

**United States Bankruptcy Court
Central District of California
Santa Ana
Erithe Smith, Presiding
Courtroom 5A Calendar**

Tuesday, May 6, 2025

Hearing Room

5A

10:30 AM

8:00-00000

Chapter

#0.00 Hearings on this calendar will be conducted using ZoomGov video and audio.

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Chapter

ZoomGov meeting number: 160 962 3523

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Chapter

completed your appearance(s).

Docket 0

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

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10:30 AM

8:25-10905 Susa Anaheim, LLC

Chapter 7

#1.00 Motion for relief from the automatic stay UNLAWFUL DETAINER

**JAI PROPERTIES, INC., A CALIFORNIA CORPORATION
Vs.
DEBTOR**

Docket 11

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

May 6, 2025

Grant Motion with 4001(a)(3) waiver.

Note: This matter appears to be uncontested. Accordingly, no court appearance by the Movant is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Movant will be so notified.

Party Information

Debtor(s):

Susa Anaheim, LLC

Represented By
Leslie K Kaufman

Movant(s):

Jai Properties, Inc., a California

Represented By
Joseph Cruz

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CONT... **Susa Anaheim, LLC**

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Pro Se

United States Bankruptcy Court
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10:30 AM

8:25-10514 Jesse M Rickard

Chapter 7

#2.00 Motion for relief from the automatic stay REAL PROPERTY

**BANK OF AMERICA, N.A.
Vs.
DEBTOR**

Docket 15

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

May 6, 2025

Grant Motion with all relief requested therein.

Special Note: This case was dismissed on 4/25/25 with a 180-day bar against re-filing.

Note: This matter appears to be uncontested. Accordingly, no court appearance by the Movant is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Movant will be so notified.

Party Information

Debtor(s):

Jesse M Rickard

Pro Se

Movant(s):

Bank of America, N.A.

Represented By
Jennifer C Wong

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CONT... Jesse M Rickard

Chapter 7

Trustee(s):

Weneta M.A. Kosmala (TR)

Pro Se

**United States Bankruptcy Court
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5A

11:00 AM

8:23-10434 Shirley Q. Pham

Chapter 7

#3.00 Debtor's Motion To Reopen Case

Docket 148

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

May 6, 2025

Grant Motion. Movant must lodge an order within 7 days of today's hearing.

Note: This matter appears to be uncontested. Accordingly, no court appearance by the Movant is required. Should an opposing party file a late opposition or appear at the hearing, the court will determine whether further hearing is required and Movant will be so notified.

Party Information

Debtor(s):

Shirley Q. Pham

Represented By
Thomas J Polis

Trustee(s):

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court
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11:00 AM

8:24-12285 Juan Jose Gallardo

Chapter 7

#4.00 Motion For Order Establishing Adequate Protection, Including Procedures To Return Seized Personal Property

Docket 16

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

May 6, 2025

Deny Motion for the reasons stated in the opposition filed by Creditor American First Credit Union, to wit, 1) the subject funds were levied prior to the filing of the bankruptcy case; 2) Creditor has not consented to the release of funds; and 3) Debtor has not provided or proposed any adequate protection.

Note: Unless Debtor accepts the tentative ruling, appearances at this hearing are required.

Party Information

Debtor(s):

Juan Jose Gallardo

Represented By
Julie J Villalobos

Movant(s):

Juan Jose Gallardo

Represented By
Julie J Villalobos

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
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5A

11:00 AM

8:25-10446 DI Overnite LLC, a Nevada limited liability compan

Chapter 7

#5.00 DI Overnite LLC's Motion For An Order Requiring Petitioning Creditors And Any Further Intervening Creditors To Post A Bond Pursuant to 11 U.S.C. § 303(e) as A Condition To Continuing To Pursue The Involuntary Petition
(OST Signed 4-2-25)

Docket 48

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

May 6, 2025

This matter will be continued to **Thursday, May 13, 2025 at 11:00am** to allow the court an opportunity to review all of the pleading(s).

