

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

Tuesday, June 24, 2025

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.

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

Hearing conducted by ZOOMGov.

Video/audio web address: <https://cacb.zoomgov.com/j/16161090855>

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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 -

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2:24-18523 Li Wan and Zanpei Xu

Chapter 7

#1.00 Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: **2021 Tesla Model 3, VIN: 5YJ3E1EA0MF961551** .

MOVANT: TD Bank, N.A., successor in interest to TD Auto Finance LLC

Docket 64

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Movant's counsel reports that debtor has agreed to surrender the vehicle, but this is not what the debtor's statement of intent says and counsel has not provided a declaration under penalty of perjury. According to the numbers contained in the motion, there is \$11,000 in equity.

Deny motion without prejudice.

Party Information

Debtor(s):

Li Wan

Represented By
Jeffrey J Hagen
Raymond H. Aver

Joint Debtor(s):

Zanpei Xu

Represented By
Jeffrey J Hagen
Raymond H. Aver

Movant(s):

TD Bank, N.A., successor in interest

Represented By
Sheryl K Ith

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Trustee(s):

Wesley H Avery (TR)

Represented By
Christopher J Langley

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2:25-12195 Efrain Rodriguez de la Torre

Chapter 7

#2.00 Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: **2020 LEXUS ES; VIN: 58ADZ1B16LU054617.**

MOVANT: Wells Fargo Bank, N.A., dba Wells Fargo Auto

Docket 21

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Grant request for relief under section 362(d)(1) (with waiver of Rule 4001(a)(3)) as debtor's intention to surrender vehicle amounts to cause, but deny motion under section 362(d)(2) as there is equity in the property.

Party Information

Debtor(s):

Efrain Rodriguez de la Torre

Represented By
Raymond Perez

Movant(s):

Wells Fargo Bank, N.A., dba Wells

Represented By
Kirsten Martinez

Trustee(s):

Sam S Leslie (TR)

Pro Se

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2:25-13236 Eduardo A Arce and Ruby Anne G Bautista

Chapter 7

#3.00 Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: **2023 BMW SAV X5 40XI VIN# 5UXCR6C02P9N90613**

MOVANT: Financial Services Vehicle Trust

Docket 10

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

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

Party Information

Debtor(s):

Eduardo A Arce

Represented By
Joseph L Pittera

Joint Debtor(s):

Ruby Anne G Bautista

Represented By
Joseph L Pittera

Movant(s):

Financial Services Vehicle Trust

Represented By
Joseph C Delmotte

Trustee(s):

John J Menchaca (TR)

Pro Se

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2:25-13307 Thomas Andrew Schaper

Chapter 7

#4.00 Notice of motion and motion for relief from the automatic stay with supporting declarations UNLAWFUL DETAINER RE: **2435 S. Sepulveda Boulevard # 2924, Los Angeles, CA 90064**

MOVANT: Expo Line Owner, LLC

Docket 10

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

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

Party Information

Debtor(s):

Thomas Andrew Schaper

Represented By
Douglas A Plazak

Movant(s):

Expo Line Owner, LLC

Represented By
Agop Gary Arakelian

Trustee(s):

Jason M Rund (TR)

Pro Se

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2:25-13455 Marland Tremayne Reed

Chapter 7

#5.00 Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: **2012 Audi AZ; VIN: WAUSGAFC6CN001590**

MOVANT: Foothill Credit Union

Docket 8

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

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

Party Information

Debtor(s):

Marland Tremayne Reed

Represented By
Barry E Borowitz

Movant(s):

Foothill Credit Union

Represented By
Bruce P. Needleman

Trustee(s):

Elissa Miller (TR)

Pro Se

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2:25-13616 Carolina Stephanie Cornejo

Chapter 7

#6.00 Notice of motion and motion for relief from the automatic stay with supporting declarations UNLAWFUL DETAINER RE: **3671 S Normandie Ave, Los Angeles CA 90007**

MOVANT: Nancy Cornejo, Admin of Estate of Louis Cornejo

Docket 13

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

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

Party Information

Debtor(s):

Carolina Stephanie Cornejo

Represented By
James D. Hornbuckle

Movant(s):

Nancy Cornejo

Represented By
Ji Yoon Kim

Trustee(s):

Timothy Yoo (TR)

Pro Se

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2:25-13693 Narbeh Tatoussian

Chapter 7

#7.00 Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: **2023 BMW X6 M50i VIN: 5UXCY8C02P9R68203**

MOVANT: Financial Services Vehicle Trust

Docket 13

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

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

Party Information

Debtor(s):

Narbeh Tatoussian

Represented By
Sevan Gorginian

Movant(s):

Financial Services Vehicle Trust

Represented By
Joseph C Delmotte

Trustee(s):

Wesley H Avery (TR)

Pro Se

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2:25-14674 Merik Migliore

Chapter 7

#8.00 Notice of motion and motion for relief from the automatic stay with supporting declarations UNLAWFUL DETAINER RE: **28707 Greenwood Place, Castaic, CA 91384**

MOVANT: Creditor Recon Investment, LLC

Docket 6

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Court only grants in rem relief in extraordinary cases or where available under section 362(d)(4), which is inapplicable here. Deny motion as moot in light of the fact that the bankruptcy case has already been dismissed.

Party Information

Debtor(s):

Merik Migliore

Pro Se

Movant(s):

Recon Investment, LLC

Represented By
Jacob Hagnazadeh

Trustee(s):

John P Pringle (TR)

Pro Se

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2:25-12899 Lisett Caridad Gonzalez

Chapter 7

#9.00 Debtor's Emergency Motion For A Protective Order In Response To Immigrant Rights Defense Council, LLC's Motion For Order Authorizing A Bankruptcy Rule 2004 Examination Of Debtor Lisett Caridad Gonzalez And For Production Of Documents Pursuant To Bankruptcy Rule 9016 [Docket No. 34], And For The Imposition Of Monetary Sanctions In The Amount Of \$3,850 Against Sebastian M. Medvei

Docket 46

***** VACATED *** REASON: 6/10/25 - VOLUNTARY DISMISSAL OF MOTION FILED**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Motion has been withdrawn by movant. Off calendar. No appearance necessary.

Party Information

Debtor(s):

Lisett Caridad Gonzalez

Represented By
Jisoo Hwang
Rosendo Gonzalez

Movant(s):

Lisett Caridad Gonzalez

Represented By
Jisoo Hwang
Rosendo Gonzalez

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

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2:25-12899 Lisett Caridad Gonzalez

Chapter 7

#10.00 Motion for 2004 Examination of Debtor Lisett Caridad Gonzalez and for Production of Documents Pursuant to Bankruptcy Rule 9016

Docket 34

***** VACATED *** REASON: 5/22/25 - Court approved stipulation taking this hearing off calendar.**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

5/22/25 -- Court approved stipulation taking this hearing off calendar. OFF CALENDAR. NO APPEARANCE REQUIRED.

Party Information

Debtor(s):

Lisett Caridad Gonzalez

Represented By
Jisoo Hwang
Rosendo Gonzalez

Movant(s):

Immigrant Rights Defense Council,

Represented By
Sebastian M Medvei

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

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2:25-12849 Yoon Hee Yeh

Chapter 11

#11.00 Motion to Use Cash Collateral on an interim basis pursuant to cash collateral stipulation with Bank of Hope; and (2) scheduling a continued/final hearing for use of cash collateral

fr: 5-27-25

Docket 29

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative Ruling for May 27, 2025:

Grant motion and approve stipulation on an interim basis. Set date for final hearing on motion.

