

**United States Bankruptcy Court  
Central District of California  
Riverside  
Mark Houle, Presiding  
Courtroom 301 Calendar**

**Wednesday, January 10, 2024**

**Hearing Room 301**

11:00 AM

**6:21-10853 Sotero Chandler Elias Ramas, III and Harvy Yojany Ortiz**

**Chapter 7**

**#1.00 Notice of Trustee's Final Report and Applications for Compensation**

EH\_\_

**[Tele. appr. Jeremy Faith, rep. chapter 7 trustee]**

Docket 171

**Tentative Ruling:**

**1/10/2024**

**Service: Proper**

**Opposition: None**

The application for compensation of the Trustee has been set for hearing on the notice required by LBR 2016-1. Pursuant to the Trustee's Final Report and the applications of the associated professionals, and noting the absence of opposition, which the Court deems consent to the relief requested pursuant to Local Rule 9013-1(h), the Court is inclined to APPROVE the proposed distribution and the following administrative expenses:

Trustee Fees: \$29,848.51

Trustee Expenses: \$666.20

Accountant Fees: \$1,000

As to fees requested by Counsel, a review of the time entries and of the docket indicates several problems. Specifically, in the primary time entry category of "other contested matters," the objection to exemption was continued for an inordinate amount of time, from approximately July 2021 to October 2022. The matter ultimately settled for \$75k only after multiple continuances where the Trustee did not appear to be prepared to go forward with the evidentiary hearing, and after the Court disapproved, on October 7, 2022, the latest request to continue. Second, it appears this

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**CONT... Sotero Chandler Elias Ramas, III and Harvy Yojany Ortiz Chapter 7**

case would likely have been administratively insolvent but for Debtors' default enabling Trustee to sell the subject property. Last, Counsel's time entries contain lumped entries and otherwise entries that appear excessive.

APPEARANCES REQUIRED.

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

Sotero Chandler Elias Ramas III

Represented By  
Walter Scott

**Joint Debtor(s):**

Harvy Yojany Ortiz Campo

Represented By  
Walter Scott

**Trustee(s):**

Todd A. Frealy (TR)

Represented By  
Anna Landa  
Jeremy Faith

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**6:21-14129 Alexander Callahan and Mindy Callahan**

**Chapter 7**

**#2.00 Notice of Trustee's Final Report and Applications for Compensation**

EH\_\_

**[Tele. appr. Lynda Bui, chapter 7 trustee]**

Docket 44

**Tentative Ruling:**

**1/10/24**

**Service: Proper**

**Opposition: None**

The application for compensation of the Trustee has been set for hearing on the notice required by LBR 2016-1. Pursuant to the Trustee's Final Report, and noting the absence of opposition, which the Court deems consent to the relief requested pursuant to Local Rule 9013-1(h), the Court is inclined to APPROVE the proposed distribution and the following administrative expenses:

Trustee Fees: \$3,750

Trustee Expenses: \$702.43

Accountant Fees: \$1,000

APPEARANCES WAIVED. Movant to lodge order within seven days. If oral or written opposition is presented at the hearing, the hearing may be continued.

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

Alexander Callahan

Represented By  
Terrence Fantauzzi

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**CONT... Alexander Callahan and Mindy Callahan**

**Chapter 7**

**Joint Debtor(s):**

Mindy Callahan

Represented By  
Terrence Fantauzzi

**Trustee(s):**

Lynda T. Bui (TR)

Pro Se

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**6:23-12746 Mutih Georges Safar**

**Chapter 7**

**#3.00** CONT. Motion to compel trustee to abandon interest in property of estate (third party claims of Debtor)  
(Motion filed 10/4/23)

From: 11/8/23

EH\_\_

**[Tele. appr. Joel Tasca, rep. creditor, NetCredit]**

Docket 13

**Tentative Ruling:**

**11/08/2023**

**BACKGROUND**

On June 23, 2023, Mutih Georges Safar ("Debtor") filed a Chapter 7 voluntary petition.

On July 27, 2023, Debtor filed an amended Schedules A/B and C to list and exempt the claims against creditors NetCredit Loan Services, LLC ("NetCredit") and Upgrade (collectively "Creditors"). The amended schedules state that the dollar amount listed is for exemption purposes only and "should not be interpreted as a cap on damages." Debtor listed \$27,950.00 as exempt under C.C.P. § 703.140(b)(5).

Debtor appears to have demanded a settlement amount of \$99,800.00 from Creditors in a separate proceeding.

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**CONT... Mutih Georges Safar**

**Chapter 7**

On October 4, 2023, Debtor filed the instant motion to compel ("Motion to Compel") the Chapter 7 trustee ("Trustee") to abandon his claims against Creditors due to the alleged inconsequential value of those claims to the estate.

