

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

Tuesday, September 9, 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.

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

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

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

For more information on appearing before Judge Bluebond by ZoomGov, please see the information on the Court's website at:
<https://www.cacb.uscourts.gov/judges/honorable-sheri-bluebond> under the tab, **"Phone/Video Appearances."**

Hearing conducted by ZOOMGov.

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

ZoomGov meeting number: 161 6109 0855

Password: 148508

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

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

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

Docket 0

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

**United States Bankruptcy Court
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10:00 AM

2:25-15903 Romex Textiles, Inc.

Chapter 7

#1.00 Notice of motion and motion for relief from the automatic stay with supporting declarations UNLAWFUL DETAINER RE: **2454 E. 27th Street, Vernon, CA 90058 .**

MOVANT: Isaac Alchalel, Trustee of the Alchalel Children's Trust

Docket 22

Courtroom Deputy:

ZoomGov Appearance by:

9/8/25 - David Prince

Tentative Ruling:

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

Party Information

Debtor(s):

Romex Textiles, Inc.

Represented By
Steven T Gubner
Marlene Escover

Movant(s):

Isaac Alchalel

Represented By
David L Prince

Trustee(s):

Sam S Leslie (TR)

Represented By
Eric P Israel

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2:25-16519 Raul Ortiz

Chapter 7

#2.00 Notice of motion and motion for relief from the automatic stay with supporting declarations UNLAWFUL DETAINER RE: **2018 GLENDON AVENUE, LOS ANGELES, CA 90025 .**

MOVANT: 2018 GLENDON AVE LLC, CA LTD. LIAB. CO

Docket 13

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Movant obtained an unlawful detainer judgment and a writ of possession prepetition. Movant has standing to enforce the judgment that it obtained. This court cannot act as a court of appeal for the state court in the unlawful detainer action. If the unlawful detainer judgment should not have been entered, debtor's remedy is/was to appeal that judgment or move to have the judgment vacated. This needs to happen in state court or in the state court of appeals, not in bankruptcy court. Court will grant relief from stay, with waiver of Rule 4001(a)(3), to permit parties to exercise whatever rights and remedies they may have as against each other in state court.

Party Information

Debtor(s):

Raul Ortiz

Pro Se

Movant(s):

2018 GLENDON AVE LLC, CA

Represented By
Helen G Long

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

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10:00 AM

2:13-27702 Morad Javedanfar

Chapter 7

Adv#: 2:15-01363 JL AM Plus, LLC v. Neman et al

#3.00 Motion For Sale of Property of the Estate under Section 363(b) by the Receiver and JLAMP, for an Order: (1) Approving Bidding Procedures for the Sale of Defendant MBNs Interests to Satisfy Charging Orders 423 424; (2) Approving the Sale of Property Under 11 U.S.C § 363 Subject to Higher and Better Offers; (3) Approving the Form and Manner of Notice; and (4) Setting the Auction of the Subject Interests to Satisfy the Charging Orders

fr: 12-20-23, 4-17-24; 5-29-24; 7-10-24; 10-29-24; 1-28-25; 5-13-25; 6-3-25; 8-5-25

Docket 434

Courtroom Deputy:

Tentative Ruling:

Tentative Ruling for December 20, 2023:

If there are any overbidders, conduct the auction in accordance with bidding procedures approved by Judge Robles (Attachment 2 of docket no. 449, filed September 5, 2023). If not, grant sale motion and approve sale to stalking horse.

Final Ruling for December 20, 2024:

Auction was supposed to take place this morning, but parties have been in settlement negotiations for a global settlement, which would be disrupted by an auction. Court continued hearing to April 17, 2024 at 10:00 a.m. and directed plaintiff to serve and file a notice of continuance on key players.

Tentative Ruling for April 17, 2024:

What has happened since the December hearing? Did the parties enter into a settlement? Did an auction occur? Hearing required.

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Chapter 7

4/16/24 -- Court approved stipulation continuing hearing to May 29, 2024 at 10:00 a.m. OFF CALENDAR FOR APRIL 17, 2024.

Tentative Ruling for July 10, 2024:

What has happened since the December hearing? Did the parties enter into a settlement? Did an auction occur? Hearing required.

10/23/24 -- Court approved stipulation continuing hearing to January 28, 2025 at 10:00 a.m. OFF CALENDAR FOR OCTOBER 29, 2024.

Tentative Ruling for January 28, 2025:

What has happened since the last hearing? Did the parties enter into a settlement? Did an auction occur? Hearing required.

1/22/2025 -- Court approved a stipulation continuing hearing to May 13, 2025 at 10:00 a.m. OFF CALENDAR FOR JANUARY 28, 2025.

Tentative Ruling for May 13, 2025:

What has happened since the last hearing? Did the parties enter into a settlement? Did an auction occur? Hearing required.

Final Ruling for May 13, 2025:

Counsel that attended hearing are providing inconsistent information about status. Court continued hearing to June 3, 2025 at 10:00 a.m. and ordered parties to be present at continued hearing so that everyone can "get on the same page."

Tentative Ruling for June 3, 2025:

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CONT... Morad Javedanfar

Chapter 7

What is the status of this matter? Are the parties still engaged in settlement negotiations? What should the Court do to bring this matter to resolution?
Hearing required.

Final Ruling for June 3, 2025:

Parties advised that the last day to submit bids is July 27, 2025, a hearing on the receiver's auction is scheduled for August 5, 2025. A hearing to confirm the marshal's sale is scheduled for August 19, 2025 at 10:00 a.m., but there is paperwork that needs to be submitted to the Court in order for the marshal sale to proceed. Counsel for plaintiff (Hewlett) agreed to present the necessary paperwork to the court and to lodge the order necessary to cause the marshal's sale to move forward, hopefully before the August 19 hearing. (As of July 30, 2025, court has not received any such paperwork.)

Attorneys and their clients have not been communicating effectively and, as a result, offered conflicting reports concerning the status of settlement negotiations and expressed conflicting views as to the desirability of a settlement. Parties either need to keep their attorneys "in the loop" concerning the status of their negotiations or terminate the services of their attorneys. Existing situation is untenable and cannot be permitted to continue. Court will not approve any more stipulations to continue the hearings based on what appear to be inaccurate representations that the parties are close to resolving this matter consensually. Receiver's sale and marshal's sale should simply move forward.

Tentative Ruling for August 5, 2025:

What, if anything, has happened with regard to the Receiver's sale since the June 3, 2025 hearing?

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CONT... Morad Javedanfar

Chapter 7

Parties continue to report that this matter has been settled? Has the settlement agreement been fully executed? Has it been consummated?