Final Ruling for May 27, 2025:

Grant on an interim basis. Authorize use of cash collateral in accordance with stipulation and budget plus a 15 percent variance by category and overall from petition date through conclusion of final hearing. Set final hearing for June 24, 2025 at 10:00 a.m.

Tentative Ruling for June 24, 2025:

Grant. Pursuant to stipulation between parties authorized continued use of cash collateral in accordance with stipulation and attached budget for period from April 7, 2025 through September 7, 2025.

Party Information

Debtor(s):

Yoon Hee Yeh

Represented By
Stella A Havkin

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CONT... Yoon Hee Yeh

Chapter 11

Movant(s):

Yoon Hee Yeh

Represented By
Stella A Havkin
Stella A Havkin

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2:24-18452 DW Trust Investments LLC

Chapter 11

#12.00 Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: **10658 Chillingham Drive, Las Vegas, NV 89183**

MOVANT: Socotra REIT I LLC, a Delaware Limited Liability Company

Docket 111

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Equity and equity cushion are two different concepts in the context of a motion for relief from stay. The equity in the property is the amount remaining after the subtraction of all liens, not merely movant's. Section 11(h) of the motion is inaccurate. There is both a sufficient equity cushion to provide adequate protection and equity in the property remaining after all liens (and there is no evidence to support the contention that the value of the property is declining). However, according to the motion, debtor has failed to provide evidence of insurance coverage, which constitutes cause to grant relief from stay. Unless debtor has provided evidence of insurance coverage on the property by the time of the hearing, grant motion for relief from stay with waiver of Rule 4001(a)(3).

(NOTE: At prior hearing on OSC re dismissal, movant reported to court that second lienholder had foreclosed and that movant wanted to move for in rem relief. The motion filed does not mention any of this information and does not provide a basis for a grant of in rem relief.)

Party Information

Debtor(s):

DW Trust Investments LLC

Pro Se

Movant(s):

Socotra REIT I, LLC, a Delaware

Represented By

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DW Trust Investments LLC

Dakota Pearce

Chapter 11

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2:24-18452 DW Trust Investments LLC

Chapter 11

#13.00 Order To Show Cause Re Dismissal

fr: 4-15-25; 5-14-25

Docket 71

Courtroom Deputy:

Tentative Ruling:

Tentative Ruling for April 15, 2025:

There is no evidence that debtor has made any progress since last hearing. Further, debtor's counsel has moved to withdraw and debtor, as an LLC, cannot proceed without counsel. Debtor has not opposed order to show cause or motions for relief from stay, which are likely to be granted.

Dismiss case.

Final Ruling for April 15, 2025:

Court advised debtor's principal that case cannot proceed without counsel. Court granted relief from stay with regard to debtor's remaining properties in response to motions set for hearing concurrently, but encouraged debtor's principal if he was so inclined to negotiate with secured lenders in time remaining before scheduled foreclosure sales. In the interim, court continued hearing to May 14, 2025 at 1:00 p.m.

Tentative Ruling for May 14, 2025:

How does debtor intend to proceed? Does debtor intend to employ counsel? Should court dismiss case (with bar to refiling)? Hearing required.

Tentative Ruling for June 24, 2025:

There is still no evidence in the record that the debtor has employed

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CONT... DW Trust Investments LLC

Chapter 11

replacement counsel. An LLC cannot remain a debtor in possession without counsel of record. Dismiss case with a 180-day bar to refiling.

Party Information

Debtor(s):

DW Trust Investments LLC

Represented By
Michael Jay Berger

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2:24-18452 DW Trust Investments LLC

Chapter 11

#14.00 Scheduling and Case Management Conference in a Chapter 11 Case

fr: 12-4-24; 1-8-25; 1-15-25; 2-12-25; 3-12-25; 4-15-25; 5-14-25

Docket 1

Courtroom Deputy:

Tentative Ruling:

Tentative Ruling for December 4, 2024:

Set deadline for serving notice of bar date and bar date. Continue case status conference until shortly after bar date.

Final Ruling for December 4, 2024:

Debtor should serve notice of bar date not later than December 6, 2024. Bar date will be January 31, 2025. Continue case status conference to January 8, 2025 at 11:30 (as a holding date). Requirement of updated status report is waived.

Tentative Ruling for February 12, 2025:

Revisit status of case after conclusion of hearing on motion for use of cash collateral.

Tentative Ruling for March 12, 2025:

Tenant still has not paid any rents and no longer wants to move forward with the arrangements previously negotiated. Now it wants to buy one property and lease another for three years and does not want to do anything with the third property.

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Chapter 11

This case has been going nowhere for months while the debtor tries to get its licenses. Secured creditors are not receiving any payments. Either convert the case to chapter 7 or appoint a chapter 11 trustee who can determine whether the case should remain in chapter 11 or be converted to chapter 7.

Tentative Ruling for April 15, 2025:

Take status conference off calendar due to dismissal of case.

Tentative Ruling for May 14, 2025:

Revisit status of case after conclusion of hearing on OSC re dismissal.

Tentative Ruling for June 24, 2025:

If court dismisses case, take status conference off calendar.

Party Information

Debtor(s):

DW Trust Investments LLC

Represented By
Michael Jay Berger

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2:20-10969 Sherrie Nicole Lockhart-Johnson

Chapter 7

Adv#: 2:20-01073 Willard v. Lockhart-Johnson et al

#200.00 Status Conference re: Notice of Appeal on USDC Number: 2:24-cv-05656-SVW - Ruling: Vacated and Remanded back to the Bankruptcy Court

fr. 9-28-21, 2-15-22; 3-15-22; 6-21-22; 9-13-22; 12-13-22; 3-14-23; 4-11-23;
6-13-23; 9-5-23; 11-28-23; 2-27-24; 3-19-24

Docket 43

Courtroom Deputy:

Tentative Ruling:

Tentative Ruling from September 28, 2022:

BAP agreed that plaintiff failed to state a claim but reversed and remanded as to this court's decision to deny leave to amend. BAP did a better job than this court of divining what plaintiff was trying to say in her complaint. BAP believes that complaint might possibly be saved by an amendment alleging sufficient facts to support a claim that the obligation is a community obligation, that it would be excepted from the discharge in a hypothetical bankruptcy case commenced by the nondebtor spouse and that the community property discharge provisions of 523(a)(4) should not apply.

Enter new order granting motion to dismiss that grants leave to amend and sets deadline for filing and responding to amended complaint.

9/29/21 -- Court entered order granting motion to dismiss with leave to amend and setting following dates:

L/D to file amended complaint -- December 31, 2021

L/D to file and serve response to complaint -- January 25, 2021

Cont'd status conference -- February 15, 2021 at 2:00 pm.

Parties are directed to mediate this dispute before Sevan Gorgonian on a pro

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bono basis.

Chapter 7

10/12/21 -- Court entered order appointing Gorgonian as mediator.

Tentative Ruling for February 15, 2022:

Set deadline for completion of discovery of approximately 90 to 120 days.
Set continued status conference for approximately same time frame. (NOTE:
This is a core matter. The court has jurisdiction to enter final orders, with or
without the plaintiff's consent.)

