

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

8:30 AM

1:19-12293 Shahnam Asbaghi

Chapter 7

**#0.01 Reaffirmation Agreement Between Debtor and Logix
Federal Credit Union**

Docket 13

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Petition date: 9/12/19

Was Reaffirmation Agreement filed w/in 60 days of the conclusion of the 1st 341(a) meeting as required by LR 4008-1? Yes

Discharge?: No

Property: 2015 Hyundai Santa Fe

Debtor's valuation of property (Sch. B): \$7,412

Amount to be reaffirmed: \$12,004.87

APR: 2.99% (fixed)

Contract terms: \$435.61 per month for 29 months

Monthly Income (Schedule I): \$1,000

Monthly expenses: (Schedule J): \$954

Disposable income: \$46.00

Sec. 524(k) disclosures received in writing prior to Debtor's signing the agreement? Yes

If disposable income is insufficient to make payments, then there is a rebuttable presumption of undue hardship. Did Debtor explain how he/she will be able to afford the payments in Part D?

Debtor did not explain how he will afford this payment. On his Sch. I, Debtor explained that his parents are supporting him and that he is looking for employment. This debt is listed on Sch. J.

Debtor has a right to rescind agreement anytime prior to discharge, or until January 22, 2020, whichever is later.

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

8:30 AM

CONT... Shahnam Asbaghi

Chapter 7

Party Information

Debtor(s):

Shahnam Asbaghi

Represented By
R Grace Rodriguez

Trustee(s):

Amy L Goldman (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:13-17737 Pella Parker

Chapter 13

#49.00 Trustee's Motion to Dismiss Case for Failure
to Submit All Tax Returns

fr. 8/20/19, 10/22/19

Docket 115

Matter Notes:

- NONE LISTED -

Tentative Ruling:

fr. 10/22/19

All parties agreed to continue at last hearing.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

10/22/19 Tentative Below:

Cont'd. fr. 8/20/2019, 10/22/19

On August 6, 2019, Debtor filed an Opposition to the Motion stating that she has not yet filed 2017 and 2018 tax returns. Debtor states that she is trying to make sure that she has the funds to pay her accountant but hopes to file the tax returns before the hearing. Debtor claims that any 2017 and 2018 tax refunds will be sent to the Trustee.

Has Trustee received Debtor's tax refunds?

APPEARANCE REQUIRED unless Trustee stipulates to continue for 10/22/19.

Party Information

Debtor(s):

Pella Parker

Represented By
Steven A Alpert

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

CONT... Pella Parker

Chapter 13

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:14-12567 Terry Byrd Pitt

Chapter 13

#50.00 Trustee's Motion to Dismiss Case for Failure to Submit All Tax Returns

fr. 8/20/19, 10/22/19

Docket 34

Matter Notes:

- NONE LISTED -

Tentative Ruling:

fr. 10/22/19

All parties agreed to continue at last hearing.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

10/22/19 Tentative Below:

Cont'd. fr. 8/20/2019, 10/22/19

On 7/30/2019, Debtor filed an Opposition stating that the 2014-2018 tax returns will be submitted shortly.

Has Debtor submitted the 2014-2018 tax returns?

APPEARANCE REQUIRED unless Trustee stipulates to continue for 10/22/19 hearing.

Party Information

Debtor(s):

Terry Byrd Pitt

Represented By
Devin Sawdayi

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:14-13206 Amy Algos Bacashihua

Chapter 13

#51.00 Order to Requiring Attorney Anil Bhartia to appear on behalf of debtor and explain status of case.

Docket 47

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 11-19-19

The attorney didn't appear at the last hearing and is ordered to appear. Debtor indicated that attorney would not answer her phone calls regarding Capital One account and informed her to just let the case be dismissed without explanation even though there's only one claim to be resolved. Debtor has complied with Ch. 13 for over 4 years.

APPEARANCE REQUIRED.

Party Information

Debtor(s):

Amy Algos Bacashihua

Represented By
Anil Bhartia

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:14-13206 Amy Algozo Bacashihua

Chapter 13

#52.00 Trustee's Motion to Dismiss Case Trustee
Motion To Dismiss Case Due to Expiration
of the Plan

fr. 11/19/19

Docket 45

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 11-19-19

Attorney is ordered to appear. See #51 above.

