

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

Wednesday, December 18, 2024

Hearing Room 1539

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10:00 AM  
2:00-00000

Chapter

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

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**Hearing conducted by ZOOMGov.**

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

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**Chapter**

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

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

Docket 0

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

- NONE LISTED -

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**2:24-19145 Carl Clay**

**Chapter 7**

**#1.00 Chapter 7 Involuntary Petition Against an Individual**

Docket 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Docket does not reflect service of summons on alleged debtor. Dismiss involuntary case pursuant to LBF 1010-1.

<b>Party Information</b>
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**Debtor(s):**

Carl Clay	Pro Se
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**Movant(s):**

Carl Clay	Pro Se
James Stevens	Pro Se
John Coleman	Pro Se
Benjamin Wolffe	Pro Se

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**2:22-14832 Karyn Anne Silver**

**Chapter 11**

**#2.00 Motion to Convert Case From Chapter 11 to 7.**

Docket 228

**Courtroom Deputy:**

12/5/24 - Bankruptcy Case Dismissed.

**Tentative Ruling:**

Deny motion as moot. Case has been dismissed.

**Party Information**

**Debtor(s):**

Karyn Anne Silver

Represented By  
Stella A Havkin  
Vanessa M Haberbush

**Movant(s):**

Joel Silver

Represented By  
Allan S Williams  
Vanessa M Haberbush  
Lane K Bogard

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10:00 AM

**2:22-13785 Marine Wholesale & Warehouse Co.**

**Chapter 11**

**#3.00 Motion to Use Cash Collateral**

Docket 288

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Grant motion. Authorize debtor to use cash collateral on same terms previously authorized through June 30, 2025. Waive appearances. Movant is authorized to upload order consistent with tentative ruling.

<b>Party Information</b>
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**Debtor(s):**

Marine Wholesale & Warehouse Co.

Represented By

David R Haberbush

Vanessa M Haberbush

Lane K Bogard

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Wednesday, December 18, 2024

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10:00 AM

2:23-12276 Ryan Magdi Girgis

Chapter 11

#4.00 Motion to Use Cash Collateral

Docket 171

\*\*\* VACATED \*\*\* REASON: GRANTED. APPEARANCES WAIVED.

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Grant motion. Authorize debtor to use cash collateral on same terms previously authorized through June 30, 2025. Waive appearances. Movant is authorized to upload order consistent with tentative ruling.

**Party Information**

**Debtor(s):**

Ryan Magdi Girgis

Represented By

David R Haberbush

Vanessa M Haberbush

Lane K Bogard

**Movant(s):**

Ryan Magdi Girgis

Represented By

David R Haberbush

Vanessa M Haberbush

Lane K Bogard

**Trustee(s):**

Mark M Sharf (TR)

Pro Se

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2:24-17177 Mercury Investments LLC

Chapter 11

#5.00 Motion to Use Cash Collateral

Docket 30

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Grant motion. Approve debtor's use of cash collateral in accordance with stipulation through January 31, 2025. Grant lender replacement liens on post-petition rents to secure diminution in value of lender's collateral.

This motion was brought on a fully-noticed basis. Court does not need to approve it on an interim basis. There is no reason to set a "final" hearing on this. Discuss with debtor appropriate procedures for obtaining authority to use cash collateral from and after January 31, 2025.

<b>Party Information</b>
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**Debtor(s):**

Mercury Investments LLC

Represented By

Matthew D. Resnik

Roksana D. Moradi-Brovia

Nina Z Javan

**Movant(s):**

Mercury Investments LLC

Represented By

Matthew D. Resnik

Roksana D. Moradi-Brovia

Nina Z Javan

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10:00 AM

2:24-19127 Unrivald Brands, Inc.

Chapter 11

#6.00 Debtors Motion for Entry of an Order (1) Authorizing the Retention of Adnant, LLC; (2) Authorizing the Designation of Sabas Carrillo as Chief Restructuring Officer Effective as of the Petition Date; and (3) Granting Related Relief

Docket 40

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

NOTE: Caption on notice of hearing gives notice of the wrong motion. Is this even adequate notice?