Tentative Ruling for March 15, 2022:

Set discovery cutoff and deadline for filing pretrial motions. Set final status
conference for approximately same time frame.

3/17/22 -- Court approved scheduling order with following dates:

Discovery cutoff -- June 30, 2022
L/D to file joint status report -- June 7, 2022
Cont'd status conference -- June 21, 2022 at 2:00 p.m.

Tentative Ruling for June 21, 2022:

Revisit status after hearing on motion to dismiss. Set deadline for movant to
file answer to complaint. Do parties need to conduct discovery? Hearing
required.

Tentative Ruling for September 13, 2022:

LBR require parties to file JOINT status report two weeks prior to each status
conference. Court received separate status reports signed by the
defendants, but nothing from plaintiff. Court will issue OSC re failure to
prosecute if plaintiff fails to participate in preparation of joint status reports.
(There is an attachment to the status report form that can be used when there
is more than one defendant.)

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Defendant Steve Todd Johnson in the answer that he filed said that he does not consent to this court's entry of final judgments in the action. In his status report form, he has consented, but consent to the entry of final orders in this action is not required. This is a core proceeding under section 523 with regard to which this court has authority to enter final orders with or without the consent of the parties.

The plaintiff filed a reponse to Steve's answer to complaint. The answer does not include a counterclaim. Thus, a response is not required or permitted. The filing is a nullity.

Discovery requests and responses do not need to be filed with the Court. If and when this matter goes to trial, the court will establish procedures for submitting evidence to the court.

Set discovery cutoff for late December and final status conference for approximately same time frame.

9/14/22 -- Court set (new) discovery cutoff for December 16, 2022.

Tentative Ruling for December 13, 2022:

Impose sanctions of \$150 each on parties for failure to file a joint status report as required by court's local rules and this Court's September 14, 2022 scheduling order. What is the status of this matter? What progress has been made since the last status conference? Are parties on track to complete their discovery by December 16, 2022? If not, why not? Hearing required.

UPDATE -- Parties filed status report belatedly on December 2, 2022. Parties should be aware that attendance at status conferences is insufficient. There need not be a "formal" meet and confer. Steve Johnson must participate in informal meet and confer sessions or court will strike his answer to complaint and permit plaintiff to proceed by way of default. There is an addendum/attachment for the status report that should be used when there are more than two parties.

Why are defendants sending threatening or harrassing emails?

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Have any formal discovery requests been served? If not, why not? Parties need to move this matter forward toward trial or court will simply set trial date whether parties consider themselves ready or not.

12/14/22 -- Court approved scheduling order with following dates:

Discovery cutoff extended to January 24, 2023

L/D to file pretrial motions -- January 31, 2023

Cont'd status conference -- March 14, 2023 at 2

L/D to file updated status report -- February 28, 2023

2/23/23 -- Court granted plaintiff's request for an extension of deadline to oppose motion for summary judgment. Court continued hearing to April 11, 2023 at 2:00 p.m. Continue status conference to date of continued hearing on summary judgment motion -- April 11, 2023 at 2:00 p.m. OFF CALENDAR FOR MARCH 14, 2023.

Tentative Ruling for April 11, 2023:

It appears that the parties are continuing to conduct discovery and file motions after the deadlines established by the Court for this purpose. Set date for evidentiary hearing on Nondischargeability Issues. It does not appear that they need any additional time to conduct discovery on these issues.

Final Ruling for April 11, 2023:

Extend discovery cutoff to June 12, 2023. Continue status conference to June 13, 2023 at 2:00 p.m. Parties must file joint status report by May 30, 2023. Court will prepare scheduling order. (Court entered scheduling order on April 11, 2023.)

Tentative Ruling for June 13, 2023:

Where is the joint status report that should have been filed by May 30, 2023? (Plaintiff filed unilateral report on June 5, 2023.) Have the parties now completed discovery with regard to the issue of nondischargeability (with the

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exception of the deposition noted on plaintiff's status report)? Schedule pretrial conference for August, 2023 and explain pretrial procedures to parties.

Tentative Ruling for September 5, 2023:

(With regard to liability issue) set deadline for filing pretrial motions, pretrial conference and deadline for lodging joint pretrial order.

9/6/23 -- Court approved scheduling order with following dates:

(New) discovery cutoff -- September 30, 2023

L/D for each party to file unilateral pretrial order -- November 14, 2023

Pretrial conference (on liability issue) -- November 28, 2023 at 2:00 p.m.

Tentative Ruling for November 28, 2023:

Defendant has not filed proposed pretrial order. Document filed by plaintiff bears little resemblance to the kind of pretrial order required by the court's local rules. Discuss with plaintiff how to proceed at this point.

Tentative Ruling for November 28, 2023:

The document plaintiff filed bears little resemblance to the pretrial order requested by the Court. As explained in LBR 7016-1(b)(2),

Unless the court orders otherwise, a pretrial stipulation [or proposed order] must include the following statements in the following sequence:

(A) "The following facts are admitted and require no proof:" (Set forth a concise statement of each.)

(B) "The following issues of fact, and no others, remain to be litigated:" (Set forth a concise statement of each.)

(C) "The following issues of law, and no others, remain to be litigated:" (Set forth a concise statement of each.)

(D) "Attached is a list of exhibits intended to be offered at the trial by each party, other than exhibits to be used for impeachment only.

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The parties have exchanged copies of all exhibits.” (Attach a list of exhibits in the sequence to be offered, with a description of each, sufficient for identification, and as to each state whether or not there is objection to its admissibility in evidence and the nature thereof.) If deposition testimony is to be offered as part of the evidence, the offering party must comply with LBR 7030-1.

(E) “The parties have exchanged a list of witnesses to be called at trial.” The parties must exchange a list of names and addresses of witnesses, including expert witnesses, to be called at trial other than those contemplated to be used for impeachment or rebuttal. The lists of witnesses must be attached to the pretrial stipulation together with a concise summary of the subject of their proposed testimony. If an expert witness is to be called at trial, the parties must exchange short narrative statements of the qualifications of the expert and the testimony expected to be elicited at trial. If the expert to be called at trial has prepared a report, the report must be exchanged as well.

(F) “Other matters that might affect the trial such as anticipated motions in limine, motions to withdraw reference due to timely jury trial demand pursuant to LBR 9015-2, or other pretrial motions.”

(G) “All discovery is complete.”

(H) “The parties are ready for trial.”

(I) “The estimated length of trial is _____.”

(J) “The foregoing admissions have been made by the parties, and the parties have specified the foregoing issues of fact and law remaining to be litigated.

Therefore, this order supersedes the pleadings and governs the course of trial of this cause, unless modified to prevent manifest injustice.

The body of the document plaintiff filed contains pages and pages of extraneous matter. The list of issues that are disputed and undisputed are combined into a single document which is an attachment. The undisputed issues are too granular. The plaintiff does not need to lay out each evidentiary fact that the plaintiff intends to introduce in an effort to prove each

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of the elements of her case. The disputed facts are described in lengthy prose that does not permit the court to actually identify what the issues are. The plaintiff says that an exhibit list will be provided later. This is not acceptable.

Explain to plaintiff in detail what the Court expects and answer any questions that she may have. Then set new deadline for plaintiff to lodge a proposed pretrial order.

