORPORATION
VS
DEBTOR

Docket 12

Tentative Ruling:

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Since a chapter 7 case does not contemplate reorganization, the sole issue before the court when stay relief is sought under 11 U.S.C. § 362(d)(2) is whether the debtor has equity in the property. See e.g., Nev. Nat'l Bank v. Casgul of Nev., Inc. (In re Casgul of Nev., Inc.), 22 B.R. 65, 66 (9th Cir. BAP 1982); Ramco Indus. v. Preuss (In re Preuss), 15 B.R. 896 (9th Cir. BAP 1981).

The subject property has a value of \$11,142.00 and is encumbered by a perfected security interest in favor of the movant. That security interest secures a claim of \$15,108.21. There is no equity in the subject property and no evidence that the trustee can administer the subject property for the benefit of creditors. This is "cause" to terminate the stay under 11 U.S.C. § 362(d)(1). Furthermore, the court takes judicial notice of the Chapter 7 Individual Debtor's Statement of Intention filed in this case on September 13, 2016 in which the debtor stated an intention to surrender the property to movant.

The 14-day stay of FRBP 4001(a)(3) is ordered waived due to the fact that the movant's collateral is being used by the debtor without compensation

**United States Bankruptcy Court
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Los Angeles
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Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

CONT... Soo Yeon Chae

Chapter 7

and is depreciating in value. This order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code. **All other relief is denied.**

The movant shall submit an appropriate order.

Party Information

Debtor(s):

Soo Yeon Chae

Represented By
Hyong C Kim

Movant(s):

Toyota Motor Credit Corporation

Represented By
Erica T Loftis

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:16-23872 Ramiro Cervantez

Chapter 7

#31.00 Motion for relief from stay [PP]

TD AUTO FINANCE LLC
VS
DEBTOR

Docket 8

Tentative Ruling:

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Since a chapter 7 case does not contemplate reorganization, the sole issue before the court when stay relief is sought under 11 U.S.C. § 362(d)(2) is whether the debtor has equity in the property. See e.g., Nev. Nat'l Bank v. Casgul of Nev., Inc. (In re Casgul of Nev., Inc.), 22 B.R. 65, 66 (9th Cir. BAP 1982); Ramco Indus. v. Preuss (In re Preuss), 15 B.R. 896 (9th Cir. BAP 1981).

The subject property has a value of \$11,555.00 and is encumbered by a perfected security interest in favor of the movant. That security interest secures a claim of \$14,184.96. There is no equity in the subject property and no evidence that the trustee can administer the subject property for the benefit of creditors. This is "cause" to terminate the stay under 11 U.S.C. § 362(d)(1). Furthermore, the court takes judicial notice of the Chapter 7 Individual Debtor's Statement of Intention filed in this case on October 20, 2016 in which the debtor stated an intention to surrender the property to movant.

The 14-day stay of FRBP 4001(a)(3) is ordered waived due to the fact that the movant's collateral is being used by the debtor without compensation

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
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Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

CONT... Ramiro Cervantez

Chapter 7

and is depreciating in value. This order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code. **All other relief is denied.**

The movant shall submit an appropriate order.

Party Information

Debtor(s):

Ramiro Cervantez

Represented By
James Geoffrey Beirne

Movant(s):

TD Auto Finance LLC

Represented By
Jennifer H Wang

Trustee(s):

Jason M Rund (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:16-24248 Betsy C Solares

Chapter 7

#32.00 Motion for relief from stay [PP]

ALLY FINANCIAL
VS
DEBTOR

Docket 8

Tentative Ruling:

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Since a chapter 7 case does not contemplate reorganization, the sole issue before the court when stay relief is sought under 11 U.S.C. § 362(d)(2) is whether the debtor has equity in the property. See e.g., Nev. Nat'l Bank v. Casgul of Nev., Inc. (In re Casgul of Nev., Inc.), 22 B.R. 65, 66 (9th Cir. BAP 1982); Ramco Indus. v. Preuss (In re Preuss), 15 B.R. 896 (9th Cir. BAP 1981).

