

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

Tuesday, September 10, 2024

Hearing Room 1539

10:00 AM
2:00-00000

Chapter

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

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

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

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

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

Hearing conducted by ZOOMGov.

Video/audio web address: <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 name in ZoomGov.

Docket 0

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

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10:00 AM

2:24-16016 Wendy A. Cruz Saenz

Chapter 7

#1.00 Notice of motion and motion for relief from the automatic stay with supporting declarations UNLAWFUL DETAINER RE: **3450 Sawtelle Boulevard #236, Los Angeles, CA 90066**

MOVANT: Casa De Vida Apartments, Ltd, a California Limited Partnership

Docket 20

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

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

Party Information

Debtor(s):

Wendy A. Cruz Saenz

Represented By
Christopher J Lauria

Movant(s):

Casa De Vida Apartments, Ltd, a

Represented By
Agop Gary Arakelian

Trustee(s):

Sam S Leslie (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 1539

10:00 AM

2:24-16186 Ki Young Chung

Chapter 7

#2.00 Notice of motion and motion for relief from the automatic stay with supporting declarations UNLAWFUL DETAINER RE: **14202 Dana, Irvine CA 92618 .**

MOVANT: IAC Apartment Development JV LLC

Docket 10

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

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

Party Information

Debtor(s):

Ki Young Chung

Represented By
Young K Chang

Movant(s):

IAC Apartment Development JV

Represented By
Richard Sontag

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
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10:00 AM

2:24-16517 Moto Holding, LLC

Chapter 7

#3.00 Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: **Collateral as defined in the Security Agreement and UCC Financing Statement attached as Exhibits B and C, respectively, to the Declaration**

MOVANT: Creditor MBL Administrative Agent II LLC

[OST]

Docket 14

Courtroom Deputy:

ZoomGov Appearance by:

9/6/24 - Ronald Cheng

9/6/24 - Hugh M. Ray

Tentative Ruling:

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

Party Information

Debtor(s):

Moto Holding, LLC

Represented By
Marc Weitz

Movant(s):

MBL Administrative Agent II LLC

Represented By
Andrew Michael Cummings

MBL Administrative Agent II LLC

Represented By
Andrew Michael Cummings

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CONT... Moto Holding, LLC

Chapter 7

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 1539

2:00 PM

2:18-22731 ERIN JEON

Chapter 7

Adv#: 2:20-01649 Gonzalez v. JEON et al

#200.00 Status Conference re: 14 (Recovery of money/property - other),(13 (Recovery of money/property - 548 fraudulent transfer)) Complaint by Rosendo Gonzalez against ERIN JEON, Jong Kim, Richard Y Park, Carolyn Park, LION & ERIN CORPORATION, Mi-Kyung Kim, Jong Hwan Kim, Tae-Hyun Kim, Yong Hun Kim, Yoon Jeong Choi, Sung Sik Lim, Young Sook Kang, JSDB, Inc., Hyo Jin Japanese Restaurant, Inc.

fr. 12-15-20, 3-30-21, 6-29-21, 10-12-21, 10-14-21, 2-15-22; 5-10-22; 7-26-22; 9-6-22; 10-25-22; 2-28-23; 6-27-23; 1-9-24; 4-9-24; 6-11-24

Docket 1

***** VACATED *** REASON: CONTINUED to 9-11-24 AT 10AM.
APPEARANCES WAIVED.**

Courtroom Deputy:

Tentative Ruling:

Continue status conference 90 to 120 days. Order parties to complete a day of mediation prior to date of continued mediation.

12/16/20 -- Court approved scheduling order setting following dates:

Cont'd status conference -- March 30, 2021 at 2:00 p.m.
L/D to file updated status report -- March 16, 2021
L/D to lodge order appointing mediators -- January 5, 2021
Deadline to complete mediation -- March 30, 2021

1/15/21 -- Court approved order appointing mediators.

Tentative Ruling for March 30, 2021:

Where is the status report that should have been filed by March 16, 2021?
How long do the parties need to complete discovery? Hearing required.

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ERIN JEON

Chapter 7

4/2/21 -- Court approved stipulation dismissing defendant Sung Sik Lim only.

Tentative Ruling for June 29, 2021:

Where is the scheduling order that plaintiff was to lodge after the last status conference (setting discovery cutoff of October 29, 2021)? Where is the joint status report that should have been filed by June 15, 2021? Hearing required.

Final Ruling for June 29, 2021:

Set discovery cutoff of October 29, 2021. Continue status conference to October 12, 2021 at 2:00 p.m. (later continued by the Court to October 14, 2021 at 10:00 am). Parties should file updated status report not later than September 28, 2021. Court will enter order imposing sanctions of \$150 each on counsel for defendants for failing to appear at status conference and \$150 each on parties who have failed to make initial disclosures. Court will prepare scheduling order.

Tentative Ruling for October 14, 2021:

In status report, certain of the parties represent that they anticipate completing their discovery by April 1, 2022. Are the parties requesting an extension of the October 29, 2021 discovery cutoff?

11/29/21 -- Court approved scheduling order with following dates:

Cont'd status conference -- February 15, 2022 at 2:00 pm

Cont'd discovery cutoff -- April 29, 2022

L/D to file updated status report -- February 1, 2022

Tentative Ruling for February 15, 2022:

According to status report, defendant may file a summary judgment motion. Set deadline for filing pretrial motions and continue status conference to date that can serve as date of hearing on pretrial motions.

Are parties on track to complete discovery by April 29, 2022? Hearing

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CONT... ERIN JEON

Chapter 7

required.

