

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

Thursday, May 8, 2025

Hearing Room

5A

10:00 AM

8:00-000000

Chapter

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

For information about appearing in person (or a hybrid hearing) please visit <https://www.cacb.uscourts.gov/judges/honorable-theodor-c-albert>.

Case participants may connect to the video and audio feeds, free of charge, using the connection information provided below.

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

Thursday, May 8, 2025

Hearing Room

5A

10:00 AM

CONT...

Chapter

ZoomGov meeting number: 161 338 2540

Password: 247103

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

For more information on appearing before Judge Albert by ZoomGov, please see the "Notice of Video and Telephonic Appearance Procedures for Judge Theodor C. Albert's Cases" on the Court's website at: <https://www.cacb.uscourts.gov/judges/honorable-theodor-c-albert> under the "Telephonic Instructions" section.

To assist in creating a proper record and for the efficiency of these proceedings, please:

- Connect early so that you have time to check in.
- Change your Zoom name to include your calendar number, first initial and last name, and client name (*ex. 5, R. Smith, ABC Corp.*) if appearing by video. This can be done by clicking on "More" and "Rename" from the Participants list or by clicking on the three dots on your video tile.
- Mute your audio to minimize background noise unless and until it is your turn to speak. Consider turning your video off until it is your turn to appear.
- Say your name every time you speak.
- Disconnect from the meeting by clicking "Leave" when you have

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

Thursday, May 8, 2025

Hearing Room 5A

10:00 AM
CONT...

Chapter

completed your appearance(s).

Docket 0

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

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

Thursday, May 8, 2025

Hearing Room

5A

10:00 AM

8:19-10158 BP Fisher Law Group, LLP

Chapter 7

Adv#: 8:24-01005 Marshack v. Browndorf

**#1.00 PRE-TRIAL CONFERENCE RE: Complaint to Avoid, Recover, and Preserve:(1) Actual Fraudulent Transfers [11 U.S.C. §§ 548, 550, and 551]; (2) Constructive Fraudulent Transfers [11 U.S.C. §§ 548, 550, and 551]; (3) Actual Fraudulent Transfers [11 U.S.C. §§ 544, 550, and 551]; Cal Civ. Code § 3934.04, 3439.07]; (4) Constructive Fraudulent Transfers [11 U.S.C. §§ 544, 550, and 551; Cal Civ. Code § 3439.05, 3439.07]; and (5) Breach of Contract
(set from s/c hrg held 5-23-24)
(cont'd from 12-12-24 per order granting mtn to extend scheduling order dates and deadlines entered 10-18-24 - see doc #29)
(cont'd from 2-12-25 per order granting mtn to extend schedules order dates and deadlines entered 1-09-25 - see doc #34)**

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative Ruling for May 8, 2025

In light of the granting of Trustee's motion to abandon the estate's interest in this adversary proceeding to Debtors, the action is no longer property of the bankruptcy estate. However, in theory Debtors could substitute into the adversary proceeding. Trustee to advise the court re his intentions regarding this adversary proceeding. If Trustee intends to dismiss the adversary proceeding, notice should be given to Debtors with a deadline for substituting into the matter before it is dismissed.

Appearance at this hearing is required.

Tentative for May 23, 2024

Deadline for completing discovery is November 1, 2024

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

Thursday, May 8, 2025

Hearing Room 5A

10:00 AM

CONT... BP Fisher Law Group, LLP

Chapter 7

Last date for filing pre-trial motions is November 15, 2024
Pre-trial conference is on December 12, 2024 at 10:00 a.m.
Joint pre-trial stipulation and/or order due per local rules.
Refer to mediation. Order appointing mediator to be lodged by plaintiff within
10 days. One day of mediation to be completed by September 15, 2024.
Appearance required.

Tentative for March 28, 2024
Continue per plaintiff's request to May 23, 2024 at 10:00 a.m. to explore
default questions. Appearance suggested.

Party Information

Debtor(s):

BP Fisher Law Group, LLP

Represented By
Marc C Forsythe
Michael S Myers

Defendant(s):

Matthew Browndorf

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By
David Wood
D Edward Hays

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
David Wood
Tinho Mang
Marc C Forsythe
Charity J Manee
Laila Masud
Roye Zur

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

Thursday, May 8, 2025

Hearing Room

5A

10:00 AM

CONT...