The subject property has a value of \$12,825.00 and is encumbered by a perfected security interest in favor of the movant. That security interest secures a claim of \$20,106.09. There is no equity in the subject property and no evidence that the trustee can administer the subject property for the benefit of creditors. This is "cause" to terminate the stay under 11 U.S.C. § 362(d)(1).

The 14-day stay of FRBP 4001(a)(3) is ordered waived due to the fact that the movant's collateral is being used by the debtor without compensation and is depreciating in value. This order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code. **All other relief is denied.**

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
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Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

CONT... Betsy C Solares

Chapter 7

The movant shall submit an appropriate order.

Party Information

Debtor(s):

Betsy C Solares

Represented By
Christie Cronenweth

Movant(s):

Ally Financial

Represented By
Adam N Barasch

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
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Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:14-21944 Deborah T Forman

Chapter 7

#33.00 Motion for relief from stay [RP]

WELLS FARGO BANK. N.A.
VS
DEBTOR

Docket 138

Tentative Ruling:

None.

Party Information

Debtor(s):

Deborah T Forman

Represented By
Lenelle C Castille

Movant(s):

Wells Fargo Bank, N.A.

Represented By
Joseph C Delmotte

Trustee(s):

Alberta P Stahl (TR)

Represented By
Carmela Pagay
Timothy J Yoo
Lindsey L Smith

**United States Bankruptcy Court
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Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:14-28387 Evangeline Daley

Chapter 7

#34.00 Motion for relief from stay [RP]

MIDFIRST BANK
VS
DEBTOR

Docket 53

Tentative Ruling:

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Since a chapter 7 case does not contemplate reorganization, the sole issue before the Court when stay relief is sought under 11 U.S.C. § 362(d)(2) is whether the debtor has equity in the property. See e.g., Nev. Nat'l Bank v. Casgul of Nev., Inc. (In re Casgul of Nev., Inc.), 22 B.R. 65, 66 (9th Cir. BAP 1982); Ramco Indus. v. Preuss (In re Preuss), 15 B.R. 896 (9th Cir. BAP 1981). **Appearances waived.**

The subject real property has a value of \$145,000.00 and is encumbered by a perfected deed of trust or mortgage in favor of the movant. The liens against the property total \$158,818.44. The Court finds there is no equity and there is no evidence that the trustee can administer the subject real property for the benefit of creditors.

The 14-day period specified in FRBP 4001(a)(3) is waived. This order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code. Movant, or its agents, may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

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CONT... Evangeline Daley Chapter 7

agreement. Movant, through its servicing agent, may contact the Debtor by telephone or written correspondence to offer such an agreement. Any such agreement shall be nonrecourse unless stated in a reaffirmation agreement. **All other relief is denied.**

The movant shall upload an appropriate order via the Court's LOU system.

Party Information

Debtor(s):

Evangeline Daley

Represented By
Gary Leibowitz

Movant(s):

Midfirst Bank, its assignees and/or

Represented By
Merdaud Jafarnia

Trustee(s):

Carolyn A Dye (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:16-15457 Ardra Verrett Fleming

Chapter 7

#35.00 Motion for relief from stay [RP]

U.S. BANK NATIONAL ASSOCIATION
VS
DEBTOR

Docket 107

Tentative Ruling:

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Since a chapter 7 case does not contemplate reorganization, the sole issue before the Court when stay relief is sought under 11 U.S.C. § 362(d)(2) is whether the debtor has equity in the property. See e.g., Nev. Nat'l Bank v. Casgul of Nev., Inc. (In re Casgul of Nev., Inc.), 22 B.R. 65, 66 (9th Cir. BAP 1982); Ramco Indus. v. Preuss (In re Preuss), 15 B.R. 896 (9th Cir. BAP 1981). **Appearances waived.**

The subject real property has a value of \$950,000.00 and is encumbered by a perfected deed of trust or mortgage in favor of the movant. The liens against the property total \$1,270,940.57. The Court finds there is no equity and there is no evidence that the trustee can administer the subject real property for the benefit of creditors. Furthermore, the Court takes judicial notice of the Chapter 7 Individual Debtor's Statement of Intention filed in this case on November 16, 2016 in which the debtor stated an intention to surrender the property to movant.