On October 24, 2023, Trustee filed an objection to the Motion to Compel ("Objection").

On October 25, 2023, NetCredit filed a response to Debtor's Motion to Compel ("Response").

On November 1, 2023, Debtor filed a reply to Trustee's Objection ("Reply").

**DISCUSSION**

In the Motion to abandon, Debtor asserts that the claims against Net Credit and Upgrade ("Claims") are of inconsequential value and should be abandoned because, in essence, they have less value than the total of the exempted amount (\$27,950) plus an alleged separate attorney lien. However, there is no total value of the Claims provided, nor is there any amount or authority provided for the alleged separate attorney lien. In opposition, Trustee has provided evidence as to a value of \$99,800 for the Claims, and thus the Claims do not appear to be of inconsequential value to the Estate. As to the attorney lien, no argument, authority or evidence is presented in the Motion to support the existence of such lien and the amount, if any. As of the petition date and until abandonment, the Claims are property of the estate that only the Trustee has standing to prosecute, and otherwise Debtor's counsel has not been authorized by the Bankruptcy Court to prosecute such claims.

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**CONT... Mutih Georges Safar**

**Chapter 7**

In Debtor's reply, Debtor states he supports the Trustee's alternative request that it keep the NET amount of proceeds, and turn the excess over to the Trustee. However, the Trustee requests all excess funds, while the Debtor's proposal is unclear of what constitutes "net" proceeds – presumably this includes the alleged attorney lien amount (which, again, is unsubstantiated).

**TENTATIVE RULING**

On the record, the Debtor has not met his burden of establishing the Claims are of inconsequential value and benefit to the estate, and the Court is inclined to DENY the Motion.

APPEARANCES REQUIRED.

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

Mutih Georges Safar

Represented By  
Michael E Clark  
Joseph Brian Angelo

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**CONT... Mutih Georges Safar**

**Chapter 7**

**Movant(s):**

Mutih Georges Safar

Represented By

Michael E Clark

Michael E Clark

Joseph Brian Angelo

Joseph Brian Angelo

**Trustee(s):**

Robert Whitmore (TR)

Pro Se



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**6:22-10197 Sumit Sodhi**

**Chapter 7**

Adv#: 6:22-01030 Zavala v. Sodhi

**#4.00** CONT. Status Conference RE: [1] Adversary case 6:22-ap-01030. Complaint by Gerardo Zavala against Sumit Sodhi. willful and malicious injury)), (62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud)), (41 (Objection / revocation of discharge - 727(c),(d),(e)))

From: 6/29/22, 12/14/22, 6/14/23, 8/30/23, 11/29/23

EH\_\_

**[Tele. appr. Gonzalo Quesada, rep. Plaintiff]**

Docket 1

**Tentative Ruling:**

- NONE LISTED -

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

Sumit Sodhi

Represented By  
Stephen K Moran

**Defendant(s):**

Sumit Sodhi

Represented By  
Stephen K Moran

**Plaintiff(s):**

Gerardo Zavala

Represented By  
Hector R Martinez  
Tania Fonseca  
Stan S Mallison  
Tania Guadalupe Fonseca

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**CONT... Sumit Sodhi**

**Chapter 7**

**Trustee(s):**

Howard B Grobstein (TR)

Pro Se

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**6:23-10232 Jorge Ocampo Lopez**

**Chapter 7**

Adv#: 6:23-01062 Ivy Portfolio, LLC v. Lopez et al

**#5.00** Plaintiff's Motion for Default Judgment against Defendants Jorge Ocampo Lopez and Karina Ponce  
(Motion filed 11/30/23)

EH\_\_

Docket 28

**Tentative Ruling:**

- NONE LISTED -

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

Jorge Ocampo Lopez

Represented By  
George C Panagiotou

**Defendant(s):**

Karina Ponce

Pro Se

Jorge Ocampo Lopez

Pro Se

**Joint Debtor(s):**

Karina Ponce

Represented By  
George C Panagiotou

**Plaintiff(s):**

Ivy Portfolio, LLC

Represented By  
Richard T Baum

**Trustee(s):**

Larry D Simons (TR)

Pro Se

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**6:23-11535 Okaysou Corporation**

**Chapter 11**

Adv#: 6:23-01111 Okaysou Corporation v. Souxing Information Technology Company

**#6.00** Status Conference re Adversary case 6:23-ap-01111. Complaint by Okaysou Corporation against Souxing Information Technology Company (Chongqing) Co., Ltd., Fudong Cao. (\$350.00 Fee Charge To Estate). to Avoid and Recover Preferential and Fraudulent Transfers, For Imposition of Constructive and resulting Trusts; Turnover and Unjust Enrichment (Attachments: # 1 Adversary Cover Sheet # 2 Summons) Nature of Suit: (11 (Recovery of money/property - 542 turnover of property)), (12 (Recovery of money/property - 547 preference)), (13 (Recovery of money/property - 548 fraudulent transfer))

