

**United States Bankruptcy Court
Central District of California
Los Angeles
Deborah Saltzman, Presiding
Courtroom 1639 Calendar**

Thursday, April 11, 2024

Hearing Room 1639

11:30 AM

2: -

ZOOM INFORMATION

Chapter

#0.00 All hearings on this calendar will offer remote connection, using ZoomGov video and audio.

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Docket 0

Tentative Ruling:

- NONE LISTED -

**United States Bankruptcy Court
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CONT... ZOOM INFORMATION

Chapter

**United States Bankruptcy Court
Central District of California
Los Angeles
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Thursday, April 11, 2024

Hearing Room 1639

11:30 AM

2:24-10612 Harbor Transport Xpress, LLC

Chapter 7

#1.00 Hearing RE: [15] Motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2021 GMC Sierra 2500 HD, VIN: 1GT49REY0MF259486

Docket 15

Tentative Ruling:

No tentative ruling. This is a **FINAL RULING**. This motion was set for hearing in accordance with Local Bankruptcy Rule ("LBR") 9013-1(d). The failure of any party to file written opposition at least 14 days prior to the hearing pursuant to LBR 9013-1(f) is deemed consent to the granting of the motion. LBR 9013-1(h); *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court is granting the relief that the moving party requested and for which a *prima facie* case has been established, an actual hearing is not necessary. *Boone v. Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006). Their defaults are entered and the court will resolve the matter without oral argument. LBR 9013-1(j)(3). **NO APPEARANCE IS NECESSARY.**

GRANT under 11 U.S.C. § 362(d)(1) and (d)(2).
GRANT as binding despite conversion.
GRANT waiver of FRBP 4001(a)(3) stay.

MOVANT TO LODGE ORDER WITHIN 7 DAYS.

Party Information

Debtor(s):

Harbor Transport Xpress, LLC

Represented By
Sevan Gorginian

Movant(s):

ACAR Leasing LTD d/b/a GM

Represented By
Sheryl K Ith

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CONT... Harbor Transport Xpress, LLC

Chapter 7

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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11:30 AM

2:24-11077 Alexis Millan

Chapter 7

#2.00 Hearing RE: [12] Motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2022 Dodge Durango, VIN: 1C4SDHCT7NC198289 .

Docket 12

Tentative Ruling:

No tentative ruling. This is a **FINAL RULING**. This motion was set for hearing in accordance with Local Bankruptcy Rule ("LBR") 9013-1(d). The failure of any party to file written opposition at least 14 days prior to the hearing pursuant to LBR 9013-1(f) is deemed consent to the granting of the motion. LBR 9013-1(h); *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court is granting the relief that the moving party requested and for which a *prima facie* case has been established, an actual hearing is not necessary. *Boone v. Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006). Their defaults are entered and the court will resolve the matter without oral argument. LBR 9013-1(j)(3). **NO APPEARANCE IS NECESSARY.**

GRANT under 11 U.S.C. § 362(d)(1) and (d)(2).

GRANT as binding despite conversion.

GRANT waiver of FRBP 4001(a)(3) stay.

MOVANT TO LODGE ORDER WITHIN 7 DAYS.

Party Information

Debtor(s):

Alexis Millan

Represented By
Daniel King

Movant(s):

Santander Consumer USA Inc. dba

Represented By
Sheryl K Ith

**United States Bankruptcy Court
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CONT... Alexis Millan

Chapter 7

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Thursday, April 11, 2024

Hearing Room 1639

11:30 AM

2:24-11303 Witaya Phruexsuwan and Chinda Phruexsuwan

Chapter 7

#3.00 Hearing RE: [11] Motion for relief from the automatic stay with supporting declarations UNLAWFUL DETAINER RE: 4931 EAGLE ROCK BLVD, LOS ANGELES, CA 90041 .

Docket 11

Tentative Ruling:

CONTINUE for proper service and submission of declaration with holographic signature. The debtors were not properly served -- ZIP code is **90605**.

The motion should be re-served properly with an amended notice of hearing to allow for sufficient notice in accordance with LBR 9013-1(d)(2) (and proof of service filed). First available hearing date to allow for sufficient notice is May 9, 2024 at 11:30 a.m. No appearance required unless movant would like to request a later hearing date.