Party Information

Debtor(s):

Morad Javedanfar

Represented By
Andre A Khansari

Defendant(s):

Morad Neman

Represented By
Yuriko M Shikai
Timothy L Neufeld
Jennifer B MikoLevine

MBN Real Estate Investments, LLC

Represented By
Stephen F Biegenzahn
Jennifer B MikoLevine
Paul S Marks

Joint Debtor(s):

Yaffa Javedanfar

Represented By
Andre A Khansari
M Hope Aguilar

Movant(s):

JL AM Plus, LLC

Represented By
Douglas S Hewlett

JL AM Plus, LLC

Represented By
Andy Kong
Douglas E Hewlett
Douglas S Hewlett

Plaintiff(s):

JL AM Plus, LLC

Represented By
Douglas S Hewlett

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Trustee(s):

Timothy Yoo (TR)

Represented By
Anthony A. Friedman

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2:13-27702 Morad Javedanfar

Chapter 7

Adv#: 2:15-01363 JL AM Plus, LLC v. Neman et al

#4.00 Post-Auction Hearing re: Order for Sale Authorizing and Directing U.S. Marshall
to carry out execution sale

fr. 4-17-24; 5-29-24; 7-10-24; 10-29-24; 1-28-25; 5-13-25; 6-3-25; 8-19-25

Docket 469

Courtroom Deputy:

Tentative Ruling:

At hearing held March 20, 2024, court authorized sale of debtor's 19.8 percent interest in property and set a continued hearing to finalize/approve sale for April 17, 2024 at 10:00 a.m.

Did a sale of the debtor's interest in the property go forward? If so, what was the outcome of the sale? Hearing required.

4/16/24 -- Court approved stipulation between the parties, but rather than vacating the hearing to finalize/approve the sale, the Court continued the hearing to May 29, 2024 at 10:00 a.m. as a holding date. If parties are not ready to proceed with a post-auction hearing on May 29, 2024, court will set a further hearing at that time. OFF CALENDAR FOR APRIL 17, 2024.

Tentative Ruling for July 10, 2024:

Did the parties enter into a settlement? Has a new sale been scheduled? Hearing required.

10/23/24 -- Court approved stipulation continuing hearing to January 28, 2025 at 10:00 a.m. OFF CALENDAR FOR OCTOBER 29, 2024.

Tentative Ruling for January 28, 2025:

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Chapter 7

Did the parties enter into a settlement? Has a new sale been scheduled?
Hearing required.

1/22/2025 -- Court approved a stipulation continuing hearing to May 13, 2025
at 10:00 a.m. OFF CALENDAR FOR JANUARY 28, 2025.

Tentative Ruling for May 13, 2025:

What has happened since the last hearing? Did the parties enter into a
settlement? Did an auction occur? Hearing required.

Final Ruling for May 13, 2025:

Counsel that attended hearing are providing inconsistent information about
status. Court continued hearing to June 3, 2025 at 10:00 a.m. and ordered
parties to be present at continued hearing so that everyone can "get on the
same page."

Tentative Ruling for June 3, 2025:

What is the status of this matter? Are the parties still engaged in settlement
negotiations? What should the Court do to bring this matter to resolution?
Hearing required.

8/5/2025 -- At hearing held this date, Court continued above hearing (and
related matter) to September 9, 2025 at 10:00 a.m. to give the parties an
opportunity to consummate settlement agreement. APPEARANCES
WAIVED ON AUGUST 19, 2025.

Tentative Ruling for September 9, 2025:

Parties continue to report that this matter has been settled? Has the
settlement agreement been fully executed? Has it been consummated?

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Party Information

Debtor(s):

Morad Javedanfar

Represented By
Andre A Khansari

Defendant(s):

Morad Neman

Represented By
Yuriko M Shikai
Timothy L Neufeld
Jennifer B MikoLevine

MBN Real Estate Investments, LLC

Represented By
Stephen F Biegenzahn
Jennifer B MikoLevine
Paul S Marks

Joint Debtor(s):

Yaffa Javedanfar

Represented By
Andre A Khansari
M Hope Aguilar

Plaintiff(s):

JL AM Plus, LLC

Represented By
Douglas S Hewlett

Trustee(s):

Timothy Yoo (TR)

Represented By
Anthony A. Friedman

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2:19-14066 David Gomez

Chapter 7

Adv#: 2:19-01221 PEOPLE OF THE STATE OF CALIFORNIA ex rel. ILWU-PMA v. Gomez

#200.00 Status Conference re: Plaintiff's Motion For Summary Judgment

fr. 2-9-21, 11-9-21, 11-18-21; 5-31-22; 10-25-22; 1-31-23; 5-9-23; 10-17-23;
7-2-24| 1-28-25; 7-29-25

Docket 66

***** VACATED *** REASON: CONTINUED TO 1-6-26 AT 2PM.
APPEARANCES WAIVED.**

Courtroom Deputy:

Tentative Ruling:

Tentative Ruling from February 9, 2021:

Deny motion without prejudice as premature, or continue hearing until state court action has been resolved and debtor's liabilities have been liquidated. Court cannot make a determination that a judgment that has not yet been entered, once entered, will be nondischargeable. Court needs to see what the state court actually decides to ascertain whether or not any judgment for plaintiff that may be produced is nondischargeable. In the alternative, plaintiff could prove up its damages in this adversary proceeding, but plaintiff has not attempted to do so in this motion. At this point, there aren't any debts that can be declared nondischargeable.

Final Ruling for February 9, 2021:

Continue hearing to November 9, 2021 at 2:00 p.m. as a status conference.
(Date later moved by Court to November 18, 2021.)

Tentative Ruling for May 31, 2022:

Plaintiff filed a unilateral status report on May 24, 2022. Where did this form come from? Plaintiff reports that state court action has been stayed until at least November of 2022. Continue status conference until late November, 2022.

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Final Ruling for May 31, 2022:

Continue status conference to October 25, 2022 at 2:00 p.m. Parties are to file a joint status report by October 11, 2022.

Tentative Ruling for October 25, 2022:

Nothing has been filed since June of 2022. What is the status of the state court action? Hearing required.

Final Ruling for October 25, 2022:

Continue hearing to January 31, 2023 at 2:00 p.m. Plaintiff should serve notice of continuance. Criminal sentencing scheduled to happen on November 22, 2022.

Tentative Ruling for January 31, 2023:

Plaintiff is using the wrong status report form. Parties should use the bankruptcy court's mandatory form for a status report. Perhaps the form that plaintiff used was a district court form?

Discuss with plaintiff an appropriate date for continued status conference.

Final Ruling for January 31, 2023:

Continue status conference to May 9, 2023 at 2:00 p.m. Plaintiff should file and serve an updated status report not later than April 25, 2023.

Tentative Ruling for May 9, 2023:

Where is the status report that should have been filed by April 25, 2023? What, if any, progress has been made in the state court action? Hearing required.

