

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Martin R. Barash, Presiding
Courtroom 303 Calendar**

Tuesday, July 23, 2024

Hearing Room 303

12:00 PM

1: -

Chapter

#0.00 All hearings on this calendar will be conducted in Courtroom 303 at 21041 Burbank Boulevard, Woodland Hills, California, 91367. All parties in interest, members of the public and the press may attend the hearings on this calendar in person.

Additionally, (except with respect to evidentiary hearings, or as otherwise ordered by the Court) parties in interest (and their counsel) may connect by ZoomGov audio and video free of charge, using the connection information provided below. Members of the public and the press may only connect to the zoom audio feed, and only by telephone. Access to the video feed by these individuals is prohibited.

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Video/audio web address: <https://cacb.zoomgov.com/j/1619758743>

ZoomGov meeting number: 161 975 8743

Password: 622767

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

For more information on appearing before Judge Barash by ZoomGov, please see the information entitled "Tips for a Successful ZoomGov Court Experience" on the Court's website at: <https://www.cacb.uscourts.gov/judges/honorable-martin-r-barash> under the tab "Phone/Video Appearances."

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Martin R. Barash, Presiding
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Chapter

Judge Barash seeks to maintain a courtroom in which all persons are treated with dignity and respect, irrespective of their gender identity, expression or preference. To that end, individuals are invited to identify their preferred pronouns (he, she, they, etc.) and their preferred honorific (Mr., Miss, Ms., Mrs., Mx, M, etc.) in their screen name, or by advising the judge or courtroom deputy.

Docket 0

Tentative Ruling:

- NONE LISTED -

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Martin R. Barash, Presiding
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Tuesday, July 23, 2024

Hearing Room 303

12:00 PM

1:24-10366 Jesse Walter Alarca and Jordyn Lanae Alarca

Chapter 7

#1.00 Reaffirmation Agreement Between Debtor
and Logix Federal Credit Union

fr. 5/15/24; 6/18/24

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jesse Walter Alarca

Represented By
Todd J Roberts

Joint Debtor(s):

Jordyn Lanae Alarca

Represented By
Todd J Roberts

Trustee(s):

Nancy J Zamora (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Martin R. Barash, Presiding
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Tuesday, July 23, 2024

Hearing Room 303

12:00 PM

1:24-10401 Michael Tyron Jones, Jr.

Chapter 7

#2.00 Reaffirmation Agreement Between
Debtor and JPMorgan Chase Bank, N.A.

fr. 6/18/24

Docket 15

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Tyron Jones Jr.

Pro Se

Trustee(s):

Amy L Goldman (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Martin R. Barash, Presiding
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Tuesday, July 23, 2024

Hearing Room 303

12:00 PM

1:24-10470 Ashley Ann Bautista

Chapter 7

**#3.00 Reaffirmation Agreement Between
Debtor and OneMain**

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ashley Ann Bautista

Represented By
David H Chung

Trustee(s):

Nancy J Zamora (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Tuesday, July 23, 2024

Hearing Room 303

12:00 PM

1:24-10702 Thanh Tho Thi Bui and Joseph Anthony Insalaco

Chapter 7

**#4.00 Reaffirmation Agreement Between Debtor
and American Honda Finance Corporation**

fr.6/18/24

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Thanh Tho Thi Bui

Represented By
Nathan A Berneman

Joint Debtor(s):

Joseph Anthony Insalaco

Represented By
Nathan A Berneman

Trustee(s):

David Keith Gottlieb (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
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12:00 PM

1:24-10702 Thanh Tho Thi Bui and Joseph Anthony Insalaco

Chapter 7

**#5.00 Reaffirmation Agreement Between Debtor
and 21st Mortgage Corporation**

Docket 22

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Thanh Tho Thi Bui

Represented By
Nathan A Berneman

Joint Debtor(s):

Joseph Anthony Insalaco

Represented By
Nathan A Berneman

Trustee(s):

David Keith Gottlieb (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Martin R. Barash, Presiding
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Tuesday, July 23, 2024

Hearing Room 303

12:00 PM

1:24-10464 Henry Ignacio Mendoza and Victoria Banzuela Nesas

Chapter 7

**#5.01 Reaffirmation Agreement Between Debtor
and Lincoln Automotive Financial Services**

Docket 20

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Henry Ignacio Mendoza

Represented By
R Grace Rodriguez

Joint Debtor(s):

Victoria Banzuela Nesas

Represented By
R Grace Rodriguez

Trustee(s):

David Keith Gottlieb (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
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Tuesday, July 23, 2024

Hearing Room 303

12:00 PM

1:24-10525 Alvaro Mauricio Vallejos and Aurora Vallejos

Chapter 7

**#5.02 Reaffirmation Agreement Between
Debtor and Nationstar Mortgage LLC**

Docket 22

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Alvaro Mauricio Vallejos

Represented By
Danny K Agai

Joint Debtor(s):

Aurora Vallejos

Represented By
Danny K Agai

Trustee(s):

Nancy J Zamora (TR)

Pro Se

**United States Bankruptcy Court
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San Fernando Valley
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Chapter

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Docket 0

Tentative Ruling:

- NONE LISTED -

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Martin R. Barash, Presiding
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Tuesday, July 23, 2024

Hearing Room 303

1:30 PM

1:20-11784 Valley Enterprises T.S. Inc

Chapter 7

Adv#: 1:22-01052 Weil v. Pasco et al

#6.00 Status conference re amended complaint

fr. 12/13/22; 4/11/23; 8/29/23; 12/5/23; 12/7/23;
3/12/24

Docket 4

***** VACATED *** REASON: Continued to 8/13/24 at 1:30 pm on the
Court's own motion**

Tentative Ruling:

Ruling for March 12, 2024

Continued to 7/23/24 @ 1:30 p.m. Updated status report to be filed by 7/16/24. The deadline to complete discovery / amend the pleadings / join parties is extended to 8/30/24.

