

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

Tuesday, June 11, 2019

Hearing Room 1539

10:00 AM

2:19-12981 Scott Edward Keeling-Torrez and Erik B Keeling-Torrez

Chapter 7

#1.00 Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 8105 Camino Paisano NW, Albuquerque, New Mexico 87120

MOVANT: PINGORA LOAN SERVICING, LLC.

Docket 15

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Grant without waiver of Rule 4001(a)(3).

Party Information

Debtor(s):

Scott Edward Keeling-Torrez

Represented By
Daniel King

Joint Debtor(s):

Erik B Keeling-Torrez

Represented By
Daniel King

Movant(s):

Pingora Loan Servicing, LLC

Represented By
Robert P Zahradka

Trustee(s):

Wesley H Avery (TR)

Pro Se

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

Tuesday, June 11, 2019

Hearing Room 1539

10:00 AM

2:19-13471 Nicholas Cascione and Patricia Ann Cascione

Chapter 7

#2.00 Notice of Motion and 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)

MOVANT: GREAT SOUTHERN BANK

Docket 26

Courtroom Deputy:

5/15/19 - Kimberly Winick, (213)629-5700, has been approved for telephonic appearance on 6/11/19 @ 10am

Tentative Ruling:

Judge Bluebond does not appear on the service list and court did not receive a service copy of the motion, as required by local rules and court manual. Continue hearing to give movant an opportunity to provide court with required copy.

Party Information

Debtor(s):

Nicholas Cascione

Represented By
David H Chung

Joint Debtor(s):

Patricia Ann Cascione

Represented By
David H Chung

Movant(s):

Great Southern Bank

Represented By
Kimberly S Winick

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
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Tuesday, June 11, 2019

Hearing Room 1539

10:00 AM

2:19-14125 Hui Yang and Xiaorong Ge

Chapter 7

#3.00 Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2016 Toyota Highlander VIN# 5TDKKRFH4GS504787

MOVANT: TOYOTA MOTOR CREDIT CORPORATION

Docket 35

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Grant without waiver of Rule 4001(a)(3).

Party Information

Debtor(s):

Hui Yang

Represented By
Mitchell R Sussman

Joint Debtor(s):

Xiaorong Ge

Represented By
Mitchell R Sussman

Movant(s):

Toyota Motor Credit Corporation,

Represented By
Austin P Nagel

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, June 11, 2019

Hearing Room 1539

10:00 AM

2:19-14173 Shaun-teka Chena Joyner

Chapter 7

#4.00 Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2016 Jeep Cherokee, VIN 1C4PJLDB1GW243056

MOVANT: SANTANDER CONSUMER USA, INC.

Docket 9

Courtroom Deputy:

6/3/19 - John Kim, (714)431-1086 has been approved for telephonic appearance on 6/11/19 @ 10am

Tentative Ruling:

Grant without waiver of Rule 4001(a)(3).

Party Information

Debtor(s):

Shaun-teka Chena Joyner

Pro Se

Movant(s):

Santander Consumer USA Inc.

Represented By
Jennifer H Wang

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, June 11, 2019

Hearing Room 1539

10:00 AM

2:19-14543 Miguel A. Sandoval

Chapter 7

#5.00 Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2016 Toyota Corolla, VIN # 5YFBURHE0GP528672

MOVANT: TOYOTA MOTOR CREDIT CORPORATION

Docket 9

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Grant with waiver of Rule 4001(a)(3).

Party Information

Debtor(s):

Miguel A. Sandoval

Represented By
David Lozano

Movant(s):

Toyota Motor Credit Corporation,

Represented By
Austin P Nagel

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

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

Tuesday, June 11, 2019

Hearing Room 1539

10:00 AM

2:19-14008 Richard Michael Cruz

Chapter 11

#6.00 Notice of motion and motion for relief from the automatic stay with supporting declarations UNLAWFUL DETAINER RE: Eagle Rock Plaza Mall located at 2700 Colorado Boulevard, Los Angeles, CA 90041

MOVANT: JPMCC 2006-LDP7 CENTRO ENFIELD, LLC.

Docket 32

Courtroom Deputy:

5/29/19 - Michael Berger, (310)271-6223, has been approved for telephonic appearance on 6/11/19 @ 10am

Tentative Ruling:

Grant motion without waiver of Rule 4001(a)(3). Debtor cannot "assume" a lease to which he is not a party without the landlord's consent. Bankruptcy will not solve this problem for the debtor. If the lessor wants to permit him to enter into a lease of the premises, it may do so. If it doesn't, debtor will need to vacate premises. If debtor wants to remain, he should negotiate a resolution with the lessor under applicable nonbankruptcy law. There are some problems that filing bankruptcy cannot solve.

Debtor claims that he was supposed to be on the lease. If there is a theory or legal principle under which landlord can be compelled to accept the debtor as a tenant, it is not a bankruptcy-created theory or principle, and debtor is free to assert whatever rights he thinks he has with regard to the premises in the state court unlawful detainer action.

Party Information

Debtor(s):

Richard Michael Cruz

Pro Se

Movant(s):

JPMCC 2006-LDP7 Centro Enfield,

Represented By
Anne K Edwards

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, June 11, 2019

Hearing Room 1539

10:00 AM

2:15-20351 CLARK WARREN BAKER

Chapter 7

Adv#: 2:15-01535 Murtagh v. BAKER et al

#7.00 Order to Show Cause Hearing re Contempt

fr. 4-2-19

Docket 413

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative Ruling from April 2, 2019:

Rulings on Evidentiary Objections:

Evidentiary objections are to be stated in a separate document and should not be longer than the declaration to which they are objecting. There is no need to make evidentiary objections to factual assertions and legal arguments contained in a memorandum of points and authorities. A memorandum of points and authorities is not evidence. Legal argument by an attorney is not evidence.

There is only one objection that needs to be raised here -- hearsay/lack of personal knowledge. The only fact to which counsel for Baker can actually testify is that the exhibit to her declaration is a true and correct copy of an email she sent to the neutral expert. None of the factual assertions contained in that email constitute admissible evidence. The declarant has not established that she has personal knowledge of any of the purported facts outlined in that email. The only reasonable conclusion that anyone could draw from a review of that document is that all information contained in that email was told to Ms. Ponce by her client, Mr. Baker. Therefore, it is inadmissible hearsay. The Court expressly ordered the defendant to file and serve his own declaration setting forth this information. He has failed to do so. Sustain evidentiary objections to contents of Exhibit 1.

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CONT... CLARK WARREN BAKER

Chapter 7

Tentative Ruling on the Merits:

Baker has not filed the declaration required by paragraph 7 of the Court's February 19, 2019 Order to Show Cause. A declaration from counsel attaching an email that she wrote to the neutral expert based on statements made to her by Baker is not a declaration from Baker.

Baker has no basis to complain of the procedures used in connection with the issuance of the Court's February 19 Order to Show Cause. There have been numerous motions filed, requesting that this court issue an order to show cause re contempt, that explain in excruciating detail the relief requested by the plaintiff and the basis for that request. Baker has been given far more than the 7 days contemplated by the local rule for responding to that motion. This process has been ongoing for a period of many months. The process that has been afforded to Baker has been more than due process. It cannot be said that Baker has been prejudiced or deprived of the opportunity to respond at any step in this process.

Baker is correct that this Court has already issued a variety of sanctions, but Baker continues to fail and refuse to comply with this Court's orders and argues that he should be permitted to do so with impunity and that the sanctions entered to date are sufficient to vindicate the Court. This Court disagrees.