Rulings on Debtor's Evidentiary Objections:

Colby Declaration

1. Sustain (lack of personal knowledge).
2. Overrule. Paragraph to which debtor objects is more than 2 pages long and contains numerous subparagraphs. Portions to which objections are raised should be separately stated.
3. Paragraph 7: Sustain (best evidence rule; lack of personal knowledge). Paragraph 8: Sustain (lack of personal knowledge).
4. Overrule as to RJN 4 as to all but the last sentence. Sustain as to the last sentence (best evidence rule). Sustain as to RJN 5 (best evidence rule).
5. Sustain. This is argument not evidence, and, if it were evidence, it would be barred by the best evidence rule.

Objections to RJN

Overrule. Court can take judicial notice of the content of public filings, and statements made by a party opponent may be admitted for the truth of the matter asserted.

Tentative Ruling on the Merits

The professionals that the debtor seeks to employ are its prepetition management team. They are not disinterested and cannot therefore be



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**CONT... Unrivaled Brands, Inc.**

**Chapter 11**

employed as professionals (which is why the debtor is seeking to employ them under section 363(b) rather than 327). Why do we need any employment application at all? Shouldn't the debtor be filing an insider compensation notice instead?

Does the debtor have any other employees? If so, what are they doing? Does the debtor have any operations? What services will Carrillo be providing that couldn't be provided by another employee of the debtor? The property is already under contract to be sold. Does the debtor have any other meaningful assets?

Hearing required.

**Party Information**

**Debtor(s):**

Unrivaled Brands, Inc.

Represented By  
John-Patrick M Fritz  
Robert Carrasco

**Movant(s):**

Unrivaled Brands, Inc.

Represented By  
John-Patrick M Fritz  
John-Patrick M Fritz  
Robert Carrasco  
Robert Carrasco

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**2:24-19127 Unrivald Brands, Inc.**

**Chapter 11**

**#7.00 Scheduling and Case Management Conference in a Chapter 11 Case**

Docket 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Set bar date and deadline for debtor to serve notice of bar date. Continue case status conference approximately 90 days.

**Party Information**

**Debtor(s):**

Unrivald Brands, Inc.

Represented By  
John-Patrick M Fritz  
Robert Carrasco

**Movant(s):**

Unrivald Brands, Inc.

Represented By  
John-Patrick M Fritz  
John-Patrick M Fritz  
Robert Carrasco  
Robert Carrasco

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11:00 AM

**2:24-16701 Urban Dollz LLC**

**Chapter 11**

**#100.00** Order to Show Cause re: Dismissal, Conversion or Appointment of Chapter 11 Trustee for Small Business Debtor's Failure to file Required Documents - 1) Balance sheet; 2) Statement of Operations; 3) Cash-flow statement 4) Federal Income Tax Return and 5) Section 1116(a)(B) Statement

fr: 10-9-24; 11-13-24

Docket 12

**Courtroom Deputy:**

**ZoomGov Appearance by:**

11/4/24 - Thomas B Ure

11/12/24 - David Shevitz

**Tentative Ruling:**

Tentative Ruling for October 9, 2024:

The profit and loss statement is blank. (It does not even contain zeros.) The debtor has no income, according to the statement of cash flows, but it must have some expenses, no?

Hearing required.

-----  
Final Ruling for October 9, 2024:

Continue hearing to November 13, 2024 at 11:30 a.m.

-----  
Tentative Ruling for November 13, 2024:

Revisit motion after conclusion of related matter on calendar.  
-----

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**CONT... Urban Dollz LLC**

**Chapter 11**

Final Ruling for November 13, 2024:

Continue hearing to December 18, 2024 at 11:00 a.m.

-----  
Tentative Ruling for December 18, 2024:

Has any progress been made? Has debtor managed to obtain the release of the \$80,000 in frozen funds? Have any steps been taken toward restarting the debtor's operations? Has the debtor acquired insurance coverage?  
Hearing required.