The deadline to file case dispositive pre-trial motions to 9/27/24.

Trustee to lodge an order.

Ruling for December 7, 2023

Continued to 3/12/24 @ 1:30 p.m. The deadlines to complete discovery, amend pleadings, join parties and file case-dispositive motions are extended 120 days.

Plaintiff to lodge a scheduling order.

Tentative Ruling for April 11, 2023

Continued to August 29, 2023 at 1:30 p.m. A brief joint status report to be filed by August 22, 2023. **No appearances required on April 11, 2023.** The Court notes that counsel for the defendants Jose Pasco, Jose Hoyos, Fidelina Pasco, Evelyn Arambula, and Top Hat Towing has moved to withdraw as counsel but has neither set his motion for hearing nor filed a declaration of non-opposition and lodged an order.

Ruling for December 13, 2022

Continued to 4/11/23 @ 1:30 p.m. Parties to file an updated joint status report (or separate statements) by 4/4/23.

The Court sets the following deadlines:

8/11/23 - discovery cut off

**United States Bankruptcy Court
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CONT... Valley Enterprises T.S. Inc

Chapter 7

8/18/23 - last day to amend pleadings and join parties

8/29/23 - last day to file case-dispositive motions

The defendants represented by Mr. Lally to file something in writing indicating whether they consent to this court entering final orders.

Trustee to lodge an order.

Party Information

Debtor(s):

Valley Enterprises T.S. Inc

Represented By
Thomas B Ure
Anthony N Ranieri

Defendant(s):

Jose Pasco

Pro Se

Top Hat Towing, Inc.

Pro Se

Edward Pasco

Represented By
Steven Abraham Wolvek

12812 Strathern Project E.D. LLC

Pro Se

South Cal Development Group, Inc.

Pro Se

Levis Pasco

Represented By
Steven Abraham Wolvek

L&P Investment Group LLC

Represented By
Steven Abraham Wolvek

Jose Hoyos

Represented By
Steven Abraham Wolvek

Fidelina Pasco

Pro Se

Igya Demirci

Pro Se

JB Financial

Pro Se

Landan Zinati

Pro Se

Jasmin Tanaeim

Pro Se

**United States Bankruptcy Court
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CONT... Valley Enterprises T.S. Inc

Chapter 7

Plaintiff(s):

Diane C. Weil

Represented By
Jessica Wellington

Trustee(s):

Diane C Weil (TR)

Represented By
Jessica Wellington

**United States Bankruptcy Court
Central District of California
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Tuesday, July 23, 2024

Hearing Room 303

1:30 PM

1:21-10595 Aaron Rosen

Chapter 13

Adv#: 1:24-01003 Nicholson v. Rosen

#7.00 Status conference

fr. 4/16/24; 5/14/24; 5/20/24

Docket 1

***** VACATED *** REASON: Continued to 8/21/24 at 1:30 pm on the
Court's own motion**

Tentative Ruling:

Ruling for May 20, 2024

Continued to July 23, 2024 @ 1:30 p.m.

Ruling for April 16, 2024

Continued to May 14, 2024 at 1:30 p.m. w/ OSC re: dismissal for failure to appear and prosecute.

Party Information

Debtor(s):

Aaron Rosen

Represented By
Kevin T Simon

Defendant(s):

Aaron Rosen

Pro Se

Plaintiff(s):

John F. Nicholson

Represented By
John F Nicholson

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
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Tuesday, July 23, 2024

Hearing Room 303

1:30 PM

1:21-11712 Jeffrey Scott Aronson
Adv#: 1:23-01035 Sand v. Aronson

Chapter 7

#8.00 Status conference re complaint

fr. 10/31/23(another summons issued); 11/21/23; 2/13/24;
2/27/24; 3/26/24; 5/14/24; 5/20/24

Docket 1

***** VACATED *** REASON: Continued to 8/21/24 at 1:30 pm on the
Court's own motion**

Tentative Ruling:

Ruling for May 20, 2024

Continued to July 23, 2024 @ 1:30 p.m.

Ruling for March 26, 2024

Continued to May 14, 2024 @ 1:30 p.m. Movant will file and serve a notice of continued status conference. Joint status report from remaining parties no later than May 7.

Party Information

Debtor(s):

Jeffrey Scott Aronson

Represented By
Jeremy Faith
Ori S Blumenfeld
Anna Landa

Defendant(s):

Jeffrey Scott Aronson

Represented By
Anna Landa

Plaintiff(s):

Lauren Joy Sand

Represented By
Farhad Novian
Luren Woodland

**United States Bankruptcy Court
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San Fernando Valley
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Tuesday, July 23, 2024

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1:30 PM

CONT... Jeffrey Scott Aronson

Chapter 7

Trustee(s):

CASE REOP/CONV/OR CLOSED Pro Se

David Seror (TR) Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
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Tuesday, July 23, 2024

Hearing Room 303

1:30 PM

1:22-10567 LIGCEDB LLC

Chapter 11

Adv#: 1:23-01006 Orozco v. LIGCEDB LLC et al

#9.00 Pre-trial conference re: first amended complaint

COUNTERCLAIM

LIGCEDB LLC,

V

CAMERON ORZCO AND JUAN OROZCO

fr. 5/30/23; 8/29/23; 9/12/23; 12/5/23; 4/16/24; 5/14/24; 5/20/24

Docket 18

***** VACATED *** REASON: Continued to 8/21/24 at 1:30 pm on the
Court's own motion**

Tentative Ruling:

Ruling for May 20, 2024

Continued as a pre-trial conference to September 13, 2024 @ 1:30 p.m.
Joint pre-trial stipulation is due August 30, 2024.