This court's contempt powers are limited to civil contempt, which means that sanctions must be designed to coerce and not to punish. And a bankruptcy court may use civil contempt, including incarceration, to coerce the payment of monetary sanctions that it imposes if the contemnor has the ability to pay the sanctions. Here, notwithstanding this Court's express order that the debtor file and serve a declaration that includes, among other things, a discussion of why he has not made any payments toward the \$132,633.25 sanctions award and a discussion of all efforts that he has made to locate or obtain funds with which to pay this sanction award [see February 19 Order, p. 7, at lines 17-26], Baker has not provided any information whatsoever as to why he has not paid this amount or whether he is in a position to pay this amount. Both the memorandum of points and authorities and counsel's declaration are utterly silent on this issue.

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CONT... CLARK WARREN BAKER

Chapter 7

It is not this court's intention to incarcerate Baker for failing to pay something unless he is able to pay it. It is not this court's intention to incarcerate Baker for failing to do something unless he has the ability to do it. That is why this Court's order provided that, if Baker contends he lacks the ability to comply with this Court's prior orders, he must file a declaration explaining why he could not comply, but Baker has failed to offer any evidence whatsoever as to whether he can or can't do either of these things.

Baker certainly has the ability to provide the declaration that the Court ordered him to file. It is therefore wholly appropriate for this Court to incarcerate him until he has provided the declaration that the court has requested so that the Court can determine whether he has the ability to comply with its prior orders.

Further, although this Court does not have criminal contempt authority, the district court does. Therefore, if the Court determines that punitive sanctions are warranted, it is wholly appropriate for this Court to ask the District Court to withdraw the reference for the purpose of considering whether to impose criminal sanctions.

Baker argues that this Court should simply enter a judgment against him and leave it at that. This is not a decision for Baker to make. Baker cannot simply ignore orders of this Court and assume that the worst that should happen is that judgment will be entered against him. Baker cannot disobey court orders and destroy relevant documents with impunity.

In light of the foregoing, the Court should do the following:

1. Make the Additional Findings set forth in paragraph 11 of the February 19 order;
2. Hold Baker in civil contempt for having failed to comply with prior orders of this court in the respects set forth in paragraph 10 of the February 19 order, issue a warrant for his arrest and direct that he be incarcerated until he performs the Affirmative Acts set forth in paragraph 8 of the February 19 order;
3. Make a criminal referral to the U.S. Attorney based on Baker's spoliation of evidence as described in paragraph 1(c)(i) of the February 19 order; and

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CONT... CLARK WARREN BAKER

Chapter 7

4. Set a continued hearing to evaluate, based on information contained in any declaration that Baker may subsequently file pursuant to paragraphs 7 and 9 of the February 19 order, whether to impose the additional sanctions referenced in paragraphs 1(d) and 1(e) of the February 19 order.

Final Ruling for April 2, 2019:

Court entered order April 24, 2019, making the additional findings set forth in paragraph 11 of its February 19, 2019 order; holding Baker in civil contempt for violating certain of its prior orders; directing that Baker be incarcerated until he has purged his contempt by performing certain "Required Affirmative Acts; and stating that the Court will refer Baker to the U.S. Attorney for criminal prosecution for spoliation of evidence. (Court subsequently submitted referral to U.S. Attorney.)

5/1/19 -- US Marshal took Baker into custody on May 1, 2019. The court conducted a status conference on May 1, 2019 at 2:00 pm. Court issued order releasing Baker from custody and giving him until May 9, 2019 to perform the Required Acts. Order provided that court would issue a new warrant for Baker's arrest if he failed to file the required declaration or perform any of the Required Affirmative Acts by May 9, 2019.

5/10/19 -- Court reviewed supplemental declaration filed by Baker on May 9, 2019, made certain findings as to its sufficiency and stated that, "Although this Court has no doubt that Baker has disregarded repeated orders of this Court and remains in contempt of Court, this Court has no reason to believe that continued incarceration of Baker will result in an increased level of cooperation from Baker." Therefore, the Court ordered that Baker appear on June 11, 2019 at 10:00 a.m., then and there to show cause why the Court should not (1) strike his answer to complaint and enter judgment for the plaintiff; (2) issue a report and recommendation to the district court why he should not be held in criminal contempt and incarcerated for a period of not less than 90 days as punishment for his failure to comply with prior orders of this Court requiring him to retain and restore electronic data and to provide access to that data to this Court's neutral expert. The Court made written responses to this order due May 28, 2019 and replies due June 4, 2019.

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CONT... CLARK WARREN BAKER

Chapter 7

In addition, the court reserved the right to reissue an arrest warrant for Baker if he failed to file a further supplemental declaration as promised on page 5 of his supplemental declaration at lines 21-24.

Tentative Ruling for June 11, 2019:

Baker filed a second supplemental declaration regarding the Required Affirmative Acts on May 28, 2019. That declaration was not served on Judge Bluebond as required by the local bankruptcy rules and court manual. Court does not intend to reissue arrest warrant for civil contempt.

Only one paragraph of the foregoing declaration is responsive to the court's current order to show cause -- paragraph 11 -- which explains, among other things, that Baker is his mother's full time caregiver (which is not entirely true, as Baker has explained that she has part-time help that comes in for a few hours a day). Court does not intend to hold Baker in civil contempt for failing to pay monetary sanctions.

However, Baker cannot be permitted to disregard orders of this court with impunity even if his mother and girlfriend are elderly. According to Baker, it is now impossible for him to undo the harm that he has caused by violating court orders by restoring deleted data and compensating the other side for the costs that it incurred in light of his conduct, therefore, if Baker is to be believed, coercive contempt sanctions are futile. Based on the findings that the Court has already made, judgment for plaintiff is warranted. However, in addition to striking Baker's answer to complaint and entering judgment for plaintiff, the Court will issue a report and recommendation to the district court that Baker be punished for his repeated violations of orders of this Court. This court will recommend that Baker be incarcerated for a period of not less than 90 days, as there is no reason to believe that Baker would pay any monetary sanction that might be imposed. It will be up to the district court to decide whether incarceration would be appropriate on these facts and, if so, for how long.

Party Information

Debtor(s):

CLARK WARREN BAKER

Represented By
Alan F Broidy

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, June 11, 2019

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10:00 AM

CONT... CLARK WARREN BAKER

Chapter 7

Baruch C Cohen

Defendant(s):

CLARK WARREN BAKER

Represented By
Jessica Ponce

Plaintiff(s):

James Murtagh

Represented By
David P Bleistein
Lisa Hiraide

Trustee(s):

Sam S Leslie (TR)

Represented By
Carolyn A Dye

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, June 11, 2019

Hearing Room 1539

10:00 AM

2:15-20351 CLARK WARREN BAKER

Chapter 7

Adv#: 2:15-01535 Murtagh v. BAKER et al

#8.00 Motion By Plaintiff James Murtagh, M.D. For Order: (A) Directing Neutral Expert To Turn Over to Bruce Anderson All Data Acquired In This Case; And (B) For Related Relief

fr, 3-12-19, 4-2-19

Docket 411

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

3/6/19 -- Court granted motion to continue hearing to April 2, 2019 at 10:00 a.m. to be heard concurrently with related matters on calendar for that date and time.

By failing to respond to plaintiff's discovery requests in a timely manner, Baker has waived any objections and any attorney/client privilege and any protections for attorney work product. However, other parties have not waived any privileges that might be applicable, if there are such privileges available with regard to communications to which Baker was a party.

