## United States Bankruptcy Court Central District of California Los Angeles Sheri Bluebond, Presiding Courtroom 1539 Calendar

Wednesday, January 24, 2024

**Hearing Room** 

1539

10:00 AM 2:00-00000

Chapter

#0.00

All hearings scheduled for today are now simultaneously 1) In person in Courtroom 1539; 2) Via ZoomGov Video; 3) Via ZoomGov Audio. Parties are free to choose any of these options, unless otherwise ordered by the Court. Parties electing to appear in person shall comply with all requirements regarding social distancing, use of face masks, etc. that are in effect at the time of the hearing.

Parties in interest may connect to the video and audio feeds, free of charge, using the connection information provided below. MEMBERS OF THE PUBLIC MAY ONLY CONNECT TO THE AUDIO FEED USING THE TELEPHONE NUMBERS PROVIDED BELOW AND ARE NOT PERMITTED TO CONNECT TO THE VIDEO FEED.

Individuals may participate by ZoomGov video and audio using a personal computer (equipped with camera, microphone and speaker), or a handheld mobile device (such as an iPhone or Android phone). Individuals may opt to participate by audio only using a telephone (standard telephone charges may apply).

Neither a Zoom nor a ZoomGov account is necessary to participate and no preregistration is required **but you must still notify Chambers at**Chambers SBluebond@cacb.uscourts.gov of your appearance. The audio portion of each hearing will be recorded electronically by the Court and constitutes its official record.

For more information on appearing before Judge Bluebond by ZoomGov, please see the information on the Court's website at:

https://www.cacb.uscourts.gov/judges/honorable-sheri-bluebond under the tab, "Phone/Video Appearances."

Hearing conducted by **ZOOMGov**.

Video/audio web address: <a href="https://cacb.zoomgov.com/j/16161090855">https://cacb.zoomgov.com/j/16161090855</a>

ZoomGov meeting number: 161 6109 0855

Password: 148508

**Telephone conference lines:** 1 (669) 254 5252 or 1 (646) 828 7666

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(when prompted, enter meeting number and password shown above)

Judge Bluebond seeks to maintain a courtroom environment (both online and in person) in which all persons are treated with dignity and respect, irrespective of their gender identity, expression or preference. To that end, individuals appearing before the Court are invited to identify their preferred pronouns (e.g., he, she, they, etc.) and their preferred honorific (e.g., Mr., Miss, Ms., Mrs., Mx, M, etc.). Individuals may do so by advising the Courtroom Deputy or Judge prior to any appearance and/or, in the case of remote hearings, by providing this information in the person's screen name in ZoomGov.

Docket 0

**Courtroom Deputy:** 

- NONE LISTED -

**Tentative Ruling:** 

- NONE LISTED -

## Sheri Bluebond, Presiding Courtroom 1539 Calendar

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1539

<u>10:00 AM</u>

#### 2:21-12167 Lilieth Patricia Wright

Chapter 7

#1.00 Order to Show Cause Order And Directing Joseph Francis Araneta to Personally Appear And Show Cause Why He Should Not Be Found In Contempt For Failing to Turnover To Debtor \$788.00, Which Includes \$338.00 Which Debtor Was Ordered To Turnover Upon Receipt to The Bankruptcy Court

fr: 3-1-23; 8-9-23; 10-4-23; 11-15-23; 12-13-23

Docket 43

#### **Courtroom Deputy:**

## ZoomGov Appearance by:

12/12/23 - Ron Maroko

#### **Tentative Ruling:**

Tentative Ruling for March 1, 2023:

Did debtor ever receive any funds from petition preparer Francis Araneta aka Joseph Francis Araneta and ASAP Legal Services?

Hearing required.

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Final Ruling for March 1, 2023:

Debtor did not respond to the Court's January 31, 2023 OSC and did not appear at hearing. Continue hearing to August 9, 2023 at 10:00 a.m. Court will prepare notice of continuance and will serve debtor and petition preparer at all 3 possible addresses.