Status report was filed May 4, 2023. Counsel for plaintiff reports that the state court matter has been stayed pending criminal sentencing and that

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has been scheduled for September 21, 2023. At plaintiff's request, continue status conference on summary judgment motion until October 17, 2023 at 2:00 p.m. Plaintiff should file updated status report not later than October 3, 2023. APPEARANCES WAIVED ON MAY 9, 2023.

Tentative Ruling for October 17, 2023:

Court has reviewed plaintiff's status report. If this Court understands correctly, in light of additional continuances granted in state court, no resolution of the related state court matter will occur until June of 2024. Accordingly, continue hearings in this matter to July 2, 2024 at 2:00 p.m. Plaintiff should file updated status report not later than June 18, 2024. APPEARANCES WAIVED ON OCTOBER 17, 2023.

Tentative Ruling for July 2, 2024:

Where is the status report that should have been filed by June 18, 2024? Did trial go forward in state court? If so, what was the outcome? If not, why not? Hearing required.

Final Ruling for July 2, 2024:

Continue hearing to January 28, 2025 at 2:00 p.m. Plaintiff should file updated status report not later than January 14, 2025. Plaintiff should serve and file notice of continuance.

Tentative Ruling for January 28, 2025:

Status report that should have been filed by January 14, 2025 was filed on January 21, 2025. In light of continuance of hearing in state court action, continue adversary status conference to July 29, 2025 at 2:00 p.m. Plaintiff should file an updated status report not later than July 15, 2025.

Tentative Ruling for July 29, 2025:

Plaintiff reports that defendant has been sentenced and that a restitution order has been entered. ILWU-PMA Welfare Plan has until August 10, 2025 to seek reconsideration of that order and then the criminal matter will be

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reconsideration of that order and then the criminal matter will be deemed complete. A status conference has been set for August 11, 2025 in the state court action, at which point the Court will likely set a trial date. In light of this, plaintiff asks that the Court continue this action.

In light of the foregoing, continue this hearing and related status conference to September 9, 2025 at 2:00 p.m. Plaintiff should file an updated status report not later than August 26, 2025. APPEARANCES WAIVED ON JULY 29, 2025.

Tentative Ruling for September 9, 2025:

Plaintiff reports that it has filed a motion for reconsideration of the restitution order entered in state court that is set for hearing on October 30, 2025 and that the defendant is likely to seek a continuance of that hearing until December given his schedule. The state court has set a status conference for October 21, 2025. Plaintiff recommends that this court continue its status conference in this matter to December of 2025 or even early 2026.

In light of the foregoing, continue hearing to January 6, 2026 at 2:00 p.m. Plaintiff should file updated status report not later than December 23, 2025.

Party Information

Debtor(s):

David Gomez

Represented By
Raj T Wadhwani

Defendant(s):

David Gomez

Represented By
Warren M Stanton

Movant(s):

PEOPLE OF THE STATE OF

Represented By
Michael R Pinkston
Maisie C Sokolove
Christine S Hwang
S Bradley Perkins

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Thomas E Fraysse
Elizabeth Medrano
Peter W Saltzman
Justin T Curley
D Ward Kallstrom

ILWU-PMA WELFARE PLAN

Represented By
Michael R Pinkston
Maisie C Sokolove
Christine S Hwang
S Bradley Perkins
Thomas E Fraysse
Elizabeth Medrano
Peter W Saltzman
Justin T Curley
D Ward Kallstrom

Plaintiff(s):

PEOPLE OF THE STATE OF

Represented By
Michael R Pinkston
Maisie C Sokolove
Christine S Hwang
S Bradley Perkins
Thomas E Fraysse
Elizabeth Medrano
Peter W Saltzman
Justin T Curley
D Ward Kallstrom

ILWU-PMA WELFARE PLAN

Represented By
Michael R Pinkston
Maisie C Sokolove
Christine S Hwang
S Bradley Perkins
Thomas E Fraysse
Elizabeth Medrano
Peter W Saltzman

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Justin T Curley
D Ward Kallstrom

Trustee(s):

Peter J Mastan (TR)

Pro Se

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2:19-14066 David Gomez

Chapter 7

Adv#: 2:19-01221 PEOPLE OF THE STATE OF CALIFORNIA ex rel. ILWU-PMA v. Gomez

#201.00 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 PEOPLE OF THE STATE OF CALIFORNIA ex rel. ILWU-PMA WELFARE PLAN, ILWU-PMA WELFARE PLAN against David Gomez

fr. 9-17-19, 11-5-19, 2-11-20, 4-7-20, 7-14-20, 10-20-20, 1-19-21, 2-9-21,

Docket 1

***** VACATED *** REASON: CONTINUED TO 1-6-26 AT 2PM.
APPEARANCES WAIVED.**

Courtroom Deputy:

Tentative Ruling:

Tentative Ruling for September 17, 2019:

Plaintiff obtained and served alias summons. Response to complaint is not due until September 26, 2019. Continue status conference to November 5, 2019 at 2:00 p.m. APPEARANCES WAIVED ON SEPTEMBER 17, 2019.

Tentative Ruling for November 5, 2019:

A status report is not required when the defendant has not responded to the complaint, and, in any event, counsel should not use Judge Zurzolo's form of status report for this judge. Counsel should also be aware that it is inappropriate for an attorney to file a declaration attesting to his personal knowledge of facts that are not within his personal knowledge. Counsel should have prepared this declaration for his paralegal's signature.

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.

11/6/19 -- Court entered scheduling order setting status conference for February 11, 2020 at 2:00 p.m. and setting deadline of January 21, 2020 for defendant to file motion to set aside

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default.

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Tentative Ruling for February 11, 2020:

Continue status conference for approximately 90 days. If defendant fails to file response to complaint within time limit set forth in response to motion on calendar as number 207, plaintiffs should take defendant's default, serve and file a motion for default judgment and set it for hearing at same date and time as continued status conference.

Tentative Ruling for April 7, 2020:

At request of parties, continue status conference to July 14, 2020 at 2:00 p.m. Parties should file joint status report not later than June 30, 2020.
APPEARANCES WAIVED ON APRIL 7, 2020.

Tentative Ruling on July 14, 2020:

This action has been pending for a year, and yet the parties have not yet met and conferred in compliance with LBR 7026-1? Court appreciates that parties may wish to avoid costs associated with discovery, but it is time for this matter to either be resolved or to move forward. Set continued status conference. Require parties to complete a day of mediation prior to date of continued status conference. (There are mediators willing to conduct mediations via Zoom.)

Final Ruling from July 14, 2020:

Defendant did not appear at status conference. Court continued status conference to October 20, 2020 at 2:00 p.m. and directed parties to file joint status report by October 6, 2020. Plaintiff should file and serve a notice of the continued status conference.

Tentative Ruling for October 20, 2020:

Is there any difference between the joint status report filed on October 6, 2020 and that filed on October 7, 2020?

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Continue status conference to date that can serve as hearing date on motions that plaintiff intends to file.