Formulate practical measures for use by Mr. Broom to cull out from any materials to be turned over to plaintiff communications and data that have no bearing on the instant lawsuit or issues concerning Dr. Murtagh. This should address concerns raised by NIC and Scott Vick and any other third parties who may be affected by turnover of data.

4/23/19 -- Court entered order resolving motion. No continued hearing was set. OFF CALENDAR. NO APPEARANCE REQUIRED.

Party Information

Debtor(s):

CLARK WARREN BAKER

Represented By

**United States Bankruptcy Court
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CONT... CLARK WARREN BAKER

Chapter 7

Alan F Broidy
Baruch C Cohen

Defendant(s):

CLARK WARREN BAKER

Represented By
Jessica Ponce

Movant(s):

James Murtagh

Represented By
David P Bleistein
Lisa Hiraide

James Murtagh

Represented By
David P Bleistein
Lisa Hiraide

Plaintiff(s):

James Murtagh

Represented By
David P Bleistein
Lisa Hiraide

Trustee(s):

Sam S Leslie (TR)

Represented By
Carolyn A Dye

**United States Bankruptcy Court
Central District of California
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Tuesday, June 11, 2019

Hearing Room 1539

10:00 AM

2:15-20351 CLARK WARREN BAKER

Chapter 7

Adv#: 2:15-01535 Murtagh v. BAKER et al

#9.00 Status Conference re: 67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny) (68 (Dischargeability - 523(a)(6), willful and malicious injury)) Complaint by James Murtagh against Clark Warren Baker

fr. 12-8-15, 2-9-16, 4-5-16, 5-10-16, 5-24-16, 5-31-16, 9-27-16, 11-15-16, 1-10-17, 3-14-17, 6-13-17, 6-27-17, 7-11-17, 10-31-17, 2-13-18, 3-13-18, 5-8-18, 6-27-18, 8-16-18, 9-27-18, 12-11-18, 1-8-19, 3-12-19, 4-2-19

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Defendant's counsel should not handwrite documents to be filed with the Court. His writing is illegible.

Continue status conference to May 10, 2016 at 2:00 p.m. to be heard concurrently with related matters that will be on calendar for that date. OFF CALENDAR. NO APPEARANCE REQUIRED.

Tentative Ruling for May 31, 2016:

Revisit status of action after conclusion of related matters on calendar.

6/2/16 -- Court signed scheduling order setting following dates:
Cont'd status conference -- September 27, 2016 at 2:00 p.m.
L/D to file joint status report -- September 13, 2016
Discovery cutoff -- September 30, 2016
L/D to lodge order appointing mediator -- June 17, 2016
Deadline to complete mediation -- September 27, 2016

7/6/16 -- court approved order appointing mediators.

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CONT... CLARK WARREN BAKER

Chapter 7

Tentative Ruling for September 27, 2016:

Plaintiff has filed a notice of inability to prepare joint status report. Where is the declaration required by LBR 7016-1(a)(3) that must be included whenever a party submits a unilateral status report? Why haven't the parties used the mandatory status report form required by LBR 7016-1(a)(2)? When counsel for plaintiff provided a draft status report that did not comply with the Local Bankruptcy Rules, why didn't counsel for the defendant file a unilateral report in compliance with LBR 7016-1(a)(3)?

Impose sanctions of \$150 on counsel for each of the parties. Counsel for the plaintiff is urged to download a current version of the Court's local rules, as he is apparently relying on an outdated version of the rules. He should refer to the Court's website.

As a result, although there is a great deal of alleged information contained in plaintiff's filing, none of it is evidence and it does not address the issues that are supposed to be included in the status report.

Set continued status conference in approximately 30 to 45 days. Parties are to file the required joint status report form not less than two weeks prior to the continued status conference.

Tentative Ruling for March 14, 2017:

Revisit status of action after conclusion of hearing on matter no.101.

3/25/17 -- Court signed scheduling order setting following dates:

Cont'd status conference -- June 13, 2017 at 2:00 p.m.

L/D to file joint status report -- May 30, 2017

L/D to designate experts and exchange reports -- May 15, 2017

L/D to exchange responsive reports -- June 12, 2017

5/26/17 -- Court granted motion to extend June 12 deadline to June 19 and continued status conference to June 27, 2017 at 2:00 p.m. OFF CALENDAR FOR JUNE 13, 2017.

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CONT... CLARK WARREN BAKER

Chapter 7

6/12/17 -- Court approved stipulation continuing hearing to July 11, 2017 at 2:00 p.m. OFF CALENDAR FOR JUNE 27, 2017.

Tentative Ruling for July 11, 2017:

Parties were to exchange expert witness reports. They did not need to file them. On May 16, 2017, Court reopened discovery for a period of 60 days from that date to permit the parties to conduct additional discovery related to the website www.baddocjm.com. Are the parties on track to complete that discovery by July 15?

Set deadline for the completion of expert discovery. Has all other discovery been completed?

Set pretrial conference and deadline for lodging joint pretrial order. Discuss with parties form of proposed pretrial order.

8/15/17 -- Court approved scheduling order setting following dates:

L/D to complete expert discovery -- September 15, 2017
Cont'd status conference -- October 31, 2017 at 2:00 p.m.
L/D to file joint status report -- October 17, 2017

Tentative Ruling for October 31, 2017:

In light of court's rulings in related matters, when does plaintiff anticipate that he will be ready for trial.

2/6/18 -- Court approved stipulation continuing hearing to March 13, 2018 at 2:00 p.m. OFF CALENDAR FOR FEBRUARY 13, 2018.

Tentative Ruling for March 13, 2018:

Continue status conference to March 20, 2018 at 2:00 p.m. to be heard concurrently with motion on calendar for that date and time. Where is status report that should have been filed two weeks before status conference?

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CONT... CLARK WARREN BAKER

Chapter 7

APPEARANCES WAIVED ON MARCH 13, 2018.

Tentative Ruling for June 27, 2018:

Continue status conference to date of hearing on OSC (August 16, 2018 at 10:00 a.m.)

Tentative Ruling for August 16, 2018:

Revisit status of action after conclusion of hearing on OSC.

Tentative Ruling for September 27, 2018:

Continue status conference to a date after neutral expert should have filed his initial status report.

Tentative Ruling for December 11, 2018:

Revisit status of action after conclusion of hearing on matter no. 209.

12/10/18 -- Court approved stipulation continuing hearing to January 8, 2019 at 2:00 p.m. OFF CALENDAR FOR DECEMBER 11, 2018. NO APPEARANCE REQUIRED.

Tentative Ruling for January 8, 2019:

Revisit status of action after conclusion of hearing on matter no. 209.

3/6/19 -- Court continued hearing to April 2, 2019 at 10:00 a.m. to be heard concurrently with related matters on calendar for that date and time.

Tentative Ruling for April 2, 2019:

Revisit status of action after conclusion of hearing on related matters on calendar.

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CONT... CLARK WARREN BAKER

Chapter 7

Tentative Ruling for June 11, 2019:

For reasons set forth in tentative ruling for matter no. 7, strike Baker's answer to complaint and enter judgment for plaintiff and take status conference off calendar. Plaintiff should lodge proposed form of judgment.