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Tentative Ruling for August 9, 2023:

Court served notice of continuance on debtor and petition preparer at three different addresses on March 9, 2023. Notice outlines what hearing is about and

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## **CONT...** Lilieth Patricia Wright

Chapter 7

how to appear virtually. Court has not received response to OSC. If debtor fails to appear, how does US Trustee want to proceed? Hearing required.

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Final Ruling for August 9, 2023:

Court will enter amended order to show cause directing Joseph Francis Araneta to personally appear and show cause why he should not be held in contempt for failing to turnover \$788 (from which debtor was to pay \$338 to bankruptcy court). Hearing on OSC will be set for October 4, 2023 at 10:00 a.m. Debtor was ordered to attend hearing either in person or via Zoom for Government.

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Tentative Ruling for October 4, 2023:

Amended OSC was served. Court has not received response. Did debtor receive payment from Araneta? If not, hold Araneta in contempt for failing to disgorge funds previously ordered by court. If so, hold debtor in contempt for failing to pay \$338 to the Court.

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Final Ruling for October 4, 2023:

(See amended order entered October 10, 2023.) Find Arenata in contempt for violating the November 1, 2021 order by failing to file a declaration attesting to his compliance with the November 1, 2021 order, failing to refud \$788 to debtor and failing to appear at October 4 hearing. Order requires Arenata to pay \$788 to debtor by October 13, 2023 and file declaration of compliance. Order imposes sanctions of \$100 per day for each day after October 13, 2023 that Arenata fails to pay this amount to debtor, up to a maximum of 30 days. Order requires both Arenata and debtor to personally appear at continued hearing on November 15, 2023 at 10:00 a.m.

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Tentative Ruling for November 15, 2023:

Docket reflects service of the Court's October 10, 2023, but nothing after that.

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## **CONT...** Lilieth Patricia Wright

Chapter 7

Hearing required.

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Final Ruling for November 15, 2023:

Continue hearing to December 13, 2023 at 10:00 a.m. Could will fix sanctions at \$3,000 but stay imposition of sanctions if respondent files declaration showing that he has paid the filing fee to the debtor by November 24, 2023. Order debtor to attend continued hearing as well. (See order entered December 4, 2023 (docket no. 54)

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Tentative Ruling for December 13, 2023:

Docket does not reflect filing of required declaration. Enter order imposing sanctions of \$3,000 on Araneta. December 4 order provides that if Mr. Araneta does not appear, court may issue bench warrant. Hearing required.

\_\_\_\_\_

Final Ruling for December 15, 2023:

Enter order requiring Araneta to pay \$3,000 by January 16, 2024. Continue hearing to January 24, 2024 at 10:00 a.m. to give US Trustee an opportunity to decide how he would like to proceed. US Trustee will lodge interim order. (Court approved order December 28, 2023.) Debtor appeared, but will not be required to attend January 24 hearing. Araneta again required to appear and advised that Court may issue a bench warrant if he fails to do so.

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Tentative Ruling for January 24, 2024:

Docket reflects service of December 28 order on Araneta, but no other relevant filings. Has any portion of \$3,000 been paid? Hearing required.

#### **Party Information**

#### **Debtor(s):**

Lilieth Patricia Wright

Pro Se

Trustee(s):

1/17/2024 2:00:34 PM

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**CONT...** Lilieth Patricia Wright

Chapter 7

Edward M Wolkowitz (TR)

Pro Se

Los Angeles Sheri Bluebond, Presiding Courtroom 1539 Calendar

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2:23-18402 Aiteon 1, LLC

Chapter 11

#2.00 Order To Show Cause Re Dismissal Based On Non-Individual Debtors Lack Of Representation By An Attorney

Docket 10

**Courtroom Deputy:** 

- NONE LISTED -

**Tentative Ruling:** 

Docket does not reflect appearance of counsel or any response to OSC. Dismiss case.

## **Party Information**

**Debtor(s):** 

Aiteon 1, LLC

Pro Se

# Sheri Bluebond, Presiding Courtroom 1539 Calendar

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10:00 AM

#### 2:23-17518 RIBD HOLDINGS LLC

Chapter 7

#3.00 Order to Show Cause Re Dismissal Based On Non-Individual Chapter 7 Debtors Lack Of Representation By An Attorney

fr: 12-13-23; 1-11-24

Docket 8

#### **Courtroom Deputy:**

- NONE LISTED -

#### **Tentative Ruling:**

Tentative Ruling for December 13, 2023:

Court entered OSC re dismissal based on fact that debtor is not an individual and is not represented by counsel. Docket does not reflect the appearance of counsel or the filing of an employment application. Dismiss case.