12/9/20 -- Court approved stipulation continuing hearing to February 9, 2021 at 2:00 p.m. OFF CALENDAR FOR JANUARY 19, 2021.

Tentative Ruling for January 31, 2023:

Revisit status of action after conclusion of hearing on matter no. 203.

Tentative Ruling for May 9, 2023:

Continue status conference to October 17, 2023 at 2:00 p.m. to be heard concurrently with status conference on summary judgment motion. APPEARANCES WAIVED ON MAY 9, 2023.

Tentative Ruling for October 17, 2023:

Court has reviewed plaintiff's status report. If this Court understands correctly, in light of additional continuances granted in state court, no resolution of the related state court matter will occur until June of 2024. Accordingly, continue hearings in this matter to July 2, 2024 at 2:00 p.m. Plaintiff should file updated status report not later than June 18, 2024. APPEARANCES WAIVED ON OCTOBER 17, 2023.

Tentative Ruling for January 28, 2025:

Status report that should have been filed by January 14, 2025 was filed on January 21, 2025. In light of continuance of hearing in state court action, continue adversary status conference to July 29, 2025 at 2:00 p.m. Plaintiff should file an updated status report not later than July 15, 2025.

Tentative Ruling for July 29, 2025:

Plaintiff reports that defendant has been sentenced and that a restitution order has been entered. ILWU-PMA Welfare Plan has until August 10, 2025 to seek reconsideration of that order and then the criminal matter will be

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reconsideration of that order and then the criminal matter will be deemed complete. A status conference has been set for August 11, 2025 in the state court action, at which point the Court will likely set a trial date. In light of this, plaintiff asks that the Court continue this action.

In light of the foregoing, continue this hearing and related status conference to September 9, 2025 at 2:00 p.m. Plaintiff should file an updated status report not later than August 26, 2025. APPEARANCES WAIVED ON JULY 29, 2025.

Tentative Ruling for September 9, 2025:

Plaintiff reports that it has filed a motion for reconsideration of the restitution order entered in state court that is set for hearing on October 30, 2025 and that the defendant is likely to seek a continuance of that hearing until December given his schedule. The state court has set a status conference for October 21, 2025. Plaintiff recommends that this court continue its status conference in this matter to December of 2025 or even early 2026.

In light of the foregoing, continue hearing to January 6, 2026 at 2:00 p.m. Plaintiff should file updated status report not later than December 23, 2025. APPEARANCES WAIVED ON SEPTEMBER 9, 2025.

Party Information

Debtor(s):

David Gomez

Represented By
Raj T Wadhvani

Defendant(s):

David Gomez

Represented By
Warren M Stanton

Plaintiff(s):

PEOPLE OF THE STATE OF

Represented By
Michael R Pinkston
Maisie C Sokolove
Christine S Hwang

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David Gomez

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S Bradley Perkins
Thomas E Fraysse
Elizabeth Medrano
Peter W Saltzman
Justin T Curley
D Ward Kallstrom

ILWU-PMA WELFARE PLAN

Represented By
Michael R Pinkston
Maisie C Sokolove
Christine S Hwang
S Bradley Perkins
Thomas E Fraysse
Elizabeth Medrano
Peter W Saltzman
Justin T Curley
D Ward Kallstrom

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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2:24-18372 Krikor R. Bardakjian

Chapter 7

Adv#: 2:25-01311 Fifth Third Bank, National Association v. Bardakjian

#202.00 Status Conference re: 67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny) Complaint by Fifth Third Bank, National Association against Krikor R. Bardakjian.

Docket 1

***** VACATED *** REASON: 7/22/25 - STIPULATION ORDER
ENTERED RESOLVING ADVERSARY ENTERED.**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

7/21/2025 -- Court approved stipulation resolving adversary proceeding. OFF CALENDAR. NO APPEARANCE REQUIRED.

Party Information

Debtor(s):

Krikor R. Bardakjian

Represented By
Steven R Fox

Defendant(s):

Krikor R. Bardakjian

Pro Se

Plaintiff(s):

Fifth Third Bank, National

Represented By
Christy Bertram

Trustee(s):

Timothy Yoo (TR)

Represented By
Anthony A. Friedman
Levene, Neale, Bender, Yoo & Golubchik

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2:25-12899 Lisett Caridad Gonzalez

Chapter 7

Adv#: 2:25-01309 Immigrant Rights Defense Council, LLC v. Gonzalez

#203.00 Status Conference re: 41 (Objection / revocation of discharge - 727(c),(d),(e)
Complaint by Immigrant Rights Defense Council, LLC against Lisett Caridad
Gonzalez.

Docket 1

Courtroom Deputy:

ZoomGov Appearance by:

9/8/25 - Sebastian Medvei

Tentative Ruling:

In the status report, both parties report that they plan to file motions for
summary judgments. Discuss with parties briefing schedule for these

Party Information

Debtor(s):

Lisett Caridad Gonzalez

Represented By
Jisoo Hwang
Rosendo Gonzalez

Defendant(s):

Lisett Caridad Gonzalez

Pro Se

Plaintiff(s):

Immigrant Rights Defense Council,

Represented By
Sebastian M Medvei

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

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2:25-13809 Andrew Michael Autin

Chapter 7

Adv#: 2:25-01215 S & G US, Inc. v. Autin et al

#204.00 Motion to Dismiss Adversary Proceeding

Docket 4

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

The motion seeks an order dismissing plaintiff's claims under sections 523(a)(1), (2) and (4) and 727(a). All of the claims are defective in their present form, but plaintiff may be able to salvage some of them with an amended complaint as discussed in more detail below.

523(a)(1)

The problem here is not really one of standing. The problem is that the claim held by the plaintiff is not a claim held by a governmental unit, because plaintiff is not a governmental unit. Section 523(a)(1) excepts from discharge a claim "of the kind and for the periods specified in section 507(a)(3) or 507(a)(8) of this title." Section 507(a)(8) describes certain types of allowed unsecured claims of "governmental units." Thus, plaintiff's claims do not qualify under this section.

That is why Congress amended section 523 at some point to add sections 523(a)(14) and 523(a)(14A). These sections except from discharge debts incurred to pay a tax to the United States or a governmental unit that would have been nondischargeable under section 523(a)(1). Prior to the adoption of these code sections, courts routinely found that a debtor could borrow money from a bank or a third party to pay a nondischargeable tax and then discharge the loan. So the question here is not whether the debtor's obligation to indemnify the plaintiff's against having to pay the sales tax is excepted from discharge under section 523(a)(1). The question is whether the debtor's obligation to plaintiff on this fact pattern can be described as a debt incurred to pay a tax to a governmental unit within the meaning of section 523(a)(14A) -- whether the plaintiff can demonstrate that this section excepts debtor's obligations to it from being discharged. Unless its claims fall

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obligations will be discharged. (Subrogation doesn't work here, as evidenced by the caselaw that permitted the discharge of loans used to pay off nondischargeable debts.)