Ruling for December 5, 2023

Continued to 4/16/24 @ 1:30 p.m. Joint status report due 4/9/24. Last day to complete discovery, amend the pleadings or join other parties is 3/29/24. Last day to file case-dispositive motions is 4/19/24. Plaintiff to lodge a scheduling order.

Ruling for September 12, 2023

Complete one day of mediation by 11/28/23. On 11/28/23 the parties shall file a brief status report. Status conference continued to 12/5/23 at 1:30 p.m.. The Court will hold off setting any Rule 16 deadlines.

Party Information

Debtor(s):

LIGCEDB LLC

Represented By
Thomas B Ure

**United States Bankruptcy Court
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CONT... LIGCEDB LLC

Chapter 11

Defendant(s):

LIGCEDB LLC

Represented By
Thomas B Ure

Loveleeds, Inc., a California

Pro Se

Rosalinda Barba, an individual

Pro Se

All Persons Or Entities Unknown

Pro Se

Plaintiff(s):

Cameron Orozco

Represented By
Alana B Anaya
Matthew D. Resnik

**United States Bankruptcy Court
Central District of California
San Fernando Valley
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Tuesday, July 23, 2024

Hearing Room 303

1:30 PM

1:23-10441 Anthony Kiet Lam

Chapter 7

Adv#: 1:23-01025 Porsche Financial Services, Inc. dba Lamborghini F v. Lam

#10.00 Status conference

fr. 9/12/23; 12/5/23; 2/13/24; 5/14/24; 5/20/24

Docket 1

*** VACATED *** REASON: Continued to 8/13/24 at 1:30 pm on the
Court's own motion

Tentative Ruling:

Ruling for September 12, 2023

Continued to 12/5/23 @ 1:30 p.m. A brief joint status report to be filed by 11/28/23 addressing whether the parties are ready for mediation and if not, why not.

Deadline to complete discovery, including receipt of discovery responses, is 12/1/23.

Plaintiff to lodge an order.

Party Information

Debtor(s):

Anthony Kiet Lam

Represented By
Rabin Pournazarian

Defendant(s):

Anthony Kiet Lam

Pro Se

Plaintiff(s):

Porsche Financial Services, Inc. dba

Represented By
Stacey A Miller

Porsche Leasing Ltd.

Represented By
Stacey A Miller

Trustee(s):

David Seror (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
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Tuesday, July 23, 2024

Hearing Room 303

1:30 PM

1:23-10733 Yao Lin

Chapter 7

Adv#: 1:23-01036 Beijing Soufun Science and Technology Development v. Lin

#11.00 Status conference

fr. 11/21/23; 1/30/24; 4/30/24; 5/20/24

Docket 1

*** VACATED *** REASON: Continued to 8/13/24 at 1:30 pm on the
Court's own motion

Tentative Ruling:

Ruling for May 20, 2024

Continued to July 23, 2024 @ 1:30 p.m.
Updated joint status report by July 16, 2024.

Ruling on April 30, 2024

Continued to 5/20/24 @ 1:30 p.m. Counsel for the plaintiff must appear on 5/20/24.
Defendant to lodge an order continuing the status conference and requiring Lee
Matthews to appear.

Ruling for January 30, 2024

Continued to April 30, 2024 at 1:30 p.m. One week before the status conference an
updated joint status report or a stipulation is due.

Ruling for November 21, 2023

Continued to 1/30/24 @ 1:30 p.m.
Parties to file an updated status report or a stip for a further continuance by 1/23/24.

Party Information

Debtor(s):

Yao Lin

Represented By
Jonathan J. Lo

Defendant(s):

Yao Lin

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
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Tuesday, July 23, 2024

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CONT... Yao Lin

Chapter 7

Plaintiff(s):

Beijing Soufun Science and

Represented By
Stephen H Warren
Karen Rinehart
Jordan A. Weber
Marc F Feinstein

Trustee(s):

Amy L Goldman (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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1:30 PM

1:23-11815 Geoffrey Charles Axelrod, Sr.

Chapter 7

Adv#: 1:24-01007 Withers v. Axelrod, Sr.

#12.00 Status conference re complaint

fr. 5/14/24; 5/20/24; 6/11/24

Docket 1

***** VACATED *** REASON: Continued to 8/21/24 at 1:30 pm on the
Court's own motion**

Tentative Ruling:

Ruling for June 11, 2024

Continued to July 23, 2023 @ 1:30 p.m.

OSC will be issued requiring Defendant to appear at continued hearing.

Ruling for May 20, 2024

Continued to June 11, 2024 @ 1:30 p.m.

Status Reports due by June 4, 2024.

Party Information

Debtor(s):

Geoffrey Charles Axelrod Sr.

Represented By
Joseph Collier

Defendant(s):

Geoffrey Charles Axelrod Sr.