The 14-day period specified in FRBP 4001(a)(3) is waived. This order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code. Movant, or its agents,

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
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Tuesday, December 06, 2016

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CONT... Ardra Verrett Fleming

Chapter 7

may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement. Movant, through its servicing agent, may contact the Debtor by telephone or written correspondence to offer such an agreement. Any such agreement shall be nonrecourse unless stated in a reaffirmation agreement. **All other relief is denied.**

The movant shall upload an appropriate order via the Court's LOU system.

Party Information

Debtor(s):

Ardra Verrett Fleming

Represented By
Onyinye N Anyama

Movant(s):

U.S. Bank National Association, as

Represented By
Kelly M Raftery
Merdaud Jafarnia

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:16-21799 Nxxlvl Group Corp

Chapter 11

#36.00 Motion for relief from stay [PP]

FINANCIAL SERVICES VEHICLE TRUST
VS
DEBTOR

fr 10-11-16; 10-18-16

RE: 2015 BMW X6

Docket 23

***** VACATED *** REASON: CASE DISMISSED 11/16/16**

Tentative Ruling:

None.

Party Information

Debtor(s):

Nxxlvl Group Corp

Represented By
Matthew Abbasi

Movant(s):

Financial Services Vehicle Trust

Represented By
Timothy J Silverman

United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:16-21799 Nxxlvl Group Corp

Chapter 11

#37.00 Motion for relief from stay [PP]

FINANCIAL SERVICES VEHICLE TRUST
VS
DEBTOR

fr 10-11-16; 10-18-16

RE: 2015 BMW 535i

Docket 24

*** VACATED *** REASON: CASE DISMISSED 11/16/16

Tentative Ruling:

None.

Party Information

Debtor(s):

Nxxlvl Group Corp

Represented By
Matthew Abbasi

Movant(s):

Financial Services Vehicle Trust

Represented By
Timothy J Silverman

United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
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Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:16-21799 Nxxlvl Group Corp

Chapter 11

#38.00 Motion for relief from stay [PP]

FINANCIAL SERVICES VEHICLE TRUST
VS
DEBTOR

fr 10-11-16; 10-18-16

RE: 2015 BMW X5

Docket 25

*** VACATED *** REASON: CASE DISMISSED 11/16/16

Tentative Ruling:

None.

Party Information

Debtor(s):

Nxxlvl Group Corp

Represented By
Matthew Abbasi

Movant(s):

Financial Services Vehicle Trust

Represented By
Timothy J Silverman

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:16-16262 Darlyne E Lucchesi

Chapter 11

#39.00 Motion for relief from stay [RP]

U.S. BANK, N.A.
VS
DEBTOR

Docket 66

Tentative Ruling:

None.

Party Information

Debtor(s):

Darlyne E Lucchesi

Represented By
Stuart R Simone

Movant(s):

U.S. Bank, N.A., successor trustee to

Represented By
Daniel K Fujimoto
Kelly M Raftery

United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:16-22720 Maria Marquez De Cardona

Chapter 11

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

ALEXANDER GANELIS
VS
DEBTOR

Docket 32

*** VACATED *** REASON: CASE DISMISSED 11/17/16

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Maria Marquez De Cardona

Represented By
Michael Avanesian

Movant(s):

Alexander Ganelis

Represented By
Alla Tenina

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

10:00 AM

2:16-24265 Teresa Vargaz

Chapter 13

#41.00 Motion for relief from the stay [UD]

CAMDEN TRUST #2217
VS
DEBTOR

Docket 10

***** VACATED *** REASON: CASE DISMISSED 12/5/16**

Tentative Ruling:

None.