Notably, there is no need to bring a nondischargeability action to have a debt excepted from discharge under section 523(a)(1) or (a)(14A). Section 523(c) makes clear that a creditor need only bring an action to have a debt excepted from discharge if it is the kind of debt described in sections 523(a)(2), (4) or (6). The rest of the nondischargeable debts in section 523 are automatically excepted from the discharge. (And the government's claims direct claims against the debtor will not be discharged even though the government has not brought a 523 action.)

However, where there is a dispute as to the applicability of another subsection of 523, an action for declaratory relief as to whether the code section is applicable is warranted. Therefore, grant motion insofar as it challenges the claim asserted under section 523(a)(1), but grant plaintiff leave to assert instead a claim for a declaration that the debtors' contractual obligation to reimburse the plaintiff for any amounts it had to pay on account of sales taxes that the debtors should have paid is excepted from discharge under section 523(a)(14A).

Section 523(a)(2)(A)

There are a number of problems with this claim. The complaint is extremely vague. See paragraph 35 ("Defendant Yuxuan Yang obtained the \$115,871.86 through intentional misrepresentation or concealment to Plaintiff before the entry of the escrow for the purchase and sale of the subject restaurant.") Fraud must be pled with particularity. What did the debtor say that was false? Were representations made about outstanding obligations of the business? And did the debtor know that these representations were false at the time they were made? Did the debtor affirmatively state that there were no outstanding tax liabilities or that a given list of liabilities was a complete list that he knew was not complete? Each element of fraud must be pled.

Moreover, if the statements made concern the financial condition of the debtor or an affiliate of the debtor, they must be in writing to be actionable. Discuss with plaintiff the specific facts and circumstances here so that the Court can determine whether a claim can be pleaded under section 523(a)(2)

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whether there needs to have been a writing. Motion should be granted, but the issue is whether or not leave should be given for plaintiff to amend this claim or to assert a claim under section 523(a)(2)(B).

Section 523(a)(4)

Grant motion with regard to this claim without leave to amend. There is no fiduciary duty here of the kind needed to state a claim under this section. There needs to have been an actual trust and an actual trust res.

Section 727(a)

What in the world is plaintiff trying to say here? There are several specific subparts of section 727, none of which has been adequately pleaded. Grant motion to dismiss, explain to plaintiff what such a complaint needs to look like and discuss with plaintiff whether there are sufficient facts to enable it to put together a viable amended complaint so that the Court can assess whether or not leave should be granted to permit plaintiff to file an amended complaint. (The same facts and circumstances that gave rise to the potentially nondischargeable liability under section 523(a)(14A) will not suffice.)

Party Information

Debtor(s):

Andrew Michael Autin

Represented By
Nancy Hanna

Defendant(s):

Andrew Michael Autin

Represented By
Fritz J Firman

Yuxuan Yang

Represented By
Fritz J Firman

DOES - 1 through 10, inclusive

Pro Se

Joint Debtor(s):

Yuxuan Yang

Represented By
Nancy Hanna

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Movant(s):

Andrew Michael Autin

Represented By
Fritz J Firman

Yuxuan Yang

Represented By
Fritz J Firman

Plaintiff(s):

S & G US, Inc.

Represented By
Steve Luan

Trustee(s):

John P Pringle (TR)

Pro Se

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2:25-13809 Andrew Michael Autin

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Adv#: 2:25-01215 S & G US, Inc. v. Autin et al

#204.10 Status Conference re: 41 (Objection / revocation of discharge - 727(c),(d),(e)) , (66 (Dischargeability - 523(a)(1),(14),(14A) priority tax claims)) , (62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud)) , (67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)) , (13 (Recovery of money/property - 548 fraudulent transfer) omplaint by S & G US, Inc. against Andrew Michael Autin , Yuxuan Yang , and DOES 1 through 10, inclusive

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

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

Party Information

Debtor(s):

Andrew Michael Autin

Represented By
Nancy Hanna

Defendant(s):

Andrew Michael Autin

Pro Se

Yuxuan Yang

Pro Se

DOES - 1 through 10, inclusive

Pro Se

Joint Debtor(s):

Yuxuan Yang

Represented By
Nancy Hanna

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Plaintiff(s):

S & G US, Inc.

Represented By
Steve Luan

Trustee(s):

John P Pringle (TR)

Pro Se

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2:21-10826 Kfir Gavrieli

Chapter 11

Adv#: 2:21-01034 Gavrieli et al v. Gavrieli et al

#205.00 Motion to Stay Adversary Proceeding

Docket 245

Courtroom Deputy:

ZoomGov Appearance by:

9/8/25 - Jeffrey Reisner

9/8/25 - Christopher Prince

Tentative Ruling:

As usual, the Court is confused. This action is Dikla Gavrieli's derivative action. The claims that she asserts in this action are different from the claims that this Court has held should be subordinated in part to the payment of other unsecured claims. Provided that there are *any* assets to be distributed to the holders of unsecured claims, don't the parties need to liquidate Dikla's claims in this action so that the trustee will know how to make distributions from any assets that may be available for the payment of unsecured claims? (It's true that a reserve may be established in the meantime if litigation is still ongoing when the trustee is ready to make distributions, but won't the parties need this claim liquidated in any event?)

Court agrees that movant has not made the showing necessary to obtain a stay, let alone a stay of an indefinite length. In evaluating a request for a stay, the Court must weigh at least the following factors: (1) any possible damage that may result from granting the stay; (2) the hardship or inequity that she may suffer in being required to go forward; and (3) the orderly course of justice measured in terms of simplifying or complicating issues, proof and questions of law (*i.e.*, judicial efficiency). When the length of the stay is indefinite, an even stronger showing must be made.

As discussed above, the estate needs to know whether or not Dikla has a valid claim in this action and, if so, what the amount of the claim is, before it

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claim in this action and, if so, what the amount of the claim is, before it could make any distributions to creditors from assets that may be available for distribution. And there are valuable assets in this estate, even if they are unlikely to be enough to pay unsecured claims in full. The parties have already delayed moving forward with this litigation for an extended period. Additional delay would prejudice other creditors as they will be required to wait even longer before being able to obtain whatever distributions may become available at some point in the future.

With regard to the second factor, the only hardship to movant is that she will be required to incur legal fees. She will be required to incur those fees at some point in any event. Having to incur them now so that this matter can be brought to a prompt resolution is not a hardship. She has not demonstrated or even explained how the amount of fees that she would be required to incur will be less if she is permitted to wait to incur them until the trustee has more information as to the likely amount of distributions in the case.

Similarly, the motion does not explain how waiting to resolve the issues in this case will increase judicial efficiency. The amount available for distribution has no bearing on any of the issues that need to be resolved in this matter.