2/23/22 -- Court approved scheduling order setting following dates:

Cont'd status conference -- May 10, 2022 at 2:00
L/D to file joint status report -- April 26, 2022
L/D to file pretrial motions -- May 17, 2022

4/22/22 -- Court approved stipulation extending discovery cutoff to May 27, 2022 and continuing last day to file pretrial motions to July 15, 2022.

Tentative Ruling for May 10, 2022:

Where is the status report that should have been filed two weeks before the status conference? Do any parties plan to file pretrial motions? Are the parties on track to complete discovery by May 27, 2022? Hearing required.

5/12/22 -- Court approved scheduling order setting following dates:

Cont'd status conference -- 7/26/22 at 2:00 p.m.
L/D to file joint status report -- 7/12/22
L/D to complete discovery -- 7/1/22
L/D to complete mediation -- 7/26/22
L/D to lodge order appointing mediators -- 5/31/22

5/27/22 -- Court approved order appointing mediators.

Tentative Ruling for July 26, 2022:

Parties report that they have reached a tentative settlement and have asked that the status conference be continued to September 1, 2022. Court does not have hearings on adversary status conferences on that date. Continue hearing to September 6, 2022 at 2:00 p.m. APPEARANCES WAIVED ON JULY 26, 2022.

Tentative Ruling for September 6, 2022:

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ERIN JEON

Chapter 7

Parties reported that they had reached a tentative settlement and requested a continuance of the status conference, but the certificate filed by the mediator on August 30, 2022 reflects that this matter did not settle, notwithstanding three sessions of mediation, followed by multiple emails and calls. Where is the status report that should have been filed 14 days before the status conference and what is the status of this matter? Hearing required.

9/12/22 -- Court approved order dismissing JSDB, Inc. only as a defendant.

9/13/22 -- Court approved order dismissing fourth claim for relief for avoidance and recovery of post-petition transfers as against all defendants.

Tentative Ruling for October 25, 2022:

Continue adversary status conference to date of continued hearing/status conference on motion for summary judgment.

Tentative Ruling for June 27, 2023:

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

Discovery cutoff has long since passed. Are there any other pretrial motions that need to be resolved? Set date for pretrial conference.

07/06/23 -- Court approved scheduling order with following dates:

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

L/D to file updated status report -- December 26, 2023

Discovery cutoff (for both fact and expert) -- December 29, 2023

L/D top designate experts -- August 31, 2023

L/D to exchange expert witness reports -- October 31, 2023

12/19/23 -- Court granted motion extending discovery cutoff to April 1, 2024.

Tentative Ruling for January 9, 2024:

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ERIN JEON

Chapter 7

Why does the court have two separate status reports instead of a single, joint report? (Court noted explanatory comment on defendants' report.)

Order parties to complete a third day of mediation. When does plaintiff anticipate filing a motion to compel third parties' compliance with subpoenas?

Hearing required.

2/6/24 -- Court approved scheduling order with following dates:
Cont'd status conference -- April **9**, 2024 at 2:00 p.m.
L/D to file joint status report -- March 26, 2024
L/D to complete discovery -- April 9, 2024
L/D to complete mediation -- April 9, 2024.

2/6/24 -- Court approved order appointing mediators.

3/26/24 -- Court approved order continuing status conference to June 11, 2024 at 2:00 p.m. OFF CALENDAR FOR APRIL 9, 2024.

4/11/24 -- Court approved compromise pursuant to which transferred property will be returned to the trustee in exchange for dismissal.

Tentative Ruling for June 11, 2024:

What is the status of this matter? When will the trustee be in a position to dismiss this action? Hearing required.

Tentative Ruling for September 10, 2024:

Trustee reports that defendants will need to execute title documents following the court's approval of the sale motion. Sale motion is set for hearing on September 11, 2024 at 10:00 a.m. Continue case status conference to September 11, 2024 at 10:00 a.m. to be heard concurrently with the sale motion. APPEARANCES WAIVED ON SEPTEMBER 10, 2024.

Party Information

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CONT... ERIN JEON

Chapter 7

Debtor(s):

ERIN JEON

Represented By
Jaenam J Coe
Gilad Berkowitz

Defendant(s):

ERIN JEON

Represented By
Jaenam J Coe

Jong Kim

Represented By
Jaenam J Coe

Richard Y Park

Represented By
Jaenam J Coe

Carolyn Park

Represented By
Jaenam J Coe

LION & ERIN CORPORATION

Represented By
Jaenam J Coe

Yong Hun Kim

Represented By
Jaenam J Coe

Yoon Jeong Choi

Represented By
Todd A Fuson

Young Sook Kang

Represented By
Todd A Fuson

JSDB, Inc.

Represented By
Jaenam J Coe

Hyo Jin Japanese Restaurant, Inc.

Represented By
Todd A Fuson

DOES 1 through 30, inclusive

Pro Se

Joint Debtor(s):

Jong Kim

Represented By
Jaenam J Coe

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CONT... ERIN JEON

Chapter 7

Gilad Berkowitz

Plaintiff(s):

Rosendo Gonzalez

Represented By
Cameron H Totten
Jaenam J Coe
Todd A Fuson

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

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2:21-14449 Alex A. Khadavi

Chapter 7

Adv#: 2:22-01189 United States Trustee for the Central District of v. Khadavi

#201.00 Plaintiff's Notice of Motion and Motion (1) For Terminating Sanctions; or (2) to Extend the Discovery Cutoff for the Plaintiff Only to October 31, 2023

fr: 9-12-23; 10-17-23; 11-14-23; 12-19-23; 4-16-24; 7-2-24

Docket 36

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative Ruling from September 12, 2023:

Assuming defendant still has not produced the requested documents or appeared for a deposition, enter an order requiring the production of documents by a date certain and defendant's appearance at a deposition on or by a date certain and set continued hearing to assess defendant's compliance. If defendant has not provided the requested documents and appeared for his deposition, grant request that his answer be stricken and plaintiff permitted to proceed by way of default.

