

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

**Thursday, October 14, 2021**

**Hearing Room 5A**

9:30 AM  
**8:00-00000**

**Chapter**

**#0.00 All hearings on this calendar will be conducted remotely, using ZoomGov video and audio.**

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**Meeting URL: <https://cacb.zoomgov.com/j/1604989658>**

**Meeting ID: 160 498 9658**

**Password: 486192**

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

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**Chapter**

"Telephonic Instructions" section.

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

- Connect 10 minutes before your hearing time 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 completed your appearance(s).

Docket 0

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

- NONE LISTED -

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**8:18-14511 One Source Facility Solution, Inc.**

**Chapter 7**

Adv#: 8:20-01170 Casey v. Joshi et al

**#1.00 PRE-TRIAL CONFERENCE RE: Chapter 7 Trustee's Adversary Complaint:  
1) To Avoid and Recover Fraudulent Transfers; 2) For Recovery of Transfers;  
3) For Preservation of Transfers; 4) For Disallowance of Claim**

FR: 3-4-21

Docket 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**March 4, 2021**

This adversary appears to be a duplicate of Adv No. 20-01171 though no motion to consolidate the adversaries has been filed. Plaintiff to appear and advise the court re the status of this matter as no Status Report has been filed.

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**October 14, 2021**

Off-Calendar. Dismiss adversary proceeding as duplicative of Adv.No. 20-01171.

No tentative

**Party Information**

**Debtor(s):**

One Source Facility Solution, Inc.

Represented By  
James R Selth  
Nina Z Javan

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**CONT... One Source Facility Solution, Inc.**

**Chapter 7**

**Defendant(s):**

Dilip Joshi	Pro Se
Nishan Joshi	Pro Se
Vasanti Joshi	Pro Se
JP MORGAN CHASE BANK, NA	Pro Se
WELLS FARGO BANK, N.A.	Pro Se
West One Property Services, Inc.	Pro Se
Loan Care, LLC	Pro Se
NewRez LLC	Pro Se
Flagstar Mortgage Corp.	Pro Se
CITIBANK N.A.	Pro Se
Orlando A Molina	Pro Se

**Plaintiff(s):**

Thomas H Casey	Represented By Brennan Mitch
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**Trustee(s):**

Thomas H Casey (TR)	Pro Se
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9:30 AM

**8:18-14512 One Source Facility Maintenance, Inc.**

**Chapter 7**

Adv#: 8:20-01171 Casey v. Joshi et al

**#2.00** PRE-TRIAL CONFERENCE RE: Chapter 7 Trustee's Adversary Complaint:  
1) To Avoid and Recover Fraudulent Transfers; 2) For Recovery of Transfers;  
3) For Preservation of Transfers; 4) For Disallowance of Claim

FR: 3-4-21

Docket 1

\*\*\* VACATED \*\*\* REASON: CONTINUED TO 1/20/2022 AT 9:30 A.M.,  
Per Order Entered 8/13/2021 (XX)

**Courtroom Deputy:**

**SPECIAL NOTE: Notice of Voluntary Dismissal of All Claims Against Defendants Nishan Joshi and West One Property Services, Inc. Only, filed 2/26/2021 - td (2/26/2021)**

**CONTINUED: Pre-trial Conference Continued to 1/20/2022 at 9:30 a.m., Per Order Entered 8/13/2021 (XX) - td (8/13/2021)**

**Tentative Ruling:**

**March 4, 2021**

Discovery Cut-off Date:	Sept. 3, 2021
Deadline to Attend Mediation:	Aug. 2, 2021
Pretrial Conference Date: (XX)	Oct. 14, 2021 at 9:30 a.m.
Deadline to file Joint Pretrial Stipulation:	Sept. 30, 2021:

**Note: If all parties agree with the foregoing schedule, appearances at today's hearing are waived and Plaintiff shall serve/lodge a scheduling order consistent with the same.**

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**CONT... One Source Facility Maintenance, Inc.**

**Chapter 7**

**Debtor(s):**

One Source Facility Maintenance,	Represented By James R Selth
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**Defendant(s):**

Dilip Joshi	Pro Se
Nishan Joshi	Pro Se
Vasanti Joshi	Pro Se
Orlando A Molina	Pro Se
JPMORGAN CHASE BANK N.A.	Pro Se
Citibank, N.A.	Pro Se
WELLS FARGO BANK, N.A.	Pro Se
Flagstar Mortgage Corp.	Pro Se
NewRez LLC	Pro Se
Loan Care, LLC	Pro Se
West One Property Services, Inc.	Pro Se