Pro Se

Plaintiff(s):

Paul Withers

Pro Se

Trustee(s):

Amy L Goldman (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Hearing Room 303

1:30 PM

1:24-10231 Allen Michael Abraham

Chapter 7

Adv#: 1:24-01017 Getzoian v. Abraham

#13.00 Status conference re complaint

Docket 1

***** VACATED *** REASON: Continued by stipulation to 9/13/24 at 1:30 pm**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Allen Michael Abraham

Represented By
Jeffrey J Hagen

Defendant(s):

Allen Michael Abraham

Pro Se

Plaintiff(s):

Sosi Getzoian

Represented By
Stella A Havkin

Trustee(s):

Amy L Goldman (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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1:24-10231 Allen Michael Abraham

Chapter 7

Adv#: 1:24-01019 Othon et al v. Abraham

#14.00 Status conference re: complaint

Docket 1

***** VACATED *** REASON: Continued to 9/13/24 at 1:30 pm on the
Court's own motion**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Allen Michael Abraham

Represented By
Jeffrey J Hagen

Defendant(s):

Allen Michael Abraham

Pro Se

Plaintiff(s):

Patricia Othon

Represented By
Lior Katz

Richard Othon

Represented By
Lior Katz

Trustee(s):

Amy L Goldman (TR)

Pro Se

**United States Bankruptcy Court
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1:30 PM

1:24-10231 Allen Michael Abraham

Chapter 7

Adv#: 1:24-01020 Hannig et al v. Abraham

#15.00 Status conference re complaint

Docket 1

***** VACATED *** REASON: Continued to 9/13/24 at 1:30 pm on the
Court's own motion**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Allen Michael Abraham

Represented By
Jeffrey J Hagen

Defendant(s):

Allen Michael Abraham

Pro Se

Plaintiff(s):

David Hannig

Represented By
Lior Katz

Lisa Hannig

Represented By
Lior Katz

Trustee(s):

Amy L Goldman (TR)

Pro Se

**United States Bankruptcy Court
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1:24-10231 Allen Michael Abraham

Chapter 7

Adv#: 1:24-01021 Finnerty v. Abraham

#16.00 Status conference re first amended complaint

Docket 6

***** VACATED *** REASON: Continued by stipulation to 9/13/24 at 1:30 pm**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Allen Michael Abraham

Represented By
Jeffrey J Hagen

Defendant(s):

Allen Michael Abraham

Pro Se

Plaintiff(s):

Morgan Finnerty

Represented By
Robert W Finnerty

Trustee(s):

Amy L Goldman (TR)

Pro Se

**United States Bankruptcy Court
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Tuesday, July 23, 2024

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1:30 PM

1:24-10231 Allen Michael Abraham

Chapter 7

Adv#: 1:24-01022 Navarro et al v. Abraham

#17.00 Status conference re complaint

Docket 1

***** VACATED *** REASON: Continued by stipulation to 9/13/24 at 1:30 pm**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Allen Michael Abraham

Represented By
Jeffrey J Hagen

Defendant(s):

Allen Michael Abraham

Pro Se

Plaintiff(s):

Iris Navarro

Represented By
Reed H Olmstead

Francisco Navarro

Represented By
Reed H Olmstead

Trustee(s):

Amy L Goldman (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Tuesday, July 23, 2024

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1:24-10231 Allen Michael Abraham

Chapter 7

Adv#: 1:24-01025 KDLA Group, LLC v. Abraham

#18.00 Status conference re complaint

Docket 1

***** VACATED *** REASON: Continued by stipulation to 9/13/24 at 1:30 pm**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Allen Michael Abraham

Represented By
Jeffrey J Hagen

Defendant(s):

Allen Michael Abraham

Pro Se

Plaintiff(s):

KDLA Group, LLC

Represented By
Andy Kong

Trustee(s):

Amy L Goldman (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Tuesday, July 23, 2024

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1:24-10463 Herman S. Lee

Chapter 7

Adv#: 1:24-01014 Deniz v. Lee

#19.00 Status conference re complaint

Docket 1

*** VACATED *** REASON: Continued to 8/13/24 at 1:30 pm on the
Court's own motion

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Herman S. Lee

Represented By
R Grace Rodriguez

Defendant(s):

Herman S. Lee

Pro Se

Plaintiff(s):

Adam Deniz

Represented By
Mahbod Mike Khalilpour

Trustee(s):

David Keith Gottlieb (TR)

Pro Se

**United States Bankruptcy Court
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Courtroom 303 Calendar**

Tuesday, July 23, 2024

Hearing Room 303

1:30 PM

1:24-10502 Karen Schumacher

Chapter 7

Adv#: 1:24-01008 Schumacher v. Department of Education

#20.00 Status conference re complaint

Docket 1

***** VACATED *** REASON: Continued to 8/21/24 at 1:30 pm on the
Court's own motion**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Karen Schumacher Pro Se

Defendant(s):

Department of Education Pro Se

Plaintiff(s):

Karen Schumacher Pro Se

Trustee(s):

David Seror (TR) Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Martin R. Barash, Presiding
Courtroom 303 Calendar**

Tuesday, July 23, 2024

Hearing Room 303

1:30 PM

1:24-10534 Adina Ioana Zaharescu

Chapter 13

Adv#: 1:24-01016 Shetty v. Block et al

#21.00 Status conference re complaint

Docket 1

***** VACATED *** REASON: Will be heard at 2:30 pm today**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Adina Ioana Zaharescu

Represented By
Jeffrey J Hagen

Defendant(s):

Thomas Philip Block

Pro Se

Sue Emrek as Trustee of Emrek

Pro Se

Assured Lender Services, A

Pro Se

Does 1 to 20, Inclusive

Pro Se

Plaintiff(s):

Niki-Alexander Shetty

Pro Se

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Martin R. Barash, Presiding
Courtroom 303 Calendar**

Tuesday, July 23, 2024

Hearing Room 303

1:30 PM

1:23-10248 Immediate Properties, LLC

Chapter 7

Adv#: 1:24-01002 Immediate Properties, LLC v. Wilmington Savings Fund Society, FSB, not in

#22.00 Motion to Dismiss Adversary Proceeding Pursuant to Fed. Bankr. R. 7012 and Fed. R. Civ. P. 12(B)(6) for Lack of Standing

fr. 5/14/24; 5/20/24; 6/11/24

Docket 6

***** VACATED *** REASON: Continued to 8/21/24 at 2:30 pm on the Court's own motion**

Tentative Ruling:

Ruling for June 11, 2024

Continued to July 23, 2024 @ 1:30 p.m.