Party Information

Debtor(s):

Witaya Phruexsuwan

Represented By
Tyson Takeuchi

Joint Debtor(s):

Chinda Phruexsuwan

Represented By
Tyson Takeuchi

Movant(s):

CONTINENTAL EAGLE ROCK

Represented By
John E Bouzane

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
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2:24-11424 Antwoine O'Neal Pennix

Chapter 7

#4.00 Hearing RE: [8] Motion for relief from the automatic stay with supporting declarations UNLAWFUL DETAINER RE: Residential Real Property: 1401 S. Palos Verdes St., #1, San Pedro, CA 90731 .

Docket 8

Tentative Ruling:

The motion does not set forth a reason for annulment or extraordinary relief. If the movant wants to pursue this relief, file a supplemental motion.

Party Information

Debtor(s):

Antwoine O'Neal Pennix

Represented By
Nicholas M Wajda

Movant(s):

Jinju Park

Represented By
James R Balesh

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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11:30 AM

2:24-11537 George Chege Ngugi

Chapter 7

#5.00 Hearing RE: [10] Motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2019 Freightliner PT126SLP Tractor Truck, VIN: 3AKJHHDR3KSKJ0188 .

Docket 10

Tentative Ruling:

No tentative ruling. This is a **FINAL RULING**. This motion was set for hearing in accordance with Local Bankruptcy Rule ("LBR") 9013-1(d). The failure of any party to file written opposition at least 14 days prior to the hearing pursuant to LBR 9013-1(f) is deemed consent to the granting of the motion. LBR 9013-1(h); *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court is granting the relief that the moving party requested and for which a *prima facie* case has been established, an actual hearing is not necessary. *Boone v. Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006). Their defaults are entered and the court will resolve the matter without oral argument. LBR 9013-1(j)(3). **NO APPEARANCE IS NECESSARY.**

GRANT under 11 U.S.C. § 362(d)(1) and (d)(2).
GRANT as binding despite conversion.
GRANT waiver of FRBP 4001(a)(3) stay.

MOVANT TO LODGE ORDER WITHIN 7 DAYS.

Party Information

Debtor(s):

George Chege Ngugi

Represented By
David H Chung

Movant(s):

CROSSROADS EQUIPMENT

Represented By
Raffi Khatchadourian

**United States Bankruptcy Court
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CONT... George Chege Ngugi

Chapter 7

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
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2:23-17659 Jeffrey Enrique Loza Maldonado

Chapter 7

#6.00 CONT'D Hearing RE: [11] Motion for relief from automatic stay with supporting declarations ACTION IN NON-BANKRUPTCY FORUM RE: Bobby Nunez v. Jeffrey Enrique Loza Maldonado .Related document(s) [16] AMENDED - Notice of motion and motion for relief from automatic stay with supporting declarations ACTION IN NON-BANKRUPTCY FORUM RE: Bobby Nunez v. Jeffrey Enrique Loza Maidonado . Fee Amount \$199, Filed by Creditor Bobby Nunez fr. 3-14-24

Docket 11

Tentative Ruling:

The amended motion is still defective -- the debtor was not served.

Discharge has been entered. If annulment (which was not included in the amended motion) is not necessary, the movant may not need to re-serve; the court can deny the motion and the case can just be closed at this point.

Party Information

Debtor(s):

Jeffrey Enrique Loza Maldonado

Represented By
Francis Guilardi

Movant(s):

Bobby Nunez

Represented By
Ani Aghaeian

Trustee(s):

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court
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2:24-10019 Stephanie Drew

Chapter 7

#7.00 CONT'D Hearing RE: [12] Motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2017 Honda Accord, VIN: 1HGCR2F81HA164022 .
fr. 3-7-24

Docket 12

Tentative Ruling:

Is the debtor current or able to demonstrate an ability to bring the account current?

Party Information

Debtor(s):

Stephanie Drew

Pro Se

Movant(s):

Mechanics Bank, a California

Represented By
Sheryl K Ith

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
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Thursday, April 11, 2024

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2:22-15637 Steven I Skurow and Marlene Eiseman Skurow

Chapter 7

#8.00 Chapter 7 Trustee's Final Report, Application for Compensation and Application(s) for Compensation of Professionals filed on behalf of Trustee Wesley H. Avery.