BP Fisher Law Group, LLP

Lauren N Gans

Chapter 7

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

Thursday, May 8, 2025

Hearing Room

5A

10:00 AM

8:19-10526 LF Runoff 2, LLC

Chapter 7

Adv#: 8:24-01006 Marshack v. Browndorf

#2.00 PRE-TRIAL CONFERENCE RE: Complaint to Avoid, Recover, and Preserve:(1) Actual Fraudulent Transfers [11 U.S.C. §§ 548, 550, and 551]; (2) Constructive Fraudulent Transfers [11 U.S.C. §§ 548, 550, and 551]; (3) Actual Fraudulent Transfers [11 U.S.C. §§ 544, 550, and 551]; Cal Civ. Code § 3934.04, 3439.07]; (4) Constructive Fraudulent Transfers [11 U.S.C. §§ 544, 550, and 551; Cal Civ. Code § 3439.05, 3439.07]; and (5) Breach of Contract
(set from s/c hrg held 5-23-24)
(cont'd from 12-12-24 per order granting mtn to extend scheduling order dates and deadlines entered 10-18-24 - see doc #14)
(cont'd from 2-12-25 per order granting mtn to extend scheudling order dates and deadlines entered 1-09-25 - see doc #19)

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative Ruling for May 8, 2025

In light of the granting of Trustee's motion to abandon the estate's interest in this adversary proceeding to Debtorr, the action is no longer property of the bankruptcy estate. However, in theory Debtor could substitute into the adversary proceeding. Trustee to advise the court re his intentions regarding this advrsary proceeding. If Trustee intends to dismiss the adversary proceeding, notice should be given to Debtor with a deadline for substituting into the matter before it is dismissed.

Apperance at this hearing is required.

Tentative for May 23, 2024

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

Thursday, May 8, 2025

Hearing Room

5A

10:00 AM

CONT... LF Runoff 2, LLC

Chapter 7

Deadline for completing discovery is November 1, 2024
Last date for filing pre-trial motions is November 15, 2024
Pre-trial conference is on December 12, 2024 at 10:00 a.m.
Joint pre-trial stipulation and/or order due per local rules.
Refer to mediation. Order appointing mediator to be lodged by plaintiff within
10 days. One day of mediation to be completed by September 15, 2024.
Appearance required.

Tentative for March 28, 2024
Related to #3. Continue to May 23, 2024 at 10:00 a.m. Appearance
suggested.

Party Information

Debtor(s):

LF Runoff 2, LLC

Represented By
Marc C Forsythe

Defendant(s):

Matthew Browndorf

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By
David Wood
D Edward Hays

Trustee(s):

Richard A Marshack (TR)

Represented By
David Wood
D Edward Hays
Thomas J Polis
Laila Masud
Royce Zur
Lauren N Gans

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

Thursday, May 8, 2025

Hearing Room 5A

10:00 AM

8:22-11039 Craig Chang

Chapter 7

Adv#: 8:22-01087 Fransen v. Chang

#3.00 Motion For Leave To Amend The Scheduling Order And To Reopen Discovery

Docket 163

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

May 6, 2025

Deny motion due to insufficient good cause shown.

Basis for Tentative Ruling:

A. Facts

Plaintiff's adversary proceeding was filed on September 30, 2022 by prior counsel. A second amended complaint was filed on January 25, 2023. Plaintiff's third amended complaint was filed on August 21, 2024, approximately 10 months after current counsel substituted in. Plaintiff's Fourth Amended Complaint was filed on December 25, 2024. Defendant filed a Motion to Dismiss the Fourth Amended Complaint, which was denied by this court on February 24, 2024. On March 6, 2025, the parties filed a Joint Status Report, explaining that they had contradictory positions regarding reopening discovery. The court issued a tentative for the pre-trial conference on March 13, 2025, stating that it did not see a compelling reason to continue discovery cutoff dates. At the pretrial conference, the court heard the parties' arguments and held that it would not consider reopening discovery based on Plaintiff's request in the Joint Status Report. The next pre-trial conference is scheduled for May 29, 2025 at 10:00 a.m.

B. Legal Standard

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

Thursday, May 8, 2025

Hearing Room

5A

10:00 AM

CONT...

Craig Chang

Chapter 7

Federal Rule of Civil Procedure 16(b) provides that "[a] schedule may be modified only for good cause and with the judge's consent." Fed. R. Civ. P. 16(b)(4). "Unlike Rule 15(a)'s liberal amendment policy which focuses on the bad faith of the party seeking to interpose an amendment and the prejudice to the opposing party, Rule 16(b)'s 'good cause' standard primarily considers the diligence of the party seeking the amendment." *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992). In determining "good cause" the Court may rely on the existence or degree of prejudice to the party opposing the motion. *Id.* at 609.

