

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

Wednesday, October 9, 2024

Hearing Room 5A

10:30 AM  
8:00-00000

Chapter

**#0.00 Judge Albert's Motion For Relief From Automatic Stay Hearings & Law & Motion Matters will be held by Judge Smith using ZoomGov video and audio information below.**

**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.

**BY MANDATE OF THE ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS, MEMBERS OF THE PUBLIC AND THE MEDIA MAY ONLY CONNECT TO THE ZOOMGOV AUDIO FEED, AND ONLY BY TELEPHONE. ACCESS TO THE VIDEO FEED BY THESE INDIVIDUALS IS PROHIBITED. IN THE CASE OF A TRIAL OR EVIDENTIARY HEARING, NO AUDIO ACCESS WILL BE PROVIDED.**

Individuals may participate by ZoomGov video and audio using a personal computer (equipped with camera, microphone and speaker), or a handheld mobile device (such as an iPhone or Android phone). Individuals may opt to participate by audio only using a telephone (standard telephone charges may apply).

Neither a Zoom nor a ZoomGov account is necessary to participate and no pre-registration is required. The audio portion of each hearing will be recorded electronically by the Court and constitutes its official record.

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**Chapter**

**Video/audio web address:** <https://cacb.zoomgov.com/j/1605653303>

**ZoomGov meeting number:** 160 565 3303

**Password:** 587621

**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.

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**CONT...**

**Chapter**

- Say your name every time you speak.
- Disconnect from the meeting by clicking "Leave" when you have completed your appearance(s).

Docket 0

**Tentative Ruling:**

- NONE LISTED -

**United States Bankruptcy Court  
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Wednesday, October 9, 2024

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10:30 AM

8:21-11112 Robert W Castillo and Cynthia L Castillo

Chapter 13

#1.00 Motion for relief from the automatic stay PERSONAL PROPERTY

**21st MORTGAGE CORPORATION  
Vs  
DEBTOR**

Docket 61

**Tentative Ruling:**

**October 9, 2024**

Approve Stipulation for Adequate Protection filed with the Court on October 7, 2024. The hearing will go off calendar

***Note: Appearances at the hearing are not required.***

**Party Information**

**Debtor(s):**

Robert W Castillo

Represented By  
Julie J Villalobos

**Joint Debtor(s):**

Cynthia L Castillo

Represented By  
Julie J Villalobos

**Movant(s):**

21st Mortgage Corporation

Represented By  
Diane Weifenbach

**Trustee(s):**

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
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Wednesday, October 9, 2024

Hearing Room 5A

10:30 AM

8:24-11755 George Leo Ramos Olarte

Chapter 7

#2.00 Motion for relief from the automatic stay PERSONAL PROPERTY

**NISSAN MOTOR ACCEPTANCE COMPANY LLC  
Vs.  
DEBTOR**

Docket 26

**Tentative Ruling:**

**October 9, 2024**

Grant 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):**

George Leo Ramos Olarte

Represented By  
Rex Tran

**Movant(s):**

Nissan Motor Acceptance Company

Represented By  
Kirsten Martinez

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
Leonard M Shulman

United States Bankruptcy Court  
Central District of California  
Santa Ana  
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Wednesday, October 9, 2024

Hearing Room 5A

10:30 AM

8:24-11788 Jacqueline Chi Nguyen

Chapter 13

#3.00 Motion for relief from the automatic stay PERSONAL PROPERTY

**TOYOTA MOTOR CREDIT CORPORATION  
Vs.  
DEBTOR**

Docket 24

**Tentative Ruling:**

**October 9, 2024**

Grant with 4001(a)(3) waiver.

*Special note: According to the Motion, Debtor is delinquent one postpetition payment. Should the parties enter into an adequate protection stipulation prior to hearing, movant may lodge an order approving the stipulation in lieu of an order granting immediate relief from stay.*

**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):**

Jacqueline Chi Nguyen

Represented By  
Kevin Tang

**Movant(s):**

Toyota Motor Credit Corporation

Represented By

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
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**Wednesday, October 9, 2024**

**Hearing Room 5A**

10:30 AM

**CONT... Jacqueline Chi Nguyen**

Kirsten Martinez

**Chapter 13**

**Trustee(s):**

Amrane (SA) Cohen (TR)

Pro Se

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

Wednesday, October 9, 2024

Hearing Room 5A

10:30 AM

8:24-11832 Eric Guerra-Cardenas

Chapter 7

#4.00 Motion for relief from the automatic stay PERSONAL PROPERTY

**PARTNERS FEDERAL CREDIT UNION  
Vs  
DEBTOR**

Docket 14

**Tentative Ruling:**

**October 9, 2024**

Continue hearing to November 5, 2024 at 10:30 a.m. to allow Movant to correct service issue -- the Motion was served on less than the 21 days' notice as required by LBR 9013-1(d)(1).