Party Information

Debtor(s):

CLARK WARREN BAKER

Represented By
Alan F Broidy
Baruch C Cohen

Defendant(s):

CLARK WARREN BAKER

Represented By
Jessica Ponce

Plaintiff(s):

James Murtagh

Represented By
David P Bleistein
Lisa Hiraide

Trustee(s):

Sam S Leslie (TR)

Represented By
Carolyn A Dye

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1539 Calendar**

Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

2:15-14744 Video Symphony Entertraining Inc

Chapter 7

Adv#: 2:16-01294 Diamond, Chapter 7 Trustee, Plaintiff v. Flanagan et al

#200.00 Status Conference re: 91 (Declaratory judgment),(11 (Recovery of money/property - 542 turnover of property)),(12 (Recovery of money/property - 547 preference)),(13 (Recovery of money/property - 548 fraudulent transfer)),(14 (Recovery of money/property - other)) Complaint by Richard K. Diamond, Chapter 7 Trustee, Plaintiff against Michael Gerard Flanagan, Michael Gerard Flanagan, as trustee of The Michael and Alice Flanagan Family Trust dated July 25, 2009, Alice Yick Flanagan, as trustee of The Michael and Alice Flanagan Family Trust dated July 25, Video Symphony, LLC.

fr. 8-30-16, 10-4-16, 11-29-16, 4-4-17, 4-25-17, 5-9-17, 6-13-17, 8-22-17, 10-3-17, 2-6-18, 2-13-18, 6-5-18, 9-11-18, 10-23-18, 11-27-18, 2-27-19

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

8/11/16 -- Court approved stipulation continuing status conference to October 4, 2016 at 2:00 p.m. OFF CALENDAR. NO APPEARANCE REQUIRED.

Tentative Ruling for November 29, 2016:

Revisit status of action after conclusion of related matters on calendar.

3/21/17 -- Court approved stipulation continuing hearing to April 25, 2017 at 2:00 p.m. OFF CALENDAR FOR APRIL 4, 2017.

4/24/17 -- Court approved stipulation continuing hearing to June 13, 2017 at 2:00 p.m. OFF CALENDAR FOR MAY 9, 2017.

Tentative Ruling for June 13, 2017:

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2:00 PM

CONT... Video Symphony Entertraining Inc

Chapter 7

Revisit status of action after conclusion of related matters on calendar.

8/14/17 -- Court approved stipulation extending certain dates and continuing hearing to October 3, 2017 at 2:00 p.m. OFF CALENDAR FOR AUGUST 22, 2017.

Tentative Ruling for October 3, 2017:

Revisit status of action after conclusion of related matters on calendar.

2/5/18 -- Court approved stipulation continuing hearing to February 13, 2018 at 2:00 p.m. OFF CALENDAR FOR FEBRUARY 5, 2018.

Tentative Ruling for February 13, 2018:

Revisit status of action after conclusion of related matters on calendar.

2/20/18 -- Court approved scheduling order with following dates:

Cont'd status conference -- June 5, 2018 at 2:00 p.m.

L/D to file joint status report -- May 22, 2018

Discovery cutoff -- August 17, 2018

Tentative Ruling for June 5, 2018:

Extend discovery cutoff to March 2019 and order the parties to mediation.

6/11/18 -- Court approved order setting following dates:

Cont'd status conference -- September 11, 2018 at 2:00 pm

L/D to serve and file joint status report -- August 28, 2018

L/D to complete discovery -- March 29, 2019

Tentative Ruling for September 11, 2018:

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

CONT... Video Symphony Entertraining Inc

Chapter 7

Continue status conference until early January, 2019. Order parties to complete a day of mediation prior to date of continued status conference.

Tentative Ruling for November 27, 2018:

Revisit status of action after conclusion of related matters on calendar.

Tentative Ruling for February 27, 2019:

Revisit status of action after conclusion of related matters on calendar.

3/8/19 -- Court approved scheduling order setting following dates:

Cont'd status conference -- June 11, 2019 at 2:00 p.m.

L/D to file joint status report -- May 28, 2019

Court will bifurcate issues and try valuation first.

L/D to conduct nonexpert discovery on valuation issues is continued to June 28, 2019

L/D to designate expert witnesses and exchange expert witness reports -- June 28, 2019

L/D to conduct expert witness discovery -- August 19, 2019

3/20/19 -- Court approved stipulation extending time for trustee to respond to request for production of documents and interrogatories to April 18, 2019 and extending deadline for defendants to file accounting to March 18, 2019.

Tentative Ruling for June 11, 2019:

Continue status conference approximately 90 days and order the parties to complete a day of mediation prior to the date of the continued status conference.

Party Information

Debtor(s):

Video Symphony Entertraining Inc

Represented By
Dean G Rallis Jr

**United States Bankruptcy Court
Central District of California
Los Angeles
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CONT... Video Symphony Entertraining Inc

Chapter 7

Defendant(s):

Michael Gerard Flanagan	Represented By Samuel Price
Michael Gerard Flanagan, as trustee	Represented By Samuel Price
Alice Yick Flanagan, as trustee of	Represented By Samuel Price
Video Symphony, LLC	Represented By Samuel Price

Plaintiff(s):

Richard K. Diamond, Chapter 7	Represented By Michael G D'Alba Howard Kollitz Walter K Oetzell
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Trustee(s):

Richard K Diamond (TR)	Represented By Michael G D'Alba Howard Kollitz Sonia Singh
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sheri Bluebond, Presiding
Courtroom 1539 Calendar**

Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

2:15-14744 Video Symphony Entertraining Inc

Chapter 7

Adv#: 2:16-01480 Diamond, Chapter 7 Trustee, Plaintiff v. Flanagan et al

#201.00 Status Conference re: 14 (Recovery of money/property - other),(72 (Injunctive relief - other)) Complaint by Richard K. Diamond, Chapter 7 Trustee, Plaintiff against Alice Yick Flanagan, Alice Yick Flanagan, as trustee of The Michael and Alice Flanagan Family Trust dated July 25, Michael Gerard Flanagan, Michael Gerard Flanagan, as trustee of The Michael and Alice Flanagan Family Trust dated July 25, 2009

fr. 1-10-17, 4-4-17, 4-25-17, 5-9-17, 6-13-17, 8-22-17, 10-3-17, 2-6-18, 2-13-18, 6-5-18, 9-11-18, 10-23-18, 11-27-18, 2-27-19

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

12/22/16 -- Court approved stipulation continuing hearing to April 4, 2017 at 2:00 p.m. and waiving status report for that conference. OFF CALENDAR FOR JANUARY 10, 2017. NO APPEARANCE REQUIRED.

3/21/17 -- Court approved stipulation continuing hearing to April 25, 2017 at 2:00 p.m. OFF CALENDAR FOR APRIL 4, 2017.

HEARING CONTINUED TO MAY 9, 2017 AT 2:00 P.M. OFF CALENDAR FOR APRIL 25, 2017.

4/24/17 -- Court approved stipulation continuing hearing to June 13, 2017 at 2:00 p.m. OFF CALENDAR FOR MAY 9, 2017.

Tentative Ruling for June 13, 2017:

Revisit status of action after conclusion of related matters on calendar.

**United States Bankruptcy Court
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Los Angeles
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Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

CONT... Video Symphony Entertraining Inc Chapter 7

8/14/17 -- Court approved stipulation extending certain dates and continuing hearing to October 3, 2017 at 2:00 p.m. OFF CALENDAR FOR AUGUST 22, 2017.

Tentative Ruling for February 6, 2018:

Revisit status of action after conclusion of related matters on calendar.

2/5/18 -- Court approved stipulation continuing hearing to February 13, 2018 at 2:00 p.m. OFF CALENDAR FOR FEBRUARY 5, 2018.