C. Analysis

Plaintiff contends that there is good cause because the case is in the pre-trial phase and there is no trial date set yet that would be disrupted by extension of cutoff dates. Plaintiff's Fourth Amended Complaint contains new facts and claims that required Plaintiff to conduct discovery in order to prove these new claims against Debtor at trial. Plaintiff argues that he acted with diligence to this request to amend the scheduling order by filing this motion less than one month after the March 13, 2025 order regarding Plaintiff's reopen discovery request made in the Joint Status Report. Further, Plaintiff explains that no discovery was done prior to the cutoff date of May 12, 2025 because he was named as a defendant in multiple cases in state and federal court and focused on moving to stay this proceeding to save judicial resources and avoid duplicative litigation. Plaintiff also argues that given the new theories and claims in the Fourth Amended Complaint, Plaintiff needs the additional discovery time to gather additional evidence to prove these claims. Finally, Plaintiff asserts that there would be minimal prejudice to Defendant by extending the cutoff by 90 days, as any necessary discovery will focus on issues stemming from the Fourth Amended Complaint, and Defendant will have equal opportunity to engage. If the motion is denied, Plaintiff asserts that he will suffer prejudice and be in danger of having insufficient evidence to carry his burden of proof.

Defendant contends that Plaintiff's current counsel has been engaged in this matter for approximately 18 months without previously attempting to modify the scheduling order or to reopen discovery until the filing of this motion. Plaintiff's decision not to conduct discovery was a tactical or strategic

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

Thursday, May 8, 2025

Hearing Room

5A

10:00 AM

CONT... Craig Chang

Chapter 7

decision, as opposed to being barred from conducting discovery by a court order or other disqualification. Plaintiff's "hopefulness" that the action would be suspended does not aid Plaintiff's argument but shows Plaintiff's lack of diligence in promptly pursuing relief from June 27, 2024 to the time of this motion. Further, granting the motion would prejudice Defendant. Defendant has been subjected to ongoing litigation in this instant matter and has also had to actively defend himself in the state and federal court cases, all resulting in the expenditure of considerable time and resources. Delay of the trial will cause further undue prejudice to Defendant by exacerbating his injuries and ability to move forward with the "fresh start" goal of a successful bankruptcy proceeding.

The court agrees with Defendant that Plaintiff has not shown good cause for a further extension of the discovery period. Plaintiff should have been conducting discovery along the way instead of hoping the court would grant the motion to stay the adversary proceeding. Moreover, the Motion and Reply make vague references to additional facts pled in the Fourth Amended Complaint ("FAC") but fail to identify the specific additional facts that could not have been the subject of discovery prior to the filing of the FAC. It is not the responsibility of the Court to glean any additional areas of discovery by comparing the FAC with the earlier versions of the Complaint. In addition, the Court is persuaded that extending the for discovery (after the case has been pending since 2022) will result in unfair prejudice to Defendant. Finally, Plaintiff has failed to demonstrate diligence in conducting discovery as tot he FAC.

Party Information

Debtor(s):

Craig Chang

Represented By
John M Boyko

Defendant(s):

Craig Chang

Represented By
John M Boyko

Plaintiff(s):

Arthur Fransen

Represented By

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

Thursday, May 8, 2025

Hearing Room

5A

10:00 AM

CONT...

Craig Chang

Mary Liu

Chapter 7

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

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

Thursday, May 8, 2025

Hearing Room

5A

10:00 AM

8:22-10046 Janet Ann Lutz

Chapter 7

Adv#: 8:22-01038 Litovsky v. Lutz

#4.00 PRE-TRIAL CONFERENCE RE: Complaint To Determine Non-Dischargeability Of Debt Under 11 USC §§ 523(a)(2)(A) And 523(a)(2)(B); Fraud (set from s/c hrg held on 12-15-22) (cont'd from 10-05-23 per court's own motion) (cont'd from 3-28-23) (cont'd from 6-27-24 per order granting mtn for continuance entered 6-21-24) (cont'd from 8-29-24 per order granting mtn request for continuance for pre-trial entered 8-14-24) (cont'd from 12-5-24) (cont'd from 1-30-25) (cont'd from 4-03-25 per order granting mtn for continuance entered 3-27-25 -see doc #115)

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for May 8, 2025 [UPDATED SINCE ITS ORIGINAL POSTING]

As this matter has been reassigned to Judge Scott Clarkson, all hearings on today's calendar shall be continued to June 18, 2025 at 10:00 a.m. before Judge Clarkson (Courtroom 5C). **The parties shall, either jointly or individually, file a status report re the status of this matter by June 4, 2025.**

Apperance at this hearing is NOT required.

dar will be continued to June 18, 2025 at 10:00 a.m. before Judge Clarkson.