***Note: If Movant accepts the tentative ruling, appearance at this hearing is not required.***

**Party Information**

**Debtor(s):**

Eric Guerra-Cardenas

Represented By  
Chris T Nguyen

**Trustee(s):**

Karen S Naylor (TR)

Pro Se



**United States Bankruptcy Court  
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Wednesday, October 9, 2024

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10:30 AM

8:24-11939 Eric Tam Lee

Chapter 7

#5.00 Motion for relief from the automatic stay PERSONAL PROPERTY

**BMW BANK OF NORTH AMERICA  
Vs.  
DEBTOR**

Docket 10

**Tentative Ruling:**

**October 9, 2024**

Grant 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.***

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

Eric Tam Lee

Represented By  
Daniel King

**Movant(s):**

BMW Bank of North America

Represented By  
Joseph C Delmotte

**Trustee(s):**

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
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**Wednesday, October 9, 2024**

**Hearing Room 5A**

10:30 AM

**8:24-12295 Marlene Catherine Lewis**

**Chapter 13**

**#6.00** Motion In Individual Case For Order Imposing A Stay Or Continuing The Automatic Stay As The Court Deems Appropriate 57 Cottage Lane Aliso Viejo, CA 92656 .

Docket 12

**Tentative Ruling:**

**October 9, 2024**

The Court is inclined to grant the Motion. However, Debtor's counsel must appear at the hearing and address the following issues:

1. Debtor's stated intent in the Motion is to sell the Property within four months and pay all creditors in full. However, just seven days prior to the Motion, Debtor filed a plan which indicated that creditors would be paid in montly payments over 60 months. No amended plan has been filed.
2. In the Motion unsecured debt is stated as being only \$22,000. However, the Motion does not mention the additional \$27,251.44 priority unsecured debt asserted by the Franchise Tax Board. See Claim #3-1 filed on 10/7/24. Side note: the Plan provides for non-priority unsecured debt in the amount of \$53,917.98. These discrepancies need to be explained.
3. Presumably, Debtor intends to pay unsecured credits from her homestead exemption proceeds.
4. Has Debtor employed a broker to market the property for sale?

***Note: Appearance at this hearing is required.***

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

Marlene Catherine Lewis

Represented By  
Joshua Sternberg

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**CONT... Marlene Catherine Lewis**

**Chapter 13**

**Movant(s):**

Marlene Catherine Lewis

Represented By  
Joshua Sternberg

**Trustee(s):**

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court  
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**Wednesday, October 9, 2024**

**Hearing Room 5A**

10:30 AM

**8:23-11627 Vu Le**

**Chapter 11**

**#7.00** Second And Final Application For Fees And/Or Expenses For Period: 1/1/2024 to 9/18/2024:

**ARTURO M. CISNEROS , SUBCHAPTER V TRUSTEE:**

**FEE: \$10,624.00**

**EXPENSES: \$0.00**

Docket 149

**\*\*\* VACATED \*\*\* REASON: THIS MATTER HAS BEEN RE-SCHEDULED TO 10/23/24 AT 10:00 A.M.**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

Vu Le

Represented By  
Andy C Warshaw  
Richard L. Sturdevant  
David M Goodrich

**Trustee(s):**

Arturo Cisneros (TR)

Represented By  
Arturo Cisneros

**United States Bankruptcy Court  
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10:30 AM

**8:24-11866 TOURA #5, LP**

**Chapter 11**

**#8.00** RJS Financial's Motion For Order Determining That Debtor's Real Property Is Single Asset Real Estate Pursuant To 11 U.S.C. Sections 101(51B) And 362(d)(3)

Docket 36

**Tentative Ruling:**

**October 9, 2024**

This motion is unopposed. Grant Motion as follows:

1. The Property is determined to be a single asset real estate within the meaning of 11 U.S.C Section 101(51)(B);
  
2. Section 362(d)(3) applies. Debtor must comply with 362(d)(3)(A) or (B) not later than 30 days following entry of the order approving the Motion.

***Note: If Movant accepts the tentative ruling, appearance at this hearing is not required.***

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

TOURA #5, LP

Represented By  
Nancy Korompis