Docket 47

Tentative Ruling:

The Trustee's final report and applications for compensation were properly noticed in accordance with FRBP 2002 and set for hearing in accordance with Local Bankruptcy Rule ("LBR") 9013-1(d). The failure of any party to file written opposition at least 14 days prior to the hearing pursuant to LBR 9013-1(f) is deemed consent to the granting of the motion. LBR 9013-1(h); *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the Court is granting the relief that the moving party requested and for which a *prima facie* case has been established, an actual hearing is not necessary. The Court will resolve the matter without oral argument. LBR 9013-1(j)(3). **NO APPEARANCE IS NECESSARY.**

GRANT all relief requested. The final report and proposed distributions, compensation and reimbursement are approved.

Trustee to submit order within seven days.

Party Information

Debtor(s):

Steven I Skurow

Represented By
Tamar Terzian

Joint Debtor(s):

Marlene Eiseman Skurow

Represented By
Tamar Terzian

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
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2:23-17721 DIANE IDA URIOSTEGUI

Chapter 7

#9.00 Hearing RE: [31] Motion To Disallow Debtor's Claim Of Homestead Exemption Pursuant To 11 U.S.C. § 522(q)

Docket 31

***** VACATED *** REASON: Cont'd from 4/11/24 to 4/25/24 at 11:30 a.m.
by court.**

Tentative Ruling:

Continue to 4/25/24, to line up with status conference in related adversary proceeding.

No appearances on 4/11/24.

Party Information

Debtor(s):

DIANE IDA URIOSTEGUI

Represented By
Rob Uriostegui

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court
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11:30 AM

2:23-15074 Raymond Anthony Wright

Chapter 7

#10.00 Hearing RE: [25] Motion For Order Sustaining Objection to Debtor's Claim of Exemptions

Docket 25

***** VACATED *** REASON: Notice of withdrawal of motion filed on 4/3/24.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Raymond Anthony Wright

Represented By
Khachik Akhkashian

Movant(s):

John P Pringle (TR)

Represented By
Michelle A Marchisotto

Trustee(s):

John P Pringle (TR)

Represented By
Michelle A Marchisotto

**United States Bankruptcy Court
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11:30 AM

2:24-11730 Gyapomaa Kosei Inc

Chapter 7

#11.00 Order to Show Cause re: Dismissal for debtor's filing of a petition and appearance in this case without counsel, in violation of Local Bankruptcy Rule 9011-2(a)

Docket 3

***** VACATED *** REASON: Case dismissed on 3/29/24 for debtot's failure to file the required schedules.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gyapomaa Kosei Inc

Pro Se

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
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11:30 AM

2:23-12236 AGS Pro, Inc.

Chapter 11

#12.00 CONT'D Hearing RE: [240] Debtor's Motion for Order Confirming Debtor's Plan of Reorganization fr. 3-18-24

Docket 240

***** VACATED *** REASON: Cont'd from 4/11/24 to 4/25/24 at 11:30 a.m. by court.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

AGS Pro, Inc.

Represented By
Aaron E. DE Leest
Eric P Israel
Michael G D'Alba

Movant(s):

AGS Pro, Inc.

Represented By
Aaron E. DE Leest
Aaron E. DE Leest
Aaron E. DE Leest
Aaron E. DE Leest
Eric P Israel
Eric P Israel
Eric P Israel
Eric P Israel
Michael G D'Alba
Michael G D'Alba
Michael G D'Alba
Michael G D'Alba

**United States Bankruptcy Court
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Los Angeles
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11:30 AM

2:23-12236 AGS Pro, Inc.

Chapter 11

#13.00 CONT'D Hearing RE: Plan Confirmation
fr. 3-18-24

Docket 1

***** VACATED *** REASON: Cont'd from 4/11/24 to 4/25/24 at 11:30 a.m.
by court.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

AGS Pro, Inc.

Represented By
Aaron E. DE Leest
Eric P Israel
Michael G D'Alba

Movant(s):

AGS Pro, Inc.