APPEARANCE REQUIRED.

11-19-19 Tentative Below:

T'ee. states that Debtor is in material default and has a \$15,526.76 remaining balance.

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue for 11-19-19 tentative.

Party Information

Debtor(s):

Amy Algozo Bacashihua

Represented By
Anil Bhartia

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:14-14219 Carmine Antoniello

Chapter 13

#53.00 Trustee's Motion to Dismiss Case due to Infeasibility of the Plan

fr. 9/24/19

Docket 127

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 9-24-19

Debtor opposed asserting that she will make all payments to pay off the Plan.
Trustee indicated outstanding balance of \$12,890.55.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Carmine Antoniello

Represented By
Kevin T Simon

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:14-14219 Carmine Antoniello

Chapter 13

#54.00 Trustee's Motion to Dismiss Case for Failure to Submit All Tax Returns
fr. 8/20/19, 9/24/19

Docket 128

***** VACATED *** REASON: trustee withdrew [#154] - ts**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Party Information

Debtor(s):

Carmine Antoniello

Represented By
Kevin T Simon

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:14-14219 Carmine Antoniello

Chapter 13

**#55.00 Motion to Dismiss Case for Failure to Make
Plan Payments**

Docket 144

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposed and indicated she will bring receipts of payments or will file motion to modify.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Carmine Antoniello

Represented By
Kevin T Simon

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:14-14576 Anita Marie Dominguez

Chapter 13

#56.00 Trustee's Motion to Dismiss Case for Failure
to Submit All Tax Returns

fr. 8/20/19, 9/24/19, 11/12/19

Docket 63

***** VACATED *** REASON: Trustee filed a withdrawal #72. If**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Party Information

Debtor(s):

Anita Marie Dominguez

Represented By
Raffy M Boulgourjian

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:14-15223 Saul O Aviles

Chapter 13

#57.00 Trustee's Motion to Dismiss Case for Failure to Submit All Tax Returns
fr. 8/20/19

Docket 65

Matter Notes:

- NONE LISTED -

Tentative Ruling:

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Saul O Aviles

Represented By
Eric C Morris

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:15-10398 Jose Luis Banuelos and Maria L. Tejada

Chapter 13

#58.00 Trustee's Motion to Dismiss Case for Failure
to Submit All Tax Refunds

fr. 10/22/19

Docket 63

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 10-22-19

No opposition filed.

All parties agreed to continue at the last hearing.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Jose Luis Banuelos

Represented By
Leonard Pena

Joint Debtor(s):

Maria L. Tejada

Represented By
Leonard Pena

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:15-10705 Nick Ganev Nikolov

Chapter 13

#59.00 Trustee's Motion to Dismiss Case for Failure
to Submit All Tax Returns

fr. 9/24/19, 10/22/19

Docket 72

***** VACATED *** REASON: order entered to modify plan - ts**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Party Information

Debtor(s):

Nick Ganev Nikolov

Represented By
Devin Sawdayi

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:15-10981 Sandra Andrews

Chapter 13

#60.00 Motion to Dismiss Case for Failure to Make Plan Payments

fr. 9/24/19, 10/22/19

Docket 44

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 10-22-19

All parties agreed to continue at the last hearing.

10-22-19 Tentative Below:

Con't. fr. 9/24/2019

Trustee alleges that Debtor has a \$750 default.

On 8/14/19, Debtor filed an Opposition. Debtor claims she will cure the default by the time of the hearing.

Has Debtor cured the default?

APPEARANCE REQUIRED unless Trustee stipulates to continue for 9-24-19 tentative.

Party Information

Debtor(s):

Sandra Andrews

Represented By
Rebecca Tomilowitz

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:15-11051 Romeo J Pettinelli and Gloria J Pettinelli

Chapter 13

#61.00 Trustee's Motion to Dismiss Case for Failure to Submit
All Tax Returns

fr. 10/22/19

Docket 64

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 10-22-19

All parties agreed to continue at the last hearing.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

10-22-19 Tentative Below:

No Opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue for 10-22-19 tentative.