Appearances at this hearing are optional -- no substantive arguments will be entertained by the Court.

Party Information

Debtor(s):

DI Overnite LLC, a Nevada limited

Represented By

Ori Katz

Alexandria Lattner

Jennifer L Nassiri

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5A

11:00 AM

8:25-10446 DI Overnite LLC, a Nevada limited liability compan

Chapter 7

#6.00 Stipulation Between The Alleged Debtor And Enterprise Fleet Management, Inc.
Regarding Ongoing Business Relationship

Docket 62

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

May 6, 2025

This matter will be continued to **Thursday, May 13, 2025 at 11:00am** to allow the court an opportunity to review all of the pleadings.

Appearances at this hearing are optional -- no substantive arguments will be entertained by the Court.

Party Information

Debtor(s):

DI Overnite LLC, a Nevada limited

Represented By

Ori Katz

Alexandria Lattner

Jennifer L Nassiri

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5A

11:00 AM

8:25-10597 Corto II, LLC

Chapter 11

**#7.00 STATUS CONFERENCE RE: Chapter 11 Voluntary Petition Non-Individual LLC
(cont'd from 4-22-25)**

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for April 22, 2025

Continue to April 29, 2025 at 11:00 a.m. *Appearance required.*

May 6, 2025

Deadline to file plan and disclosure statement: September 1, 2025

Last pretrial motion: September 24, 2025

Claims Bar Date: July 31, 2025

Deadline to Serve Notice of Bar Date: June 1, 2025

Continued Status Conference Date: November 18, 2025 at 11:00 a.m.*

Deadline to file Updated Status Report: November 4, 2025 (waived if plan/discl timely filed).

Note: If all parties accept the foregoing tentative ruling, appearances at this hearing are waived.

***This hearing date may be subject to change depending on reassignment of the case.**

Party Information

Debtor(s):

Corto II, LLC

Represented By
James Mortensen

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11:00 AM

8:25-10622 Shadylane Holdings 1006, LLC

Chapter 11

**#8.00 STATUS CONFERENCE RE: Chapter 11 Voluntary Petition Non-Individual.
LLC
(cont'd from 4-22-25)**

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for April 22, 2025
Continue to April 29, 2025 at 11:00 a.m. *Appearance required.*

May 6, 2025

Deadline to file plan and disclosure statement: September 1, 2025
Last pretrial motion: September 24, 2025
Claims Bar Date: July 31, 2025
Deadline to Serve Notice of Bar Date: June 1, 2025
Continued Status Conference Date: November 18, 2025 at 11:00 a.m.*
Deadline to file Updated Status Report: November 4, 2025 (waived if
plan/discl timely filed).

***Note: If all parties accept the foregoing tentative ruling, appearances at
this hearing are waived.***

***This hearing date may be subject to change depending on
reassignment of the case.**

Party Information

Debtor(s):

Shadylane Holdings 1006, LLC

Represented By
James Mortensen

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11:00 AM

8:23-11167 Five Rivers Land Company LLC

Chapter 11

**#9.00 STATUS CONFERENCE RE: Chapter 11 Voluntary Petition Non-Individual.
(cont'd from 4-24-24 at 10:00 to 11:00 a.m. per court's own mtn 4-22-24)
(cont'd from 8-07-24)
(cont'd from 10-23-24)
(cont'd from 1-22-25 per court's own mtn)
(cont'd from 1-23-25)
(cont'd from 5-07-25 per court's own mtn)**

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for May 6, 2025:

In light of Examiner's most recent Status Report, this matter will be continued to **July 29, 2025 at 11:00 a.m.**; updated Status Report due **July 15, 2025***

*This date is subject to change depending on reassignment of the case to another judge.

Note: If all parties accept the Tentative Ruling, appearances at this hearing are waived.

Tentative for January 23, 2025

Continue about 60 days to allow sale closings, per Examiner's request.
Appearance required.