<b>Party Information</b>
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**Debtor(s):**

Urban Dollz LLC

Represented By  
Thomas B Ure

**Trustee(s):**

Moriah Douglas Flahaut (TR)

Pro Se

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**Wednesday, December 18, 2024**

**Hearing Room 1539**

11:00 AM

**2:24-16701 Urban Dollz LLC**

**Chapter 11**

**#101.00 Scheduling and Case Management Conference in a SubChapter V Case**

fr: 10-9-24; 11-13-24

Docket 11

**Courtroom Deputy:**

**ZoomGov Appearance by:**

11/4/24 - Thomas B Ure

11/12/24 - David Shevitz

**Tentative Ruling:**

Tentative Ruling for October 9, 2024:

Based on the financial documents the debtor has filed, the debtor isn't even operating. Apparently, the debtor hasn't had any income this calendar year. Is that correct? Is it even eligible to be a Subchapter V debtor? Why isn't this a chapter 7 case? According to the status report, debtor intends to file a plan that provides for repayment of its debts from projected disposable income. How can that be since there is no income? Has there been any resolution of the patent infringement claim? How does the debtor envision that this claim can be resolved?

Hearing required.

-----  
Final Ruling for October 9, 2024:

Continue case status conference to November 13, 2024 at 11:30 a.m. Debtor should file updated status report not later than November 1, 2024.

-----  
Tentative Ruling for November 13, 2024:

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**CONT... Urban Dollz LLC**

**Chapter 11**

Has the debtor made any additional progress in getting funds released since filing its November 1, 2024 status report? Hearing required.

-----  
Final Ruling for November 13, 2024:

Continue case status conference to December 18, 2024 at 11:00 a.m. Debtor must file and serve updated status report not later than December 11, 2024.

-----  
Tentative Ruling for December 18, 2024:

Debtor's updated status report was filed belatedly on December 13, 2024. Has debtor managed to obtain the release of the \$80,000 in frozen funds? Have any steps been taken toward restarting the debtor's operations? Has the debtor acquired insurance coverage? Hearing required.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Urban Dollz LLC

Represented By  
Thomas B Ure

**Trustee(s):**

Moriah Douglas Flahaut (TR)

Pro Se

**United States Bankruptcy Court  
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Hearing Room 1539

2:00 PM

2:23-16872 Joan Bauer

Chapter 11

#200.00 Motion for approval of chapter 11 disclosure statement

fr: 3-13-24; 5-8-24; 5-29-24; 7-10-24; 8-28-24; 10-16-24; 11-13-24

Docket 93

\*\*\* VACATED \*\*\* REASON: CONTINUED TO 1-29-25 AT 2PM.  
APPEARANCES WAIVED.

**Courtroom Deputy:**

**ZoomGov Appearance by:**

11/8/24 - Jackson Waste

**Tentative Ruling:**

Tentative Ruling for March 13, 2024:

As this is a subchapter V case, the debtor does not need to have a separate disclosure statement and we don't need to have a hearing on the disclosure statement. (The Court usually reviews the plan and its disclosures at a case status conference. But, inasmuch as the debtor has filed a motion for approval of a disclosure statement and noticed it for hearing, the Court will utilize the procedure the debtor has selected.

Court agrees that there are a variety of problems with the plan and disclosure statement and that the plan in its current form is unconfirmable on its face. Among these issues are the following:

1. The plan states that the debtor filed this case on behalf of herself individually and on behalf of the Bauer Family Trust, a revocable trust of which she is the **co-trustee**. "It is established law that a self-settled, revocable trust in which the debtor is also the beneficiary is property of a debtor's estate." Marinkovic v. Sanders (In re Marinkovic), 2007 Bankr. LEXIS 4137 (Bankr. D. Arizona, December 5, 2007). Therefore, it may not be the case, as the objecting parties have asserted, that the fact that title to some or all of the assets to be treated under the plan are in the name of a

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CONT...

**Joan Bauer**

**Chapter 11**

trust creates a problem. However, who were the settlors of the trust and who are the trustees? The debtor identifies herself as a "co-trustee." Who is/was the other trustee? Who was the other settlor? Did the debtor and her now deceased husband set this trust up as an estate planning vehicle? Now that he is deceased, there may be provisions of the trust that are irrevocable, or she may continue to have a right to revoke the trust herself and to obtain the assets for her own benefit. If this is the case, the assets of the trust are assets of this bankruptcy estate. We need more information to know whether or not something untoward is going on here.