Tentative Ruling for February 13, 2018:

Revisit status of action after conclusion of related matters on calendar.

2/20/18 -- Court approved scheduling order with following dates:

Cont'd status conference -- June 5, 2018 at 2:00 p.m.
L/D to file joint status report -- May 22, 2018
Discovery cutoff -- August 17, 2018

Tentative Ruling for June 2, 2018:

Extend discovery cutoff to March 2019 and continue status conference approximately 90 days.

6/11/18 -- Court approved order setting following dates:

Cont'd status conference -- September 11, 2018 at 2:00 pm
L/D to serve and file joint status report -- August 28, 2018
L/D to complete discovery -- March 29, 2019

Tentative Ruling for October 23, 2018:

Continue to trail this action along with matter on calendar as number 215.

Tentative Ruling for June 11, 2019:

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1539 Calendar**

Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

CONT... Video Symphony Entertraining Inc

Chapter 7

Continue to trail this action along with matter on calendar as number 200.

Party Information

Debtor(s):

Video Symphony Entertraining Inc	Represented By Dean G Rallis Jr
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Defendant(s):

Alice Yick Flanagan	Represented By Samuel Price
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Alice Yick Flanagan, as trustee of	Represented By Samuel Price
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Michael Gerard Flanagan	Represented By Samuel Price
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Michael Gerard Flanagan, as trustee	Represented By Samuel Price
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Plaintiff(s):

Richard K. Diamond, Chapter 7	Represented By Michael G D'Alba Howard Kollitz
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Trustee(s):

Richard K Diamond (TR)	Represented By Michael G D'Alba Howard Kollitz Sonia Singh
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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Sheri Bluebond, Presiding
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Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

2:18-10510 Lisa Nicole Brubaker

Chapter 7

Adv#: 2:18-01230 Brubaker v. Firstmark Access Group et al

#202.00 Pretrial Conference re: 63 (Dischargeability - 523(a)(8), student loan)) Complaint by Lisa Nicole Brubaker against Firstmark Access Group , Nelnet Loan Service Inc , Deutsche Bank ELT Access Group , American Student Loan Assistance
fr. 9-26-18, 10-23-18, 1-15-19, 4-2-19, 5-7-19

Docket 1

Courtroom Deputy:

6/3/19 - Lisa Brubaker, (917)450-4018, has been approved for telephonic appearance on 6/11/19 @ 2pm

Tentative Ruling:

Set discovery cutoff for late February. Set pretrial conference for late March. Require parties to complete a day of mediation prior to date of pretrial conference.

1/25/19 -- Court approved scheduling order with following dates:

L/D to file pretrial motions -- March 12, 2019

L/D to conduct discovery -- February 28, 2019

L/D to lodge pretrial order -- March 19, 2019

Pretrial conference -- April 2, 2019 at 2:00 p.m.

L/D to lodge order appointing mediator -- February 11, 2019

L/D to complete mediation -- April 2, 2019

2/12/19 -- Court approved order appointing mediators.

3/5/19 -- Court approved stipulation continuing pretrial conference to May 7, 2019 at 2:00 p.m. OFF CALENDAR FOR APRIL 2, 2019.

4/15/19 -- Court approved stipulation continuing pretrial conference to June 11, 2019 at 2:00 p.m. OFF CALENDAR FOR MAY 7, 2019.

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Hearing Room 1539

2:00 PM

CONT... Lisa Nicole Brubaker

Chapter 7

5/31/19 -- Court approved stipulation dismissing defendant AccessLex Institute.

Tentative Ruling for June 11, 2019:

Approve pretrial order and set trial date and briefing schedule.

Party Information

Debtor(s):

Lisa Nicole Brubaker	Pro Se
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Defendant(s):

Firstmark Access Group	Pro Se
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Nelnet Loan Service Inc	Pro Se
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Deutsche Bank ELT Access Group	Pro Se
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Educational Credit Management	Represented By Scott A Schiff
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Plaintiff(s):

Lisa Nicole Brubaker	Pro Se
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Trustee(s):

John J Menchaca (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

2:18-21265 Jaime Garcia

Chapter 7

Adv#: 2:18-01469 Garibay v. Garcia et al

#203.00 Status Conference re: 68 (Dischargeability - 523(a)(6), willful and malicious injury))(65 (Dischargeability - other)) Complaint by Olivia Garibay against Jaime Garcia , Does 1 through 20, inclusive

FR. 3-5-19

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative Ruling for March 5, 2019:

Two status reports were filed. Court did not receive either. The first, filed February 25, 2019, which bears a signature date of February 25, 2019 is a unilateral report from the debtor. The proof of service attached to that report, signed under penalty of perjury by Marvin Jarrett Mann says that it was served by personal delivery, overnight mail, facsimile transmission or email (but doesn't specify which) on **January 22, 2019**. This must be a false statement as the document did not even exist as of that date. (It also says that it was served through the court's NEF system on other parties in interest on January 21, 2019.) This is false as well. The document was not filed until February 25 and therefore could not have been served on that date by NEF.

Sanction counsel for defendant \$150 for filing false proofs of service. Court needs to be able to rely on the accuracy of these documents. Counsel should ensure that his staff uses more care in preparing these documents.

Second status report, filed February 27, 2019, appears to be a joint status report, in that it has information completed on both sides of the form, but has only an electronic signature from counsel for plaintiff. The proof of service attached to that document does not show the date on which a copy was provided to the court. Court ended up printing BOTH status reports. This is

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Tuesday, June 11, 2019

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2:00 PM

CONT...

Jaime Garcia

Chapter 7

not acceptable. Parties need to file a JOINT status report two weeks before the status conference and serve a copy to the court not less than 14 days before the status conference.

Why does defendant's status report say, "Summons issued 12/18, thereby requiring trial in two months"? Plaintiff's status report says approximately the same thing. Under what theory do the parties believe that trial is required within two months after the issuance of a summons?

Continue status conference approximately 90 days and order parties to complete a day of mediation prior to date of continued status conference.

3/26/19 -- Court approved order appointing mediators.

Final Ruling for March 5, 2019:

Continue status conference to June 11, 2019 at 2:00 p.m. Parties should file joint status report by May 28, 2019. Parties are to lodge an order appointing mediators by March 22, 2019 and complete a day of mediation by June 11, 2019. Court will impose sanctions of \$150 on counsel for defendant for using a false proof of service and an additional \$150 for failing to attend status conference. Court will prepare scheduling and sanction order.

Tentative Ruling for June 11, 2019:

Parties completed a day of mediation but are asking to return to mediation, using the alternate mediator. Set discovery cutoff in late October, 2019, continue status conference for approximately 90 to 120 days and order parties to complete another day of mediation.

Party Information

Debtor(s):

Jaime Garcia

Represented By
Marvin Jarrett Mann

Defendant(s):

Jaime Garcia

Represented By

**United States Bankruptcy Court
Central District of California
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Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

CONT...

Jaime Garcia

Chapter 7

Marvin Jarrett Mann

Does 1 through 20, inclusive

Pro Se

Plaintiff(s):

Olivia Garibay

Represented By
Kaveh Elihu
Daniel Friedman

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

2:18-22352 Floyd Naymon Foster, Sr.

Chapter 7

Adv#: 2:19-01015 Credit Union of Southern California v. Foster, Sr.