Deny motion.

Party Information

Debtor(s):

Kfir Gavrieli

Represented By
Jeffrey M. Reisner
Kerri A Lyman
William N Lobel

Defendant(s):

Kfir Gavrieli

Represented By
William N Lobel
Kerri A Lyman

Gavrieli Brands LLC

Represented By
Gregory K Jones

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Movant(s):

Dikla Gavrieli

Represented By

Amy Quartarolo

Amy Quartarolo

Peter Gilhuly

Peter Gilhuly

Daniel S Schecter

Daniel S Schecter

Christopher E Prince

Christopher E Prince

Plaintiff(s):

Dikla Gavrieli

Represented By

Amy Quartarolo

Peter Gilhuly

Daniel S Schecter

Christopher E Prince

Dikla Gavrieli, derivatively on

Represented By

Amy Quartarolo

Peter Gilhuly

Daniel S Schecter

Dean Unatin

Represented By

Amy Quartarolo

Peter Gilhuly

Daniel S Schecter

Trustee(s):

Robert Allan Kors (TR)

Represented By

William Schumacher

Mark Shinderman

Mohammad Tehrani

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2:21-10826 Kfir Gavrieli

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Adv#: 2:21-01034 Gavrieli et al v. Gavrieli et al

#206.00 Status Conference re: Unatin's Derivative Claims

fr. 3-31-21, 4-27-21, 6-8-21, 6-29-21, 8-10-21; 9-14-21, 9-28-21, 11-2-21,
11-30-21, 12-14-21, 1-4-22; 3-16-22; 5-25-22; 8-2-22; 12-6-22; 3-28-23; 5-9-23;
8-8-23; 8-10-23; 12-12-23; 1-10-24; 3-19-24; 4-16-24; 4-30-24; 6-4-24; 8-6-24;
8-27-24; 12-3-24; 1-7-25; 2-4-25; 3-4-25; 4-1-25; 7-1-25; 7-8-25; 8-19-25

Docket 1

Courtroom Deputy:

ZoomGov Appearance by:

9/8/25 - Jeffrey Reisner

9/8/25 - Christopher Prince

Tentative Ruling:

3/31/21 -- At hearing held this date, Court continued status conference and hearing on motion to dismiss to; June 8, 2021 at 10:00 a.m. OFF CALENDAR FOR APRIL 27, 2021.

5/26/21 -- Court approved stipulation resolving motion to dismiss original complaint. Amended complaint to be filed not later than May 24, 2021. Any hearing on motion to dismiss that complaint will be held June 29, 2021 at 10:00 a.m. Status conference continued to June 29, 2021 at 10:00 a.m.. OFF CALENDAR FOR JUNE 8, 2021.

6/16/21 -- Court approved stipulation continuing hearing to August 10, 2021 at 2:00 p.m. See order for additional dates. APPEARANCES WAIVED ON JUNE 29, 2021.

7/13/21 -- Court approved stipulation continuing hearing to September 14, 2021 at 2:00 p.m. See order for additional provisions. APPEARANCES WAIVED ON AUGUST 10, 2021.

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ON AUGUST 10, 2021.

8/27/21 -- Court approved stipulation continuing hearing to September 28, 2021 at 2:00 p.m. See order for additional provisions. APPEARANCES WAIVED ON SEPTEMBER 14, 2021.

9/20/21 -- Court approved stipulation continuing hearing to November 2, 2021 at 2:00 p.m. See order for additional provisions. APPEARANCES WAIVED ON SEPTEMBER 28, 2021.

10/19/21 -- Court approved stipulation continuing hearing to November 30, 2021 at 2:00 p.m. See order for additional provisions. APPEARANCES WAIVED ON NOVEMBER 2, 2021.

11/22/21 -- Court approved stipulation continuing hearing to December 14, 2021 at 2:00 p.m. See order for additional provisions. APPEARANCES WAIVED ON NOVEMBER 30, 2021.

12/8/21 -- Court approved stipulation continuing hearing to January 4, 2022 at 2:00 p.m. See order for additional provisions. APPEARANCES WAIVED ON DECEMBER 14, 2021.

Tentative Ruling for January 4, 2022:

Parties included a waiver of the requirement to file a joint status report in their last stipulation, which the court for some reason approved. What is the status of this matter? Hearing required.

Tentative Ruling for March 16, 2022:

Court denied trustee's request that a status conference be held on this date on his motion to dismiss in that this status conference was already on calendar for March 16, 2022. Discuss with the parties at this status conference whether and when to set a hearing for the court to resolve the merits of this motion.

Tentative Ruling for May 25, 2022:

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At status conference held March 16, 2022, court continued this hearing to May 25, 2022 at 10:00 a.m. and waived the requirement of a status report. After conclusion of related matters on calendar, discuss with the parties the next steps with regard to this adversary proceeding.

Tentative Ruling for August 2, 2022:

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

8/8/22 -- Court approved order granting motion to dismiss:

Granted without leave to amend as to third, fourth, fifth, sixth, seventh and eighth claims for relief;

Granted with leave to amend as to ninth through sixteenth claims for relief;

Plaintiff to file and serve amended complaint not later than September 2, 2022;

Defendants to file and serve response to amended complaint not later than October 3, 2022. If response is motion to dismiss, motion should be set for hearing on December 6, 2022 at 2:00 pm. Oppositions will be due by October 31, 2022. Replies will be due by November 22, 2022.

Tentative Ruling for December 6, 2022:

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

Tentative Ruling for March 28, 2023:

Court advised that it would not be necessary parties to file a joint status report if it would be conducting a hearing on motion to dismiss. Continue status conference to May 9, 2023 at 2:00 p.m. to be heard concurrently with motion to dismiss. APPEARANCES WAIVED ON MARCH 28, 2023.

Tentative Ruling for May 9, 2023:

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

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hearing on motion to dismiss, court ruled that all claims in the complaint, including the first through fourth claims for relief will be limited to acts or omissions that occurred after July 22, 2019 and that plaintiffs cannot recover for alleged acts or omissions that occurred prior to that date even if they were discovered later. Trustee must file and serve response to complaint not later than June 12, 2023. Parties should file joint status report not later than July 25, 2023.

Tentative Ruling for August 10, 2023:

Has the trustee received any responses to any of his discovery requests yet? If not, why not? (When were/are responses due?) Set discovery cutoff for late January or early February and continue status conference for approximately 90 to 120 days.

8/14/23 -- Court signed scheduling order setting following dates:

Discovery cutoff -- January 31, 2024

Cont'd status conference -- December 12, 2023 at 2:00 p.m.

L/D to file status report -- November 28, 2023

Tentative Ruling for December 12, 2023:

Court previously set a discovery cutoff of January 31, 2024. Plaintiff reports that she should have completed discovery by April of 2024. Is plaintiff requesting an extension of the discovery cutoff?