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Final Ruling for December 13, 2023:

Continue hearing to January 11, 2024 at 10:00 a.m. (Debtor is attempting to resolve issues that led to need for filing.)

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Tentative Ruling for January 11, 2024:

Docket does not reflect motion to dismiss or notice of appearance by counsel. Dismiss case.

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Final Ruling for January 11, 2024:

Debtor's principal reports having met with and retained counsel on January 10, but counsel did not appear at hearing. Court continued hearing to January 24, 2024 at 10:00 a.m.

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Tentative Ruling for January 24, 2024:

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#### CONT... RIBD HOLDINGS LLC

Chapter 7

Docket still does not reflect appearance of counsel. Court has continued hearing twice to give debtor an opportunity to retain counsel. Dismiss case.

## **Party Information**

**Debtor(s):** 

RIBD HOLDINGS LLC Pro Se

**Trustee(s):** 

David M Goodrich (TR) Pro Se

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#### 2:14-26237 Albany Investment Properties, LLC

Chapter 11

#100.00

Post Confirmation Scheduling and Case Management Conference in a Chapter 11 Case

fr. 10-15-14, 10-29-14, 11-5-14, 1-14-15, 5-20-15, 7-22-15, 10-14-15, 2-10-16, 2-24-16, fr. 3-30-16, 5-11-16, 8-3-16, 9-14-16, 9-28-16, 12-14-16, 2-1-17, 5-3-17, 6-7-17, 8-2-17, 8-30-17, 2-28-18, 7-18-18, 9-5-18, 10-24-18, 11-28-18, 12-19-18, 6-19-19, 12-18-19, 3-18-20, 7-22-20, 10-21-20, 12-16-20, 4-7-21, 8-18-21, 12-15-21; 4-20-22; 10-26-22; 2-15-23; 8-16-23; 9-13-23

Docket 1

#### **Courtroom Deputy:**

- NONE LISTED -

#### **Tentative Ruling:**

Several parties appear interested in purchasing the debtor's real properties. Debtor should notice sales of these properties subject to overbid even without having first selected a stalking horse bidder. Interested parties competing with one another to purchase these properties should produce highest and best offer as among current prospective purchasers. Set deadline for debtor to bring motion for approval of sales of all properties. Court will enter order appointing trustee if motion to approve sale is not brought by deadline imposed by the Court.

8/3/15 -- Court signed scheduling order setting following dates:

Cont'd hearing on motion to appoint trustee and for relief from stay -- October 14, 2015 at 11:00 a.m.

L/D to file and serve motion for authority to sell Albany Properties -- August 12. 2015

L/D to file application to employ broker(s) (or include within sale motion) -- August 12, 2015

Sale hearing -- October 14, 2015 at 11:00 a.m.

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Tentative Ruling for October 14, 2015:

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#### **CONT...** Albany Investment Properties, LLC

Chapter 11

If Albany sale closes, will debtor be in a position to file plan? Hearing required.

1/4/16 -- Court approved stipulation continuing hearing to February 24, 2016 at **11:00 a.m.** OFF CALENDAR FOR JANUARY 6, 2016.

Tentative Ruling for February 24, 2016:

If Albany sale closes, will debtor be in a position to file plan? Hearing required.

3/21/16 -- Court signed order continuing hearing to May 11, 2016 at 2:00 p.m. OFF CALENDAR FOR MARCH 30, 2016.

4/25/16 -- Court approved stipulation continuing hearing to August 3, 2016 at 2:00 p.m. OFF CALENDAR FOR MAY 11, 2016.

Tentative Ruling for August 3, 2016:

According to the docket, the parties settled this matter during a settlment conference held June 13, 2016 before Judge Jury. What has happened since then? Will there be an amended plan? What is the status of this matter?