**Plaintiff(s):**

Thomas H Casey	Represented By Brennan Mitch
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**Trustee(s):**

Thomas H Casey (TR)	Pro Se
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**8:19-13752 Catherine Melissa-Ann Guinto**

**Chapter 7**

Adv#: 8:20-01004 Upstream Capital Investments LLC v. Guinto

**#3.00** CON'TD PRE-TRIAL CONFERENCE RE: Complaint Seeking Non-Dischargeability of Debt in Core Adversary Proceeding.

FR: 4-2-20; 6-11-20; 11-5-20; 1-14-21; 4-1-21; 7-22-21

Docket 1

\*\*\* VACATED \*\*\* REASON: CONTINUED TO 1/20/2022 AT 9:30 AM.,  
Per Order Entered 9/29/2021 (XX)

**Courtroom Deputy:**

**CONTINUED: Pre-Trial Conference Continued to 1/20/2022 at 9:30 a.m.,  
Per Order Entered 9/29/2021 (XX) - td (9/29/2021)**

**Tentative Ruling:**

**[Special Notice: This hearing is being conducted by Zoomgov. See the first page of the calendar for today's hearings for participation details.]**

**April 2, 2020**

No proof of service or joint status report have been filed. Plaintiff must appear and advise the court as to why the same were not timely filed.

***Note: Telephonic appearance by Plaintiff's counsel is required.***

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**June 11, 2020 [TENTATIVE MODIFIED SINCE ORIGINAL POSTING]**

Joint status report was not timely filed by May 28, 2020. Impose sanctions in the amount of \$100 against Plaintiff's counsel for failure to do so.

Discovery Deadline:	Aug. 14, 2020
Deadline to attend mandatory mediation:	Sept. 30, 2020
Pretrial Conference:	Nov. 5, 2020 at 9:30

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CONT... Catherine Melissa-Ann Guinto

Chapter 7

a.m.

(XX)

Joint Pretrial Stipulation due:

Oct. 22, 2020

***Note: If the parties accept the foregoing tentative ruling, appearances at this hearing are not required; Plaintiff's counsel shall lodge a scheduling order consistent with the same. Sanctions payable within 30 days of the hearing, payable to the Clerk of the Bankruptcy Court - Central Dist. CA***

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**November 5, 2020**

Continue the Pretrial Conference to December 10, 2020 to allow Defendant one final opportunity to participate in the drafting of the Pretrial Stipulation. Defendant must advise Plaintiff's counsel of her suggested revisions to the Pretrial Stipulation no later than November 19, 2020 and Plaintiff will provide Defendant with a copy of the revised Pretrial Stipulation no later than November 30, 2020. The final version of the Joint Pretrial Stipulation must be filed no later than December 3, 2020.

Court's Comments

1. It is Defendant's best interest to participate in the drafting of the Joint Pretrial Stipulation ("Stipulation") because the Stipulation establishes all issues that will be decided at trial as well as the exhibits and witness that may be presented. Defendant is advised to review Local Bankruptcy Rule 7016-1 re the preparation of joint pretrial stipulations. Unless Defendant participates in the process, the unilateral Joint Pretrial Stipulation (except as noted below) will stand. Defendant is strongly advised to communicate with Plaintiff's counsel regarding the Stipulation.

2. On pages 2 and 3 of the Stipulation, Plaintiff lists all facts it believes are not in dispute. See paragraphs 1 (a) through (j). If Defendant disagrees with any of those facts, she needs to advise Plaintiff's counsel so that the disputed fact(s) can be included in paragraph 2 (starting at p.3, lines 15-27 to p. 4,



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CONT... Catherine Melissa-Ann Guinto

Chapter 7

lines 1-4). For example, if Defendant agrees that she filed a chapter 7 bankruptcy case on September 26, 2019, that is an "agreed" fact that need not be determined at trial. It is Defendant's responsibility to identify any facts in paragraph 1 that genuinely disputes and communicate that to Defendant.

3. Paragraph 2 includes facts that the parties do not agree on that must be decided by the court at trial, such as whether Defendant made false statements regarding the loan, etc.