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

Thursday, May 8, 2025

Hearing Room

5A

10:00 AM

CONT... Janet Ann Lutz

Chapter 7

Tentative for January 30, 2025
See #6. *Appearance required.*

Tentative for December 5, 2024
See #18. *Appearance required.*

Tentative for March 28, 2024
What's the status on mediation? *Appearance required.*

Tentative for November 9, 2023
What is the court to do with the attempt to amend the complaint (see #22)?
Can any of the unilateral pretrial stipulation be used in view of new issues
interjected by the amendment, assuming it is allowed? Why did defendant not
participate in preparation of what was supposed to be a joint pretrial
stipulation? *Appearance required.*

Tentative for 6/29/23:
See #10. When are we going to see a pretrial stipulation?

Appearance: required

Tentative for 12/15/22:
Mediation results?

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

Thursday, May 8, 2025

Hearing Room

5A

10:00 AM

CONT... Janet Ann Lutz

Chapter 7

Tentative for 8/25/22:

Status conference continued to: December 15, 2022 @ 10a.m. Refer to mediation. One day of mediation to occur by November 17, 2022. Plaintiff to submit an order appointing a mediator within 10 days.

Appearance: required

Tentative for 7/7/22:

Why no status conference report?

Appearance: required

Party Information

Debtor(s):

Janet Ann Lutz

Represented By
Kevin J Kunde

Defendant(s):

Janet Ann Lutz

Pro Se

Plaintiff(s):

Allan Litovsky

Pro Se

Trustee(s):

Karen S Naylor (TR)

Pro Se

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

Thursday, May 8, 2025

Hearing Room

5A

10:00 AM

8:22-10046 Janet Ann Lutz

Chapter 7

Adv#: 8:22-01038 Litovsky v. Lutz

#5.00 Order To Show Cause Why Case Should Not Be Dismissed For Failure To Prosecute
(cont'd from 6-27-24 per order granting motion for continuance entered 6-21-24)
(cont'd from 8-29-24 per order granting mtn request for continuance for pre-trial entered 8-14-24)
(cont'd from 12-5-24)
(cont'd from 1-30-25)
(cont'd from 4-03-25 per order granting mtn for continuance entered 3-27-25 -see doc #115)

Docket 0

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for May 8, 2025 [UPDATED SINCE ITS ORIGINAL POSTING]

As this matter has been reassigned to Judge Scott Clarkson, all hearings on today's calendar shall be continued to June 18, 2025 at 10:00 a.m. before Judge Clarkson (Courtroom 5C). **The parties shall, either jointly or individually, file a status report re the status of this matter by June 4, 2025.**

Apperance at this hearing is NOT required.

Tentative for January 30, 2025
See #6. *Appearance required.*

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

Thursday, May 8, 2025

Hearing Room

5A

10:00 AM

CONT... Janet Ann Lutz

Chapter 7

Tentative for December 5, 2024

##18-21

The court received the motion for continuance from the defendant, allegedly to permit completion of aa mediation that had been delayed by scheduling issues of the mediator. The court reluctantly granted the continuance but notes that this matter has been continued again and again for one reason or another. No more continuances. When the matter is hear in January a trial date will be set absent a stipulation.

Appearance required.

Party Information

Debtor(s):

Janet Ann Lutz

Represented By
Kevin J Kunde

Defendant(s):

Janet Ann Lutz

Pro Se

Plaintiff(s):

Allan Litovsky

Represented By
Allan Litovsky

Trustee(s):

Karen S Naylor (TR)

Pro Se

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

Thursday, May 8, 2025

Hearing Room

5A

10:00 AM

8:22-10046 Janet Ann Lutz

Chapter 7

Adv#: 8:22-01038 Litovsky v. Lutz

#6.00 Defendant's Motion To Set Aside Entry Of Default And, If Necessary, Default Judgment, For Mistake, Inadvertence, And Excusable Neglect; Points And Authorities; Declaration Of Defendant
(set from hrg held on 3-14-24, plaintiff's mtn for default judgment - doc #65)
(cont'd from 6-27-24 per order granting motion for continuance entered 6-21-24)
(cont'd from 8-29-24 per order granting mtn request for continuance for pre-trial entered 8-14-24)
(cont'd from 12-5-24)
(cont'd from 1-30-25)
(cont'd from 4-03-25 per order granting mtn for continuance entered 3-27-25 -see doc #115)