Tentative Ruling for February 27, 2024:

If either party wants to rely on testimony that they claim was offered by anyone at the prior trial, that party should produce a transcript. It would be a waste of this court's resources for this court to take testimony and conduct an evidentiary hearing about whether something was or wasn't said at a prior proceeding when, if given the transcript, the court could take judicial notice of the testimony offered. If no transcript was ever prepared, court is not inclined to assign much weight to any alleged admissions made by either party during that proceeding, as all such alleged admissions are disputed. Each party can offer his or her own testimony about what he or she said or did and what was said to him or her. Court does not want to take testimony about what someone else previously testified in a deposition or declaration. Transcripts of the depositions and declarations should be provided.

Court has a number of questions about the contents of the pretrial order that will be discussed at the time of the pretrial conference. Court will also discuss with the parties how it intends to conduct an evidentiary hearing of phase 1.

According to the pretrial order, parties have not exchanged a list of witnesses. Why not? If plaintiff intends to produce an appraisal, it will be inadmissible hearsay without at least a declaration (or live testimony) from the appraiser.

Hearing required.

Final Ruling for February 27, 2024:

Court reviewed parties' proposed pretrial order to clarify confusing passages.

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Court will enter order approving pretrial order, subject to modifications discussed on the record at the initial pretrial conference. Defendant requested leave to supplement his exhibit list. Court authorized him to do so. Continue pretrial conference to date of hearing on parties' competing discovery motions -- March 19, 2024 at 2:00 p.m.

Tentative Ruling for March 19, 2024:

Court entered order modifying pretrial order and adding defendant's additional exhibits. Defendant filed a response to disputed facts in the pretrial order. The court did not request this filing. Court will conduct an evidentiary hearing to resolve the issues identified in the pretrial order.

Subject to the outcome of the matters on calendar as items 2 and 3, schedule date for evidentiary hearing of phase 1. All testimony will be live. Parties should be physically present in court and should not appear by zoom. Discuss trial procedures and handling of exhibits with parties.

NOTE: The bottomline here is that the plaintiff bears the burden of proof and needs to be able to provide the court with a coherent narrative of what happened between the parties. At the end of the day, if the court cannot understand what happened or what the plaintiff is trying to say, it will grant judgment for the defendant.

Tentative Ruling for May 23, 2024:

Pursuant to paragraph 6 of this Court's March 15, 2023 "Order Granting in Part and Denying in Part Plaintiff's Motion to Compel Responses to Discovery Requests and Bifurcating Issues for Discovery and Trial" [Docket No. 127], the only issues that the Court will adjudicate at the May 23, 2024 trial date will be:

(1) whether any amounts that may be due Plaintiff are nondischargeable under Bankruptcy Code section 523(a)(2)(A) [for fraud]; and

(2) whether any amounts that may be due Plaintiff are nondischargeable under Bankruptcy Code section 523(a)(6) [for willful and malicious injury].

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(If necessary, the Court will resolve at a later date whether the debt in question is a community obligation and any other issues that may then remain in this adversary proceeding.)

Court notes that neither party has filed a trial brief.

[Excerpts from Bench Book]

**DISCHARGEABILITY – 523(a)(2)(A)
(debtor for money, property, services, or an extension or
renewal or refinancing of credit, to the extent obtained by
false pretenses, a false representation or actual fraud
(other than a statement concerning debtor's or an insider's
financial condition))**

I. ELEMENTS:

Plaintiff has burden of establishing that:

- ___ debtor made a representation
- ___ debtor knew at the time that representation was false
- ___ debtor made representation with intention/purpose of deceiving creditor
- ___ creditor (justifiably) relied on representation
- ___ creditor sustained damage as proximate result of representation

Apte v. Japra (In re Apte), 96 F.3d 1322 (9th Cir. 1996). These elements must be proven by a preponderance of the evidence. In re Demarest, 124 F.3d 211 (9th Cir. 1997) citing Grogan v Garner, 498 U.S. 279, 291 (1991).

Downey Venture v. LMI Ins. Co., 66 Cal. App. 4th 478 (1998): ***Promissory fraud*** is subspecies of action for fraud and deceit. Elements are same as elements of common law fraud where misrepresentation is promise made without intention to

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Apte v. Japra (In re Apte), 96 F.3d 1322 (9th Cir. 1996): Supreme Court has held that reliance by creditor need only be *justifiable*, it need not be reasonable. A person is justified in relying upon misrepresentation even if he might have ascertained falsity of information through investigation. "Although one cannot close his eyes and blindly rely, mere negligence in failing to discover an intentional misrepresentation is no defense to fraud." When fraud involves *intentional failure to disclose material fact*, positive proof of reliance is unnecessary. All that is necessary is that the facts withheld be material in sense that a reasonable investigator might have considered them important in making his decision. Obligation to disclose and withholding of material fact are enough to establish element of causation. *Nondisclosure of material fact in face of duty to disclose has been held to establish requisite reliance and causation for actual fraud under Bankruptcy Code.*

DISCHARGEABILITY – SECTION 523(a)(6)
(debt for willful and malicious injury by the debtor to another entity or to the property of another entity)

I. ELEMENTS:

Willful and malicious act requires a "deliberate or intentional injury, not merely a deliberate or intentional act that leads to injury." Kawaauhau v. Geiger, 523 U.S. 57 (1998) (overruling Ninth Circuit that a wrongful act, done intentionally, that necessarily produces harm was sufficient without specific intent to injure).

Debts arising from recklessly or negligently inflicted injuries do not fall within the compass of section 523(a)(6). Id.

Debtor must desire to cause the consequences or believe that the consequences are substantially certain to result from his conduct. Baldwin v. Kilpatrick (In re Baldwin), 245 B.R. 131 (Bankr. 9th Cir. 2000). Intentional torts fall within section 523(a)(6), which generally require that the actor intend the consequences of the act, not merely the act itself; however, when an actor knows or is substantially certain that of the consequences that will result from his act and continues despite this knowledge,

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the law will treat the actor the same as if he had meant to produce the result.

Section 523(a)(6)'s willful injury requirement is met only when the debtor has a subjective motive to inflict injury or when the debtor believes that injury is substantially certain to result from his own conduct. Petralia v. Jercich (In re Jercich), 238 F.3d 1202 (9th Cir.), cert. denied, 533 U.S. 930 (2001). It is not sufficient that, under an objective standard, there is a substantial certainty that the debtor's conduct will cause harm. Carrillo v. Su (In re Su), 2002 DJDAR 5518 (9th Cir. May 20, 2002) (affirming BAP's decision at 259 B.R. 909).

Tentative Ruling for June 24, 2025:

Matter has been fully-briefed. Pretrial order has been entered. Set date for new trial as directed by district court.

As mentioned above, pursuant to paragraph 6 of this Court's March 15, 2023 "Order Granting in Part and Denying in Part Plaintiff's Motion to Compel Responses to Discovery Requests and Bifurcating Issues for Discovery and Trial" [Docket No. 127], the only issues that the Court will adjudicate at this new trial date will be:

(1) whether any amounts that may be due Plaintiff are nondischargeable under Bankruptcy Code section 523(a)(2)(A) [for fraud]; and

(2) whether any amounts that may be due Plaintiff are nondischargeable under Bankruptcy Code section 523(a)(6) [for willful and malicious injury].