2. At least two objecting parties have argued that the debtor is not eligible to be a debtor in a subchapter V case. The debtor could moot this dispute by revoking her subchapter V election. If she does not want to do that, court does not want to resolve a dispute of this nature in the context of a hearing on a disclosure statement. If one or more parties do not believe the debtor is eligible for subchapter V relief, they should file a motion objecting to her election or seeking to revoke her election and the court will adjudicate the issues in that procedural context. (The Court can refrain from moving forward with the plan confirmation process until this issue is resolved.)

3. Court agrees that debtor should explain what became of the \$679,000 that was in her brokerage account as of August, 2023. If that account is now worth \$78,000, why are there no disclosures about transfers or sales from this account in her statement of financial affairs?

4. Court agrees that liquidation analysis is flawed. If secured creditors only have liens on personal property, analysis should not deduct their liens from the proceeds that would be generated by a sale of the real properties. If calculated appropriately, it appears that a chapter 7 could produce substantially more for unsecured creditors than the 40 percent distribution contemplated by this plan.

5. Court agrees that the debtor should provide historical information concerning her income and projections for future income. If properties have been rented, historical information and projections should include rents.

6. Debtor needs to clear up inconsistencies as to who owns PCC and WMP.



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**CONT...**

**Joan Bauer**

**Chapter 11**

The debtor asserts in her plan that the Bauer Family Trust holds an interest in PCC and WMP. She needs to specify what percentage the trust owns and who owns the balance. In her Schedule A/B, she says that the debtor owns 100 percent of PCC. Robert Bauer, the debtor's son, testified under penalty of perjury that the Himmelfarb Trust is the 100 percent owner of PCC. Which is correct? Debtor should provide an organizational chart with accurate information as to which entity owns, or is owned by, which other entity.

7. What is the debtor's interest in the Himmelfarb Trust worth? Debtor's disclosure statement says that the value is unknown, but debtor should be able to come up with some kind of estimated value for that interest (or at least an explanation as to why she can't). The Himmelfarb Trust owns real property worth \$4 million (according to that trust's schedules from its now-dismissed bankruptcy). How much debt does that property secure? Are there other assets of value? The debtor should make a good faith effort to place a realistic value on that asset.

8. The treatment for RAF appears inadequate and impermissible. Unless the debtor is planning to surrender the collateral to the secured creditor, merely stating that the creditor will retain its lien is insufficient. She should either agree to relief from stay and permit the lender to obtain its collateral, or she should discuss the payment stream the creditor is entitled to receive on account of its claim while the debtor retains the collateral.

9. The chart on page 5 as to who is impaired and who is not is confusing and inaccurate.

10. Debtor should disclose somewhere the basic terms of the lease she is planning to assume -- term, monthly rent, etc. What property is being leased.

11. Plan says that debtor will be filing additional claim objections. When does the debtor plan to file these? (Plan contemplates an April 15 effective date, which does not seem realistic.)

Continue hearing to give debtor an opportunity to fix problems with plan and disclosures.

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**CONT...**

**Joan Bauer**

**Chapter 11**

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3/8/24 -- Court approved stipulation continuing hearing to May 8, 2024 at 2:00 p.m. OFF CALENDAR FOR MARCH 13, 2024.  
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Tentative Ruling for May 8, 2024:

Court's tentative ruling for March 13, 2024 identified a number of issues/problems with the current form of the plan. As of May 1, 2024, the docket did not reflect the filing of an amended version of the plan. What has to happen before the debtor will be in a position to file an amended plan? Hearing required.

5/3/24 -- Court approved stipulation continuing hearing to May 29, 2024 at **11:00** a.m. OFF CALENDAR FOR MAY 8, 2024.

5/22/24 -- Court approved stipulation continuing hearing to July 10, 2024 at 2:00 p.m. OFF CALENDAR FOR MAY 29, 2024.

7/2/24 -- Court approved stipulation continuing hearing to August 28, 2024 at 2:00 p.m. OFF CALENDAR FOR JULY 10, 2024.

8/9/24 -- Court approved stipulation continuing hearing to October 16, 2024 at 2:00 p.m. OFF CALENDAR FOR AUGUST 28, 2024.