Docket 71

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for May 8, 2025 [UPDATED SINCE ITS ORIGINAL POSTING]

As this matter has been reassigned to Judge Scott Clarkson, all hearings on today's calendar shall be continued to June 18, 2025 at 10:00 a.m. before Judge Clarkson (Courtroom 5C). **The parties shall, either jointly or individually, file a status report re the status of this matter by June 4, 2025.**

Apperance at this hearing is NOT required.

Tentative for January 30, 2025
See #6. *Appearance required.*

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

Thursday, May 8, 2025

Hearing Room

5A

10:00 AM

CONT... Janet Ann Lutz

Chapter 7

Tentative for December 5, 2024
See #18. *Appearance required.*

Party Information

Debtor(s):

Janet Ann Lutz

Represented By
Kevin J Kunde

Defendant(s):

Janet Ann Lutz

Pro Se

Plaintiff(s):

Allan Litovsky

Represented By
Allan Litovsky

Trustee(s):

Karen S Naylor (TR)

Pro Se

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

Thursday, May 8, 2025

Hearing Room

5A

10:00 AM

8:22-10046 Janet Ann Lutz

Chapter 7

Adv#: 8:22-01038 Litovsky v. Lutz

**#7.00 Plaintiff's Motion For Default Judgment Against Defendant Janet Ann Lutz
(cont'd from 3-14-24)
(cont'd from 6-27-24 per order granting motion for continuance entered
6-21-24)
(cont'd from 8-29-24 per order granting mtn request for continuance for
pre-trial entered 8-14-24)
(cont'd from 12-5-24)
(cont'd from 1-30-25)
(cont'd from 4-03-25 per order granting mtn for continuance entered
3-27-25 -see doc #115)**

Docket 65

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for May 8, 2025 [UPDATED SINCE ITS ORIGINAL POSTING]

As this matter has been reassigned to Judge Scott Clarkson, all hearings on today's calendar shall be continued to June 18, 2025 at 10:00 a.m. before Judge Clarkson (Courtroom 5C). **The parties shall, either jointly or individually, file a status report re the status of this matter by June 4, 2025.**

Apperance at this hearing is NOT required.

Tentative for January 30, 2025

6-9: Did the mediation occur? Status? *Appearance required.*

Tentative for December 5, 2024

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

Thursday, May 8, 2025

Hearing Room

5A

10:00 AM

CONT... Janet Ann Lutz

Chapter 7

See #18. *Appearance required.*

Tentative for March 14, 2024

Motion to Set Aside Default Judgment was filed on March 11, 2024 by Ms. Lutz. However, she was informed that notice was short/not provided.

Continue for a combined hearing? Appearance required.

Party Information

Debtor(s):

Janet Ann Lutz

Represented By
Kevin J Kunde

Defendant(s):

Janet Ann Lutz

Pro Se

Plaintiff(s):

Allan Litovsky

Represented By
Allan Litovsky

Trustee(s):

Karen S Naylor (TR)

Pro Se

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

Thursday, May 8, 2025

Hearing Room

5A

11:00 AM

8:22-11039 Craig Chang

Chapter 7

Adv#: 8:22-01087 Fransen v. Chang

#3.00 Motion For Leave To Amend The Scheduling Order And To Reopen Discovery

Docket 163

***** VACATED *** REASON: ADVANCED TO 5-8-25 AT 10:00 A.M.**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

May 8, 2025

Deny motion due to insufficient good cause shown.

Basis for Tentative Ruling:

A. Facts

Plaintiff's adversary proceeding was filed on September 30, 2022 by prior counsel. A second amended complaint was filed on January 25, 2023. Plaintiff's third amended complaint was filed on August 21, 2024, approximately 10 months after current counsel substituted in. Plaintiff's Fourth Amended Complaint was filed on December 25, 2024. Defendant filed a Motion to Dismiss the Fourth Amended Complaint, which was denied by this court on February 24, 2024. On March 6, 2025, the parties filed a Joint Status Report, explaining that they had contradictory positions regarding reopening discovery. The court issued a tentative for the pre-trial conference on March 13, 2025, stating that it did not see a compelling reason to continue discovery cutoff dates. At the pretrial conference, the court heard the parties' arguments and held that it would not consider reopening discovery based on Plaintiff's request in the Joint Status Report. The next pre-trial conference is scheduled for May 29, 2025 at 10:00 a.m.