Final Ruling from September 12, 2023:

Defendant served supplemental response on August 25, 2023, 10 days after motion was filed. Defendant still has not agreed to a date for his deposition. Continue hearing to October 17, 2023 at 2:00 p.m. to assess whether defendant has sufficiently cooperated with discovery.

Tentative Ruling for October 17, 2023:

At plaintiff's request, continue both hearing on motion and status conference to November 14, 2023 at 2:00 p.m. Plaintiff should file updated status report not later than October 31, 2023. APPEARANCES WAIVED ON OCTOBER 17, 2023.

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CONT...

Alex A. Khadavi

Chapter 7

Tentative Ruling for November 14, 2023:

At plaintiff's request, continue both hearing on motion and status conference to December 19, 2023 at **10:00 a.m.** Plaintiff should file updated status report not later than December 11, 2023. APPEARANCES WAIVED ON NOVEMBER 14 2023.

Tentative Ruling for December 19, 2023:

At request of plaintiff, enter order continuing discovery cutoff to March 29, 2024 and continue status conference and hearing on motion for terminating sanctions to April 16, 2024 at 2:00 p.m. Court will prepare order. APPEARANCES WAIVED ON DECEMBER 19, 2023.

Tentative Ruling for April 16, 2024:

At request of plaintiff, continue hearings to July 2, 2024 at 2:00 p.m. Plaintiff should give notice to counsel for estate representative. APPEARANCES WAIVED ON APRIL 16, 2024.

Tentative Ruling for July 2, 2024:

The docket does not reflect any additional filings since the plaintiff's unilateral status report on April 2, 2024. According to that report, the representatives of the debtor's probate estate and the plaintiff had tentatively agreed upon a resolution. The plaintiff requested a 60-day continuance to give the probate estate representative an opportunity to substitute into this action and to give the parties an opportunity to circulate settlement documents for signature.

What, if any, progress has been made toward documenting this settlement?
Hearing required.

Tentative Ruling for September 10, 2024:

Plaintiff's status report says that plaintiff will circulate a stipulation for signature once the court enters an order on motion heard August 27, 2024.

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CONT...

Alex A. Khadavi

Chapter 7

The Court has now signed that order. How long does the plaintiff anticipate that it will take to resolve this matter? Hearing required.

Party Information

Debtor(s):

Alex A. Khadavi

Represented By
Jeffrey S Benice

Defendant(s):

Alex A. Khadavi

Represented By
Jeffrey S Benice
Kelly L Morrison

Movant(s):

United States Trustee for the Central

Represented By
Kelly L Morrison

Plaintiff(s):

United States Trustee for the Central

Represented By
Kelly L Morrison

Trustee(s):

Jason M Rund (TR)

Represented By
Keith Patrick Banner

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2:21-14449 Alex A. Khadavi

Chapter 7

Adv#: 2:22-01189 United States Trustee for the Central District of v. Khadavi

#202.00 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 Alex A. Khadavi

fr: 1-10-23; 4-18-23; 5-2-23; 8-29-23; 9-12-23; 10-17-23; 11-14-23; 12-19-23;
4-16-24; 7-2-24

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Does the trustee envision filing any motions for summary judgment? Hearing required.

1/20/23 -- Court signed scheduling order setting following dates:

Cont'd status conference -- April 18, 2023 at 2:00
Court waived requirement of joint status report
Plaintiff will file and serve MSJ by March 7, 2023

Tentative Ruling for May 2, 2023:

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

5/10/23 -- Court approved scheduling order setting following dates:

Discovery cutoff -- August 18, 2023
Cont'd status conference -- August 29, 2023 at 2:00 p.m.
L/D to file joint status report -- August 15, 2023

7/10/23 -- Court approved stipulation setting following dates:

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CONT... Alex A. Khadavi

Chapter 7

Defendant's responses to plaintiff's interrogatories and requests for production of documents are now due July 14, 2023; Discovery cutoff is extended to September 1, 2023.

8/16/23 -- Court entered order extending discovery cutoff to October 31, 2023, setting a hearing on request for terminating sanctions for September 12, 2023 at 2:00 p.m. and continuing status conference to September 12, 2023 at 2:00 p.m. OFF CALENDAR FOR AUGUST 29, 2023.

Tentative Ruling for September 12, 2023:

Continue case status conference to date set for continued hearing on motion on calendar as number 203.

Tentative Ruling for October 17, 2023:

At plaintiff's request, continue both hearing on motion and status conference to November 14, 2023 at 2:00 p.m. Plaintiff should file updated status report not later than October 31, 2023. APPEARANCES WAIVED ON OCTOBER 17, 2023.

10/31/2023 -- Court approved stipulation continuing discovery cutoff to November 30, 2023.

Tentative Ruling for November 14, 2023:

At plaintiff's request, continue both hearing on motion and status conference to December 19, 2023 at **10:00 a.m.** Plaintiff should file updated status report not later than December 11, 2023. APPEARANCES WAIVED ON NOVEMBER 14 2023.

Tentative Ruling for December 19, 2023:

At request of plaintiff, enter order continuing discovery cutoff to March 29, 2024 and continue status conference and hearing on motion for terminating

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CONT... Alex A. Khadavi

Chapter 7

sanctions to April 16, 2024 at 2:00 p.m. Court will prepare order.
APPEARANCES WAIVED ON DECEMBER 19, 2023.

Tentative Ruling for April 16, 2024:

At request of plaintiff, continue hearings to July 2, 2024 at 2:00 p.m. Plaintiff should give notice to counsel for estate representative. APPEARANCES WAIVED ON APRIL 16, 2024.

