

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

Tuesday, July 14, 2026

Hearing Room 1639

1:00 PM

2: -

ZOOM INFORMATION

Chapter

#0.00 Hearings before Judge Saltzman may be made in person or by remote or phone connection through ZoomGov.

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Subject: Registration – [Zoom or Phone or In Person]

Body: Hearing date and time

Calendar number on which you are appearing

Debtor name and case number

Adversary proceeding name and number (if applicable)

Name of the party/client appearing

Attorney's full name and SBN

Phone number (if participating by phone, the number from which you will call)

If any client or non-attorney representative will be observing, that person's full name, role, and phone number

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

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Docket 0

Tentative Ruling:

- NONE LISTED -

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2:26-13274 Oscar A Flores

Chapter 7

#1.00 Hearing RE: [17] Motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 709 S Garnsey St, Santa Ana, California 92701 Under 11 U.S.C. § 362.

Docket 17

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Oscar A Flores

Represented By
Justin Graham

Trustee(s):

John J Menchaca (TR)

Pro Se

**United States Bankruptcy Court
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2:26-12123 Dennis Eduard Banket and Aretha Adrienne Banket

Chapter 7

#2.00 Hearing RE: [16] Motion for relief from automatic stay with supporting declarations ACTION IN NON-BANKRUPTCY FORUM RE: Los Angeles Superior Court Case Number 24STCV20051 fr. 5-12-26, 6-2-26, 6-30-26

Docket 16

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Dennis Eduard Banket	Pro Se
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Joint Debtor(s):

Aretha Adrienne Banket	Pro Se
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Movant(s):

Shanicka Augustine	Represented By John D Monte
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Zita Flores	Represented By John D Monte
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Kadajah Young	Represented By John D Monte
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Jamal Adams	Represented By John D Monte
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Francis Augustine	Represented By John D Monte
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Franzita Augustine	Represented By John D Monte
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CONT... Dennis Eduard Banket and Aretha Adrienne Banket

Chapter 7

Trustee(s):

Sam S Leslie (TR)

Pro Se

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2:25-21396 Esmeralda Patricia Herrera

Chapter 13

#2.10 Hearing RE: [41] Motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2025 NISSAN SENTRA .

Docket 41

***** VACATED *** REASON: Order entered on 7/1/26, settled by stipulation.**

Tentative Ruling:

The debtor has responded to the motion. Do the parties need additional time?

Party Information

Debtor(s):

Esmeralda Patricia Herrera

Represented By
Michael T Reid

Movant(s):

Global Lending Services LLC

Represented By
Kirsten Martinez

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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2:24-13982 Kristin M. McPeak and Charles A. McPeak

Chapter 13

#3.00 Hearing RE: [65] Motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2018 Mercedes Benz GLA, Vin WDCTG4EB3JJ480051

Docket 65

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kristin M. McPeak

Represented By
D Justin Harelik

Joint Debtor(s):

Charles A. McPeak

Represented By
D Justin Harelik

Movant(s):

SchoolsFirst Federal Credit Union

Represented By
Paul V Reza

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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2:25-18223 Pamela Somsavath Mao and Jerry T Mao

Chapter 7

#4.00 Hearing RE: [40] Motion to Deem Proof of Claim No. 13 Timely Filed Due to Lack of Notice or in the Alternative to Extend Time to Allow Late-Filed Proof of Claim

Docket 40

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Pamela Somsavath Mao

Represented By
Yushuo S Liou

Joint Debtor(s):

Jerry T Mao

Represented By
Yushuo S Liou

Movant(s):

Lucky Holiday Travel

Represented By
Roseann Frazee

Trustee(s):

Timothy Yoo (TR)

Represented By
Timothy J Yoo

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2:24-20660 James Robert Anderson, Jr.

Chapter 7

#5.00 Hearing RE: [52] Motion For Sale of Property of the Estate under Section 363(b) - No Fee Notice of Motion and Motion to Approve Assignment Agreement between the Trustee and the Debtor for the Trustee's Conveyance of the Estate's Interest in 2017 Mercedes-Benz GLE350

Docket 52

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

James Robert Anderson Jr.

Represented By
Julie J Villalobos

Trustee(s):

Peter J Mastan (TR)

Pro Se

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2:25-16367 Parham Zar and Shoshana Djavaheeri

Chapter 11

#6.00 Hearing RE: [133] Application for Compensation Second and Final Fee
Application for Michael Jay Berger, Debtor's Attorney, Period: 1/16/2026 to
6/3/2026, Fee: \$30,364.50, Expenses: \$446.40.