Represented By
Aaron E. DE Leest
Aaron E. DE Leest
Aaron E. DE Leest
Aaron E. DE Leest
Eric P Israel
Eric P Israel
Eric P Israel
Eric P Israel
Michael G D'Alba
Michael G D'Alba
Michael G D'Alba
Michael G D'Alba

**United States Bankruptcy Court
Central District of California
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11:30 AM

2:23-14801 Randy Lee Andrews

Chapter 11

#14.00 Hearing RE: [91] Creditor U.S. Security Associates, Inc.'s objection to debtor Randy Andrews's claimed exemptions fr. 12-7-23

Docket 91

***** VACATED *** REASON: Cont'd from 4/11/24 to 7/11/24 at 11:30 a.m.
per stip & order entered on 4/4/24.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Randy Lee Andrews

Represented By
Byron Z Moldo
Chase Aleksander Stone

**United States Bankruptcy Court
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Thursday, April 11, 2024

Hearing Room 1639

11:30 AM

2:22-15398 10421 Northvale LLC

Chapter 11

#15.00 CONT'D Status Hearing RE: [1] Chapter 11 Voluntary Petition Non-Individual
fr. 11-10-22, 12-15-22, 3-9-23, 3-30-23, 4-10-23, 6-14-23, 6-21-23, 7-13-23,
9-14-23, 11-30-23, 2-15-24

Docket 1

Tentative Ruling:

Party Information

Debtor(s):

10421 Northvale LLC

Represented By
Thomas B Ure

**United States Bankruptcy Court
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11:30 AM

2:23-10498 2377 Glendon LLC

Chapter 11

#16.00 CONT'D Status Hearing RE: [1] Chapter 11 Voluntary Petition Non-Individual.
fr. 3-9-23, 3-23-23, 3-30-23, 9-14-23, 11-30-23, 2-15-24

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

2377 Glendon LLC

Represented By
Thomas B Ure

**United States Bankruptcy Court
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Thursday, April 11, 2024

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11:30 AM

2:23-11085 DVD Factory, Inc.

Chapter 11

#17.00 Post Confirmation Status Conference

Docket 222

Tentative Ruling:

Please be prepared to show proof of payments made to satisfy allowed administrative expenses.

Party Information

Debtor(s):

DVD Factory, Inc.

Represented By
Michael Jay Berger

Trustee(s):

Gregory Kent Jones (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Thursday, April 11, 2024

Hearing Room 1639

11:30 AM

2:23-13519 Allstate Realty Group, Inc

Chapter 11

#18.00 CONT'D Status Conference RE: [1] Chapter 11 Voluntary Petition Non-Individual. Inc.
fr. 7-13-23, 10-5-23, 11-2-23, 1-17-24, 3-13-24, 3-14-24

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Allstate Realty Group, Inc

Represented By
Onyinye N Anyama

**United States Bankruptcy Court
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11:30 AM

2:24-10597 Delve Investments LLC

Chapter 11

#19.00 CONT'D Status Hearing RE: [1] Chapter 11 Voluntary Petition Non-Individual.
fr. 3-7-24, 3-14-24

Docket 1

Tentative Ruling:

Continue to 3/14/24, the date of the hearing on the motion for relief from stay.
No appearances on March 7.

Party Information

Debtor(s):

Delve Investments LLC

Represented By
Thomas B Ure

**United States Bankruptcy Court
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Thursday, April 11, 2024

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11:30 AM

2:24-11780 Alta Vista Gardens, Inc.

Chapter 11

#20.00 CONT'D Hearing RE: [13] Emergency Motion for Authority to Continue to Utilize the Existing Cash Management System and Maintain the Existing Bank Accounts on an Interim Basis; Sanctions Against Wells Fargo Bank, N.A. for Acting in Bad Faith By Placing a Debit Restraint on (1) a Prepetition Business Account and (2) a Non-Property of the Estate Custodial Client Account Mandated By California Department of Health Care Services fr. 3-19-24

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Alta Vista Gardens, Inc.

Represented By
Matthew D. Resnik
Roksana D. Moradi-Brovia

Movant(s):

Alta Vista Gardens, Inc.