Party Information

Debtor(s):

Immediate Properties, LLC

Pro Se

Defendant(s):

Wilmington Savings Fund Society,

Represented By
Michael W. Knapp

FCI Lender Services, Inc.

Represented By
Michael W. Knapp

California TD Specialist, as Trustee

Represented By
Michael W. Knapp

Plaintiff(s):

Immediate Properties, LLC

Represented By
Jason W. Estavillo

Trustee(s):

Amy L Goldman (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Martin R. Barash, Presiding
Courtroom 303 Calendar**

Tuesday, July 23, 2024

Hearing Room 303

1:30 PM

1:23-10248 Immediate Properties, LLC

Chapter 7

Adv#: 1:24-01002 Immediate Properties, LLC v. Wilmington Savings Fund Society, FSB, not in

#23.00 Status Conference and Order to Show Cause
re: Remand in a Removed Proceeding

fr. 4/16/24; 6/11/24

Docket 1

*** VACATED *** REASON: Continued to 8/21/24 at 2:30 pm on the
Court's own motion

Tentative Ruling:

Ruling for June 11, 2024

Continued to July 23, 2024 @ 1:30 p.m.

Ruling for April 16, 2024

Status Conference is continued to June 11 at 1:30 p.m.

Party Information

Debtor(s):

Immediate Properties, LLC

Pro Se

Defendant(s):

Wilmington Savings Fund Society,

Represented By
Michael W. Knapp

FCI Lender Services, Inc.

Represented By
Michael W. Knapp

California TD Specialist, as Trustee

Represented By
Michael W. Knapp

Plaintiff(s):

Immediate Properties, LLC

Represented By
Jason W. Estavillo

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Martin R. Barash, Presiding
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Tuesday, July 23, 2024

Hearing Room 303

1:30 PM

CONT... Immediate Properties, LLC

Chapter 7

Trustee(s):

Amy L Goldman (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Martin R. Barash, Presiding
Courtroom 303 Calendar**

Tuesday, July 23, 2024

Hearing Room 303

1:30 PM

1:12-10986 Allana Baroni

Chapter 7

Adv#: 1:23-01004 Seror v. Baroni et al

#24.00 Status conference

fr. 5/3/23 (court's own mtn); 5/17/23; 6/8/23; 6/13/23; 9/12/23;
11/21/23; 3/12/24

Docket 1

***** VACATED *** REASON: Continued to 8/22/24 at 2:30 PM per Order
entered on 6/7/24. [Dkt. 124]**

Tentative Ruling:

Ruling for March 12, 2024

Continued to 7/23/24 @ 1:30 p.m. Updated status report to be filed by 7/16/24. The deadline to complete discovery / amend the pleadings / join parties is 6/21/24. The deadline to file case dispositive pre-trial motions is 7/16/24. Trustee to lodge an order.

Ruling for November 21, 2023

Continued to 3/12/24 @ 1:30 p.m. The adversary proceeding is stayed until 3/12/24. By 3/5/24 the Trustee shall file a report of what he intends to ask of the court on 3/12/24. Defendants may, but are not required, to file a response by 3/11/24.

Ruling for September 12, 2023

Continued to 11/21/23 @ 1:30 p.m. The adversary proceeding is stayed until 11/21/23. No written joint status report is required. Trustee to lodge an order.

Party Information

Debtor(s):

Allana Baroni

Represented By
Michael S Riley
Richard L Antognini
Matthew D. Resnik
M. Jonathan Hayes
Kathleen P March

**United States Bankruptcy Court
Central District of California
San Fernando Valley
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Courtroom 303 Calendar**

Tuesday, July 23, 2024

Hearing Room 303

1:30 PM

CONT... Allana Baroni

Chapter 7

Defendant(s):

Allana Baroni

Pro Se

James Baroni

Pro Se

Plaintiff(s):

David Seror

Represented By
Jessica L Bagdanov

Trustee(s):

David Seror (TR)

Represented By
Susan K Seflin
Jessica L Bagdanov
Ryan Coy
Jason B Komorsky

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Martin R. Barash, Presiding
Courtroom 303 Calendar**

Tuesday, July 23, 2024

Hearing Room 303

2:30 PM

1:18-10752 Karen June Bredice

Chapter 7

Adv#: 1:22-01022 Bredice v. Cooper et al

#25.00 Defendants Motion For Summary Judgment
Or Partial Summary Adjudication Under FRCP
56 (As Incorporated By FRBP 7056)

fr. 4/16/24; 5/14/24; 5/20/24

Docket 62

***** VACATED *** REASON: Continued to 8/13/24 at 2:30 pm on the
Court's own motion**

Tentative Ruling:

Ruling for May 20, 2024

Continued to 7/23/24 @ 2:30 p.m.

Defendants and Plaintiff may submit supplemental briefing of no more than ten pages (each side) to address the Court's tentative ruling posted below. Defendants supplemental brief to be filed no later than
Plaintiff's supplemental brief to be filed no later than

Tentative Ruling for May 20, 2024

On March 23, 2018, the debtor and plaintiff Karen June Bredice (the "Debtor") filed a voluntary petition for relief under chapter 7 (the "Petition Date"). On July 2, 2018, the Court entered its discharge order and the Debtor received her chapter 7 discharge (the "Discharge Date").