(If necessary, the Court will resolve at a later date whether the debt in question is a community obligation and any other issues that may then remain in this adversary proceeding.)

Party Information

Debtor(s):

Sherrie Nicole Lockhart-Johnson

Represented By

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Michael Okayo

Defendant(s):

Sherrie Nicole Lockhart-Johnson Pro Se

Steve Todd Johnson Pro Se

Plaintiff(s):

Sharlene Willard Pro Se

Trustee(s):

Sam S Leslie (TR) Pro Se

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2:22-12577 Kirk Brown

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Adv#: 2:22-01150 Chamouille v. Brown

#201.00 Status Conference re: 41 (Objection / revocation of discharge - 727(c),(d),(e)
Complaint by Roxana K. Chamouille against Kirk Brown

fr. 9-27-22; 12-13-22; 3-14-23; 9-12-23; 4-23-24; 8-13-24; 10-15-24; 10-29-24;
1-7-25; 3-25-25

Docket 1

***** VACATED *** REASON: 4/15/25 - PER ORDER ENTERED,
STATUS CONFERENCE IS VACATED. OFF CALENDAR.**

Courtroom Deputy:

Tentative Ruling:

Continue status conference to date that can serve as date of hearing on
plaintiff's motion for summary judgment.

10/6/22 -- Court approved scheduling order setting following dates:

Cont'd status conference -- December 13, 2022 at 2:00 p.m.

L/D to serve plaintiff's motion for summary judgment/partial summary
adjudication -- November 1, 2022

Hearing on MSJ -- December 13, 2022 at 2:00 p.m.

Tentative Ruling for December 13, 2022:

Revisit status of action after conclusion of hearing on motion for summary
judgment.

Tentative Ruling for March 14, 2023:

Court granted motion for summary judgment in plaintiff's favor on 523 claims.
Defendant has appealed. Plaintiff would like to refrain from prosecuting this
action while the parties wait until the bankruptcy appellate panel has ruled on
defendant's appeal. What is defendant's view with regard to this request?

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Hearing required.

Final Ruling for March 14, 2023:

Continue status conference to September 12, 2023 at 2:00 p.m. Parties should file updated status report not later than August 29, 2023.

Tentative Ruling for September 12, 2023:

BAP has affirmed this court's ruling on summary judgment. Defendant has appealed to Ninth Circuit. Parties anticipate that oral argument will occur in March. Continue status conference to April 23, 2024 at 2:00 p.m. Parties should file updated status report not later than April 9, 2024.
APPEARANCES WAIVED ON SEPTEMBER 12, 2023.

Tentative Ruling for April 23, 2024:

According to plaintiff's status report, oral argument has been scheduled for defendant's appeal to the Ninth Circuit for May 9, 2024 in Pasadena. Continue status conference to August 13, 2024 at 2:00 p.m. Plaintiff should file updated status report not later than July 30, 2024. APPEARANCES WAIVED ON APRIL 23, 2024.

Tentative Ruling for August 13, 2024:

At plaintiff's request, continue case status conference to October 15, 2024 at 2:00 p.m. If matter has not been disposed of by that date, parties should file updated status report not later than October 1, 2024. APPEARANCES WAIVED ON AUGUST 13, 2024.

9/26/2024 -- Court approved stipulation extending deadline for US Trustee to object to dismissal of 727 claims to October 16, 2024. Court added to order approving stipulation a continuance of the status conference date from October 15, 2024 to October 29, 2024 at 2:00 p.m. OFF CALENDAR FOR OCTOBER 15, 2024.

Tentative Ruling for October 29, 2024:

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At the request of the plaintiff and the U.S. Trustee, continue status conference to January 7, 2025 at 2:00 p.m. Parties should file updated status report not later than December 24, 2024. APPEARANCES WAIVED ON OCTOBER 29, 2024.

Tentative Ruling for January 7, 2025:

Have the parties succeeded in entering into a stipulation resolving this matter? Hearing required.

1/8/2025 -- Court approved scheduling order with following dates:

Cont'd status conference -- March 25, 2025 at 2:00 pm
L/D to file joint status report -- March 11, 2025
L/D to conduct discovery -- March 31, 2025

3/17/25 -- Court approved stipulation continuing discovery cutoff to May 30, 2025, extending deadline for debtor to respond to request for production of documents to April 4, 2025 and moving date of debtor's deposition to April 11, 2025.

Tentative Ruling for March 25, 2025:

Court notes that there is a demand for a jury trial on the docket as item no. 98 as well as a substitution of attorney in which defendant substituted in to represent himself. Not only is the jury demand untimely, but there is no right to a jury trial in a 727 action.

Further, the debtor has filed an opposition/request for dismissal in connection with the status conference. This is not an appropriate procedure for a motion to dismiss and defendant has not shown any basis for the requested dismissal. The filing is replete with inaccuracies and misconceptions. The judgment obtained by Ms. Chamouille was not for "standard unsecured debts [attorneys' fees]," it was for damages attributable to defendant's wrongfully failing to vacate the premises of a home that was left to the former plaintiff by her sister even after the probate court ordered the debtor to vacate. She did

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not move this court to dismiss her claims. She moved to dismiss the *remaining claim* to bar the debtor's discharge after obtaining a nondischargeable judgment for herself. A creditor/plaintiff cannot dismiss a 727 action without first giving notice to other creditors/affected parties and giving them an opportunity to substitute in as plaintiff to continue prosecution of the action. That is what happened: the U.S. Trustee elected to takeover prosecution of this action for the benefit of the remaining creditors.

The former plaintiff is NOT the only party in interest here. Successful prosecution of an action under section 727 benefits all of the debtor's creditors because barring the debtor from receiving a discharge would mean that none of the creditors' claims would be discharged. The debtor is correct that the US Trustee cannot force him to waive his discharge, but he may be able to persuade this Court to enter an order barring that discharge. (As the US Trustee explains in the parties' joint status report, it might well make sense for the debtor to agree to waive his discharge rather than defend this action as he has a limited amount of other unsecured debt in this case and could easily spend more than this amount on attorneys' fees defending this action. Although the debtor is not required to retain counsel to defend himself in this action, it is clear from the pleading that the filed on his own behalf that he does not understand the applicable law and will therefore have a difficult time defending himself without the assistance of counsel.)

Continue status conference to give plaintiff an opportunity to complete discovery and order parties to complete a day of mediation prior to the date of the continued status conference.

3/26/25 -- Court approved scheduling order continuing status conference to June 24, 2025 at 2:00 p.m.; directing the parties to file a joint status report not later than June 10, 2025; ordering the parties to lodge an order appointing a mediator not later than April 21, 2025; ordering the parties to complete a day of mediation not later than June 24, 2025; finding that there is no right to a jury trial in a 727 action; extending the US Trustee's deadline to conduct discovery to May 30, 2025.

4/10/2025 -- Court approved order appointing mediator.

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4/14/25 -- Court approved stipulation in which debtor waived his discharge, resolving this action. OFF CALENDAR. NO APPEARANCE REQUIRED.