#204.00 Motion for Default Judgment against Floyd Naymon Foster

fr. 4-30-19

Docket 13

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative Ruling for April 30, 2019:

Deny motion for default judgment under sections 523(a)(2)(A) and 523(a)(6). There is no evidence that plaintiff made any misrepresentation other than a promise to repay the loan. Mere failure to repay a loan does not give rise to nondischargeable liability. What evidence does plaintiff have that debtor had no intention of paying the loan at the time he took out the loan? Was there any false information contained in the loan application or is the only relevant fact that the debtor made no payments on the loan? That is insufficient. If movant believes there are additional facts that might be shown in an amended motion, continue hearing to give movant an opportunity to file a supplemental declaration.

Final Ruling for April 30, 2019:

Movant should serve and file supplemental declaration by May 21, 2019. Continue hearing to June 11, 2019 at 2:00 p.m.

Tentative Ruling for June 11, 2019:

Where is supplemental declaration that should have been filed by May 21, 2019? Deny motion and dismiss adversary proceeding.

Party Information

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

CONT... Floyd Naymon Foster, Sr.

Chapter 7

Debtor(s):

Floyd Naymon Foster Sr.

Represented By
Steven A Alpert

Defendant(s):

Floyd Naymon Foster Sr.

Pro Se

Movant(s):

Credit Union of Southern California

Represented By
Karel G Rocha

Plaintiff(s):

Credit Union of Southern California

Represented By
Karel G Rocha

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

2:18-22352 Floyd Naymon Foster, Sr.

Chapter 7

Adv#: 2:19-01015 Credit Union of Southern California v. Foster, Sr.

#205.00 Status Conference re: 62 (Dischargeability - 523(a)(2) false pretenses, false representation, actual fraud)) (68 (Dischargeability - 523(a)(6), willful and malicious injury)) Complaint by Credit Union of Southern California against Floyd Naymon Foster Sr.

fr. 4-2-19, 4-30-19

Docket 1

Courtroom Deputy:

3/4/19 - Default entered against Floyd Naymon Foster, Sr.

Tentative Ruling:

Revisit status of case after conclusion of hearing on motion for default judgment.

Party Information

Debtor(s):

Floyd Naymon Foster Sr.

Represented By
Steven A Alpert

Defendant(s):

Floyd Naymon Foster Sr.

Pro Se

Plaintiff(s):

Credit Union of Southern California

Represented By
Karel G Rocha

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

2:18-22419 Julio Alberto Barahona

Chapter 7

Adv#: 2:19-01001 Travelers Express Company Inc. v. Barahona et al

#206.00 Status Conference re: 67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)), (68 (Dischargeability - 523(a)(6), willful and malicious injury)),(41 (Objection / revocation of discharge - 727(c),(d),(e))) Complaint by Travelers Express Company Inc. against Julio Barahona, Jessica Rios

fr. 3-5-19

Docket 1

***** VACATED *** REASON: 6/4/19 - JUDGMENT ENTERED**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Continue status conference approximately 90 days. Order parties to complete a day of mediation prior to date of continued status conference.

3/6/19 -- Court signed scheduling order with following dates:

Cont'd status conference -- June 11, 2019 at 2:00 p.m.
L/D to file joint status report -- May 28, 2019
L/D to complete mediation -- June 11, 2019
L/D to lodge order appointing mediators -- March 22, 2019

6/4/19 -- OFF CALENDAR. COURT APPROVED JUDGMENT PURSUANT TO STIPULATION.

Party Information

Debtor(s):

Julio Alberto Barahona

Represented By
Francis Guilardi

Defendant(s):

Julio Alberto Barahona

Pro Se

**United States Bankruptcy Court
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Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

CONT... Julio Alberto Barahona

Chapter 7

Jessica Rios

Pro Se

Joint Debtor(s):

Jessica Rios

Represented By
Francis Guilardi

Plaintiff(s):

Travelers Express Company Inc.

Represented By
Robert L Rentto

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

**United States Bankruptcy Court
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Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

2:18-23674 Anna M Granucci

Chapter 7

Adv#: 2:19-01049 Gottlieb v. Granucci

#207.00 Motion to Quash and Motion for Protective Order

Docket 10

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Deny request for sanctions. The only significant problem here is that the subpoena was not served on movant as required by FRCP 45(a)(4). Other than that, there is no problem with plaintiff's obtaining bank records concerning the debtor. There is no privilege or confidentiality that protects such documents on a blanket basis, and movant has not articulated any set of facts on which any of the documents in question could possibly contain trade secrets or other information subject to any applicable privilege. Records requested relate to debtor, Styleworks and AMG from April 1, 2016 to the present. Court has no objection to the length of time, but why would the plaintiff need bank records that relate to the post-petition period?

Hearing required.

(If movant is trying to argue that the entire action is barred based on prior rulings of the arbitrator or a prior settlement between the parties, movant should raise this issue in a motion to dismiss or for summary judgment, not in a motion to quash.)

Party Information

Debtor(s):

Anna M Granucci

Represented By
Larry D Simons

Defendant(s):

Anna M Granucci

Represented By
Richard P Ross

**United States Bankruptcy Court
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Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

CONT... Anna M Granucci

Chapter 7

Movant(s):

Anna M Granucci

Represented By
Richard P Ross

Plaintiff(s):

Abraham Gottlieb

Represented By
John Burgee

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

2:19-11827 Leslie Florence Taylor

Chapter 7

Adv#: 2:19-01105 Avery v. Taylor et al

#208.00 Status Conference re: 91 (Declaratory judgment),(11 (Recovery of money/property - 542 turnover of property)) Complaint by Wesley H. Avery against Alfred B. Taylor, Leslie Florence Taylor

Docket 1

***** VACATED *** REASON: CONT'D. TO 7/30/19 @ 2PM**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative Ruling for June 11, 2019:

At request of parties, continue status conference to July 30, 2019 at 2:00 p.m.
APPEARANCES WAIVED ON JUNE 11, 2019.

Party Information

Debtor(s):

Leslie Florence Taylor

Represented By
Gregory Grigoryants

Defendant(s):

Alfred B. Taylor

Pro Se

Leslie Florence Taylor

Represented By
Gregory Grigoryants

Plaintiff(s):

Wesley H. Avery

Represented By
Brett B Curlee
Stella A Havkin

Trustee(s):

Wesley H Avery (TR)

Represented By
Brett B Curlee

**United States Bankruptcy Court
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2:00 PM

CONT...

Leslie Florence Taylor

Stella A Havkin

Chapter 7

**United States Bankruptcy Court
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Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

2:19-11827 Leslie Florence Taylor

Chapter 7

Adv#: 2:19-01105 Avery v. Taylor et al

#209.00 Status Conference re: 91 (Declaratory judgment),(11 (Recovery of money/property - 542 turnover of property)) Complaint by Wesley H. Avery against Alfred B. Taylor, Leslie Florence Taylor

Docket 1

***** VACATED *** REASON: DUPLICATE OF CALENDAR NO. 208**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

DUPLICATE -- OFF CALENDAR.