Represented By
Matthew D. Resnik
Roksana D. Moradi-Brovia

Trustee(s):

Susan K Seflin (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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2:23-14129 Jessica P. Thumati

Chapter 7

Adv#: 2:24-01025 Elissa D. Miller, solely in her capacity as chapte v. Reserve Vault, LLC, a

#21.00 Status Hearing RE: [1] Adversary case 2:24-ap-01025. Complaint by Elissa D. Miller, solely in her capacity as chapter 7 trustee against Reserve Vault, LLC, a Delaware limited liability company, Chris Adams, an individual. (\$350.00 Fee Charge To Estate). Complaint For: 1) Breach Of Promissory Note; 2) Money Loaned; 3) Money Had And Received; And 4) Breach Of Guaranty Nature of Suit: (14 (Recovery of money/property - other))

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jessica P. Thumati

Represented By
Lazaro E Fernandez

Defendant(s):

Reserve Vault, LLC, a Delaware

Pro Se

Chris Adams, an individual

Pro Se

Plaintiff(s):

Elissa D. Miller, solely in her

Pro Se

Trustee(s):

Elissa Miller (TR)

Pro Se

**United States Bankruptcy Court
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Thursday, April 11, 2024

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2:23-13012 Sean Saberi

Chapter 7

Adv#: 2:23-01364 Gateway Acceptance Company v. Saberi

#22.00 CONT'D Status Hearing RE: [1] Adversary case 2:23-ap-01364. Complaint by Gateway Acceptance Company against Sean Saberi. fr. 9-28-23, 10-5-23, 12-7-23

Docket 1

Tentative Ruling:

The parties haven't filed a status report as of 12/5.

Party Information

Debtor(s):

Sean Saberi

Represented By
Kian Mottahedeh

Defendant(s):

Sean Saberi

Pro Se

Plaintiff(s):

Gateway Acceptance Company

Represented By
Catherine Schlomann Robertson

Trustee(s):

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court
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Thursday, April 11, 2024

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11:30 AM

2:23-13864 Toby Edward Torres

Chapter 7

Adv#: 2:23-01426 Complete Industrial Repair, Inc v. Torres

#23.00 CONT'D Status Hearing RE: [1] Complaint by Complete Industrial Repair, Inc against Toby Edward Torres. false pretenses, false representation, actual fraud)),(68 (Dischargeability - 523(a)(6), willful and malicious injury)) fr. 11-30-23, 2-1-24

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Toby Edward Torres

Represented By
Richard G. Heston

Defendant(s):

Toby Edward Torres

Pro Se

Plaintiff(s):

Complete Industrial Repair, Inc

Represented By
Frank E Marchetti

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
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11:30 AM

2:22-16967 Robert Schumann

Chapter 7

Adv#: 2:23-01429 Schumann v. Robert Y Greenberg and M Susan Greenberg, as Trust

#24.00 Status Hearing RE: [1] Complaint for: (1) Avoidance and Recovery of Intentional Fraudulent Transfers; (2) Avoidance and Recovery of Constructive Fraudulent Transfers; (3) Avoidance and Recovery of Property of the Bankruptcy Estate; (4) Avoidance of Preferential Transfers; (5) Recovery of Avoided Transfers; (6) Violation of the Automatic Stay; (7) Disallowance of Claims; (8) Mandatory Subordination [under 11 U.S.C. 510(b)]; (9) Breach of Contract; (10) Recovery of Postpetition Transfer [under 11 U.S.C. § 549(a)]
fr. 11-30-23, 1-18-24, 2-29-24

Docket 1

***** VACATED *** REASON: Cont'd from 4/11/24 to 6/13/24 at 11:30 a.m.
per stip & order entered on 4/2/24.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Robert Schumann

Represented By
Lane K Bogard
Robert P Goe

Defendant(s):

Robert Y Greenberg and M Susan

Represented By
Jonathan Seligmann Shenson

Plaintiff(s):

Robert Schumann

Represented By
Robert P Goe
Dixon Gardner

Trustee(s):

Jason M Rund (TR)

Represented By
Philip A Gasteier

**United States Bankruptcy Court
Central District of California
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11:30 AM

2:24-11986 Kolay Flooring International LLC

Chapter 11

#25.00 Hearing RE: [20] Motion Motion to Dismiss Chapter 11 Bankruptcy Case Pursuant to 11 U.S.C. Section 1112(b)(1)

Docket 20

Tentative Ruling:

This tentative ruling applies to matter nos. 25 and 26.