Party Information

Debtor(s):

Kirk Brown

Pro Se

Defendant(s):

Kirk Brown

Pro Se

Plaintiff(s):

Roxana K. Chamouille

Represented By
Nicholas S Couchot
Anthony J Napolitano
Jason E Goldstein

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

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2:23-15376 Ruben Diaz Garcia

Chapter 7

Adv#: 2:23-01480 Amir et al v. Diaz Garcia et al

#202.00 Status Conference re: 67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)), (68 (Dischargeability - 523(a)(6), willful and malicious injury) Complaint by Christopher J Langley on behalf of Al Amir, Talya Enterprises, Inc. against all defendants

fr: 2-13-24; 4-30-24; 7-16-24; 10-15-24; 1-14-25; 4-16-25

Docket 4

Courtroom Deputy:

Tentative Ruling:

2/22/24 -- Court approved order granting motion to dismiss with leave to amend. Plaintiff is to file third amended complaint not later than March 12. Response should be filed and served not later than April 9, 2024. If response is a motion to dismiss, it should be set for April 30, 2024 at 2:00 p.m. (same date and time as continued status conference).

Tentative Ruling for April 30, 2024:

Revisit status of action after conclusion of hearing on motion to dismiss.

5/8/24 -- Court entered order granting motion to dismiss in part:
Motion granted w/o leave to amend as to fifth and sixth claims for relief under section 523(a)(4).
Motion denied with regard to second claim under section 523(a)(2)(A).
Motion granted with leave to amend as to first, third and fourth claims for relief under section 523(a)(2)(B).
Fourth amended complaint must be filed by May 13, 2024. Response must be filed and served not later than June 14, 2024.

Tentative Ruling for July 16, 2024:

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Revisit status of adversary proceeding after conclusion of hearing on motion to dismiss. Discuss with parties how best to proceed. Perhaps a redacted version of the complaint deleting the allegations that are barred should be attached to the order on the motion?

Hearing required.

8/2/24 -- Court approved order granting on motion to dismiss:

Motion is granted without leave to amend as to the Complaint's First and Third Claims under 11 U.S.C. §523(a)(2)(B), which are dismissed with prejudice.

Motion is granted with leave to amend as to the Complaint's Fourth Claim under 11 U.S.C. §§ 523(a)(2)(B) to clarify the assertion that Plaintiffs saw the invoices before they made the loan.

Plaintiffs shall file and serve their fifth amended complaint by July 22, 2024. The fifth amended complaint shall include an amended prayer which shall be broken out by claim and dollar amount for each claim, and remove relief related to § 523(a)(4).

Defendants shall file and serve their answer to the amended complaint by August 12, 2024.

Tentative Ruling for October 15, 2024:

Unilateral status report is not accompanied by a declaration (so court has no admissible evidence as to plaintiff's failure to participate in anything).

Issue OSC why sanctions should not be imposed on plaintiff's counsel for failing to participate in preparation of a joint status report.

What, if anything has plaintiff accomplished with regard to prosecution of this action since the filing of the amended complaint in July? Hearing required.

Final Ruling for October 15, 2024:

Court set the following deadlines:

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Discovery cutoff -- March 21, 2025

Continued status conference -- January 14, 2025 at 2:00 p.m.

Last day to file JOINT status report -- December 31, 2024

Last day to do Rule 26 conference -- November 8, 2024

Plaintiff must lodge scheduling order.

Tentative Ruling for January 14, 2025:

Plaintiff filed a notice of lodgment of scheduling order but did not actually LODGE scheduling order. Explain difference between filing a document and lodging an order to counsel for plaintiff. Why did plaintiff disregard instruction from clerk's office to lodge order? Instruct plaintiff to lodge the order this time.

Status report reflects that parties have not met and conferred (still). Court set a deadline of November 8 for this meeting. This is a mutual obligation of the parties. Why did defendant wait for plaintiff to request this meeting? Why did plaintiff wait until after the deadline to make the request?

Continue status conference approximately 60 days and order parties to complete a day of mediation prior to date of continued status conference.

Final Ruling for January 14, 2025:

Set discovery cutoff of May 31, 2025. Continue status conference to April 16, 2025 at 11:00 a.m. Parties should file joint status report not later than April 2, 2025. Parties are to complete a day of mediation not later than April 16, 2025. Parties are to lodge an order appointing a mediator and an alternate mediator not later than February 3, 2025. Plaintiff is to lodge a scheduling order with these dates.

Tentative Ruling for April 16, 2025:

Why didn't the plaintiff respond to the clerk's instruction concerning the defective scheduling order? As a result, no scheduling order was entered. Set an OSC why sanctions should not be imposed on counsel for plaintiff for failing to lodge a scheduling order and failing to cooperate in the selection of a mediator or the scheduling of a mediation conference. Court is not aware of any problems with obtaining the services of a mediator through the court's panel of mediators.

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Mediations are happening all the time in this Court's adversary proceedings.
Continue status conference to date scheduled for mediation.

Final Ruling for April 16, 2025:

Set discovery cutoff for May 31, 2025. Continue status conference to June 24, 2025 at 2:00 p.m. Parties should file joint status report not later than June 10, 2025. Parties are to complete a day of mediation by June 24, 2025 and lodge an order appointing a mediator and alternate mediator not later than April 25, 2025. Plaintiff should lodge a scheduling order.

Tentative Ruling for June 24, 2025:

Plaintiff filed both a notice of lodgement of a scheduling order and an order assigning the matter to mediation, but did not LODGE the orders. Again, nothing has been lodged. Explain to counsel the difference between filing something and lodging it. Filing a notice of lodgment is not the same as lodging something and is in fact inaccurate when nothing has been lodged. The docket reflects that plaintiff was instructed to LODGE the scheduling order on June 3. Why didn't this occur.

Impose sanctions of \$250 on counsel for plaintiff for failing to comply with court's instructions and failing to lodge the scheduling order (again). What, if anything, have the parties accomplished since the April status conference? Did the parties complete their discovery by May 31, 2025.

Hearing required.

Party Information

Debtor(s):

Ruben Diaz Garcia

Represented By
Leslie A Cohen

Defendant(s):

Ruben Diaz Garcia

Pro Se

Tammy N Garcia

Pro Se

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Joint Debtor(s):

Tammy N Garcia

Represented By
Leslie A Cohen

Plaintiff(s):

Al Amir

Represented By
Christopher J Langley

Talya Enterprises, Inc.

Represented By
Christopher J Langley

Trustee(s):

John P Pringle (TR)

Pro Se

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2:23-16457 Diana Robin Knox

Chapter 7

Adv#: 2:24-01132 Avery v. Knox et al

#203.00 Motion of Chapter 7 Trustee for Judgment on the Pleadings, Pursuant to FRCP 12(c) [as Incorporated by FRBP 7012(b)] (as to Defendant Warren Navarre)

fr: 12-10-24, 1-14-25; 2-25-25; 4-29-25; 5-27-25

Docket 26

***** VACATED *** REASON: CONTINUED TO 7-29-25 AT 2PM**

Courtroom Deputy:

Tentative Ruling:

11/22/24 -- Court approved stipulation continuing hearing to January 14, 2025 at 2:00 p.m. OFF CALENDAR FOR DECEMBER 10, 2024.

1/2/25 -- Court approved stipulation continuing hearing to February 25, 2025 at 2:00 p.m. OFF CALENDAR FOR JANUARY 14, 2025.

2/11/25 -- Court approved stipulation continuing hearing to April 29, 2025 at 2:00 p.m. OFF CALENDAR FOR FEBRUARY 25, 2025.