In this adversary proceeding, the Debtor seeks a declaratory judgment that the filing and prosecution of a partition action in state court violated the discharge injunction. Defendant Escrow Cash Advance, LLC ("Escrow Cash Advance") filed that action against the Debtor. The Debtor also seeks a declaratory judgment that the post-petition recordation of a quit claim deed by Escrow Cash Advance violated the automatic stay — specifically, subsections 362(a)(5) and (a)(6) — and also violated the discharge injunction. The Debtor seeks damages for the alleged violations from Escrow Cash Advance and also from co-defendant James Cooper ("Cooper," and with

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2:30 PM

CONT...

Karen June Bredice

Chapter 7

Escrow Cash Advance, the "Defendants"), the principal of Escrow Cash Advance. Federal law governs whether the actions by Escrow Cash Advance violated the automatic stay or the discharge injunction, and, if so, whether the Debtor is entitled to recover damages from the Defendants.

Prepetition Transactions

The Debtor alleges that prepetition the Debtor and Escrow Cash Advance entered into one or more transactions (the "2017 Transactions") memorialized by at least two agreements entitled "Tenants in Common Agreement" (which includes as an exhibit the relevant Quit Claim Deed) and "Purchase Agreement" and that pursuant to those agreements Escrow Cash Advance transferred certain funds to the Debtor and the Debtor transferred an interest in her real property located at 26343 West Bravo Lane, Calabasas, California, 91302 (the "Property") to Escrow Cash Advance. By its express terms, the "Purchase Agreement" allows the Debtor to re-purchase from Escrow Cash Advance the interest in the Property approximately four months after the original transfer, and for \$5,000 more than she received from Escrow Cash Advance. The parties dispute whether the 2017 Transactions amounted to a loan secured by an interest in real property (as the Debtor contends), or a sale of an interest in real property (as the Defendants contend). The Debtor alleges that the 2017 Transactions are a "simple loan agreement disguised as a Tenants in Common Agreement" and that she did not intend or realize that by signing the Quit Claim Deed she was transferring a 65% interest in the title to her Property (defined below) to Escrow Cash Advance. The Defendants argue the 2017 Transactions were a simple sale of 65% of the title to the Property to Escrow Cash Advance in exchange for \$21,900. California law governs whether the 2017 Transactions were a sale or a disguised loan.

Postpetition Events

When the Debtor filed this bankruptcy case in 2018, she listed Cooper on her schedules and Cooper was served with notice of the bankruptcy filing. Case Dkt. 7. After the Petition Date, but before the Discharge Date, Escrow Cash Advance recorded the Quit Claim Deed purporting to transfer to Escrow Cash Advance a 65% undivided interest as a tenant in common in the Property. On July 7, 2018, the Court entered a chapter 7 discharge. Case Dkt. 21. Cooper was served with notice of the entry of the discharge order. Case Dkt. 23. On or about October 10, 2018, Escrow Cash Advance filed a complaint for partition of the Property in Los Angeles Superior Court, *Escrow Cash Advance, LLC v. Bredice, et al.*, LASC Case No. 18STCV00830

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CONT... **Karen June Bredice**
(the "Partition Action").

Chapter 7

The Court has already determined that the recordation of the Quit Claim Deed was a violation of subsection (a)(3) of the automatic stay and therefore *void ab initio*. *Order [1] Determining that the postpetition recordation of a quit claim deed was a violation of the automatic stay and is void ab initio; [2] Setting a hearing and supplemental briefing schedule, etc.* Case Dkt. 53. The Court also determined that it was necessary to determine whether the 2017 Transactions were a sale or a disguised loan before the Court could determine whether Escrow Cash Advance violated the discharge injunction and violated subsections (a)(5) and (a)(6) of the automatic stay and that an adversary proceeding was required. The Debtor filed this adversary and the Defendants timely answered, asserting various affirmative defenses, including an "unclean hands" defense.

The Defendants' Motion for Summary Judgment

The Defendants' motion for summary judgment (the "Motion") is based exclusively on their unclean hands defense. The gravamen of their Motion is that the Debtor failed to disclose various material facts in her schedule of assets and her statement of financial affairs including:

(i) her ownership of a Renoir art piece which Defendants allege is worth \$400,000, (ii) her ownership of a \$64,000 BMW, and (iii) her transfer of a \$5,000 Rolex watch to her daughter during the year preceding the Petition Date. The Debtor disputes these factual allegations. The Defendants allege the Debtor has perjured herself either in her declaration in opposition to the Motion or in her prior deposition testimony, which is further evidence of her unclean hands. The Defendants contend the Debtor's unclean hands are a complete bar to her claims in this adversary proceeding.

The Relevant Legal Standard for Violations of the Discharge Injunction

Because the automatic stay and the discharge injunction are statutory injunctions, a party who violates the stay or the discharge injunction may be liable for contempt. See *Walls v. Wells Fargo Bank, N.A.*, 276 F.3d 502, 507 (9th Cir. 2002). Contempt arises from a knowing violation of a clear order of the court. See *ZiLOG, Inc. v. Corning (In re ZiLOG, Inc.)*, 450 F.3d 996, 1007-09 (9th Cir. 2006); *Nash v. Clark Cnty. Dist. Att'y's Off. (In re Nash)*, 464 B.R. 874, 880 (B.A.P. 9th Cir. 2012).

Because the Court has already determined that recordation of the Quit Claim Deed is

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CONT...

Karen June Bredice

Chapter 7

void ab initio, the principal injunction at issue here is the discharge injunction. "The discharge injunction is a 'specific and definite' court order that may support contempt." *In re Albert-Sheridan*, 658 B.R. 516, 538 (B.A.P. 9th Cir. 2024) citing *In re Bennett*, 298 F.3d 1059, 1069 (9th Cir. 2002). The Court's authority to enforce the discharge injunction is based on the Court's "authority to enforce its own orders under the Bankruptcy Code. 11 U.S.C. §105(a)." *Dunmore v. United States*, 358 F.3d 1107, 1115 (9th Cir. 2004).