B. Legal Standard

**United States Bankruptcy Court
Central District of California
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Courtroom 5A Calendar**

Thursday, May 8, 2025

Hearing Room

5A

11:00 AM

CONT...

Craig Chang

Chapter 7

Federal Rule of Civil Procedure 16(b) provides that "[a] schedule may be modified only for good cause and with the judge's consent." Fed. R. Civ. P. 16(b)(4). "Unlike Rule 15(a)'s liberal amendment policy which focuses on the bad faith of the party seeking to interpose an amendment and the prejudice to the opposing party, Rule 16(b)'s 'good cause' standard primarily considers the diligence of the party seeking the amendment." *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992). In determining "good cause" the Court may rely on the existence or degree of prejudice to the party opposing the motion. *Id.* at 609.

C. Analysis

Plaintiff contends that there is good cause because the case is in the pre-trial phase and there is no trial date set yet that would be disrupted by extension of cutoff dates. Plaintiff's Fourth Amended Complaint contains new facts and claims that required Plaintiff to conduct discovery in order to prove these new claims against Debtor at trial. Plaintiff argues that he acted with diligence to this request to amend the scheduling order by filing this motion less than one month after the March 13, 2025 order regarding Plaintiff's reopen discovery request made in the Joint Status Report. Further, Plaintiff explains that no discovery was done prior to the cutoff date of May 12, 2025 because he was named as a defendant in multiple cases in state and federal court and focused on moving to stay this proceeding to save judicial resources and avoid duplicative litigation. Plaintiff also argues that given the new theories and claims in the Fourth Amended Complaint, Plaintiff needs the additional discovery time to gather additional evidence to prove these claims. Finally, Plaintiff asserts that there would be minimal prejudice to Defendant by extending the cutoff by 90 days, as any necessary discovery will focus on issues stemming from the Fourth Amended Complaint, and Defendant will have equal opportunity to engage. If the motion is denied, Plaintiff asserts that he will suffer prejudice and be in danger of having insufficient evidence to carry his burden of proof.

Defendant contends that Plaintiff's current counsel has been engaged in this matter for approximately 18 months without previously attempting to modify the scheduling order or to reopen discovery until the filing of this motion. Plaintiff's decision not to conduct discovery was a tactical or strategic

**United States Bankruptcy Court
Central District of California**

Santa Ana

Erithe Smith, Presiding

Courtroom 5A Calendar

Thursday, May 8, 2025

Hearing Room

5A

11:00 AM

CONT... Craig Chang

Chapter 7

decision, as opposed to being barred from conducting discovery by a court order or other disqualification. Plaintiff's "hopefulness" that the action would be suspended does not aid Plaintiff's argument but shows Plaintiff's lack of diligence in promptly pursuing relief from June 27, 2024 to the time of this motion. Further, granting the motion would prejudice Defendant. Defendant has been subjected to ongoing litigation in this instant matter and has also had to actively defend himself in the state and federal court cases, all resulting in the expenditure of considerable time and resources. Delay of the trial will cause further undue prejudice to Defendant by exacerbating his injuries and ability to move forward with the "fresh start" goal of a successful bankruptcy proceeding.

The court agrees with Defendant that Plaintiff has not shown good cause for a further extension of the discovery period. Plaintiff should have been conducting discovery along the way instead of hoping the court would grant the motion to stay the adversary proceeding. Moreover, the Motion and Reply make vague references to additional facts pled in the Fourth Amended Complaint ("FAC") but fail to identify the specific additional facts that could not have been the subject of discovery prior to the filing of the FAC. It is not the responsibility of the Court to glean any additional areas of discovery by comparing the FAC with the earlier versions of the Complaint. In addition, the Court is persuaded that extending the for discovery (after the case has been pending since 2022) will result in unfair prejudice to Defendant. Finally, Plaintiff has failed to demonstrate diligence in conducting discovery as tot he FAC.

Party Information

Debtor(s):

Craig Chang

Represented By
John M Boyko

Defendant(s):

Craig Chang

Represented By
John M Boyko

Plaintiff(s):

Arthur Fransen

Represented By

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

Thursday, May 8, 2025

Hearing Room

5A

11:00 AM

CONT...