Tentative Ruling for April 29, 2025:

Continue hearing on motion as against defendant Navarre only to May 27, 2025 at 2:00 a.m. Grant trustee's motion for judgment on pleadings as against debtor on all claims.

Although debtor has denied certain of the trustee's factual allegations, the documentary evidence establishes that the trustee is entitled to judgment in his favor.

- First Claim for Relief - Revocation of Knox Trust - Debtor denies that the trustee stepped into the shoes of the Debtor and can exercise the Debtor's right to revoke the Knox Trust, and that, upon such revocation, title

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to the 2479 Property would automatically vest in trustee by operation of law. These are legal disputes and the trustee's allegations are correct as a matter of law: "It is established law that a self-settled, revocable trust in which the debtor is also the beneficiary is property of a debtor's estate." Wu v. Mohsen (In re Mohsen), 2014 Bankr. LEXIS 1016, *6 (Bankr. N.D. Cal. 2014) (citing In re Marinkovic, 2007 Bankr. LEXIS 4137, 2007 WL 4287833, at *5 (Bankr. D. Ariz. 2007); Feinman v. Lombardo, 214 B.R. 260, 265 (D. Mass. 1997); In re Dias, 37 B.R. 584, 586 (Bankr. D. Idaho 1984); and In re Steffan, 97 B.R. 741, 745 (Bankr. N.D.N.Y. 1989)). Thus, the trustee is entitled to judgment on the pleadings on his first claim for relief as against the debtor.

- Second Claim for Relief - Declaratory Relief - Debtor denies that the 2479 Property is property of the estate, without explanation. Any alleged transfer to Navarre by oral gift without consideration would be void under the Statute of Frauds, particularly in light of the inconsistent valid transfer to the Knox Trust. Cal. Civ. Code § 1624(a) (3) provides that a transfer of real property or of an interest therein is invalid unless it is in writing and subscribed by the party to be charged or by the party's agent. An oral transfer is invalid under California's statute of frauds. Weingarten v. Adler, 2021 Cal. Super. LEXIS 6439, *4 (2021) (citing Palmer v. Phillips, 123 Cal.App.2d 291, 295 (1954)). Therefore, the trustee is entitled to Judgment on the Pleadings as to the Second Claim for Relief against Defendant Knox.

- Third Claim for Relief - Turnover of Property of the Estate - Debtor admits that debtors have an affirmative duty to cooperate with the trustee as necessary to enable the trustee to perform the trustee's duties and to surrender to the trustee all property of the estate; but denies that she has failed to do so because she disputes that the 2479 Property is property of the estate. For the reasons set forth above, the debtor is incorrect as a matter of law. Therefore, subject to any settlement agreement that the trustee may negotiate with Navarre, the property must be turned over to the trustee, and the trustee is entitled to judgment on the pleadings on this claim for relief as well.

Discuss with trustee status and substance of proposed compromise with Navarre and how relief granted pursuant to this motion should be framed.

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Central District of California
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2:00 PM

CONT... Diana Robin Knox

Chapter 7

4/29/2025 -- At hearing held this date, Court agreed to continue this hearing to date and time of continued status conference -- June 24, 2025 at 2:00 p.m.
OFF CALENDAR FOR MAY 27, 2025.

Tentative Ruling for June 24, 2025:

Court entered order granting trustee's motion for judgment on the pleadings as against the debtor on May 2, 2025. The court continued the motion as to defendant Warren Navarre in light of compromise that had been negotiated between the parties. The Court entered an order approving a compromise with Navarre by order entered May 23, 2025. What is the status of the parties' efforts to consummate that settlement and, once that settlement has been consummated, will this adversary proceeding be fully resolved?
Hearing required.

6/23/2025 -- Court approved stipulation continuing hearing to July 29, 2025 at 2:00 p.m. OFF CALENDAR FOR JUNE 24, 2025.

Party Information

Debtor(s):

Diana Robin Knox

Represented By
Ramiro Flores Munoz

Defendant(s):

Diana Robin Knox

Represented By
Ramiro Flores Munoz

Warren Navarre

Represented By
Omero Banuelos

Movant(s):

Wesley H Avery

Represented By
Joseph E Caceres

Plaintiff(s):

Wesley H Avery

Represented By
Joseph E Caceres

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CONT... Diana Robin Knox

Chapter 7

Trustee(s):

Wesley H Avery (TR)

Represented By
Joseph E Caceres

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Tuesday, June 24, 2025

Hearing Room 1539

2:00 PM

2:23-16457 Diana Robin Knox

Chapter 7

Adv#: 2:24-01132 Avery v. Knox et al

#204.00 Status Conference re: 11 (Recovery of money/property - 542 turnover of property)), (91 (Declaratory judgment)) Complaint by Wesley H Avery against Diana Robin Knox, Warren Navarre.

fr: 8-6-24; 11-12-24; 2-25-25; 4-29-25

Docket 1

***** VACATED *** REASON: CONTINUED TO 7-29-25 AT 2PM**

Courtroom Deputy:

Tentative Ruling:

Set continued status conference date approximately 45 days after deadline to respond to complaint.

8/7/24 -- Court approved order denying motion to dismiss and setting following dates:

L/D for defendant Navarre to answer complaint/file cross-complaint -- September 9, 2024

Cont'd status conference -- November 12, 2024 at 2:00 p.m.

L/D to file joint status report -- October 29, 2024.

Tentative Ruling for November 12, 2024:

At request of parties, continue status conference approximately 90 to 120 days and order parties to complete a day of mediation prior to date of continued status conference.

11/13/24 -- Court approved scheduling order with the following dates:

Cont'd status conference -- February 25, 2025 at 2:00 p.m.

L/D to file joint status report -- February 11, 2025

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CONT... Diana Robin Knox

Chapter 7

L/D to complete mediation -- February 25, 2025

L/D to lodge order appointing mediators -- November 27, 2024

12/5/2024 -- Court approved order appointing mediators.

2/11/25 -- Court approved stipulation continuing hearing to April 29, 2025 at 2:00 p.m. OFF CALENDAR FOR FEBRUARY 25, 2025.

Tentative Ruling for April 29, 2025:

Revisit status of adversary proceeding after conclusion of hearing on trustee's motion for judgment on the pleadings.

5/22/2025 -- Court approved compromise of controversy with Warren Navarre.

Tentative Ruling for June 24, 2025:

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

6/23/2025 -- Court approved stipulation continuing hearing to July 29, 2025 at 2:00 p.m. OFF CALENDAR FOR JUNE 24, 2025.