10/8/24 -- Court approved stipulation continuing hearing to November 13, 2024 at 2:00 p.m. OFF CALENDAR FOR OCTOBER 16, 2024.

Tentative Ruling for November 13, 2024:

At debtor's request, continue hearing to December 18, 2024 at 2:00 p.m. APPEARANCES WAIVED ON NOVEMBER 13, 2024.  
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Tentative Ruling for December 18, 2024:

At debtor's request, continue hearing to January 29, 2025 at 2:00 p.m. APPEARANCES WAIVED ON DECEMBER 18, 2024.

**Party Information**

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**CONT... Joan Bauer**

**Chapter 11**

**Debtor(s):**

Joan Bauer

Represented By  
Leslie A Cohen

**Movant(s):**

Joan Bauer

Represented By  
Leslie A Cohen  
Leslie A Cohen  
Leslie A Cohen

**Trustee(s):**

Arturo Cisneros (TR)

Represented By  
Arturo Cisneros

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**2:23-16872 Joan Bauer**

**Chapter 11**

**#201.00** Scheduling and Case Management Conference in a Chapter 11 Subchapter V Case

fr: 11-29-23; 1-10-24; 4-10-24; 5-8-24; 5-29-24; 7-10-24; 8-28-24; 10-16-24; 11-13-24

Docket 1

**\*\*\* VACATED \*\*\* REASON: CONTINUED TO 1-29-25 AT 2PM.  
APPEARANCES WAIVED.**

**Courtroom Deputy:**

**ZoomGov Appearance by:**

11/8/24 - Jackson Waste

**Tentative Ruling:**

Tentative Ruling for November 29, 2023:

This is a subchapter V case, so court has already set deadlines for filing claims. (General filing deadline is December 28, 2023; governmental filing deadline is April 16, 2024.) Debtor's status report proposes bar dates that had passed by the time this case was filed.

Debtor says that she will be able to propose a plan by mid-2024, but her deadline to file a plan is currently January 24, 2024. Court can/will only extend this deadline if debtor files a motion on or before that date in which she demonstrates that her need for an extension is due to circumstances for which she should not justly be held accountable.

How does the debtor foresee these two bankruptcies interacting with the receivership proceedings? She has not put the cattle company or the meat company into bankruptcy. Why not?

Hearing required.  
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**CONT...**

**Joan Bauer**

**Chapter 11**

Final Ruling for November 29, 2023:

Debtor's objective is to reach an overall global settlement together with related entities. Court continued status conference to January 10, 2024 at 11:00 a.m. as a holding date. Debtor need not file a written status report prior to the January 10 conference.

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Tentative Ruling for May 8, 2024:

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

5/22/24 -- Court approved stipulation continuing hearing to July 10, 2024 at 2:00 p.m. OFF CALENDAR FOR MAY 29, 2024.

7/2/24 -- Court approved stipulation continuing hearing to August 28, 2024 at 2:00 p.m. OFF CALENDAR FOR JULY 10, 2024.

8/9/24 -- Court approved stipulation continuing hearing to October 16, 2024 at 2:00 p.m. OFF CALENDAR FOR AUGUST 28, 2024.

10/8/24 -- Court approved stipulation continuing hearing to November 13, 2024 at 2:00 p.m. OFF CALENDAR FOR OCTOBER 16, 2024.

Tentative Ruling for November 13, 2024:

At debtor's request, continue hearing to December 18, 2024 at 2:00 p.m.  
APPEARANCES WAIVED ON NOVEMBER 13, 2024.

-----  
Tentative Ruling for December 18, 2024:

At debtor's request, continue hearing to January 29, 2025 at 2:00 p.m.  
APPEARANCES WAIVED ON DECEMBER 18, 2024.

<b>Party Information</b>
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**Debtor(s):**

Joan Bauer

Represented By

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**Joan Bauer**

Leslie A Cohen

**Chapter 11**

**Movant(s):**

Joan Bauer

Represented By

Leslie A Cohen

Leslie A Cohen

Leslie A Cohen

**Trustee(s):**

Arturo Cisneros (TR)

Represented By

Arturo Cisneros