Tentative for October 23, 2024

Will a plan and disclosure statement be filed this year? Is it prudent to set a hearing with attendant deadlines now? *Appearance required.*

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CONT... Five Rivers Land Company LLC

Chapter 11

Tentative for August 7, 2024

The court thanks the Examiner for his recent report. It looks like matters are in hand and there is even some cause for optimism regarding the impending crop. Any estimate for the time necessary to file a plan and disclosure statement? *Appearance required.*

Tentative for April 24, 2024

Continue status conference for about 90 days to evaluate efforts at sale and plan/ disclosure, which should be on file by then, based on examiners report. Appearance is optional.

Tentative for January 31, 2024

Status? Appearance required.

Tentative for December 7, 2023

Status? Appearance required.

Tentative for October 11, 2023

The court was very pleased to read about the progress made over the last week in achieving what is reported to be an agreement in principle between the major actors toward a consensual reorganization or liquidation. The Examiner has chosen not to spread the salient terms on the record, not yet, for what the court accepts are prudent reasons. But Examiner asks for a continuance of about 45 days to achieve a wider acceptance including the major creditors and possibly in meantime to achieve necessary court approval. The court will grant such a postponement and requests guidance on how best to facilitate an approval of terms binding the estate. Suggested dates are November 29 at 11:00 a.m. or December 7 at either 10:00 a.m. or

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CONT... Five Rivers Land Company LLC

Chapter 11

11:00 a.m.

Appearance is required.

Tentative for October 4, 2023

Status? Has the time come to set deadlines? Appearance required.

Tentative for August 23, 2023

So, when can we expect at least enough cooperation to get reliable and complete schedules on file? If the debtor's report is to be believed, compliance from the Brars with the July 13 turnover order regarding books and records has been paltry, at best. Why is that? If there are ongoing disputes about ownership and/or applicability of the related entities (California Nut Growers and Golden Valley Ag.), that can be sorted out over time. Asterisks can be inserted as needed in meantime to explain that ownership might be disputed. The purpose of schedules is information, not necessarily determination of title. But useable schedules is an immediate, indispensable priority. So, viewed from the other side, schedules updated must be filed promptly, even if they have to be amended. The court appreciates the report of the examiner (filed August 18, 2023). The court would value further guidance from the examiner as to how the various challenges can be met.

The court will hear argument over whether some hard deadlines will help expedite matters, or whether other remedies might need to be employed. But the parties should not expect that this case can stay in its present reorganization posture absent cooperation and demonstrated progress toward a goal, or at the very least a roadmap of how some reasonable result for creditors can be achieved.

The examiner's report on arson is extremely disturbing.

Appearance required.

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CONT... Five Rivers Land Company LLC

Chapter 11

Tentative for 7/12/23:

Because so much is unresolved at this time, and schedules are not even on file, it is premature to set deadlines. The court has seen the debtor's suggestion in the report for more concrete timetables near year's end, and that may yet be required. But first the court would like to hear from the examiner on at least the following issues: 1. How are operations going? Is it possible to discern whether operations are profitable (aside of course from the ruinous administrative costs of the proceeding)? 2. What are the cash position and projections for the next ninety days? Are problems from secured claims a factor? 3. What is the level of cooperation from the Brar family? Do the Brars seem adamant about the transfers of properties formerly titled in debtor, or is there a finesse solution short of litigation? 4. What documentation is still needed to understand the overall position? 5. What resolution, if any, can the examiner suggest?