EH\_\_

Docket 1

**Tentative Ruling:**

- NONE LISTED -

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

Okaysou Corporation

Represented By  
Vahe Khojayan

**Defendant(s):**

Souxing Information Technology

Pro Se

Fudong Cao

Pro Se

**Plaintiff(s):**

Okaysou Corporation

Represented By  
Vahe Khojayan

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**6:23-12281 Jae Yong Yu**

**Chapter 7**

Adv#: 6:23-01087 Simons v. Orabuena et al

**#7.00** CONT. Motion for Default Judgment  
(Motion filed 9/19/23)

From: 11/1/23

[Placed on calendar by order entered 10/11/23]

EH\_\_

Docket 9

**\*\*\* VACATED \*\*\* REASON: ORDER APPROVING STIP. FOR  
DEFAULT JUDGMENT ENTERED 11/13/23**

**Tentative Ruling:**

- NONE LISTED -

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

Jae Yong Yu

Pro Se

**Defendant(s):**

Jesus Daniel Orabuena

Pro Se

Kayla May Orabuena

Pro Se

**Movant(s):**

Larry D. Simons

Represented By  
Nancy H Zamora

**Plaintiff(s):**

Larry D. Simons

Represented By  
Nancy H Zamora

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**CONT... Jae Yong Yu**

**Chapter 7**

**Trustee(s):**

Larry D Simons (TR)

Represented By  
Nancy H Zamora

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**6:23-12281 Jae Yong Yu**

**Chapter 7**

Adv#: 6:23-01087 Simons v. Orabuena et al

**#8.00** CONT. Status Conference re Complaint by Larry D. Simons against Jesus Daniel Orabuena, Kayla May Orabuena. (\$350.00 Fee Charge To Estate). -- Complaint to Avoid and Recover Fraudulent Transfer and Preferential Transfer, for Turnover of Transfer and Real Property, to Preserve Avoided and Recovered Transfer for Benefit of the Bankruptcy Estate, and for Declaratory Relief Regarding Rejection of Executory Contract, with proof of service (Attachments: # 1 Adversary Cover Sheet) Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)),(12 (Recovery of money/property - 547 preference)),(11 (Recovery of money/property - 542 turnover of property)),(91 (Declaratory judgment)) (Zamora, Nancy)

From: 10/18/23, 11/1/23

EH\_\_

Docket 1

**\*\*\* VACATED \*\*\* REASON: DEFAULT JUDGMENT ENTERED  
12/11/23**

**Tentative Ruling:**

- NONE LISTED -

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

Jae Yong Yu

Pro Se

**Defendant(s):**

Jesus Daniel Orabuena

Pro Se

Kayla May Orabuena

Pro Se

**Plaintiff(s):**

Larry D. Simons

Represented By  
Nancy H Zamora

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**CONT... Jae Yong Yu**

**Chapter 7**

**Trustee(s):**

Larry D Simons (TR)

Represented By  
Nancy H Zamora



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**6:23-12911 Shalena Denise Elise Armstrong**

**Chapter 7**

Adv#: 6:23-01101 BMO Bank N.A. v. Armstrong

**#9.00** Plaintiff's Motion for Default Judgment  
(Motion filed 12/6/23)

EH\_\_

**[Tele. appr. Raffi Khatchadourian, rep. BMO Bank]**

Docket 10

**Tentative Ruling:**

- NONE LISTED -

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

Shalena Denise Elise Armstrong

Represented By  
Keith Q Nguyen

**Defendant(s):**

Shalena Denise Elise Armstrong

Pro Se

**Plaintiff(s):**

BMO Bank N.A.

Represented By  
Jacqueline L James  
Raffi Khatchadourian

**Trustee(s):**

Larry D Simons (TR)

Pro Se

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**6:23-12911 Shalena Denise Elise Armstrong**

**Chapter 7**

Adv#: 6:23-01101 BMO Bank N.A. v. Armstrong

**#10.00** CONT. Status Conference RE: [1] Complaint by BMO Bank N.A. against Shalena Denise Elise Armstrong. false pretenses, false representation, actual fraud)),(67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)),(68 (Dischargeability - 523(a)(6), willful and malicious injury)),(91 (Declaratory judgment)

From: 12/6/23

EH \_\_\_\_

Docket 1

**Tentative Ruling:**

- NONE LISTED -

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

Shalena Denise Elise Armstrong

Represented By  
Keith Q Nguyen

**Defendant(s):**

Shalena Denise Elise Armstrong

Pro Se

**Plaintiff(s):**

BMO Bank N.A.

Represented By  
Jacqueline L James  
Raffi Khatchadourian

**Trustee(s):**

Larry D Simons (TR)

Pro Se