4. Plaintiff states as an undisputed fact on p. 3 at lines 3-7 that a "default judgment for *fraud* was entered." However, though the complaint attaches several exhibits, a copy of the actual judgment (showing fraud) was not attached. This is important because the state court complaint also includes a cause of action for breach of contract (which is dischargeable) and there is at least a possibility that the judgment could be solely for breach of contract. The court notes that the judgment is not included on Plaintiff's list of exhibits.

5. Defendant needs to provide to Plaintiff's counsel by November 19, 2020 a) her list of witnesses (even if its just herself) and a short summary of what the witnesses will testify to; and b) her list of exhibits that she will present in her defense. If Defendant does not provide a list of witnesses or exhibits by November 19, 2020, she will not be allowed to present them at trial.

6. The trial date will be provided at the December 10, 2020 hearing.

***Note: If the both parties accept the tentative ruling, appearances at this hearing are not required and Plaintiff shall serve notice of the continued hearing date and deadlines. Plaintiff is also encouraged to provide Defendant with a copy of the the tentative ruling prior to the hearing.***

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

Catherine Melissa-Ann Guinto

Represented By  
Lawrence B Yang

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**CONT...      Catherine Melissa-Ann Guinto**

**Chapter 7**

**Defendant(s):**

Catherine Melissa-Ann Guinto      Pro Se

**Plaintiff(s):**

Upstream Capital Investments LLC      Represented By  
Lynda E Jacobs

**Trustee(s):**

Weneta M Kosmala (TR)      Pro Se

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9:30 AM

8:20-12420 Lisa Anne Braski

Chapter 7

Adv#: 8:20-01165 Braski v. Ascendium Education Solutions et al

**#4.00** CONT'D PRE-TRIAL CONFERENCE RE: Debtor's Complaint to Determine Dischargeability of Student Loan Debts Under 11 U.S.C. Section 523(a)(8), Based on Undue Hardship; and/or Alternatively that Each of the Student Loans are not Qualified Educational Loans Excepted from Discharge

FR: 3-4-21; 9-2-21

Docket 1

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR: Judgment Pursuant to Stipulation for Entry of Judgment Entered 9/17/2021**

**Courtroom Deputy:**

**OFF CALENDAR: Judgment Pursuant to Stipulation for Entry of Judgment Entered 9/17/2021 - td (9/17/2021)**

**Tentative Ruling:**

**March 4, 2021**

Discovery Cut-off Date:	June 4, 2021
Deadline to Attend Mediation:	July 30, 2021
Pretrial Conference Date:	Sept. 2, 2021 at 9:30 a.m.
(XX)	
Deadline to file Joint Pretrial Stipulation:	Aug. 19, 2021

**Note: If all parties agree with the foregoing schedule, appearances at today's hearing are waived and Plaintiff shall serve/lodge a scheduling order consistent with the same.**

**Party Information**

**Debtor(s):**

Lisa Anne Braski

Represented By  
Jeffrey N Wishman

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**CONT...      Lisa Anne Braski**

**Chapter 7**

**Defendant(s):**

Ascendium Education Solutions	Pro Se
Educational Credit Management	Pro Se

**Plaintiff(s):**

Lisa Anne Braski	Represented By Marcus G Tiggs Leon D Bayer
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**Trustee(s):**

Jeffrey I Golden (TR)	Pro Se
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10:00 AM

**8:21-11522 Integrity Builders & Associates, Inc.**

**Chapter 7**

**#5.00** Hearing RE: Motion for relief from automatic stay  
[ACTION IN NON-BANKRUPTCY FORUM]

ONSEN LLC

VS.

DEBTOR

Docket 15

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**October 14, 2021**

Grant motion. Overrule Debtor's objections.

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

Integrity Builders & Associates, Inc.

Represented By  
Stirling J Hopson

**Movant(s):**

Onsen LLC

Represented By  
Mark M Sharf

**Trustee(s):**

Jeffrey I Golden (TR)

Pro Se

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10:00 AM

**8:21-11723 Advantage Manufacturing, Inc.**

**Chapter 11**

**#6.00** Hearing RE: Motion for relief from automatic stay  
[ACTION IN NON-BANKRUPTCY FORUM]

ZHEJIANG CRAFAB ELECTRIC CO., LTD.

VS.

DEBTOR

Docket 61

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**October 14, 2021**

Grant the motion for the reasons and based upon the legal analysis stated in the Motion; overrule Debtor's objections as unpersuasive.

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

Advantage Manufacturing, Inc.