Party Information

Debtor(s):

Teresa Vargaz

Pro Se

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

2:00 PM

2:13-36457 Nune Vaganovna Gevorgian
Adv#: 2:14-01140 Goodrich v. Gevorgian

Chapter 7

#1.00 Status Conference re Complaint objecting
to discharge of debt

fr. 5-13-14; 7-22-14; 10-14-14; 12-16-14
2-17-15; 4-21-15; 5-19-15; 6-25-15; 12-15-15;
4-26-16; 9-6-16; 10-11-16

Docket 1

Tentative Ruling:

None.

Party Information

Debtor(s):

Nune Vaganovna Gevorgian	Pro Se
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Defendant(s):

Nune Vaganovna Gevorgian	Pro Se
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Plaintiff(s):

David M Goodrich	Represented By Aram Ordubegian Andy Kong
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Trustee(s):

David M Goodrich (TR)	Represented By Aram Ordubegian Andy Kong
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U.S. Trustee(s):

United States Trustee (LA)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

2:00 PM

2:12-51890 Ammie Lubag

Chapter 13

Adv#: 2:16-01315 Lubag v. Tolentino et al

#2.00 Status Conference re Complaint for:
1) quieting of title
2) declaratory relief
3) injunctive reliefs

fr. 10-18-16

Docket 5

***** VACATED *** REASON: NOTICE OF VOLUNTARY DISMISAL
FILED 11/29/16**

Tentative Ruling:

None.

Party Information

Debtor(s):

Ammie Lubag

Represented By
Mariano A Alvarez

Defendant(s):

Lalaine Tolentino

Pro Se

Wells Fargo Bank, N.A. a/k/a

Represented By
Bernard J Kornberg

Roberto Belleza Tolentino

Pro Se

Plaintiff(s):

Ammie Lubag

Represented By
Mariano A Alvarez

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

2:00 PM

2:16-19051 Suk Myong Kim

Chapter 7

Adv#: 2:16-01450 California Business Bank v. Suk Myong Kim et al

#3.00 Status Conference re Complaint for determination of dischargeability of debts and objection to discharge pursuant of 11 U.S.C. Section 523& 727

Docket 1

Tentative Ruling:

None.

Party Information

Debtor(s):

Suk Myong Kim

Represented By
Christopher G Weston

Defendant(s):

Suk Myong Kim

Represented By
Christopher G Weston

Kyong Hwa Pak

Pro Se

Joint Debtor(s):

Kyong Hwa Pak

Represented By
Christopher G Weston

Plaintiff(s):

California Business Bank

Represented By
Michael L Kirby

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Tuesday, December 06, 2016

Hearing Room 1375

2:00 PM

2:14-21070 Holy Hill Community Church

Chapter 11

Adv#: 2:16-01051 Laski v. Palisades Capital Partners, LLC et al

#4.00 Palisades Capital Partners LLC and 1111
Sunset Boulevard, LLC 's Motion for Summary
Judgment, or, in the Alternative, Summary
Adjudication

Docket 36

***** VACATED *** REASON: CONTINUED TO 1/10/17 @ 2:00 PM**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Holy Hill Community Church

Represented By
W Dan Lee
Won Lee
Richard T Baum
Jaenam J Coe

Defendant(s):

Downtown Capital, LLC

Represented By
Bernard D Bollinger Jr

Metropolitan Water District of

Represented By
Matthew A Lesnick

1111 Sunset, LLC

Represented By
Bernard D Bollinger Jr
Vanessa H Widener

Palisades Capital Partners, LLC

Represented By
Jeffrey A Krieger

1111 Sunset Boulevard, LLC

Represented By
Jeffrey A Krieger

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, December 06, 2016

Hearing Room 1375

2:00 PM

CONT... Holy Hill Community Church

Chapter 11

Plaintiff(s):

Richard J Laski

Represented By
Andy Kong
Aram Ordubegian

Trustee(s):

Richard J Laski (TR)

Represented By
Andy Kong
M Douglas Flahaut
Aram Ordubegian