If a creditor violates the discharge injunction, the violative act will be *void ab initio*. *Lone Star Security & Video, Inc. v. Gurrola (In re Gurrola)*, 328 B.R. 158, 175 (B.A.P. 9th Cir. 2005). The creditor, however, is not automatically liable for damages. "To impose liability" a debtor is "required to show by clear and convincing evidence that the [creditor] '(1) knew the discharge injunction was applicable and (2) intended the actions which violated the injunction.'" *In re ZiLOG, Inc.*, 450 F.3d at 1007 (quoting *In re Bennett*, 298 F.3d at 1069)." *In re Albert-Sheridan*, 658 B.R. at 538. The creditor's knowledge of the discharge injunction for purposes of contempt is subject to an objective standard. In *Taggart v. Lorenzen*, 139 S. Ct. 1795 (2019), the Supreme Court held that civil contempt sanctions are appropriate "when there is no objectively reasonable basis for concluding that the creditor's conduct might be lawful under the discharge order." *Id.* at 1801. Thus, to hold a party in contempt, the debtor must prove that there was "[no] fair ground of doubt as to the wrongfulness of the defendant's conduct." *Id.*

Based on the foregoing, the principal legal issue in this proceeding is whether Escrow Cash Advance violated the discharge injunction by filing and prosecuting the Partition Action, and, if so, whether the Defendants should be found to be in contempt of this Court's discharge order and section 524 of the Bankruptcy Code. That determination will depend on whether the Debtor can establish by clear and convincing evidence that there was "no objectively reasonable basis" for the Defendants to conclude that the Partition Action would not violate the discharge injunction and that there is "[no] fair ground of doubt as the wrongfulness" of the Defendants' conduct.

Relevant Legal Standard for the Unclean Hands Defense

A defendant asserting the unclean hands defense against a plaintiff must prove that the plaintiff's inequitable conduct relates to the same subject matter of her claims against the defendant. *Lanard Toys Ltd. v. Dimple Child, L.L.C.*, 843 Fed. Appx. 894, 897

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CONT...

Karen June Bredice

Chapter 7

(9th Cir. 2021) *citing Levi Strauss & Co. v. Shilon*, 121 F.3d 1309, 1313 (9th Cir. 1997). Misconduct by the plaintiff that is not sufficiently related to the claims she asserts in her complaint, fails as a matter of law:

What does seem clear is that misconduct in the abstract, unrelated to the claim to which it is asserted as a defense, does not constitute unclean hands. The concept invoking the denial of relief is not intended to serve as punishment for extraneous transgressions, but instead is based upon ‘considerations that make for the advancement of right and justice.’ *Keystone Driller Company v. General Excavator Company* (1933), 290 U.S. 240, 245, 54 S.Ct. 146, 147, 78 L.Ed. 293.

What is material is not that the plaintiff's hands are dirty, but that he dirtied them in acquiring the right he now asserts, or that the manner of dirtying renders inequitable the assertion of such rights against the defendant. As Professor Chafee suggests (page 1972), we should not by this doctrine create a rule comparable to that by which a careless motorist would be ‘able to defend the subsequent personal injury suit by proving that the pedestrian had beaten his wife before leaving his home.’

Republic Molding Corp. v. B. W. Photo Utilities, 319 F.2d 347, 349 (9th Cir. 1963). See also *Exp. Dev. Canada v. E.S.E. Elecs.*, 2017 WL 3868795, at *19 (C.D. Cal. Sept. 5, 2017) (“Notably, unclean hands, does not stand as a defense that may be properly considered independent of the merits of the plaintiff’s claim—such as the defenses of the statute of limitations or the statute of frauds . . . the ‘doctrine of unclean hands does not deny relief to a plaintiff guilty of any past misconduct; only misconduct directly related to the matter in which he seeks relief triggers the defense.’”) (internal citations omitted).

Questions for the Defendants

1. The Defendants should be prepared to address how the Debtor's alleged "unclean hands" are relevant to whether Escrow Cash Advance violated the

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CONT...

Karen June Bredice

Chapter 7

discharge injunction and, if so, whether the Defendants' should be held in contempt. None of the authorities cited by the Defendants hold that a court's authority to enforce its own orders is limited or circumscribed by the conduct of the plaintiff. Indeed, none of the authorities cited by the Defendants hold that a party's conduct affects how a court interprets and enforces its own orders or a federal statute. Nor do any of the authorities cited by the Defendants hold that the scope of the discharge injunction may be broader, or narrower, depending upon the conduct of the debtor. Even if the alleged unclean hands were relevant to a determination of the amount of the Debtor's damages, doesn't the Court still have to determine whether the Court's discharge order and the discharge injunction were violated such that Escrow Cash Advance's Partition Action are *void ab initio*?

2. The Defendants should be prepared to address how the Debtor's alleged failure to disclose the Renoir, a BMW or a transfer of a Rolex watch directly relate to whether Escrow Cash Advance violated the discharge injunction by filing and prosecuting the Partition Action. How did the Debtor's alleged lack of candor in her bankruptcy schedules result in the Debtor acquiring standing to assert violations of section 524 of the Bankruptcy Code? Would the Debtor have to assert that the Defendants violated the discharge injunction by taking actions against the Renoir or the BMW for their unclean hands to apply?