Docket 133

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Parham Zar

Represented By
Michael Jay Berger

Joint Debtor(s):

Shoshana Djavaheeri

Represented By
Michael Jay Berger

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2:26-10075 Edgardo Daniel Iorio

Chapter 11

#7.00 Hearing RE: [82] Motion to Use Cash Collateral and Motion to Approve
Stipulation Between Debtor and Val-Chris Investments, Inc. for Adequate
Protection and Use of Cash Collateral

Docket 82

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Edgardo Daniel Iorio

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

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2:25-20319 Hollymont Capital, LLC

Chapter 11

#8.00 Hearing RE: [59] Motion and Motion to Dismiss Bankruptcy Case

Docket 59

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hollymont Capital, LLC

Represented By
Laura J Portillo

Movant(s):

Hollymont Capital, LLC

Represented By
Laura J Portillo

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2:24-19538 R Loom, LLC, a Delaware limited liability company

Chapter 7

Adv#: 2:26-01018 D. Masin Consulting, LLC, a California Limited Lia v. LIMELIGHT

#9.00 CONT'D Status Hearing RE: [1] Adversary case 2:26-ap-01018. Complaint by D. Masin Consulting, LLC, a California Limited Liability Company, D. Masin Consulting, LLC, as Assignee for the Benefit of R Loom LLC's Creditors against LIMELIGHT INTERNATIONAL LIMITED, a Foreign Corporation
fr. 4-7-26

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

R Loom, LLC, a Delaware limited

Represented By
David B Golubchik

Defendant(s):

LIMELIGHT INTERNATIONAL

Pro Se

SAM S LESLIE

Pro Se

Plaintiff(s):

D. Masin Consulting, LLC, a

Represented By
Jeffrey I Golden

D. Masin Consulting, LLC, as

Represented By
Jeffrey I Golden

Trustee(s):

Sam S Leslie (TR)

Represented By
Eric P Israel

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2:24-14478 Michael Bensimon Mizrachi

Chapter 7

Adv#: 2:24-01221 Abdullaev et al v. Mizrachi

#10.00 CONT'D Status Hearing RE: [1] Adversary case 2:24-ap-01221. Complaint by Sardor Azimovich Abdullaev, Sarvor Azimzhanovich Abdullaev, Abdullaeva International Trade Company, Inc. against Michael Bensimon Mizrachi. false pretenses, false representation, actual fraud)),(67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)),(68 (Dischargeability - 523(a)(6), willful and malicious injury)),(41 (Objection / revocation of discharge - 727(c),(d),(e)))
fr. 11-6-24, 11-19-24, 12-17-24, 2-13-25, 5-8-25, 7-29-25, 10-16-25,12-16-25, 1-27-26, 2-17-26, 4-14-26, 5-26-26, 6-23-26

Docket 1

Tentative Ruling:

An order dismissing the remaining claims was entered on 6/17/26. With this order, all that is needed is for the plaintiffs to lodge a judgment as to the single claim on which summary judgment was granted, and then this proceeding can be closed.

Party Information

Debtor(s):

Michael Bensimon Mizrachi

Represented By
Allan O Cate

Defendant(s):

Michael Bensimon Mizrachi

Pro Se

Plaintiff(s):

Sardor Azimovich Abdullaev

Represented By
Michael F Chekian

Sarvor Azimzhanovich Abdullaev

Represented By
Michael F Chekian

Abdullaeva International Trade

Represented By

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CONT... Michael Bensimon Mizrachi

Michael F Chekian

Chapter 7

Trustee(s):

Carolyn A Dye (TR)

Pro Se

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2:23-13673 Benamine Shawn Berry

Chapter 7

Adv#: 2:23-01423 De Vera et al v. Berry

#11.00 Pre-Trial Conference RE: [1] Adversary case 2:23-ap-01423. Complaint by Aira De Vera, Aislinn Bautista against Benamine Shawn Berry. (d),(e)),(68 (Dischargeability - 523(a)(6), willful and malicious injury))

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Benamine Shawn Berry

Represented By
John F Bazan

Defendant(s):

Benamine Shawn Berry

Pro Se

Plaintiff(s):

Aira De Vera

Represented By
R Michael Lieberman

Aislinn Bautista

Represented By
R Michael Lieberman

Trustee(s):

Heide Kurtz (TR)

Pro Se

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2:24-16259 Marco Antonio Martin

Chapter 7

Adv#: 2:24-01256 Cota v. Martin

#12.00 CONT'D Hearing RE: [21] Motion For Summary Judgment
fr. 1-27-26, 4-14-26, 6-9-26

Docket 21

Tentative Ruling:

Summary Judgment Standard

Federal Rule of Civil Procedure 56, made applicable to bankruptcy proceedings by Federal Rule of Bankruptcy Procedure 7056, permits summary judgment if "the pleadings, the discovery and disclosure materials on file, and any affidavits show that there is no genuine issue as to any material fact and that the movant is entitled to judgment as a matter of law." Fed. R. Civ. P. 56(c)(2).; see *Celotex Corp. v. Catrett*, 477 U.S. 317, 322 (1986).