According to the status report, the company has not filed an answer to the complaint. Plaintiff refers to the company as a "nominal defendant," but it should nevertheless file an answer to the complaint. Is there some agreement between/among the parties that explains why this has not occurred?

Hearing required.

12/14/23 -- Court approved scheduling order setting the following dates:

Cont'd discovery cutoff -- March 31, 2024

Cont'd status conference (as a holding date) -- January 10, 2024 at 10:00

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Requirement of a status report waived.

Tentative ruling for 1/10/24 --Revisit status of adversary after conclusion of related matter on calendar.

2/14/24 -- Court approved stipulation extending discovery cutoff to April 29, 2024, continuing status conference from March 19, 2024 at 2:00 p.m. to April 16, 2024 at 2:00 p.m. and continuing plaintiff's deadline to serve responses and objections to defendant's interrogatories to March 15, 2024. OFF CALENDAR FOR MARCH 19, 2024.

2/27/24 -- Court approved stipulation extending discovery cutoff to May 13, 2024, continuing status conference to April 30, 2024 at 2:00 p.m. and continuing plaintiff's deadline to serve responses and objections to defendant's interrogatories to March 29, 2024. OFF CALENDAR FOR APRIL 16, 2024.

4/4/24 -- Court approved stipulation extending fact discovery cutoff to June 13, 2024, continuing status conference to June 4, 2024 at 2:00 p.m. and continuing plaintiff's deadline to serve responses and objections to defendant's interrogatories to April 29, 2024. OFF CALENDAR FOR APRIL 30, 2024.

4/29/24 -- Court approved stipulation extending fact discovery cutoff to August 12, 2024, continuing status conference to August 6, 2024 at 2:00 p.m. and continuing plaintiff's deadline to serve responses and objections to defendant's interrogatories to June 28, 2024. OFF CALENDAR FOR JUNE 4, 2024.

5/2/24 -- Court approved stipulation continuing hearing to August 27, 2024 at 2:00 p.m. OFF CALENDAR FOR AUGUST 6, 2024.

7/1/24 -- Court approved stipulation continuing hearing to December 3, 2024 at 2:00 p.m. Deadline to respond to defendant's interrogatories extended to October 26, 2024. Deadline to conduct fact discovery extended to December 10, 2024. OFF CALENDAR FOR AUGUST 27, 2024.

10/24/24 -- Court approved stipulation continuing hearing to January 7, 2025

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2025. OFF CALENDAR FOR DECEMBER 3, 2024.

12/12/24 -- Court approved stipulation continuing hearing to February 4, 2025 at 2:00 p.m. Deadline to conduct fact discovery extended to February 10, 2025. OFF CALENDAR FOR JANUARY 7, 2025.

1/06/25 -- Court approved stipulation continuing hearing to March 4, 2025 at 2:00 p.m. Deadline to conduct fact discovery extended to March 12, 2025. Defendant's deadline to serve responses and objections to plaintiff's requests for production extended to February 10, 2025. OFF CALENDAR FOR FEBRUARY 4, 2025.

2/7/25 -- Court approved stipulation continuing hearing to April 1, 2025 at 2:00 p.m. Deadline to conduct fact discovery extended to April 11, 2025. Defendant's deadline to serve responses and objections to plaintiff's requests for production extended to March 12, 2025. OFF CALENDAR FOR MARCH 4, 2025.

3/19/25 -- Court approved stipulation continuing hearing to July 1, 2025 at 2:00 p.m., continuing deadline to conduct fact discovery to July 10, 2025 and continuing deadline for defendant to serve responses to plaintiff's request for production to June 17, 2025. OFF CALENDAR FOR APRIL 1, 2025.

6/11/2025 -- Court approved stipulation extending fact discovery from July 10, 2025 to August 11, 2025, and continuing status conference from July 8, 2025, at 2:00 p.m. to August 19, 2025 at 2:00 p.m. OFF CALENDAR FOR JULY 8, 2025.

Tentative Ruling for August 19, 2025:

Plaintiffs believe that matter should be stayed and represent that they will be bringing a motion to stay. That motion has not yet been filed. In the interim, set deadline for completion of expert discovery. (Deadline for completion of fact discovery has already passed.) Trustee represents that he will be filing a motion for summary judgment. Set deadlines associated with filing of that motion.

Plaintiffs represent that the issues in this litigation may be largely moot in light

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the plan default. The Court is confused by this statement. This is a nondischargeability action. If the estate no longer has assets with which to satisfy the plaintiffs' claims, isn't the issue of whether these claims are nondischargeable more significant than ever?

8/28/2025 -- Court approved scheduling order with following dates:

1. The deadline for Plaintiff Dikla Gavrieli Unatin to designate expert witnesses and serve associated expert reports is **October 14, 2025**.
2. The deadline for the Post-Effective Date Trustee to designate expert witnesses and serve associated expert reports is **December 15, 2025**.
3. The deadline to complete expert discovery is **January 20, 2026**.
4. The deadline to file pre-trial motions other than motions in limine, including motions for summary judgment and any discovery motions, is **February 17, 2026**.
5. A continued Status Conference is scheduled for **September 9, 2025 at 2:00 p.m.** (The parties need not file a joint status report for this status conference.)

Tentative Ruling for September 9, 2025:

Revisit status of action after conclusion of motion to stay adversary

Party Information

Debtor(s):

Kfir Gavrieli

Represented By
Jeffrey M. Reisner
Kerri A Lyman

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Kfir Gavrieli

Chapter 11

William N Lobel

Defendant(s):

Kfir Gavrieli

Represented By
William N Lobel

Gavrieli Brands LLC

Pro Se

Plaintiff(s):

Dikla Gavrieli

Represented By
Amy Quartarolo
Peter Gilhuly
Daniel S Schecter

Dikla Gavrieli, derivatively on

Represented By
Amy Quartarolo
Peter Gilhuly
Daniel S Schecter

Dean Unatin

Represented By
Amy Quartarolo
Peter Gilhuly
Daniel S Schecter

Trustee(s):

Robert Allan Kors (TR)

Represented By
William Schumacher
Mark Shinderman
Mohammad Tehrani

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

Tuesday, September 9, 2025

Hearing Room 1539

2:00 PM

2:21-10826 Kfir Gavrieli

Chapter 11

Adv#: 2:22-01042 Kors et al v. Unatin et al

#207.00 Motion to Stay Adversary Proceeding

Docket 196

Courtroom Deputy:

ZoomGov Appearance by:

9/8/25 - Jeffrey Reisner

9/8/25 - Christopher Prince

Tentative Ruling:

This motion relates to the trustee's equitable subordination action against the Unatins. The court previously granted a partial summary judgment in which it held that a portion of the Unatins' judgment against the debtor that related to penalties and interest and attorneys' fees attributable to unpaid taxes (\$4,558,732.48) should be subordinated to the payment of other unsecured claims.