Party Information

Debtor(s):

Diana Robin Knox

Represented By

Ramiro Flores Munoz

Defendant(s):

Diana Robin Knox

Pro Se

Warren Navarre

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By

Joseph E Caceres

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CONT... Diana Robin Knox

Chapter 7

Trustee(s):

Wesley H Avery (TR)

Represented By
Joseph E Caceres

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2:00 PM

2:24-12172 Alfred R Henderson

Chapter 7

Adv#: 2:24-01236 Ehrenberg, Chapter 7 Trustee v. AA Henderson Legacy, LLC et al

#205.00 Status Conference re: 13 (Recovery of money/property - 548 fraudulent transfer)), (14 (Recovery of money/property - other)) Complaint by Edward M. Ehrenberg, Chapter 7 Trustee against AA Henderson Legacy, LLC, Kimberlina Gutierrez, Edward Henderson, Christopher Henderson.

fr: 12-3-24; 1-14-25; 4-15-25

Docket 1

***** VACATED *** REASON: CONTINUED TO 9-30-25 AT 2PM**

Courtroom Deputy:

Tentative Ruling:

Tentative Ruling from January 14, 2025:

Answer filed November 4, 2024 by defendants Kimberlina Gutierrez, Christopher Henderson and Edward Henderson, was filed in pro per (without counsel). It combines in a single document an answer and a motion to dismiss. As a result, the motion did not get set for hearing, as it is not proper to include such a motion in a single document with the answer. Moreover, although the introduction at the top of page two represents that the answer was submitted on behalf of (among others) defendant AA Henderson Legacy LLC, it was not signed by counsel and an LLC cannot appear in this or any other action before this court without counsel. Therefore, to the extent that this document purports to be an answer on behalf of AA Henderson Legacy, LLC, it is stricken. (Plaintiff had that defendant's default entered on January 2, 2025.)

Continue status conference to a date that can be used as date of hearing on motion for default judgment against AA Henderson Legacy.

Final Ruling from January 14, 2025:

Continue status conference to April 15, 2025 at 2:00 p.m. Parties should file

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CONT... Alfred R Henderson

Chapter 7

updated status report not later than April 1, 2025. If plaintiff would like to use April 15, 2025 at 2:00 p.m. as date/time of hearing on motion for default judgment, plaintiff must serve and file the motion not later than March 25, 2025.

Tentative Ruling for April 15, 2025:

As of April 2, 2025, docket does not reflect filing of either joint status report or motion for default judgment.

4/3/2025 -- Court approved stipulation continuing hearing to June 24, 2025 at 2:00 p.m. OFF CALENDAR FOR APRIL 15, 2025.

6/12/2025 -- Court approved stipulation continuing hearing to **September 30**, 2025 at 2:00 p.m. OFF CALENDAR FOR JUNE 24, 2025.

Party Information

Debtor(s):

Alfred R Henderson	Pro Se
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Defendant(s):

AA Henderson Legacy, LLC	Pro Se
Kimberlina Gutierrez	Pro Se
Edward Henderson	Pro Se
Christopher Henderson	Pro Se

Plaintiff(s):

Edward M. Ehrenberg, Chapter 7	Represented By Jeremy Faith
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Trustee(s):

Howard M Ehrenberg (TR)	Represented By Jeremy Faith
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Hearing Room 1539

2:00 PM

2:24-16062 Yaovi Kabissan Fangbemi

Chapter 7

Adv#: 2:24-01249 FNF UTC, LLC v. Fangbemi et al

#206.00 Status Conference re: 68 (Dischargeability - 523(a)(6), willful and malicious injury) Complaint by Fidelity National Law Group against Yaovi Kabissan Fangbemi.

fr: 1-7-25; 2-11-25; 4-1-25

Docket 1

Courtroom Deputy:

Tentative Ruling:

Tentative Ruling for January 7, 2025:

It does not appear that the debtor was served with the summons and complaint. The proofs of service that plaintiff filed reflect service by email on debtor's counsel, but not on the debtor by any method, let alone the required first class mail.

Continue hearing to give plaintiff an opportunity to obtain a replacement for the now stale summons and serve it by first class mail on the defendant.

Final Ruling for January 7, 2025:

Continue status conference to February 11, 2025 at 2:00 p.m. Parties shall file joint status report not later than January 28, 2025. Plaintiff shall obtain replacement summons and serve it on defendant by first class mail.

Tentative Ruling for February 11, 2025:

Plaintiff obtained a replacement summons on January 8, 2025 and served that summons on the debtor on January 9, 2025. Response was due February 7, 2025. Did defendant serve a timely response to the complaint?

3/26/25 -- Court approved scheduling order continuing status conference to

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CONT... Yaovi Kabissan Fangbemi

Chapter 7

April 1, 2025 at 2:00 p.m., directing the parties to file a joint status report by March 18, 2025 and giving defendant until March 11, 2025 to file an answer to the complaint.

Tentative Ruling for March 26, 2025:

Plaintiff filed a unilateral status report. What are defendant's answers to the questions posed on the status report? Hearing required.

Tentative Ruling for June 24, 2025:

Both parties report that they anticipate they will complete discovery in July of this year and be ready for trial in September. However, they also report that they have reached a tentative settlement. What is "tentative" about this settlement? What is the status of their efforts to finalize this settlement? Hearing required.

Party Information

Debtor(s):

Yaovi Kabissan Fangbemi

Represented By
Theresa Hana

Defendant(s):

Yaovi Kabissan Fangbemi

Pro Se

DOES 1 through 10, inclusive

Pro Se

Plaintiff(s):

FNF UTC, LLC

Represented By
Ryan M Hemar

Trustee(s):

David M Goodrich (TR)

Pro Se

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2:00 PM

2:25-10296 Orane A Miller

Chapter 7

Adv#: 2:25-01171 United States Trustee for the Central District of v. Miller

#207.00 Status Conference re: 41 (Objection / revocation of discharge - 727(c),(d),(e)
Complaint by United States Trustee for the Central District of California, Region
16 against Orane A Miller.

Docket 1

***** VACATED *** REASON: CONTINUED TO 7-15-25 AT 2PM.
APPEARANCES WAIVED.**

Courtroom Deputy:

6/5/25 - Notice That Clerk Has Entered Default Against Defendant

Tentative Ruling:

Default has been entered. Plaintiff has filed motion for default judgment that
is set for hearing on July 15, 2025 at 2:00 p.m. Continue status conference to
same date and time as hearing on motion for default judgment.
APPEARANCES WAIVED ON JUNE 24, 2025.

Party Information

Debtor(s):

Orane A Miller	Pro Se
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Defendant(s):

Orane A Miller	Pro Se
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Plaintiff(s):

United States Trustee for the Central	Represented By
	David Samuel Shevitz

Trustee(s):

Wesley H Avery (TR)	Pro Se
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**United States Bankruptcy Court
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Hearing Room 1539

2:00 PM

2:25-10325 Emmanuel Cerrudo Espinosa

Chapter 7

Adv#: 2:25-01087 Arellano v. Espinosa et al

#208.00 Status Conference re: 67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)), (68 (Dischargeability - 523(a)(6), willful and malicious injury) Complaint by Nora Moran Arellano against Emmanuel Cerrudo Espinosa, Yessica Yanine Espinosa.

Docket 1

Courtroom Deputy:

6/2/25 - Notice That Clerk Has Entered Default Against Defendants

Tentative Ruling:

Defaults have been entered. Set deadline for plaintiff to file motion for entry of default judgment. Continue status conference to coincide with hearing on default judgment motion.

Party Information

Debtor(s):

Emmanuel Cerrudo Espinosa

Represented By
Frank X Ruggier

Defendant(s):

Emmanuel Cerrudo Espinosa

Pro Se

Yessica Yanine Espinosa

Pro Se

Joint Debtor(s):

Yessica Yanine Espinosa

Represented By
Frank X Ruggier

Plaintiff(s):

Nora Moran Arellano

Represented By
Michael S Kogan

Trustee(s):

Wesley H Avery (TR)

Pro Se

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CONT... Emmanuel Cerrudo Espinosa

Chapter 7