The court isn't inclined to continue these motion. The UST's arguments (and "joinder" of Diamond Creek) are not persuasive. Nobody articulates any benefit to waiting a week. And the court's OST did not shorten notice or the opportunity to respond to the motion; the only shortened deadline was for the Debtors to reply to any opposition.

Further, if the Debtors have any hope of operating, time is of the essence and the court needs to determine the merits of dismissal as soon as possible.

As to the merits, the statute provides that the court "shall" dismiss or convert the case "for cause" based on whatever is in the best interests of creditors and the estate. Section 1112(b)(4) contains a non-exclusive list of factors establishing cause.

The Debtors' evidence of cause is thin. But it is manifestly clear that the Debtors don't have cash to operate. They don't have authority to use Diamond Creek's cash collateral and they do not have potential sources of DIP financing. They have not filed their required documents in this case. They are not in compliance with UST requirements. The court concludes, based on this undisputed record, that cause for dismissal or conversion exists within the meaning of section 1112(b).

As for whether dismissal or conversion is preferable, the record supports dismissal. The UST's argument that some creditors wish to form a committee doesn't name creditors, and it seems likely that those creditors have opposed the motions. Further, the interest in forming a committee doesn't necessarily favor conversion; certainly no argument is made to develop this point. Tri-

**United States Bankruptcy Court
Central District of California
Los Angeles
Deborah Saltzman, Presiding
Courtroom 1639 Calendar**

Thursday, April 11, 2024

Hearing Room 1639

11:30 AM

CONT... Kolay Flooring International LLC

Chapter 11

West, in favoring conversion, questions the Debtors' credibility but doesn't offer evidence of misappropriation/misdistribution of assets. Nor does Tri-West explain that liquidation in a chapter 7 is the best option for creditors and the estate. 880 Apartments raises unsupported allegations of collusion with Diamond Creed -- allegations undermined by Diamond Creek's filing -- and offers no evidence suggesting that there is a Jevic issue here.

In sum, the court sees a situation that is unfortunate and debtors that certainly do not belong in chapter 11. The objections don't offer any evidence that creditors and the estate would be better off if these cases were converted rather than dismissed. Forcing chapter 7 liquidation in the name of "oversight" simply is not enough for the court to favor conversion over dismissal here.

Dismiss both cases with 180-day bars to refileing.

Party Information

Debtor(s):

Kolay Flooring International LLC

Represented By
Marc C Forsythe

Movant(s):

Kolay Flooring International LLC

Represented By
Marc C Forsythe

**United States Bankruptcy Court
Central District of California
Los Angeles
Deborah Saltzman, Presiding
Courtroom 1639 Calendar**

Thursday, April 11, 2024

Hearing Room 1639

11:30 AM

2:24-11987 MODM Kolay Manufacturing LLC

Chapter 11

#26.00 Hearing RE: [15] Motion Motion to Dismiss Chapter 11 Bankruptcy Case
Pursuant to 11 U.S.C. Section 1112(b)(1)

Docket 15

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

MODM Kolay Manufacturing LLC

Represented By
Marc C Forsythe

**United States Bankruptcy Court
Central District of California
Los Angeles
Deborah Saltzman, Presiding
Courtroom 1639 Calendar**

Thursday, April 11, 2024

Hearing Room 1639

3:00 PM

2:24-11857 Ben Nye Co., Inc.

Chapter 11

#27.00 Hearing RE: [42] Motion for an Order: (1) Setting Bar Dates for Filing Proofs of Claim Arising from Asserted Asbestos Related Injuries and (2) Approving Form and Manner of Notice of the Bar Date for the Filing of Asserted Asbestos Related Injury Proof of Claims

Docket 42

Tentative Ruling:

This hearing will be on zoom. If counsel needs a location to appear, the court will assist.

Party Information

Debtor(s):

Ben Nye Co., Inc.

Represented By
Eve H. Karasik
John-Patrick M Fritz
Robert Carrasco

Movant(s):

Ben Nye Co., Inc.

Represented By
Eve H. Karasik
John-Patrick M Fritz
Robert Carrasco

Trustee(s):

Gregory Kent Jones (TR)

Pro Se