Party Information

Debtor(s):

Leslie Florence Taylor

Represented By
Gregory Grigoryants

Defendant(s):

Alfred B. Taylor

Pro Se

Leslie Florence Taylor

Represented By
Gregory Grigoryants

Plaintiff(s):

Wesley H. Avery

Represented By
Brett B Curlee
Stella A Havkin

Trustee(s):

Wesley H Avery (TR)

Represented By
Brett B Curlee
Stella A Havkin

**United States Bankruptcy Court
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Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

2:19-11827 Leslie Florence Taylor

Chapter 7

Adv#: 2:19-01106 Avery v. Taylor

#210.00 Status Conference re: 41 (Objection / revocation of discharge - 727(c),(d),(e))
Complaint by Wesley H. Avery against Leslie Florence Taylor

Docket 1

***** VACATED *** REASON: CONT'D. TO 7/30/19 @ 2PM**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative Ruling for June 11, 2019:

At request of parties, continue status conference to July 30, 2019 at 2:00 p.m.
APPEARANCES WAIVED ON JUNE 11, 2019.

Party Information

Debtor(s):

Leslie Florence Taylor

Represented By
Gregory Grigoryants

Defendant(s):

Leslie Florence Taylor

Represented By
Gregory Grigoryants

Plaintiff(s):

Wesley H. Avery

Represented By
Brett B Curlee

Trustee(s):

Wesley H Avery (TR)

Represented By
Brett B Curlee
Stella A Havkin

**United States Bankruptcy Court
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Los Angeles
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Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

2:16-13852 East Coast Foods, Inc.

Chapter 11

#211.00 Status Conference re: Plan Trustee's Motion To Approve Procedures For The Estimation Of Claims Under 11 U.S.C. § 502(c) re: Proofs Of Claims:

- (1) Claim 26-1 Of Arthur Moncayo
 - (2) Claim 25-1 Of Daniel Flores
 - (3) Claim 28-1 Of Ettieonne Cook
 - (4) Claim 21-1 Of Jose Duarte
 - (5) Claim 22-1 Of Maurice Faber
- fr. 12-12-18

Docket 1188

***** VACATED *** REASON: OFF CALENDAR.**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

11/29/18 -- Court approved stipulation continuing hearing to December 19, 2018 at 10:00 a.m. OFF CALENDAR FOR DECEMBER 12, 2018.

Tentative Ruling for December 19, 2018:

Claimants have waived their right to a jury trial by filing proofs of claim and this Court is an appropriate forum for the resolution of their claims. Further, claimants never sought relief from stay to reduce their claims to judgment in state court and it is likely that the claims can be resolved in a more expeditious manner in bankruptcy court than in state court.

Motion is styled as a motion to estimate claims. A bankruptcy court can estimate claims for the purpose of voting or distribution, or for other interim purposes, leaving open the possibility that there will be a final adjudication

**United States Bankruptcy Court
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Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

CONT...

East Coast Foods, Inc.

Chapter 11

later, or the court can estimate the claim in such a way that the estimation is in substance a final adjudication. Court is not inclined to require the parties to liquidate the claims twice and would prefer that the amount of the claims be finally resolved.

Court will deem claim objections to be adversary proceedings for procedural purposes and resolve them as it would any adversary proceedings. Approve mediation and discovery procedures requested by the movant. In the event that the parties are unable to resolve the matters through mediation, court will conduct a status conference and assess whether additional discovery is required or whether the matter is ready to be set for a pretrial conference and an evidentiary hearing. The court will establish the appropriate trial briefing schedule at the pretrial conference. This approach should significantly expedite resolution of the claims yet afford full due process rights to the parties to litigate their respective claims and objections.

Final Ruling for December 19, 2018:

Court entered order on January 7, 2019 granting in part and denying in part. Court granted relief from stay to the extent necessary to permit the plan trustee and the plaintiffs to file a notice of removal and remove the action pending in superior court to bankruptcy court. Order authorizes the parties to conduct discovery and directs them to participate in mediation by June 3, 2019. Court will conduct a status conference on June 11, 2019 at 2:00 p.m. Parties are not required to file a status report.

Tentative Ruling for June 11, 2019:

OFF CALENDAR. Cont'd status conference was to be status conference in adversary proceeding, which is matter no. 212 on calendar. This is now a duplicate. Motion has been resolved.

Party Information

Debtor(s):

East Coast Foods, Inc.

Represented By
Vahe Khojayan
Philip E Strok

**United States Bankruptcy Court
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2:00 PM

CONT... East Coast Foods, Inc.

Chapter 11

Michael Jay Berger

Movant(s):

Brian Weiss

Represented By
Robert S Marticello
Philip E Strok
Michael Simon
Timothy W Evanston

Trustee(s):

Bradley D. Sharp (TR)

Represented By
Zev Shechtman
Uzzi O Raanan ESQ
John N Tedford

Brian Weiss

Represented By
Robert S Marticello
Philip E Strok
Michael Simon
Timothy W Evanston

**United States Bankruptcy Court
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Los Angeles
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Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

2:16-13852 East Coast Foods, Inc.

Chapter 11

Adv#: 2:19-01007 Flores et al v. East Coast Foods, Inc. d/b/a Rosdoe's House o

#212.00 Status Conference re: Notice of Removal of Civil Action Pending in the Los Angeles Superior Court with Proof of Service Nature of Suit: (01 (Determination of removed claim or cause)) Complaint by Daniel Flores, Dominique Spears, Jose Duarte, Maurice Faber, Ettieonne Cook, Toiva McKenzie, Arthur Moncayo against East Coast Foods, Inc. d/b/a Rosdoe's House of Chicken N' Waffles, Freeway Foods, Inc. d/b/a Roscoe's House Of Chicken N' Waffles, Shoreline Foods, Inc. d/b/a Roscoe's House Of Chicken N' Waffles, Lizbeth Jalilian aka Lisa Hernandez, Adriana Terrones, Waffle Plaza Properties, Inc., Roscoe's Intellectual Properties, LLC.

Docket 1

***** VACATED *** REASON: CONT'D. TO 8/7/19 @ 11AM**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative Ruling for June 11, 2019:

Parties attended mediation that produced a settlement. A hearing on the 9019 motion is currently set for August 7, 2019 at 11:00 a.m. Continue status conference to August 7, 2019 at 11:00 to be heard concurrently with 9019 motion. OFF CALENDAR FOR JUNE 11, 2019. NO APPEARANCE REQUIRED.

Party Information

Debtor(s):

East Coast Foods, Inc.

Represented By
Vahe Khojayan
Philip E Strok
Michael Jay Berger

Defendant(s):

Roscoe's Intellectual Properties,

Pro Se

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

Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

CONT... East Coast Foods, Inc. Chapter 11

Waffle Plaza Properties, Inc.	Pro Se
Adriana Terrones	Pro Se
Amusement Foods, Inc.	Pro Se
Shoreline Foods, Inc. d/b/a Roscoe's	Pro Se
Freeway Foods, Inc. d/b/a Roscoe's	Pro Se
East Coast Foods, Inc. d/b/a	Pro Se
Lizbeth Jalilian aka Lisa Hernandez	Pro Se

Plaintiff(s):

Daniel Flores	Pro Se
Dominique Spears	Pro Se
Jose Duarte	Pro Se
Maurice Faber	Pro Se
Ettieonne Cook	Pro Se
Toiva McKenzie	Pro Se
Arthur Moncayo	Pro Se

Trustee(s):

Bradley D. Sharp (TR)	Represented By Zev Shechtman Uzzi O Raanan ESQ John N Tedford
Brian Weiss	Represented By Robert S Marticello Philip E Strok Michael Simon Timothy W Evanston

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

Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

2:16-24862 NG DIP INC.(f/k/a Nasty Gal, Inc. a California Cor
Adv#: 2:18-01360 NG DIP Liquidating Trust v. Kacoo USA, LLC

Chapter 11

#213.00 Status Conference re: 12 (Recovery of money/poroperty - Section 547 Preference) . Complaint by NG DIP Liquidating Trust against Kacoo USA, LLC.

fr. 1-8-19, 4-2-19, 4-30-19

Docket 1

***** VACATED *** REASON: CONT'D. TO 8/13/19 @ 2PM**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

(Court was not served with copy of complaint.)