Craig Chang

Mary Liu

Chapter 7

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

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

Thursday, May 8, 2025

Hearing Room

5A

11:00 AM

8:22-10046 Janet Ann Lutz

Chapter 7

Adv#: 8:22-01038 Litovsky v. Lutz

**#4.00 PRE-TRIAL CONFERENCE RE: Complaint To Determine Non-Dischargeability
Of Debt Under 11 USC §§ 523(a)(2)(A) And 523(a)(2)(B); Fraud
(set from s/c hrg held on 12-15-22)
(cont'd from 10-05-23 per court's own motion)
(cont'd from 3-28-23)
(cont'd from 6-27-24 per order granting mtn for continuance entered
6-21-24)
(cont'd from 8-29-24 per order granting mtn request for continuance for
pre-trial entered 8-14-24)
(cont'd from 12-5-24)
(cont'd from 1-30-25)
(cont'd from 4-03-25 per order granting mtn for continuance entered
3-27-25 -see doc #115)**

Docket 1

***** VACATED *** REASON: ADVANCED TO 5-8-25 AT 10:00 A.M.**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for May 8, 2025 [UPDATED SINCE ITS ORIGINAL POSTING]

As this matter has been reassigned to Judge Scott Clarkson, all hearings on today's calendar shall be continued to June 18, 2025 at 10:00 a.m. before Judge Clarkson (Courtroom 5C). **The parties shall, either jointly or individually, file a status report re the status of this matter by June 4, 2025.**

Apperance at this hearing is NOT required.

Tentative for January 30, 2025
See #6. *Appearance required.*

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

Thursday, May 8, 2025

Hearing Room

5A

11:00 AM

CONT...

Janet Ann Lutz

Chapter 7

Tentative for December 5, 2024
See #18. *Appearance required.*

Tentative for March 28, 2024
What's the status on mediation? Appearance required.

Tentative for November 9, 2023
What is the court to do with the attempt to amend the complaint (see #22)?
Can any of the unilateral pretrial stipulation be used in view of new issues
interjected by the amendment, assuming it is allowed? Why did defendant not
participate in preparation of what was supposed to be a joint pretrial
stipulation? Appearance required.

Tentative for 6/29/23:
See #10. When are we going to see a pretrial stipulation?

Appearance: required

Tentative for 12/15/22:
Mediation results?

Tentative for 8/25/22:
Status conference continued to: December 15, 2022 @ 10a.m. Refer to
mediation. One day of mediation to occur by November 17, 2022. Plaintiff to
submit an order appointing a mediator within 10 days.

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

Thursday, May 8, 2025

Hearing Room

5A

11:00 AM

CONT... **Janet Ann Lutz**
Appearance: required

Chapter 7

Tentative for 7/7/22:
Why no status conference report?

Appearance: required

Party Information

Debtor(s):

Janet Ann Lutz

Represented By
Kevin J Kunde

Defendant(s):

Janet Ann Lutz

Pro Se

Plaintiff(s):

Allan Litovsky

Pro Se

Trustee(s):

Karen S Naylor (TR)

Pro Se

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

Thursday, May 8, 2025

Hearing Room

5A

11:00 AM

8:22-10046 Janet Ann Lutz

Chapter 7

Adv#: 8:22-01038 Litovsky v. Lutz

#5.00 Order To Show Cause Why Case Should Not Be Dismissed For Failure To Prosecute
(cont'd from 6-27-24 per order granting motion for continuance entered 6-21-24)
(cont'd from 8-29-24 per order granting mtn request for continuance for pre-trial entered 8-14-24)
(cont'd from 12-5-24)
(cont'd from 1-30-25)
(cont'd from 4-03-25 per order granting mtn for continuance entered 3-27-25 -see doc #115)

Docket 0

***** VACATED *** REASON: ADVANCED TO 5-08-25 AT 10:00 A.M.**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for May 8, 2025 [UPDATED SINCE ITS ORIGINAL POSTING]

As this matter has been reassigned to Judge Scott Clarkson, all hearings on today's calendar shall be continued to June 18, 2025 at 10:00 a.m. before Judge Clarkson (Courtroom 5C). **The parties shall, either jointly or individually, file a status report re the status of this matter by June 4, 2025.**

Apperance at this hearing is NOT required.

Tentative for January 30, 2025
See #6. *Appearance required.*

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

Thursday, May 8, 2025

Hearing Room

5A

11:00 AM

CONT... Janet Ann Lutz

Chapter 7

Tentative for December 5, 2024

##18-21

The court received the motion for continuance from the defendant, allegedly to permit completion of aa mediation that had been delayed by scheduling issues of the mediator. The court reluctantly granted the continuance but notes that this matter has been continued again and again for one reason or another. No more continuances. When the matter is hear in January a trial date will be set absent a stipulation.