Tentative Ruling for July 2, 2024:

The docket does not reflect any additional filings since the plaintiff's unilateral status report on April 2, 2024. According to that report, the representatives of the debtor's probate estate and the plaintiff had tentatively agreed upon a resolution. The plaintiff requested a 60-day continuance to give the probate estate representative an opportunity to substitute into this action and to give the parties an opportunity to circulate settlement documents for signature.

What, if any, progress has been made toward documenting this settlement?
Hearing required.

Tentative Ruling for September 10, 2024:

Plaintiff's status report says that plaintiff will circulate a stipulation for signature once the court enters an order on motion heard August 27, 2024. The Court has now signed that order. How long does the plaintiff anticipate that it will take to resolve this matter? Hearing required.

Party Information

Debtor(s):

Alex A. Khadavi Pro Se

Defendant(s):

Alex A. Khadavi Pro Se

Plaintiff(s):

United States Trustee for the Central Represented By

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CONT... Alex A. Khadavi

Chapter 7

Kelly L Morrison

Trustee(s):

Jason M Rund (TR)

Represented By
Keith Patrick Banner

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2:21-15007 Pacific Theatres Exhibition Corp.

Chapter 7

Adv#: 2:23-01168 Wolkowitz v. Allied World National Assurance Company

#203.00 Status Conference re:14 (Recovery of money/property - other),(91 (Declaratory judgment) Complaint by Edward M Wolkowitz against Allied World National Assurance

fr: 8-15-23; 10-31-23; 2-27-24; 7-2-24

Docket 1

***** VACATED *** REASON: CONTINUED TO 11-12-24 AT 2PM**

Courtroom Deputy:

Tentative Ruling:

Plaintiff filed unilateral status reports on August 10 and 11, 2023. These are late and unilateral status reports were not accompanied by a declaration, as required by local rules; however, there is a more fundamental problem. Summons was issued on June 12, 2023 and not served until August 10, 2023. Therefore, the summons was stale at the time it was served. Plaintiff needs to procure alias/replacement summons and serve it before it becomes stale.

What is the connection between the two cases pending before the California Supreme Court identified in the status report and this adversary proceeding? Hearing required.

9/18/23 -- Court continued deadline for defendant to respond to complaint to January 16, 2024 and continued status conference date to February 27, 2024, at 2:00 p.m. OFF CALENDAR FOR OCTOBER 31, 2023.

12/21/23 -- Court continued deadline for defendant to respond to complaint to May 16, 2024 and continued status conference date to July 2, 2024, at 2:00 p.m. OFF CALENDAR FOR FEBRUARY 27, 2024. .

5/3/24 -- Court continued deadline for defendant to respond to complaint to JULY 12, 2024 and continued status conference date to September 10, 2024,

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CONT... Pacific Theatres Exhibition Corp.

Chapter 7

at 2:00 p.m. OFF CALENDAR FOR JULY 2, 2024. .

7/10/24 -- Court entered order on stipulation continuing hearing to November 12, 2024 at 2:00 p.m. Defendant has until October 1, 2024 to file and serve a response to the complaint. Joint status report due October 29, 2024. OFF CALENDAR FOR SEPTEMBER 10, 2024.

Party Information

Debtor(s):

Pacific Theatres Exhibition Corp.

Represented By
Erin N Brady

Defendant(s):

Allied World National Assurance

Pro Se

Plaintiff(s):

Edward M Wolkowitz

Represented By
Ryan W Anderson

Trustee(s):

Edward M Wolkowitz (TR)

Represented By
Jeffrey S Kwong
Philip A Gasteier
Ryan W Anderson

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2:23-16396 Che Alejandro Rodriguez
Adv#: 2:23-01509 Carmona et al v. Rodriguez

Chapter 7

#204.00 Motion for Default Judgment

fr: 4-30-24

Docket 17

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative Ruling for April 30, 2024:

What is the debt that plaintiffs are attempting to have excepted from the discharge? The state court judgment gave plaintiffs specific performance and they obtained the property. (Court agrees that that judgment should not be discharged, but no one is claiming that that judgment was discharged.) Did plaintiffs ever seek and obtain a monetary award from the state court? If so, what happened? If not, where is the prove up of the amounts owed? Court was unable to locate any information in the motion providing support for any monetary claim.

Continue hearing to give movants an opportunity to file a declaration with supporting documentation as to the amount of their monetary damages.

Final Ruling for April 30, 2024:

Continue hearing to September 10, 2024 at 2:00 p.m. Plaintiff should file and serve supplemental declaration not later than August 13, 2024. Movant should give defendants not less than 21 days' notice of the continued hearing and include in notice of continuance deadline to file response to motion.

Tentative Ruling for September 10, 2024:

Movant served a notice of continuance on August 20, 2024, but where is the supplemental declaration? Hearing required.

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CONT... Che Alejandro Rodriguez

Chapter 7

Party Information

Debtor(s):

Che Alejandro Rodriguez

Represented By
Aldo A Flores

Defendant(s):

Che Alejandro Rodriguez

Pro Se

Plaintiff(s):

Armando Oscar Carmona

Represented By
Lazaro E Fernandez

Elise Huerta

Represented By
Lazaro E Fernandez

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

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

Tuesday, September 10, 2024

Hearing Room 1539

2:00 PM

2:23-16396 Che Alejandro Rodriguez

Chapter 7

Adv#: 2:23-01509 Carmona et al v. Rodriguez

#205.00 Status Conference re: 62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud) Complaint by Armando Oscar Carmona, Elise Huerta against Che Alejandro Rodriguez.

fr: 3-5-24; 4-30-24

Docket 1

Courtroom Deputy:

1/5/24 - Amended Complaint filed

2/21/24 - Notice that Clerk Entered Default Against Defendant

Tentative Ruling:

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

Party Information

Debtor(s):

Che Alejandro Rodriguez

Represented By
Aldo A Flores

Defendant(s):

Che Alejandro Rodriguez

Pro Se

Plaintiff(s):

Armando Oscar Carmona

Represented By
Lazaro E Fernandez

Elise Huerta

Represented By
Lazaro E Fernandez

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CONT... Che Alejandro Rodriguez

Chapter 7

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 1539

2:00 PM

2:24-11101 Joseph Pedroza Diaz, Jr.