Appearance: required

Party Information

Debtor(s):

Five Rivers Land Company LLC

Represented By
Garrick A Hollander

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11:00 AM

8:24-11818 Lido 10, LLC

Chapter 11

#10.00 STATUS CONFERENCE RE: Chapter 11 Voluntary Petition Non-Individual.
(cont'd 8-28-24)
(cont'd from 12-04-24)
(cont'd from 1-21-25)
(cont'd from 3-12-25 per court's own mtn)
(cont'd from 3-19-25 per court's own mtn)
(cont'd from 3-18-25)
(cont'd from 4-22-25)

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative ruling for May 6, 2025

Continue this matter to July 8, 2025 at 11:00 a.m.; updated Status Report due 14 days before continued hearing

Tentative for April 22, 2025

See #3 and 4 on calendar. No updated status report? *Appearance required.*

Tentative for March 18, 2025

See ##4 and 5. *Appearance required. P*

Tentative for January 21, 2025

The proposed priming lien financing, and its place withing a logical plan,

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CONT... Lido 10, LLC

Chapter 11

looms large over the future of this case. Continue to coincide with continued hearing March 12, 2025 at 10:00 a.m. *Appearance required.*

Tentative for December 4, 2024

Continue until after December 10, 2024 relief of stay hearing. *Appearance required.*

Tentative for August 28, 2024

Deadline for filing plan and disclosure statement November 15, 2024.

Claims bar: 60 days after dispatch of notice to creditors advising of bar date.

Debtor to give notice of the deadline by September 10, 2024

So, this plan as described in the status report is to renovate four already heavily encumbered properties in Newport Beach, with construction to occur during the term of the plan? "New equity" investment is described as the probable source of over \$5.8 million estimated to be needed for the renovation. To say that all of this appears very ambitious would be an understatement. The Disclosure Statement is expected to have detailed descriptions on the source and timing of these payments. Neither visionary schemes without support, nor long delays while financing is sought, will be well received. Specifics and timing are crucial.

Appearance required.

Party Information

Debtor(s):

Lido 10, LLC

Represented By
Matthew D. Resnik

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11:00 AM

8:24-11818 Lido 10, LLC

Chapter 11

#11.00 Motion For Order: (1) Authorizing Debtor To Obtain Postpetition Financing Of Its Real Property (620 Clubhouse Dr., Newport Beach, CA 92663; 622-624 Clubhouse Dr., Newport Beach, CA 92663; And 626 Clubhouse Dr., Newport Beach, CA 92663) Pursuant To 11 U.S.C. §§ 363 And 364; (2) Granting Lien To Postpetition Lender Pursuant To 11 U.S.C. § 364 And (3) Authorizing Payment Of Secured Debt
(cont'd from 1-08-25)
(cont'd from 3-12-25 per scheduling order for supplemental briefing on mtn for order authorizing debtor to obtain postpetition financing - see order # 89)
(cont'd from 3-19-25 per court's own mtn)
(cont'd from 3-18-25)
(cont'd from 4-22-25)

Docket 45

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative Ruling for May 6, 2025

The parties are to appear and advise the court re the status of this matter. If more time is needed, the hearing will be continued to July 8, 2025 at 11:00 a.m. (subject to change depending on the reassignment of this case to another judge)

Tentative for April 22, 2025

Mention was made of a desire for judicial determination of property values but nothing additional was filed. Status? *Appearance required.*

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CONT... Lido 10, LLC

Chapter 11

Tentative for March 18, 2025

Priming liens under 11 USC section 364 (d) are among the most intrusive powers available under the Code. Adequate protection in this context must be carefully evaluated, and benefits of the doubt should go to the creditor and to the structure as originally agreed. There may be cases where the value of the proposed collateral is so high as to eliminate virtually any risk of nonpayment. But that may not be this case. The values are not agreed; debtor shows generous valuations which suggest little chance that a \$2,570,000 would go unpaid. But creditor comes in with values that are about \$6 million in aggregate lower, suggesting an extreme risk. In addition, the timing and costs of new construction are notoriously uncertain. The court is not persuaded on this record that adequate protection is shown. The parties may have to seek formal hearings under section 506 for valuation of the properties. Deny without prejudice. *Appearance required.*

Tentative for January 8, 2025

After oppositions were filed by U.S. Bank, the existing lienholder, debtor clarified that these loans are intended as priming liens, and that payoff of U.S. Bank is not contemplated until maybe a year after renovation and construction of accessory dwelling units has begun (apparently funded from the phase one of the proposed Capital financing). This is a considerably more risky proposition. And it is not easy money either as the interest rate is described as 12.5% or greater. This record will need to be fortified either by a better demonstration of adequate protection based on value or at least better insight as to how this is going to work and who is going to supervise construction, etc. The court saw no analysis as to cash flow and other critical issues.