Appearance required.

Party Information

Debtor(s):

Janet Ann Lutz

Represented By
Kevin J Kunde

Defendant(s):

Janet Ann Lutz

Pro Se

Plaintiff(s):

Allan Litovsky

Represented By
Allan Litovsky

Trustee(s):

Karen S Naylor (TR)

Pro Se

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

Thursday, May 8, 2025

Hearing Room

5A

11:00 AM

8:22-10046 Janet Ann Lutz

Chapter 7

Adv#: 8:22-01038 Litovsky v. Lutz

#6.00 Defendant's Motion To Set Aside Entry Of Default And, If Necessary, Default Judgment, For Mistake, Inadvertence, And Excusable Neglect; Points And Authorities; Declaration Of Defendant
(set from hrg held on 3-14-24, plaintiff's mtn for default judgment - doc #65)
(cont'd from 6-27-24 per order granting motion for continuance entered 6-21-24)
(cont'd from 8-29-24 per order granting mtn request for continuance for pre-trial entered 8-14-24)
(cont'd from 12-5-24)
(cont'd from 1-30-25)
(cont'd from 4-03-25 per order granting mtn for continuance entered 3-27-25 -see doc #115)

Docket 71

***** VACATED *** REASON: ADVANCED TO 5-08-25 AT 10:00 A.M.**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for May 8, 2025 [UPDATED SINCE ITS ORIGINAL POSTING]

As this matter has been reassigned to Judge Scott Clarkson, all hearings on today's calendar shall be continued to June 18, 2025 at 10:00 a.m. before Judge Clarkson (Courtroom 5C). **The parties shall, either jointly or individually, file a status report re the status of this matter by June 4, 2025.**

Apperance at this hearing is NOT required.

Tentative for January 30, 2025
See #6. *Appearance required.*

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

Thursday, May 8, 2025

Hearing Room

5A

11:00 AM

CONT... Janet Ann Lutz

Chapter 7

Tentative for December 5, 2024
See #18. *Appearance required.*

Party Information

Debtor(s):

Janet Ann Lutz

Represented By
Kevin J Kunde

Defendant(s):

Janet Ann Lutz

Pro Se

Plaintiff(s):

Allan Litovsky

Represented By
Allan Litovsky

Trustee(s):

Karen S Naylor (TR)

Pro Se

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

Thursday, May 8, 2025

Hearing Room

5A

11:00 AM

8:22-10046 Janet Ann Lutz

Chapter 7

Adv#: 8:22-01038 Litovsky v. Lutz

#7.00 Plaintiff's Motion For Default Judgment Against Defendant Janet Ann Lutz
(cont'd from 3-14-24)
(cont'd from 6-27-24 per order granting motion for continuance entered 6-21-24)
(cont'd from 8-29-24 per order granting mtn request for continuance for pre-trial entered 8-14-24)
(cont'd from 12-5-24)
(cont'd from 1-30-25)
(cont'd from 4-03-25 per order granting mtn for continuance entered 3-27-25 -see doc #115)

Docket 65

***** VACATED *** REASON: ADVANCED TO 5-08-25 AT 10:00 A.M.**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for May 8, 2025 [UPDATED SINCE ITS ORIGINAL POSTING]

As this matter has been reassigned to Judge Scott Clarkson, all hearings on today's calendar shall be continued to June 18, 2025 at 10:00 a.m. before Judge Clarkson (Courtroom 5C). **The parties shall, either jointly or individually, file a status report re the status of this matter by June 4, 2025.**

Apperance at this hearing is NOT required.

Tentative for January 30, 2025

6-9: Did the mediation occur? Status? *Appearance required.*

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

Thursday, May 8, 2025

Hearing Room

5A

11:00 AM

CONT... Janet Ann Lutz

Chapter 7

Tentative for December 5, 2024
See #18. *Appearance required.*

Tentative for March 14, 2024
Motion to Set Aside Default Judgment was filed on March 11, 2024 by Ms. Lutz. However, she was informed that notice was short/not provided.
Continue for a combined hearing? Appearance required.

Party Information

Debtor(s):

Janet Ann Lutz

Represented By
Kevin J Kunde

Defendant(s):

Janet Ann Lutz

Pro Se

Plaintiff(s):

Allan Litovsky

Represented By
Allan Litovsky

Trustee(s):

Karen S Naylor (TR)

Pro Se