Chapter 7

Adv#: 2:24-01125 Doe v. Diaz, Jr.

#206.00 Status Conference re: 68 (Dischargeability - 523(a)(6), willful and malicious injury),(41 (Objection / revocation of discharge - 727(c),(d),(e)) Complaint by Jane Doe against Joseph Pedroza Diaz Jr.

fr: 8-6-24

Docket 1

Courtroom Deputy:

7/8/24 - Another Summons Issued

8/9/24 - Notice That Clerk Has Entered Default Against Defendant

Tentative Ruling:

Tentative Ruling for August 6, 2024:

Response to complaint is not due until August 7, 2024. Continue status conference to September 10, 2024 at 2:00 p.m. Parties should file a joint status report not later than August 27, 2024. APPEARANCES WAIVED ON AUGUST 6, 2024.

Tentative Ruling for September 10, 2024:

Defendant's default was entered on August 9, 2024. Set deadline for plaintiff to file motion for default judgment. Continue status conference to coincide with hearing on default judgment motion.

Party Information

Debtor(s):

Joseph Pedroza Diaz Jr.

Represented By
Kevin Tang

Defendant(s):

Joseph Pedroza Diaz Jr.

Pro Se

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Hearing Room 1539

2:00 PM

CONT... Joseph Pedroza Diaz, Jr.

Chapter 7

Plaintiff(s):

Jane Doe

Represented By
Kevin Hahn

Trustee(s):

Elissa Miller (TR)

Represented By
Shantal Malméd

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Hearing Room 1539

2:00 PM

2:24-11101 Joseph Pedroza Diaz, Jr.

Chapter 7

Adv#: 2:24-01126 Heredia v. Diaz, Jr.

#207.00 Status Conference re: 41 (Objection / revocation of discharge - 727(c),(d),(e))
Complaint by Moses Heredia against Joseph Pedroza Diaz Jr.

fr: 8-6-24

Docket 1

Courtroom Deputy:

7/8/24 - Another Summons Issued

8/9/24 - Notice That Clerk Has Entered Default Against Defendant

Tentative Ruling:

Tentative Ruling for August 6, 2024:

Response to complaint is not due until August 7, 2024. Continue status conference to September 10, 2024 at 2:00 p.m. Parties should file a joint status report not later than August 27, 2024. APPEARANCES WAIVED ON AUGUST 6, 2024.

Tentative Ruling for September 10, 2024:

Defendant's default was entered on August 9, 2024. Set deadline for plaintiff to file motion for default judgment. Continue status conference to coincide with hearing on default judgment motion.

Party Information

Debtor(s):

Joseph Pedroza Diaz Jr.

Represented By
Kevin Tang

Defendant(s):

Joseph Pedroza Diaz Jr.

Pro Se

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2:00 PM

CONT... Joseph Pedroza Diaz, Jr.

Chapter 7

Plaintiff(s):

Moses Heredia

Represented By
Kevin Hahn

Trustee(s):

Elissa Miller (TR)

Represented By
Shantal Malméd

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Hearing Room 1539

2:00 PM

2:21-17932 Soames Lane Trust

Chapter 11

Adv#: 2:22-01111 Soames Lane Trust et al v. Curtis dba Fast Solutions

#208.00 Status Conference re: 02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy) Complaint by Soames Lane Trust, Colin Nix against Grant Curtis dba Fast Solutions

fr: 7-26-22; 9-6-22; 1-10-23; 2-28-23; 5-9-23; 7-11-23; 9-13-23, 10-3-23; 11-15-23; 1-31-24; 4-2-24; 5-14-24; 7-2-24

Docket 1

***** VACATED *** REASON: CONTINUED TO 9-11-24 AT 10AM**

Courtroom Deputy:

Tentative Ruling:

Parties have both requested mediation. Continue status conference approximately 90 to 120 days and order parties to complete mediation prior to date of continued status conference.

9/19/22 -- Court approved scheduling order with following dates:

Cont'd status conference -- January 10, 2023 at 2:00 p.m.

L/D to file joint status report -- December 27, 2022

L/D to lodge order appointing mediators -- September 19, 2022

L/D to complete mediation -- January 10, 2022

9/23/22 -- Court approved order appointing mediators.

Tentative Ruling for January 10, 2023:

Set discovery cutoff for mid-2023. Schedule continued status conference for approximately 90 to 120 days.

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CONT... Soames Lane Trust

Chapter 11

1/9/23 -- Court approved stipulation continuing status conference to February 28, 2022 at 2:00 p.m. OFF CALENDAR FOR JANUARY 10, 2023.

Tentative Ruling for February 28, 2023:

Why is any of this still in bankruptcy court? Unless and until the state court avoids the foreclosure sale, the debtor no longer owns the real property that is its only asset. The plaintiff in this action, who is not the debtor, seeks to avoid a default judgment entered in another state as to which a sister state judgment was entered in California. This action arises entirely under nonbankruptcy law. There is no longer any need for an automatic stay or anything to which that stay would apply. Is this even an appropriate forum for the resolution of any disputes that may exist between Mr. Nix and parties asserting claims against the debtor? Hearing required.