Tentative Ruling for September 14, 2016:

Continue to September 28, 2016 at 11:00 a.m. to be heard concurrently with substantive motions set for hearing at that date and time. OFF CALENDAR FOR SEPTEMBER 14, 2016.

Tentative Ruling for September 28, 2016:

Revisit status of case after conclusion of hearings on related matters.

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Tentative Ruling for December 14, 2016:

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#### **CONT...** Albany Investment Properties, LLC

Chapter 11

Continue to February 1, 2017 at 2:00 p.m. to be heard concurrently with hearing on amended disclosure statement. OFF CALENDAR FOR DECEMBER 14, 2016.

\_\_\_\_\_

Tentative Ruling for February 1, 2017:

Revisit status of case after conclusion of hearing on disclosure statement.

4/26/17 -- Court approved stipulation continuing hearing to June 7, 2017 at 2:00 p.m. OFF CALENDAR FOR MAY 3, 2017. NO APPEARANCE REQUIRED.

\_\_\_\_\_

6/2/17 -- Court approved stipulation continuing hearing to August 2, 2017 at 2:00 p.m. OFF CALENDAR FOR JUNE 7, 2017.

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Tentative Ruling for August 30, 2017:

Revisit status of case after conclusion of confirmation hearing.

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Tentative Ruling for February 28, 2018:

Court has reviewed reorganized debtor's status report. Page 6 of that report states that all class 6 claimants have received payments other than Jeffrey Thomas. Has the reorganized debtor been depositing payments on account of this disputed claim into a disputed claim reserve? Hearing required.

7/16/18 -- Court approved stipulation continuing hearing to September 5, 2018 at 10:00 a.m. OFF CALENDAR FOR AUGUST 8, 2018.

8/31/18 -- Court approved stipulation continuing hearing to October 24, 2018 at 11:00 a.m. OFF CALENDAR FOR SEPTEMBER 5, 2018.

10/18/18 -- Court approved stipulation continuing hearing to November 28, 2018 at 11:00 a.m. OFF CALENDAR FOR OCTOBER 24, 2018.

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## **CONT...** Albany Investment Properties, LLC

Chapter 11

11/21/18 -- Court approved stipulation continuing hearing to December 19, 2018 at 10:00 a.m. OFF CALENDAR FOR OCTOBER 24, 2018.

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Tentative Ruling for December 19, 2018:

Court has reviewed reorganized debtor's status report. Continue case status conference to June 19, 2019 at 11:00 a.m. Reorganized debtor should file updated status report, accompanied by declaration, not later than June 5, 2019. APPEARANCES WAIVED ON DECEMBER 19, 2018.

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Tentative Ruling for June 19, 2019:

The plan confirmation hearing was August 30, 2017, yet debtor's counsel still has not filed his final fee application. Why not? Is there any reason for this delay? Hearing required.

\_\_\_\_\_

Tentative Ruling for December 18, 2019:

Court has reviewed the reorganized debtor's case status report. Continue status conference to March 18, 2020 at 11:00 a.m. Reorganized debtor should file updated case status report not later than March 4, 2020. APPEARANCES WAIVED ON DECEMBER 18, 2019.

\_\_\_\_\_

Tentative Ruling for March 18, 2020:

Court has reviewed the reorganized debtor's case status report. Continue status conference to July 22, 2020 at 11:00 a.m. Reorganized debtor should file updated case status report not later than July 10, 2020. APPEARANCES WAIVED ON MARCH 18, 2020.

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Tentative Ruling for July 22, 2020:

According to the reorganized debtor's status report, debtor is delinquent on payments due McHugh for the class 2, 3 and 4 claims "for the month of April 2020." What about the months of May, June and July? Is the reorganized debtor also delinquent on the payments for those months? Has the debtor

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#### CONT... **Albany Investment Properties, LLC**

Chapter 11

had any discussions with the holder of these claims and, if so, have the parties agreed to anything? Hearing required.

Final Ruling for July 22, 2020:

Parties are in negotiations about a forebearance. Continue hearing to October 21, 2020 at 11:00 a.m. Reorganized debtor should file updated status report by October 9, 2020.

Tentative Ruling for October 21, 2020:

Status report was filed late. The emails attached to the status report predate the last status conference. What, if anything, has been accomplished with regard to the McHugh negotiations since the July status conference? Hearing required.