Set deadline for plaintiff to file request for entry of default and motion for entry of default judgment. Continue status conference to coincide with hearing on default judgment motion.

1/18/19 -- Court approved order extending deadline to respond to complain to January 31, 2019.

3/20/19 -- Court approved stipulation continuing status conference to April 30, 2019 at 2:00 p.m. OFF CALENDAR FOR APRIL 2, 2019.

4/16/19 -- Court approved stipulation continuing status conference to June 11, 2019 at 2:00 p.m. OFF CALENDAR FOR APRIL 30, 2019. NO APPEARANCE REQUIRED.

5/29/19 -- Court approved stipulation continuing hearing to August 13, 2019 at 10:00 a.m. OFF CALENDAR FOR JUNE 11, 2019.

Party Information

Debtor(s):

NG DIP INC.(f/k/a Nasty Gal, Inc. a

Represented By
Scott F Gautier
Kevin Meek
Lorie A Ball

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

Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

**CONT... NG DIP INC.(f/k/a Nasty Gal, Inc. a California Cor
David B Shemano**

Chapter 11

Defendant(s):

Kacoo USA, LLC

Represented By
Lana Milojevic
Mark M Sharf

Plaintiff(s):

NG DIP Liquidating Trust

Represented By
Gary E Klausner
Todd M Arnold

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

Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

2:16-24862 NG DIP INC.(f/k/a Nasty Gal, Inc. a California Cor

Chapter 11

Adv#: 2:18-01363 NG DIP Liquidating Trust v. Luxury Garage Sale, Inc.

#214.00 Status Conference re: 12 (Recovery of money/poroperty - Section 547 Preference) Complaint by NG DIP Liquidating Trust against Luxury Garage Sale, Inc.

fr. 1-8-19, 4-2-19, 4-30-19

Docket 1

***** VACATED *** REASON: CONT'D. TO 8/13/19 @ 2PM**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

(Court was not served with copy of complaint.)

At request of plaintiff, continue status conference approximately 90 days. If plaintiff wants to extend deadline for defendant to answer, plaintiff should lodge order extending deadline. Court would like docket to reflect the deadline for responding to complaint.

1/30/19 -- Court signed order continuing response date to March 1, 2019.

3/7/19 -- Court approved stipulation continuing response date to April 1, 2019, and continuing status conference to April 30, 2019 at 2:00 p.m. OFF CALENDAR FOR APRIL 2, 2019.

4/17/19-- Court approved stipulation continuing status conference to June 11, 2019 at 2:00 p.m. OFF CALENDAR FOR APRIL 30, 2019.

5/28/19 -- Court approved stipulation continuing hearing to August 13, 2019 at 10:00 a.m. OFF CALENDAR FOR JUNE 11, 2019.

Party Information

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

Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

CONT... NG DIP INC.(f/k/a Nasty Gal, Inc. a California Cor

Chapter 11

Debtor(s):

NG DIP INC.(f/k/a Nasty Gal, Inc. a

Represented By
Scott F Gautier
Kevin Meek
Lorie A Ball
David B Shemano

Defendant(s):

Luxury Garage Sale, Inc.

Represented By
Ryan A. Ellis

Plaintiff(s):

NG DIP Liquidating Trust

Represented By
Gary E Klausner
Todd M Arnold

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

Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

2:16-24862 NG DIP INC.(f/k/a Nasty Gal, Inc. a California Cor

Chapter 11

Adv#: 2:18-01364 NG DIP Liquidating Trust v. Madison Administrative Services, Inc.

#215.00 Status Conference re: 12 (Recovery of money/poroperty - Section 547 Preference) Complaint by NG DIP Liquidating Trust against Madison Administrative Services, Inc.

fr. 1-8-19, 4-2-19, 4-30-19

Docket 1

***** VACATED *** REASON: CONT'D. TO 8/13/19 @ 2PM**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

(Court was not served with copy of complaint.)

Continue status conference approximately 90 days.

3/20/19 -- Court approved stipulation continuing status conference to April 30, 2019 at 2:00 p.m. OFF CALENDAR FOR APRIL 2, 2019.

4/17/19-- Court approved stipulation continuing status conference to June 11, 2019 at 2:00 p.m. OFF CALENDAR FOR APRIL 30, 2019.

5/28/19 -- Court approved stipulation continuing hearing to August 13, 2019 at 10:00 a.m. OFF CALENDAR FOR JUNE 11, 2019.

Party Information

Debtor(s):

NG DIP INC.(f/k/a Nasty Gal, Inc. a

Represented By
Scott F Gautier
Kevin Meek
Lorie A Ball
David B Shemano

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

Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

CONT... NG DIP INC.(f/k/a Nasty Gal, Inc. a California Cor

Chapter 11

Defendant(s):

Madison Administrative Services,

Represented By
Ovsanna Takvoryan

Plaintiff(s):

NG DIP Liquidating Trust

Represented By
Gary E Klausner
Todd M Arnold

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

Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

2:16-24862 NG DIP INC.(f/k/a Nasty Gal, Inc. a California Cor

Chapter 11

Adv#: 2:18-01366 NG DIP Liquidating Trust v. Rakuten Marketing, LLC

#216.00 Status Conference re: 12 (Recovery of money/poroperty - Section 547 Preference) Complaint by NG DIP Liquidating Trust against Rakuten Marketing, LLC.

fr. 1-8-19, 4-2-19, 4-30-19

Docket 1

***** VACATED *** REASON: CONT'D. TO 8/13/19 @ 2PM**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

(Court was not served with copy of complaint.)

At request of plaintiff, continue status conference approximately 90 days. If plaintiff wants to extend deadline for defendant to answer, plaintiff should lodge order extending deadline. Court would like docket to reflect the deadline for responding to complaint.

1/17/19 -- Court approved order extending defendant's deadline to respond to complaint to January 31, 2019.

2/1/19 -- Court approved stipulation continuing response date to March 7, 2019.

3/11/19 -- Court approved stipulation continuing response date to March 15, 2019 and continuing status conference to April 30, 2019 at 2:00 p.m. OFF CALENDAR FOR APRIL 2, 2019.

3/18/19 -- Court approved stipulation continuing response date to April 1, 2019.

4/2/19 -- Court approved stipulation continuing response date to April 15, 2019.

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

Tuesday, June 11, 2019

Hearing Room 1539

2:00 PM

CONT... NG DIP INC.(f/k/a Nasty Gal, Inc. a California Cor

Chapter 11

4/16/19 -- Court approved stipulation continuing response date to May 20, 2019 and continuing status conference to June 11, 2019 at 2:00 p.m. OFF CALENDAR FOR APRIL 30, 2019.

5/29/19 -- Court approved stipulation continuing hearing to August 13, 2019 at 10:00 a.m. OFF CALENDAR FOR JUNE 11, 2019.

Party Information

Debtor(s):

NG DIP INC.(f/k/a Nasty Gal, Inc. a

Represented By
Scott F Gautier
Kevin Meek
Lorie A Ball
David B Shemano

Defendant(s):

Rakuten Marketing, LLC

Pro Se

Plaintiff(s):

NG DIP Liquidating Trust

Represented By
Gary E Klausner
Todd M Arnold