Final Ruling for February 28, 2023:

Continue status conference to May 9, 2023 at 2:00 p.m. Parties should file joint status report by April 25, 2023. (Court's notes reflect that the parties had held off on conducting discovery to see the outcome of the state court litigation and that plaintiff may decide to dismiss this action in its entirety.)

Tentative Ruling for May 9, 2023:

According to the parties' status report, they agreed to settle this matter on April 24, 2023. What is the structure of the proposed settlement? Hearing required.

Final Ruling for May 9, 2023:

Parties still reporting that a settlement in principle has been reached. Continue status conference to July 11, 2023 at 2:00 p.m. Requirement of an updated status report for that conference is waived.

Tentative Ruling for July 11, 2023:

Has debtor been able to determine whether or not it will be necessary to seek

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CONT... Soames Lane Trust

Chapter 11

approval of the proposed compromise or whether the parties will seek to dismiss case at this juncture instead? Hearing required.

Final Ruling for July 11, 2023:

Continue hearing to September 13, 2023 at 10:00 a.m. Status report waived. Parties have exchanged versions of settlement agreement. Once form of agreement finalized, debtor will file motion to approve compromise.

Tentative Ruling for September 13, 2023:

Has settlement agreement been executed? Will debtor be filing 9019 motion? Hearing required.

Tentative Ruling for November 15, 2023:

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

Final Ruling for November 15, 2023:

There is a fully-signed settlement agreement between Curtis and the debtor. Counsel is "halfway through" preparing 9019 motion. Will submit it on negative notice and then prepare a motion to dismiss. Continue status conference to January 31, 2024 at 10:00 a.m. Court waived the requirement of a status report for that conference.

Tentative Ruling for January 30, 2024:

For some reason, motion for approval of compromise did not get filed until January 10, 2024. Deadline for filing opposition to motion ran on January 24, 2024. Court has a few questions/comments with regard to motion. Hearing required.

Final Ruling for January 30, 2024:

Debtor filed motion to dismiss underlying bankruptcy case on January 29, 2024. Debtor intends to pay claims as they are resolved. Parties discussed

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CONT...

Soames Lane Trust

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compromise motion. Motion will be granted/settlement approved, subject to two conditions: debtor needs to file a copy of the settlement agreement; and order should clarify that debtor is not authorized to borrow from principal to make settlement payment. (Principal is free to contribute funds.) Debtor will upload revised order approving compromise. (Court entered order on February 2, 2024.) Continue status conference to April 2, 2024 at 2:00 p.m. to give the Court an opportunity to act on debtor's motion to dismiss.

Tentative Ruling for April 2, 2024:

Court has approved the settlement of this adversary proceeding. Has settlement payment been made? If not, why not?

Docket reflects filing of motion to dismiss on January 29, 2024, utilizing "notice and an opportunity for hearing" procedures. Oppositions were due 14 days after service. Proof of service reflects that service occurred on January 29, 2024. No oppositions are reflected on the docket. Why hasn't the debtor filed a notice of nonopposition and lodged an order granting the motion? Is there some reason that the debtor does not want to proceed with dismissal at this time? Hearing required.

Final Ruling for April 2, 2024:

Debtor's counsel represents that, once all the documents have been signed and payment has been made, he will lodge an order of dismissal. Court continued hearing to May 14, 2023 at 2:00 p.m. Requirement that a joint status report be filed is waived.

Tentative Ruling for May 14, 2024:

Underlying bankruptcy case has been dismissed (although there are costs due), but what about this adversary proceeding? Hearing required.

Final Ruling for May 14, 2024:

Counsel reports that funding necessary to pay the settlement amount should fund within approximately the next 15 to 20 days and that the court costs will

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CONT... Soames Lane Trust

Chapter 11

be paid within the next 5 days or so. Continue hering to July 2, 2024 at 2:00 p.m. so that this may occur. Court waived the requirement of a written status report.

Tentative Ruling for September 10, 2024:

What is the status of this matter? Did the settlement payment get made? Did the court costs get paid. If not, why not? Hearing required.

(At request of plaintiff's counsel, hearing continued to September 11, 2024 at 10:00 a.m. OFF CALENDAR FOR SEPTEMBER 10, 2024.)

Party Information

Debtor(s):

Soames Lane Trust

Represented By
Paul A Beck

Defendant(s):

Grant Curtis dba Fast Solutions

Pro Se

Plaintiff(s):

Soames Lane Trust

Represented By
Paul A Beck

Colin Nix

Represented By
Paul A Beck

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2:00 PM

2:22-10994 Better 4 You Breakfast, Inc.

Chapter 11

Adv#: 2:23-01301 Better 4 You Breakfast, Inc. v. Intrepid Investment Bankers LLC

#209.00 Motion for Leave to File Plaintiff's Second Amended Complaint

Docket 97

***** VACATED *** REASON: CONTINUED to 9-24-24 AT 2PM**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Grant. There is no evidence of undue delay or prejudice. The Court is not ready to conclude that the proposed amendment would be futile. The debtor cannot lose a claim by failing to disclose it when it did not know that such a claim existed and could in any event assert such a claim by way of affirmative defense. Although a party cannot receive more than one recovery on account of a single claim and cannot re-litigate a matter that has already been adjudicated as between the parties, there is no prohibition on pleading the same claim in two actions.

9/9/2024 -- Court granted emergency motion to continue hearing. Hearing (and adversary status conference) have been moved to September 24, 2024 at 2:00 p.m. OFF CALENDAR FOR SEPTEMBER 10, 2024.

Party Information

Debtor(s):

Better 4 You Breakfast, Inc.