Represented By  
Michael G Spector  
Vicki L Schennum

**Movant(s):**

Zhejiang Crafab Electric Co., Ltd.

Represented By  
Larry W Gabriel

**Trustee(s):**

Robert Paul Goe (TR)

Pro Se

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10:00 AM

**8:21-11987 Andrea A Montalvo**

**Chapter 13**

**#7.00** Hearing RE: Motion for relief from the automatic stay [REAL PROPERTY]

U.S. BANK TRUST NATIONAL ASSOCIATION

VS.

DEBTOR

Docket 18

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**October 14, 2021**

Grant motion with all relief requested, including *in rem* relief under Section 362(d)(4).

*Special Note: The court did consider the late-filed opposition of Debtor because Debtor's counsel was erroneously terminated from the NEF program by the court.*

Basis for Tentative Ruling:

1. This is the fourth bankruptcy filing in less than three years. The first three were all failed chapter 13 cases filed by Debtor's father, Ernesto Mantalvo ("Ernesto").

2. The mortgage payments were three years delinquent at the time the a portion of the property was transferred by Ernesto to Debtor for no consideration on August 12, 2021, just four days prior to the scheduled foreclosure and the filing of the present case. Indeed, at the time of the transfer, Judge Wallace had entered an order dismissing case No. 21-11046

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**CONT...**

**Andrea A Montalvo**

**Chapter 13**

with a 180-day bar (the bar was subsequently removed by order entered after the instant case was filed).

3. According to her Schedule I, Debtor is unemployed and has insufficient income to pay the mortgage payments, taxes and insurance re the property, let alone ordinary living expenses.

4. Debtor states in her Schedule A/B that she is the sole owner of the property. This is not true -- by her own admission in her declaration in opposition to the Motion, Ernesto transferred the property to her and himself as joint tenants. See Declaration of Andrea Montalvo at paragraph 13. Further, based on the the representations made in paragraph 11 of the same declaration, it would appear that her aunt and uncle each claim an interest in the property as trust beneficiaries. Their interests are not listed in Schedule A/B.

5. Debtor states in Schedule J that the mortgage, property taxes and insurance is only \$2280 per month. This apparently is not true. In Ernesto's most recent bankruptcy filing, 21-11046MW, he indicates that the monthly amount is 3900.00

6. Debtor's plan provides that a motion to sell the property is to be filed prior to the 341a meeting of creditors. The 341a meeting took place on September 28, 2021. To date, no such motion has been filed. The court notes parenthetically, that online valuation websites such as Redfin and Zillow are not evidence of the value of a particular property.

7. Given the multiple bankruptcy cases and the transfer for no consideration just days before the foreclosure and fiing (not to mention the substantial arrears), this matter falls squarely within the scope of the purpose for which Section 362(d)(4) was intended by Congress. More specifically, the evidence indicates that this bankruptcy case was filed as part of a scheme to delay or hinder a creditor, despite Debtor's self-serving argument to the contrary.

<b>Party Information</b>
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**CONT... Andrea A Montalvo**

**Chapter 13**

**Debtor(s):**

Andrea A Montalvo

Pro Se

**Movant(s):**

U.S. Bank Trust National

Represented By  
Erica T Loftis Pacheco

**Trustee(s):**

Amrane (SA) Cohen (TR)

Pro Se

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10:30 AM

8:19-11813 J & M Masonry Inc

Chapter 7

#8.00 Hearing RE: Trustee's Final Report and Application for Final Fees and Expenses

**[JEFFREY I. GOLDEN, CHAPTER 7 TRUSTEE]**

Docket 23

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**October 14, 2021**

Approve fees and expenses as requested.

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

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

J & M Masonry Inc

Represented By  
Onyinye N Anyama

**Trustee(s):**

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court  
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8:19-14949 Gustavus Ong Mata

Chapter 7

#9.00 Hearing RE: Chapter 7 Trustee's Final Report and Application for Final Fees and Expenses

**[RICHARD A. MARSHACK, CHAPTER 7 TRUSTEE]**

Docket 38

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**October 14, 2021**

Approve fees and expenses as requested.

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

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

Gustavus Ong Mata

Represented By  
Marlon B Baldomero

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
Melissa Davis Lowe

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Thursday, October 14, 2021

Hearing Room 5A

10:30 AM

8:19-14949 Gustavus Ong Mata

Chapter 7

#10.00 Hearing RE: First and Final Application for Approval of Fees and Reimbursement of Expenses

[SHULMAN BASTIAN FRIEDMAN & BUI LLP, ATTORNEYS FOR THE CHAPTER 7 TRUSTEE]

Docket 35

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**October 14, 2021**

Approve fees and expenses as requested.