Final Ruling for October 21, 2020:

Continue hearing to December 16, 2020 at 11:00 a.m. Reorganized debtor should file and serve updated status report by December 4, 2020.

Tentative Ruling for December 16, 2020:

Court has reviewed the reorganized debtor's case status report. Continue status conference to April 7, 2021 at 11:00 a.m. Reorganized debtor should file updated case status report not later than March 26, 2021. APPEARANCES WAIVED ON DECEMBER 16, 2020.

Tentative Ruling for April 7, 2021:

Where is status report that should have been filed by March 26, 2021? Hearing required.

Final Ruling for April 7, 2021:

Continue case status conference to August 18, 2021 at 11:00 a.m. Reorganized debtor should file updated status report by August 6, 2021.

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#### **CONT...** Albany Investment Properties, LLC

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Tentative Ruling for August 18, 2021:

Court has reviewed reorganized debtor's status report. Continue case status conference to December 15, 2021 at 11:00 a.m. Reorganized debtor should file updated status report, accompanied by declaration, not later than December 3, 2021. APPEARANCES WAIVED ON AUGUST 18, 2021.

\_\_\_\_\_

Tentative Ruling for December 15, 2021:

Court has reviewed reorganized debtor's status report. Continue case status conference to April 20, 2022 at 11:00 a.m. Reorganized debtor should file updated status report, accompanied by declaration, not later than April 8, 2022. APPEARANCES WAIVED ON DECEMBER 15, 2021.

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Tentative Ruling for April 20, 2022:

Debtor has filed the quarterly report required by the US Trustee, but where is the post-confirmation status report that the court directed the debtor to file by April 8, 2022?

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Final Ruling for April 20, 2022:

Continue post-confirmation status conference to October 26, 2022 at 11:00 a.m. Reorganized debtor shall file and serve updated status report not later than October 14, 2022.

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Tentative Ruling for October 26, 2022:

Where is the status report that should have been filed by October 14, 2022? Hearing required.

\_\_\_\_\_

Final Ruling for October 26, 2022:

Continue case status conference to February 15, 2023 at 11:00 a.m. Reorganized debtor should file updated status report not later than February

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# **CONT...** Albany Investment Properties, LLC

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3, 2023.

Tentative Ruling for February 15, 2023:

Reorganized debtor failed to file status report prior to last status conference and has again failed to file status report for this status conference. (Counsel failed to file timely status report for another chapter 11 case that was set for hearing approximately two weeks ago.) What is the problem here? Why can't the Court obtain post-confirmation status reports from Mr. Aver's office? And what is the status of this case? Is reorganized debtor now current on plan payments?

Hearing required.

\_\_\_\_\_

Final Ruling for February 15, 2023:

Continue case status conference to August 16, 2023 at 11:00 a.m. Reorganized debtor should file updated status report not later than August 4, 2023.

\_\_\_\_\_

Tentative Ruling for August 16, 2023:

Docket reflects filing of US Trustee's quarterly report, but debtor appears to have failed AGAIN to file updated status report. This has been a consistent pattern in this case. Impose monetary sanctions on counsel for reorganized debtor.

What is the status of this case?

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Final Ruling for August 16, 2023:

Continue status conference to September 13, 2023 at 11:00 a.m. Reorganized debtor should file and serve updated status report by August 30, 2023.

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Tentative Ruling for September 13, 2023:

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## **CONT...** Albany Investment Properties, LLC

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Court has reviewed the reorganized debtor's status report. Continue case status conference to January 24, 2024 at 11:00 a.m. Reorganized debtor should file updated status report (accompanied by a declaration) not later than January 10, 2024. APPEARANCES WAIVED ON SEPTEMBER 13, 2023.

\_\_\_\_\_

Tentative Ruling for January 24, 2024:

Where is the status report that should have been filed by January 10, 2024? Has the debtor made any progress in catching up with the missed payments due the Class 5 claimant? Hearing required.

#### **Party Information**

#### **Debtor(s):**

Albany Investment Properties, LLC

Represented By Raymond H. Aver R Alexander Comley