Represented By
Kerri A Lyman
Jeffrey M. Reisner
Allen B Felahy

Defendant(s):

Intrepid Investment Bankers LLC

Represented By
Eric J Fromme
Sharon Z. Weiss

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CONT... Better 4 You Breakfast, Inc.

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Movant(s):

Better 4 You Breakfast, Inc.

Represented By
Farbod Nourian
Allen B Felahy

Better 4 You Breakfast, Inc.

Pro Se

Better 4 You Breakfast, Inc.

Pro Se

Plaintiff(s):

Better 4 You Breakfast, Inc.

Represented By
Farbod Nourian
Allen B Felahy

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2:00 PM

2:22-10994 Better 4 You Breakfast, Inc.

Chapter 11

Adv#: 2:23-01301 Better 4 You Breakfast, Inc. v. Intrepid Investment Bankers LLC

#210.00 Status Conference re: 91 (Declaratory judgment) Complaint by Better 4 You Breakfast, Inc. against Intrepid Investment Bankers LLC

fr: 8-29-23; 11-7-23, 1-9-24; 1-30-23; 6-18-24; 6-20-24; 7-2-24

Docket 1

***** VACATED *** REASON: CONTINUED to 9-24-24 AT 2PM**

Courtroom Deputy:

8/28/23 - Amended Complaint filed

9/29/23 - Counterclaim and Jury Demand filed by Defendant

Tentative Ruling:

8/15/23 -- At hearing held this date on motion to dismiss, Court continued status conference to November 7, 2023 at 2:00 p.m. OFF CALENDAR FOR AUGUST 29, 2023. NO APPEARANCE REQUIRED.

8/18/23 -- Court entered an order granting defendant's motion to dismiss on following terms: Plaintiff's claim seeking refund or return of the \$75,000 non-refundable fee paid to Intrepid upon execution of the Engagement Agreement between Intrepid and Plaintiff (Dkt. No. 1, Ex. A.) is dismissed without leave to amend. Balance of the claims are dismissed WITH leave to amend. Plaintiff must file its amended complaint no later than August 28, 2023. Defendant must file its response to Plaintiff's amended complaint no later than September 27, 2023. The parties are directed to file a joint status report required by Local Bankruptcy Rule 7026-1 by no later than October 24, 2023. The court will conduct a status conference in this matter on November 7, 2023 at 2:00 p.m.

Tentative Ruling for November 7, 2023:

This may be styled as an action by the debtor, but the substance of the action is an objection to claim -- an action for declaratory relief as to the extent to which

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CONT... Better 4 You Breakfast, Inc.

Chapter 11

creditor's proof of claim should be allowed as a general unsecured claim in this bankruptcy case. Defendant has filed a proof of claim and has therefore waived any right to a jury trial. As this is a core matter, the court can enter final orders, and creditor's consent is not required.

In the future, court would like the parties to use its mandatory joint status report form. How long do the parties need to complete their discovery? Do the parties contemplate any pretrial motions? Is this an appropriate matter to be sent to mediation?

Hearing required.

Tentative Ruling for January 9, 2024:

Why is the status report filed unilateral? Where is the declaration that should accompany a unilateral status report?

Continue status conference approximately 90 to 120 days and order parties to complete a day of mediation prior to date of continued status conference.

Final Ruling for January 9, 2024:

Court imposed sanctions of \$250 on counsel for Intrepid for failing to cooperate in preparation of joint status report and failing to appear at January 9, 2024 status conference. Court continued status conference to January 30, 2024 and waived requirement that new status report be submitted.

Tentative Ruling for January 30, 2024:

Tentative ruling from January 9, 2024 remains unchanged.

2/5/24 -- Court approved scheduling order with following dates:

Cont'd status conference -- June 18, 2024 at 2:00 pm

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CONT... Better 4 You Breakfast, Inc.

Chapter 11

L/D to file joint status report -- June 4, 2024

L/D to complete mediation -- June 18, 2024

L/D to lodge order appointing mediators -- February 16, 2024

2/16/24 -- Court approved order appointing mediators.

6/4/24 -- At hearing held this date, Court continued status conference to July 2, 2024 at 2:00 p.m. OFF CALENDAR FOR JUNE 20, 2024.

Tentative Ruling for July 2, 2024:

Did the parties complete a day of mediation as directed by the Court? If not, why not? Hearing required.

Tentative Ruling for September 10, 2024:

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

9/9/2024 -- Court granted emergency motion to continue hearing on motion for leave to amend. Hearing on that motion (and adversary status conference) have been moved to September 24, 2024 at 2:00 p.m. OFF CALENDAR FOR SEPTEMBER 10, 2024.

Party Information

Debtor(s):

Better 4 You Breakfast, Inc.

Represented By
David A. Tilem
Kerri A Lyman
Jeffrey M. Reisner
Allen B Felahy

Defendant(s):

Intrepid Investment Bankers LLC

Pro Se

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CONT... Better 4 You Breakfast, Inc.

Chapter 11

Plaintiff(s):

Better 4 You Breakfast, Inc.

Represented By
Farbod Nourian
Allen B Felahy

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2:21-10826 Kfir Gavrieli

Chapter 11

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

#211.00 Status Conference re: 81 (Subordination of claim or interest)) Complaint by Robert A. Kors, Official Committee of Unsecured Creditors of Kfir Gavrieli against Dikla Unatin, Dean Unatin

fr: 4-19-22; 4-26-22; 6-30-22, 6-28-22; 9-14-22; 11-17-22; 12-1-22; 2-9-23; 2-16-23; 3-16-23; 4-6-23; 6-6-23; 7-12-23; 10-17-23; 2-13-24; 2-27-24; 6-11-24; 7-9-24; 8-6-24

Docket 1

***** VACATED *** REASON: CONTINUED TO 11-12-24 AT 2PM**

Courtroom Deputy:

Tentative Ruling:

3/11/22 -- Court approved stipulation continuing status conference to April 26, 2022 at 2:00 p.m. OFF CALENDAR FOR APRIL 19, 2022.