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

**Party Information**

**Debtor(s):**

Gustavus Ong Mata

Represented By  
Marlon B Baldomero

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
Melissa Davis Lowe

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**8:20-10940 Steven D. Kallestad and Sarah B. Kallestad**

**Chapter 7**

**#11.00** Hearing RE: U.S. Trustee's Motion for Denial of Discharge Pursuant to 11 U.S.C. Section 727(a)(8)

Docket 53

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**October 14, 2021**

Grant the Motion.

***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):**

Steven D. Kallestad

Represented By  
Christine A Kingston

**Joint Debtor(s):**

Sarah B. Kallestad

Represented By  
Christine A Kingston

**Trustee(s):**

Weneta M.A. Kosmala (TR)

Pro Se

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10:30 AM

**8:21-10513 Rosa A Fridman**

**Chapter 7**

Adv#: 8:21-01023 Avetoom v. Fridman

**#12.00** Hearing RE: Plaintiff Karl Avetoom's Motion to Strike Defendant's Amendment to Her Answer Unlawfully Filed by Attorney Scott Talkov in Violation of LBR 7015-1, FRBP 7015 Incorporating, F.R.CIV.P. 15

Docket 32

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**October 14, 2021**

Grant motion pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure.

*Special note: The court is aware that Defendant has filed a motion for leave to file an amended answer, which motion is set for hearing on November 9, 2021. However, such motion does not affect the court's ruling on the instant motion to strike.*

**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):**

Rosa A Fridman

Represented By  
Scott Talkov

**Defendant(s):**

Rosa Fridman

Represented By  
Scott Talkov

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**CONT...      Rosa A Fridman**

**Chapter 7**

**Plaintiff(s):**

Karl Avetoom

Pro Se

**Trustee(s):**

Karl T Anderson (TR)

Represented By  
Melissa Davis Lowe

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10:30 AM

**8:21-10608 DEA Brothers Sisters LLC**

**Chapter 11**

**#13.00** CONT'D Hearing RE: Debtor's Objection to Proof of Claim No. 2-1 filed by A&G Interprises, LLC,

FR: 9-30-21

Docket 203

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**October 14, 2021**

The parties are ordered to meet and confer re the amended proof of claim by or before October 29, 2021. Any supplemental pleadings by Claimant to be filed by November 5, 2021 and any supplemental reply by Debtor to be filed by November 12, 2021. Hearing continued to November 18, 2021 at 10:30 a.m.

Basis for Tentative Ruling:

1. The filing of the tentative ruling moots the original proof of claim that Debtor objected to.
2. The court finds that Claimant, having the ultimate burden of proof, has not satisfied that burden as to the \$178,217 acknowledged as being received in writing by its managing member Ana Gladys Hueza. Her declaration stating that she was essentially duped into signing the acknowledgment strains credulity. Further, she signed a very detailed declaration *in English*.
3. Debtor has not provided sufficient evidence that the \$47,000 paid to Mr. Gonzalez outside the escrow should be credited against the loan.
4. It appears that many payments were made without specific attribution to



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**CONT... DEA Brothers Sisters LLC**

**Chapter 11**

there treatment re the loan. If the parties cannot reach a resolution, the court may have to set an evidentiary hearing.

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

DEA Brothers Sisters LLC

Represented By  
John H Bauer

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

**Thursday, October 14, 2021**

**Hearing Room 5A**

10:30 AM

**8:21-10608 DEA Brothers Sisters LLC**

**Chapter 11**

**#14.00** Hearing RE: Debtor's Motion to Remove the Federal and FTB Tax Liens from the Real Property Located at 16502 S. Main St., Carson, CA 90248

Docket 248

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR - NOTICE OF  
WITHDRAWAL OF DOC. #248 SEE DOCUMENT #264**

**Courtroom Deputy:**

**OFF CALENDAR: NOTICE OF WITHDRAWAL OF DOC. #248 SEE  
DOCUMENT #264 - gkd (10/04/21)**

**Tentative Ruling:**

- NONE LISTED -

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

DEA Brothers Sisters LLC

Represented By  
John H Bauer

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

**Thursday, October 14, 2021**

**Hearing Room 5A**

10:30 AM

**8:21-10635 Alicia Marie Richards**

**Chapter 7**

**#15.00** Hearing RE: Debtor's Motion For Stay of Bankruptcy Proceedings Pending Appeal of Order Denying Motion to Convert to Chapter 13 [FRBP 8007]

Docket 304

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**October 14, 2021**

Deny motion. Debtor has not satisfied her burden of proof that a stay is warranted.