Once the moving party's burden is met by presenting evidence which, if uncontroverted, would entitle the moving party to a directed verdict at trial, the burden then shifts to the responding party to set forth specific facts demonstrating that there is a genuine issue for trial. *Rudberg v. State of Nevada*, 896 F. Supp. 1017, 1020 (D. Nev. 1995). The respondent "will not be able to withstand a motion for summary judgment merely by making allegations; rather, the party opposing the motion must go beyond its pleadings and designate specific facts by use of affidavits, depositions, admissions, or answers to interrogatories showing there is a genuine issue for trial." *In re Ikon Office Solutions, Inc.*, 277 F.3d 658, 666 (3d Cir. 2002). A mere "scintilla" of evidence supporting the respondent's position will not be sufficient. *Anderson*, 477 U.S. at 247-48. "Where the record taken as a whole could not lead a rational trier of fact to find for the non-moving party, there is no 'genuine' issue for trial." *Hawking v. Ford Motor Credit Co.*, 210 F.3d 540, 545 (5th Cir. 2000).

When deciding whether to grant summary judgment, the court must believe all evidence presented by the party opposing summary judgment and

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must draw all justifiable inferences from that evidence in favor of the opposing party. *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 255 (1986). Circumstantial evidence is sufficient to create a triable issue of fact. *Hopkins v. Andaya*, 958 F.2d 881, 888 (9th Cir. 1992). Under Rule 56(c), the moving party bears the initial burden of establishing that there are no genuine issues of material fact to be decided at trial. *Celotex*, 477 U.S. at 322-23; *Anderson*, 477 U.S. at 248-50. "A 'material fact' is one that is relevant to an element of a claim or defense or whose existence might affect the outcome of the suit. The materiality of a fact is thus determined by the substantive law governing the claim or defense." *T.W. Elec. Serv. v. Pac. Elec. Contractors Ass'n*, 809 F.2d 626, 630 (9th Cir. 1987). Genuine issues of material fact are those "factual issues that make a difference to the potential outcome and 'that properly can be resolved only by a finder of fact because they may reasonably be resolved in favor of either party.'" *Svob. v. Bryan (In re Bryan)*, 261 B.R. 240, 243 (B.A.P. 9th Cir. 2001). In other words, a material fact is "genuine" if "the evidence is such that a reasonable jury could return a verdict for the nonmoving party." *Anderson*, 477 U.S. at 248; see also *In re Hayes*, 315 B.R. 579 (Bankr. C.D. Cal. 2004).

The Plaintiff's Motion was filed along with several supporting documents, including the statement of undisputed material facts (the "Separate Statement," Docket No. 25) which in turn relies on a declaration of the Plaintiff (the "Cota Declaration," Docket No. 27). The Motion lacks any citations to where in the documents the court might find any of the supporting evidence. The reliance on the Cota Declaration is confusing because that declaration includes testimony regarding the factual allegations of the State Court Action, incorporated by reference into her Complaint here, while the Motion is based solely on collateral estoppel. If the Plaintiff meant to make a Motion based both on collateral estoppel and on the factual allegations of the Complaint, she did not do so. Because the Motion is based on collateral estoppel and the Judgment entered in the State Court Action, the court has done its best to find the relevant court documents in the Complaint and the request for judicial notice filed by the Plaintiff with the Motion (the "RJN," Docket No. 24).

The Debtor also filed a statement of undisputed facts and a declaration (Docket No. 55 and 54, respectively) where he challenged the validity of service underlying the State Court Action and Judgment and substantially

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denied most of the allegations asserted by the Plaintiff. Given that the court must believe all evidence presented by the party opposing summary judgment and must draw all justifiable inferences from that evidence in favor of the opposing party and that the Plaintiff has failed to file a reply, there is a material dispute of fact regarding service of the State Court Action. *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 255 (1986). Thus, summary judgment is inappropriate here.

Collateral Estoppel

"[C]ollateral estoppel principles do indeed apply in discharge exception proceedings pursuant to § 523(a)." *Grogan v. Garner*, 498 U.S. 279, 284 n.11 (1991); see also *Cal-Micro, Inc. v. Cantrell (In re Cantrell)*, 329 F.3d 1119, 1123 (9th Cir. 2003). "The party seeking to assert collateral estoppel has the burden of proving all the requisites for its application. To sustain this burden, a party must introduce a record sufficient to reveal the controlling facts and pinpoint the exact issues litigated in the prior action." *Kelly v. Okoye (In re Kelly)*, 182 B.R. 255, 258 (B.A.P. 9th Cir. 1995). To determine what effect a state court judgment will have on federal courts when applying collateral estoppel, the "federal courts must, as a matter of full faith and credit, apply that state's law of collateral estoppel." *Bugna v. McArthur (In re Bugna)*, 33 F.3d 1054, 1056 (9th Cir. 1994).