Tentative Ruling for April 26, 2022:

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

5/31/22 -- Court approved stipulation advancing hearing date to June 28, 2022 at 10:00 a.m. OFF CALENDAR FOR JUNE 30, 2022.

Tentative Ruling for June 28, 2022:

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

7/28/22 -- Court approved stipulation continuing hearing and adversary status conference to November 17, 2022 at 11:00 a.m. See order for additional dates.

9/29/22 -- Court approved stipulation continuing hearing and adversary status conference to December 1, 2022 at **10:00 a.m.** See order for additional dates.

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CONT... Kfir Gavrieli

Chapter 11

10/12/22 -- Court approved stipulation continuing hearing and adversary status conference to February 9, 2023 at **10:00 a.m.** See order for additional dates.

10/24/22 -- Court approved stipulation continuing hearing and adversary status conference to February 16, 2023 at **10:00 a.m.** OFF CALENDAR FOR FEBRUARY 9, 2023.

12/13/22 -- Court approved stipulation continuing hearing and adversary status conference to March 16, 2023 at **10:00 a.m.** OFF CALENDAR FOR FEBRUARY 16, 2023. (See order for additional provisions.)

1/27/23 -- Court approved stipulation continuing hearing and adversary status conference to April 6, 2023 at **10:00 a.m.** OFF CALENDAR FOR MARCH 16, 2023. (See order for additional provisions.)

Tentative Ruling for April 6, 2023:

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

Tentative Ruling for June 6, 2023:

Court waived the requirement of a written status report for this status conference, but have the parties met and conferred regarding scheduling issues as directed in the court's order on the summary judgment motion? If so, what if any proposals do the parties have with regard to scheduling? Hearing required.

Final Ruling for June 6, 2023:

Continue status conference to July 12, 2023 at 11:00 a.m. to give parties an opportunity to meet and confer with regard to scheduling. Parties should file updated joint status report not later than June 28, 2023.

Tentative Ruling for July 12, 2023:

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CONT... Kfir Gavrieli

Chapter 11

It is unclear whether further efforts to meet and confer with regard to scheduling or to exchange information informally will be productive. Court agrees that the scope of discovery could be limited if the parties are able to agree on stipulated facts. Perhaps they should start the process of attempting to prepare a proposed joint pretrial order now to see which facts end up on which lists (agreed or disputed). In the interim, it may make more sense for the parties to serve formal discovery requests on one another.

Set discovery cutoff for late 2023 and continued status conference for approximately 90 to 120 days.

7/11/23 -- Court approved stipulation continuing status conference to October 17, 2023 at 2:00 p.m. OFF CALENDAR FOR JULY 12, 2023.

Tentative Ruling for October 17, 2023:

Set discovery cutoff for February 20, 2024 and continue status conference to February 13, 2024 at 2:00 p.m. Parties should file updated status report not later than January 30, 2024. APPEARANCES WAIVED ON OCTOBER 17, 2024. PLAINTIFF SHOULD LODGE SCHEDULING ORDER WITH NEW DATES.

10/18/23 -- At parties' request, court continued status conference to February 27, 2024 at 2:00 p.m. instead of February 13, 2024. Parties should file updated status report not later than February 13, 2024. APPEARANCES WAIVED ON FEBRUARY 13, 2024.

10/23/23 -- Court revised scheduling order lodged by parties at court's request to accommodate their request for a different date. (Hearing is now February 27, 2024 at 2:00 p.m.) Discovery cutoff set for February 20, 2024.

1/17/24 -- Court approved stipulation setting following dates:
Continued fact discovery cutoff -- May 24, 2024
L/D to file joint status report -- May 14, 2024
Cont'd status conference -- June 11, 2024 at 2:00 p.m.

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CONT... Kfir Gavrieli

Chapter 11

OFF CALENDAR FOR FEBRUARY 27, 2024.

2/14/24 -- Court approved stipulation setting following dates:
Continued fact discovery cutoff -- June 21, 2024
L/D to file joint status report -- June 25, 2024
Cont'd status conference -- July 9, 2024 at 2:00 p.m.

OFF CALENDAR FOR JUNE 11, 2024.

2/27/24 -- Court approved stipulation setting following dates:
Continued fact discovery cutoff -- July 5, 2024
Cont'd status conference -- August 6, 2024 at 2:00 p.m.

OFF CALENDAR FOR JULY 9, 2024.

4/4/24 -- Court approved stipulation setting following dates:
Continued fact discovery cutoff -- August 5, 2024
Cont'd status conference -- September 10, 2024 at 2:00 p.m.

OFF CALENDAR FOR AUGUST 6, 2024.

4/29/24 -- Court approved stipulation setting following dates:
Continued fact discovery cutoff -- October 4, 2024
Cont'd status conference -- November 12, 2024 at 2:00 p.m.

OFF CALENDAR FOR SEPTEMBER 10, 2024.

Party Information

Debtor(s):

Kfir Gavrieli

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

Defendant(s):

Dikla Unatin

Pro Se

Dean Unatin

Pro Se

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CONT... Kfir Gavrieli

Chapter 11

Plaintiff(s):

Robert A. Kors

Represented By
Richard Lee Wynne

Official Committee of Unsecured

Represented By
Richard Lee Wynne

Trustee(s):

Robert Allan Kors (TR)

Represented By
William Schumacher
Mark Shinderman
Mohammad Tehrani