No tentative. *Appearance required.*

Party Information

Debtor(s):

Lido 10, LLC

Represented By
Matthew D. Resnik

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CONT...

Lido 10, LLC

Chapter 11

Roksana D. Moradi-Brovia
Nina Z Javan

**United States Bankruptcy Court
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11:00 AM

8:24-11818 Lido 10, LLC

Chapter 11

#12.00 Motion for relief from the automatic stay REAL PROPERTY
(cont'd from 12-10-24)
(cont'd from 1-21-25)
(cont'd from 3-12-25 per court's own mtn)
(cont'd from 3-19-25 per court's own mtn)
(cont'd from 3-18-25)
(cont'd from 4-22-25)

**U.S. BANK TRUST NATIONAL ASSOCIATION
Vs.
DEBTOR**

Docket 35

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative ruling for May 6, 2025

No tentative ruling. Disposition will depend on the outcome of matter #11 on today's calendar.

Tentative for April 22, 2025

There was an attempt to refinance the properties which was unsuccessful.
But the court has no update as to where we stand. *Appearance required.*

Tentative for March 18, 2025

See #4. *Appearance required.*

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CONT... Lido 10, LLC

Chapter 11

Tentative for January 21, 2025
See #4. Continue to coincide with priming lien borrowing motion March 12,
2025 at 10:00 a.m. *Appearance required.*

Tentative for December 10, 2024

Movant does not make a case for relief under either of 11 USC §§362(d)(1) or (d)(2), in that there is considerable equity behind movant's lien position providing adequate protection and the property is necessary to a reorganization. Given the refinancing letter it would also appear that a reorganization is "in prospect" within the meaning of the Timbers decision. While the motion must be denied at this time, the debtor should not assume that so long as there is any arguable equity the stay will remain. It is rather a dynamic process where the court considers a variety of factors, of which the cushion is merely one. *Appearance required.*

Party Information

Debtor(s):

Lido 10, LLC

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

Movant(s):

U.S. BANK TRUST NATIONAL

Represented By
Theron S Covey

**United States Bankruptcy Court
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11:00 AM

8:24-12028 Madden Corporation

Chapter 11

#13.00 Application For Final Fees And Expenses For Period: 8/15/2024 to 4/1/2025:

ARTURO CISNEROS, CH 11 TRUSTEE:

FEE: \$20,860.00

EXPENSES: \$0.00

Docket 130

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

May 6, 2025

Approve fees and expenses as requested.

Note: As this matter appears to be uncontested, appearance at the hearing is not required.

Party Information

Debtor(s):

Madden Corporation

Represented By
Robert S Marticello
Michael Simon

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
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11:00 AM

8:25-10676 Berenice Ruan

Chapter 13

#14.00 Motion To Vacate Dismissal Order Of Chapter 13 And Reinstate Chapter 13
Pursuant 5010.1

Docket 14

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

May 6, 2025

Deny Motion -- no restriction to re-filing another bankruptcy case. However, if all documents are not timely filed with the new case, the case will be dismissed with a restriction against re-filing.

Basis for Tentative Ruling:

Debtor is a repeat filing (this is her fifth filing) and her motion is unsupported by evidence (documentation) as reported by the chapter 13 trustee. Debtor is free to file a new bankruptcy case but the order dismissing Case no. 25-10676 will not be vacated.

Party Information

Debtor(s):

Berenice Ruan

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se