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

Alicia Marie Richards

Pro Se

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
Richard G Heston  
D Edward Hays

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

**Thursday, October 14, 2021**

**Hearing Room 5A**

10:30 AM

**8:21-10635 Alicia Marie Richards**

**Chapter 7**

**#16.00** Hearing RE: Application by Chapter 7 Trustee to Employ Marshack Hays LLP as Successor General Counsel

Docket 298

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**October 14, 2021**

Approve application, effective August 18, 2021. Overrule Debtor's objections. The court does not consider the application to be *nunc pro tunc*.

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

Alicia Marie Richards

Pro Se

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
Richard G Heston  
D Edward Hays

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

**Thursday, October 14, 2021**

**Hearing Room 5A**

10:30 AM

**8:21-10635 Alicia Marie Richards**

**Chapter 7**

**#17.00** Hearing RE: Application by Chapter 7 Trustee to Employ Richard G. Heston and Heston & Heston, Attorneys at Law

Docket 233

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**October 14, 2021**

Approve application through August 17, 2021 only.

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

Alicia Marie Richards

Pro Se

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
Richard G Heston

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

**Thursday, October 14, 2021**

**Hearing Room 5A**

10:30 AM

**8:21-10635 Alicia Marie Richards**

**Chapter 7**

**#18.00** CON'TD Hearing RE: Application to Employ Hayward Appraisal Company as Appraiser for Trustee

FR: 9-30-21

Docket 218

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**October 14, 2021**

*Note: This matter remains under review by the court. A tentative ruling may be posted at any time prior to the hearing.*

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

Alicia Marie Richards

Pro Se

**Movant(s):**

Richard A Marshack (TR)

Represented By  
Richard G Heston

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
Richard G Heston

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

Thursday, October 14, 2021

Hearing Room 5A

10:30 AM

8:21-10779 Mehr Group of Companies Holding Inc.

Chapter 11

#19.00 Hearing RE: Final Application for Allowance and Reimbursement of Expenses

**[FINANCIAL RELIEF LAW CENTER, COUNSEL FOR DEBTOR IN  
POSSESSION]**

Docket 143

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**October 14, 2021**

Approve fees and expenses as requested on an interim basis.

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

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

Mehr Group of Companies Holding

Represented By

Andy C Warshaw

Richard L. Sturdevant

**Trustee(s):**

Robert Paul Goe (TR)

Pro Se

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

Thursday, October 14, 2021

Hearing Room 5A

10:30 AM

8:21-10779 Mehr Group of Companies Holding Inc.

Chapter 11

#20.00 Hearing RE: First and Final Fee Application

**[ROBERT P. GOE, SUB CHAPTER V TRUSTEE]**

Docket 139

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**October 14, 2021**

Approve fees and expenses as requested an interim basis.

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

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

Mehr Group of Companies Holding

Represented By

Andy C Warshaw

Richard L. Sturdevant

**Trustee(s):**

Robert Paul Goe (TR)

Pro Se



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

Thursday, October 14, 2021

Hearing Room 5A

10:30 AM

8:21-10779 Mehr Group of Companies Holding Inc.

Chapter 11

#21.00 Hearing RE: Motion by Debtor to Dismiss Case Pursuant to 11 U.S.C. Section 1112(b); and Request for Judgment for Quarterly Fees Due and Payable to the U.S. Trustee at the Time of Hearing

Docket 128

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**October 14, 2021**

Continue the hearing on this motion to December 9, 2021 at 10:30 a.m.