Movant argues that this matter should be stayed because it is unclear whether there will be more than this amount available for distribution to unsecured creditors. However, the court's order granting partial summary adjudication was interlocutory, no? As a result, the Unatins' opportunity to appeal this order will not begin to run until the Court has fully resolved this action. Are all parties waiving any right that they would otherwise have to appeal this order? If not, regardless of the amount available for distribution to unsecured creditors, this action will need to be litigated to conclusion before the trustee would be able to make final distributions to unsecured creditors, no?

Court agrees that movant has not made the showing necessary to obtain a stay, let alone a stay of an indefinite length. In evaluating a request for a stay, the Court must weigh at least the following factors: (1) any possible damage that may result from granting the stay; (2) the hardship or inequity

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in being required to go forward; and (3) the orderly course of justice measured in terms of simplifying or complicating issues, proof and questions of law (i.e., judicial efficiency). When the length of the stay is indefinite, an even stronger showing must be made.

As discussed above, the estate needs to know whether and to what extent any claims asserted by the Unatins should be equitably subordinated to other unsecured claims before it could make final distributions to creditors from assets that may be available for distribution. And there are valuable assets in this estate, even if they are unlikely to be enough to pay unsecured claims in full. The parties have already delayed moving forward with this litigation for an extended period. Additional delay would prejudice other creditors as they will be required to wait even longer before being able to obtain whatever distributions may become available at some point in the future.

With regard to the second factor, the only hardship to movant is that movants will be required to incur legal fees. Unless all parties are willing to stipulate to treat the court's order on plaintiff's MSJ as a final order fully resolving this matter, movants will be required to incur those fees at some point in any event. Having to incur them now so that this matter can be brought to a prompt resolution is not a hardship. Movants have not demonstrated or even explained how the amount of fees that they would be required to incur will be less if they are permitted to wait to incur them until the trustee has more information as to the likely amount of distributions in the case.

Similarly, the motion does not explain how waiting to resolve the issues in this case will increase judicial efficiency. The amount available for distribution has no bearing on any of the issues that need to be resolved in this matter.

Deny motion.

Party Information

Debtor(s):

Kfir Gavrieli

Represented By
Jeffrey M. Reisner
Kerri A Lyman
William N Lobel

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Defendant(s):

Dikla Unatin

Represented By
Daniel S Schecter
Christopher E Prince

Dean Unatin

Represented By
Daniel S Schecter
Christopher E Prince

Movant(s):

Dikla Unatin

Represented By
Daniel S Schecter
Christopher E Prince

Dean Unatin

Represented By
Daniel S Schecter
Christopher E Prince

Plaintiff(s):

Robert A. Kors

Represented By
Mark Shinderman

Official Committee of Unsecured

Represented By
Richard Lee Wynne
Edward J McNeilly
Jeffrey M. Reisner

Trustee(s):

Robert Allan Kors (TR)

Represented By
William Schumacher
Mark Shinderman
Mohammad Tehrani

**United States Bankruptcy Court
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2:00 PM

2:22-14165 Treetop Development, LLC

Chapter 11

Adv#: 2:23-01515 Treetop Development, LLC v. City of Los Angeles

#208.00 Status Conference re: 91 (Declaratory judgment) Complaint by Treetop Development, LLC against City of Los Angeles

fr: 3-5-24; 7-9-24; 11-6-24; 12-17-24; 2-25-25; 7-1-25; 7-8-25

Docket 1

Courtroom Deputy:

Tentative Ruling:

Tentative Ruling for March 5, 2024:

It's really not that hard to file a JOINT status report. Each party can write whatever it wants on its side of the form and can add additional comments at the bottom of the form. Neither side has to approve of what the other side wants to put on its side of the form.

It appears from City's report that it does not intend to stipulate to the filing of an amended complaint. That is unfortunate as there is no reason that the court would not grant such a motion at this early phase of the litigation.

The debtor would like the court to extend the term of its preliminary injunction maintaining the status quo (to prevent the passage of time from affecting the outcome of the dispute while the parties litigate the merits of this matter). The City does not disclose its position with regard to this prospect in its status report. What is the City's view with regard to this request.

Hearing required.

3/11/24 -- Court approved scheduling order setting following dates:

Cont'd status conference -- July 9, 2024 at 2:00 p.m.

L/D to file joint status report -- June 25, 2024

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L/D to lodge order appointing mediators -- March 29, 2024
L/D to complete a day of mediation -- July 9, 2024.

Tentative Ruling for July 9, 2024:

Where is the joint status report that should have been filed June 25, 2024?
Did the parties complete a day of mediation? If not, why not? If so, what was
the result? Hearing required.

Final Ruling for July 9, 2024:

Parties did attend multiple mediation sessions. Oral argument on City's
appeal is scheduled for September 9, 2024. Continue status conference to
November 6, 2024 at 11:00 a.m. Parties should file updated status report not
later than October 25, 2024.

Tentative Ruling for November 6, 2024:

At request of the parties, continue status conference to December 17, 2024 at
2:00 p.m. Parties should file updated status report not later than December
3, 2024. APPEARANCES WAIVED ON NOVEMBER 6, 2024.

Tentative Ruling for December 17, 2024:

At the request of the parties, continue status conference to February 25, 2025
at 2:00 p.m. Parties should file updated status report not later than February
11, 2025. APPEARANCES WAIVED ON DECEMBER 17, 2024.

Tentative Ruling for February 25, 2025:

At parties' request in joint status report, continue status conference to July 1,
2025 at 2:00 p.m. Parties should file updated status report not later than
June 17, 2025. APPEARANCES WAIVED ON FEBRUARY 15, 2025.

Tentative Ruling for July 8, 2025:

According to the parties' status report, at this juncture, the Liquidating Trustee

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anticipates proceeding with this litigation and filing an amended complaint that accounts for the Ninth Circuit's ruling and may include additional causes of action. Discuss with parties timing of amended complaint. Hearing required.

7/7/2025 -- Court approved stipulation continuing hearing to September 9, 2025 at 2:00 p.m. OFF CALENDAR FOR JULY 8, 2025. NO APPEARANCE REQUIRED.

Tentative Ruling for September 9, 2025:

The Court continued the July status conference to give the parties a further opportunity to assess their next steps and provide the court with a more complete status report concerning the future of this matter. What, if anything, have the parties decided as to where this matter should go from here? Does the debtor want to move forward with an amended complaint?

Hearing required.

Party Information

Debtor(s):

Treetop Development, LLC

Represented By
Lewis R Landau
David J Williams
Sharon Z. Weiss
Thomas M Geher

Defendant(s):

City of Los Angeles

Pro Se

Plaintiff(s):

Treetop Development, LLC

Represented By
Sharon Z. Weiss