Party Information

Debtor(s):

Karen June Bredice

Represented By

Steven A Alpert

Geoffrey G Melkonian

Defendant(s):

James Cooper

Represented By

Robert P Goe

Brandon J. Iskander

Escrow Cash Advance, LLC, a

Represented By

Robert P Goe

Brandon J. Iskander

**United States Bankruptcy Court
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CONT... Karen June Bredice

Chapter 7

Plaintiff(s):

Karen June Bredice

Represented By
Geoffrey G Melkonian

Trustee(s):

Amy L Goldman (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Tuesday, July 23, 2024

Hearing Room 303

2:30 PM

1:18-10752 Karen June Bredice

Chapter 7

Adv#: 1:22-01022 Bredice v. Cooper et al

#26.00 Status conference

fr. 7/13/22(stip); 8/31/22; 12/14/22; 4/11/23; 8/29/23;
9/27/23; 10/31/23; 3/12/24; 4/16/24; 5/14/24; 5/20/24

Docket 1

***** VACATED *** REASON: Continued to 8/13/24 at 2:30 pm on the
Court's own motion**

Tentative Ruling:

Ruling for May 20, 2024

Continued to 7/23/24 @ 2:30 p.m.

Ruling for October 31, 2023

Status conference cont'd to 3/12/24 @ 1:30 p.m. Discovery is reopened for both sides to 1/19/24. The deadline to bring case dispositive motions is extended to 2/23/24. Plaintiff to include new dates and deadlines in the order granting her Motion to Be Relieved from Deemed Admissions.

Ruling for April 11, 2023

Continued to 8/29/23 @ 1:30 p.m. The parties can self-calendar any MSJs. No status report is required.

Ruling for December 14, 2022

Continued to 4/11/22 @ 1:30 p.m. No status report is required.
By 1/31/23, the parties are required to meet and confer re: settlement and whether they can narrow the disputed issues.

The Rule 16 deadlines below are amended as follows:

Last day to amend pleadings & add parties: 5/31/23

Last day to complete discovery, including receipt of discovery responses & produced documents: 5/31/23

Last day to file case-dispositive pre-trial motions: 6/20/23

Plaintiff's counsel to lodge a Scheduling Order memorializing the foregoing.

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2:30 PM

CONT... Karen June Bredice

Chapter 7

Ruling for August 31, 2022

Status conference continued to 12/14/22 @ 11:00 a.m. An updated status report to be filed by 11/30/22. Plaintiff to lodge a Rule 16 scheduling order with the following deadlines:

Last day to amend pleadings & add parties: 4/28/23

Last day to complete discovery, including receipt of discovery responses & produced documents: 4/28/23

Last day to file case-dispositive pre-trial motions: 5/24/23

Party Information

Debtor(s):

Karen June Bredice

Represented By

Steven A Alpert

Geoffrey G Melkonian

Defendant(s):

James Cooper

Pro Se

Escrow Cash Advance, LLC, a

Pro Se

Plaintiff(s):

Karen June Bredice

Represented By

Geoffrey G Melkonian

Trustee(s):

Amy L Goldman (TR)

Pro Se

**United States Bankruptcy Court
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Tuesday, July 23, 2024

Hearing Room 303

2:30 PM

1:24-10534 Adina Ioana Zaharescu

Chapter 13

#27.00 Motion for relief from stay

TOM BLOCK

fr. 6/28/24

Docket 35

*** VACATED *** REASON: Continued to 8/21/24 at 2:30 pm on the
Court's own motion

Tentative Ruling:

Ruling for June 28, 2024

This matter and the claims objection are continued to July 23, 2024 @ 2:30 p.m.

Party Information

Debtor(s):

Adina Ioana Zaharescu

Represented By
Jeffrey J Hagen

Movant(s):

Tom Block

Represented By
Christopher D Cantore

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
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Tuesday, July 23, 2024

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2:30 PM

1:24-10534 Adina Ioana Zaharescu

Chapter 13

#28.00 Motion RE: Objection to Proof of Claim
Number 1-1 as Amended Claim Number 1-2

fr. 7/11/24

Docket 20

***** VACATED *** REASON: Continued to 8/21/24 at 2:30 pm on the
Court's own motion**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Adina Ioana Zaharescu

Represented By
Jeffrey J Hagen

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 303

2:30 PM

1:24-10534 Adina Ioana Zaharescu

Chapter 13

Adv#: 1:24-01016 Shetty v. Block et al

#29.00 Defendant Tom Block's Motion to Dismiss Adversary Proceeding

Docket 6

***** VACATED *** REASON: Continued to 8/21/24 at 2:30 pm on the
Court's own motion**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Adina Ioana Zaharescu

Represented By
Jeffrey J Hagen

Defendant(s):

Thomas Philip Block

Represented By
Christopher D Cantore

Sue Emrek as Trustee of Emrek

Pro Se

Assured Lender Services, A

Pro Se

Does 1 to 20, Inclusive

Pro Se

Tiffany Van Wingerden Trustee Of

Represented By
Larry D Webb

Plaintiff(s):

Niki-Alexander Shetty

Pro Se

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

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1:24-10534 Adina Ioana Zaharescu

Chapter 13

Adv#: 1:24-01016 Shetty v. Block et al

#30.00 Status conference re complaint

Docket 1

***** VACATED *** REASON: Continued to 8/21/24 at 2:30 pm on the
Court's own motion**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Adina Ioana Zaharescu

Represented By
Jeffrey J Hagen

Defendant(s):

Thomas Philip Block

Pro Se

Sue Emrek as Trustee of Emrek

Pro Se

Assured Lender Services, A

Pro Se

Does 1 to 20, Inclusive

Pro Se

Plaintiff(s):

Niki-Alexander Shetty

Pro Se

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se