***Note: If all parties accept the tentative ruling, appearances at this hearing are not required.***

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

Mehr Group of Companies Holding

Represented By

Andy C Warshaw

Richard L. Sturdevant

**Trustee(s):**

Robert Paul Goe (TR)

Pro Se

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

**Thursday, October 14, 2021**

**Hearing Room 5A**

10:30 AM

**8:21-10958 Plamex Investment, LLC**

**Chapter 11**

**#22.00** CON'TD STATUS CONFERENCE Hearing on Status of Chapter 11 Case; and  
(2) Requiring Report on Status of Chapter 11 Case

FR: 6-17-21

Docket 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**June 17, 2021**

Claims Bar Date: 8/20/21

Deadline to file plan/DS  
(subject to any motion to  
extend exclusivity) 9/30/21

Continued Ch 11 Status Conf.: 10/14/21 at 10:30 a.m. (XX)

Updated Status Report due: 9/30/21 (waived if plan and DS  
filed)

***Note: If Debtors are in substantial compliance with the requirements of  
the UST, appearance at this hearing is not required. Court to issue its  
own order.***

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**October 14, 2021**

Continue Status Conference to November 18, 2021 at 10:30 a.m. Updated  
Status Report must be filed by November 4, 2021 only if a bid procedures  
motion has not been filed by such date.

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

Thursday, October 14, 2021

Hearing Room 5A

10:30 AM

CONT... Plamex Investment, LLC

Chapter 11

***Note: If Debtors are in substantial compliance with the requirements of the UST, appearance at this hearing is not required. Court to issue its own order.***

Party Information

**Debtor(s):**

Plamex Investment, LLC

Represented By  
Ron Bender  
Juliet Y Oh  
Monica Y Kim

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

**Thursday, October 14, 2021**

**Hearing Room 5A**

10:30 AM

**8:21-12158 Besthost Inn LLC**

**Chapter 11**

**#23.00** STATUS CONFERENCE Hearing on Status of SubChapter V Case; (2) Requiring Report on Status of SubChapter V Case by Debtor and SubChapter V Trustee; and (3) Requiring SubChapter V Trustee to Appear at the Status Conference

Docket 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

**October 14, 2021**

Continue Status Conference to October 21, 2021 at 2:00 p.m., same date/time as other matters concerning this case. Updated Status Report not required.

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

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

Besthost Inn LLC

Represented By  
Michael Jay Berger

**Trustee(s):**

Robert Paul Goe (TR)

Pro Se

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

**Thursday, October 14, 2021**

**Hearing Room 5A**

10:30 AM

**8:21-12190 Black Oak Group, LLC**

**Chapter 11**

**#24.00** Hearing RE: Debtor's Motion to Dismiss Chapter 11 Case

Docket 19

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR: Order of Dismissal for  
Failure to File Schedules, Statements and/or Plan Entered 9/22/2021**

**Courtroom Deputy:**

**OFF CALENDAR: Order of Dismissal for Failure to File Schedules,  
Statements and/or Plan Entered 9/22/2021 - td (9/22/2021)**

**Tentative Ruling:**

- NONE LISTED -

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

Black Oak Group, LLC

Represented By  
Bert Briones

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

Thursday, October 14, 2021

Hearing Room 5A

2:00 PM

**8:18-12967 Lillian Sikanovski Dulac**

**Chapter 7**

Adv#: 8:19-01078 Bertrand H Dulac and Georgette C Dulac, Trustees o v. Dulac et al

**#25.00** Hearing RE: Motion for Summary Judgment on Claims 3, 4 and 5 in Chapter 7 Trustee's Complaint in Intervention, or in the Alternative, for a Determination of Facts not Genuinely in Dispute on Complaint-in-Intervention

Docket 76

**\*\*\* VACATED \*\*\* REASON: MOTION CONTINUED AS A STATUS  
CONFERENCE REGARDING THE SUMMARY JUDGMENT MOTION  
TO 12/16/2021 AT 10:30 a.m., Per Order Entered 10/1/2021 (XX)**

**Courtroom Deputy:**

**CONTINUED: Motion Continued as a Status Conference Regarding the  
Summary Judgment Motion to 12/16/2021 at 10:30 a.m., Per Order  
Entered 10/1/2021 (XX) - td (10/1/2021)**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

Lillian Sikanovski Dulac

Represented By  
Michael Jones  
Sara Tidd

**Defendant(s):**

Ronald H. Dulac

Represented By  
Erin P Moriarty

Lillian Sikanovcki Dulac

Pro Se

**Plaintiff(s):**

Bertrand H Dulac and Georgette C

Represented By  
Ronald Appel  
Michael Jones  
Erin P Moriarty

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

**Thursday, October 14, 2021**

**Hearing Room 5A**

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2:00 PM

**CONT... Lillian Sikanovski Dulac**

**Chapter 7**

**Trustee(s):**

Weneta M.A. Kosmala (TR)

Represented By  
Erin P Moriarty