In California, "[c]ollateral estoppel precludes relitigation of issues argued and decided in prior proceedings." *Lucido v. Superior Court*, 795 P.2d 1223, 1225 (Cal. 1990) (in bank). Under California law, the threshold requirements for collateral estoppel are as follows:

First, the issue sought to be precluded from relitigation must be identical to that decided in a former proceeding. Second, this issue must have been actually litigated in the former proceeding. Third, it must have been necessarily decided in the former proceeding. Fourth, the decision in the former proceeding must be final and on the merits. Finally, the party against whom preclusion is sought must be the same as, or in privity with, the party to the former proceeding.

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Id.

The fact that the Judgment is a default judgment does not preclude collateral estoppel here. "[T]he mere fact that a plaintiff 'obtained a judgment by default does not, in itself, foreclose the possibility that the resolution of some issues in the litigation would later have preclusive effect.'" *Baldwin v. Kilpatrick (In re Baldwin)*, 249 F.3d 912, 918 (9th Cir. 2001) (quoting *Harmon v. Kobrin (In re Harmon)*, 250 F.3d 1240, 1246 (9th Cir. 2001)).

Where collateral estoppel is sought with respect to a default judgment, California law imposes an additional sixth requirement in addition to the five *Lucido* requirements discussed above. "Collateral estoppel may be applied only if the defendant in the prior action 'ha[d] been personally served with [a] summons or ha[d] actual knowledge of the existence of the litigation.'" *Baldwin*, 249 F.3d at 919 (quoting *Williams v. Williams (In re Williams' Estate)*, 223 P.2d 248, 254 (Cal. 1950)).

Here, it is not the Motion but the Separate Statement that asserts that the Debtor was served with the summons and complaint in the State Court Action, and refers to a proof of service of the summons attached to the RJN (RJN, Exhibit B). The Debtor, however, disputes this fact in his declaration statement (Docket No. 54). Given this dispute, which on its own would preclude summary judgment, collateral estoppel would not be applicable as the issues in the State Court Action would not have been actually litigated and there would not be a record of controlling facts present.

Even if there were no dispute as to effective service on the Debtor, the Plaintiff's Motion falls short with respect to demonstrating that collateral estoppel is appropriate in this nondischargeability action, which invokes provisions of § 523(a)(2)(A), (a)(4), and (a)(6). The only one of these subsections which the Plaintiff attempts to connect to the State Court judgment is § 523(a)(2)(A). The Motion asserts that the court should grant summary judgment under § 523(a)(4) and (a)(6) as well, but the Plaintiff makes no attempt to explain how the Judgment is entitled to collateral estoppel effect as to those provisions.

In any event, the court need not belabor the point. Given the factual dispute regarding service, summary judgment is not appropriate.

Deny.

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CONT... Marco Antonio Martin

Chapter 7

Debtor(s):

Marco Antonio Martin

Represented By
Raymond Perez

Defendant(s):

Marco Antonio Martin

Pro Se

Plaintiff(s):

Lorraine Cota

Represented By
Matthew S DeArmey

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

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2:24-16259 Marco Antonio Martin

Chapter 7

Adv#: 2:24-01256 Cota v. Martin

#13.00 CONT'D Hearing RE: [39] Motion to Quash Service of the Motion for Summary Judgment.
fr. 3-19-26, 4-14-26, 6-9-26

Docket 39

Tentative Ruling:

Deny as moot.

Party Information

Debtor(s):

Marco Antonio Martin

Represented By
Raymond Perez

Defendant(s):

Marco Antonio Martin

Pro Se

Plaintiff(s):

Lorraine Cota

Represented By
Matthew S DeArmey

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

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Chapter 7

Adv#: 2:24-01256 Cota v. Martin

#14.00 CONT'D Status Hearing RE: [1] Adversary case 2:24-ap-01256. Complaint by Lorraine Cota against Marco Antonio Martin . false pretenses, false representation, actual fraud)) ,(67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)) ,(68 (Dischargeability - 523(a)(6), willful and malicious injury))
fr. 1-7-25, 2-20-25, 3-25-25, 6-24-25, 9-16-25, 10-21-25, 1-27-26, 4-14-26, 6-9-26

Docket 1

Tentative Ruling:

The court's tentative ruling is to deny the motion for summary judgment.
Continue approximately 30 days for the plaintiff to assess how to proceed.

Party Information

Debtor(s):

Marco Antonio Martin

Represented By
Raymond Perez

Defendant(s):

Marco Antonio Martin

Pro Se

Plaintiff(s):

Lorraine Cota

Represented By
Matthew S DeArmey

Trustee(s):

Brad D Krasnoff (TR)

Pro Se