Party Information

Debtor(s):

Romeo J Pettinelli

Represented By
Eliza Ghanooni

Joint Debtor(s):

Gloria J Pettinelli

Represented By
Eliza Ghanooni

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:15-11162 Steven Sandler

Chapter 13

**#62.00 Motion to Dismiss Case for Failure to Make
Plan Payments**

Docket 98

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposed explaining that he had to care for his mother, who has a serious health issue, which affected his income.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Steven Sandler

Represented By
Stella A Havkin

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:15-12349 Marjan Bahman

Chapter 13

#63.00 Trustee's Motion to Dismiss Case for Failure
to Submit All Tax Returns

fr. 10/22/19

Docket 65

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 10-22-19

All parties agreed to continue at the last hearing.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

10-22-19 Tentative Below:

No Opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue for 10-22-19 tentative.

Party Information

Debtor(s):

Marjan Bahman

Represented By
Ali R Nader

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:15-12530 Marcos Guerrero and Rosa I. Cancino-Guerrero

Chapter 13

#64.00 Trustee's Motion to Dismiss Case for Failure
to Submit All Tax Returns

fr. 10/22/19

Docket 62

***** VACATED *** REASON: Ntc. of w/drawal filed 11/6/19 (eg)**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Party Information

Debtor(s):

Marcos Guerrero

Represented By
Richard A Loa

Joint Debtor(s):

Rosa I. Cancino-Guerrero

Represented By
Richard A Loa

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:15-12942 Seth Eric Simon

Chapter 13

#65.00 Motion for Authority to Sell or Refinance Real Property

fr. 11/19/19

Docket 95

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 11-19-19

APPEARANCE REQUIRED.

11-19-19 Tentative Below:

Debtor filed this Motion to sell the property located at 6601 Wilbur Avenue, Unit 53, Reseda, CA 91335. The proposed sale price is \$230,000. No proceeds will remain after the sale. Trustee is authorized to demand upon escrow the remaining balance after escrow's payment of the encumbrances to U.S. Bank, BoNYM, and Citibank, even though the amount is insufficient to pay off the Plan.

U.S. Bank, as holder of the 1st trust deed and a claim of \$303,597.31 opposed. U.S. Bank has a RFS motion that was continued from 11-13-19 to 11-19-19 at 11:00 a.m. U.S. Bank opposes because the proposed sale would only generate \$171,066.81 for U.S. Bank. U.S. Bank denied Debtor's request for a short sale.

Trustee approves of the sale on the condition that Trustee can take the statutory fees on claims paid through escrow; Trustee receives all net proceeds and the final closing statement; and Trustee can increase the % to unsecured creditors if funds permit.

Debtor replied asserting that U.S. Bank's conduct is unreasonable and in bad faith. Debtor indicates that U.S. Bank had notice of the short sale at a hearing and that there is a buyer for the short sale since August 2019. Debtor asserts that if this Motion is denied and RFS is not granted, the property value would only generate \$220,000. In addition, a foreclosure sale will prejudice the second lienholder

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

CONT... **Seth Eric Simon**

Chapter 13

because it will not receive any proceeds. A foreclosure sale will also allegedly prejudice Debtor by having the foreclosure on his record, which will financially ruin him for another 10 years. Debtor asserts that BSI for US Bank refused to conduct an appraisal, declined the short sale, and demanded the full amount.

APPEARANCE REQUIRED for 11-19-19 tentative.

Party Information

Debtor(s):

Seth Eric Simon

Represented By
Elena Steers

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:15-12942 Seth Eric Simon

Chapter 13

#66.00 Motion for relief from stay

US BANK TRUST NATIONAL ASSOC.

fr. 6/26/19, 7/31/19, 9/11/19, 11/13/19, 11/19/19

Docket 88

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 11-19-19

Property relisted for \$359,000 to comply with 1st trust deed holder. There is one potential buyer.

The last hearing was continued to wait for a sale.

BONYM filed an opposition to the short sale arguing that a short sale is not possible because U.S. Bank and BONY, whose interests are to be partially paid, do not agree.

APPEARANCE REQUIRED.

11-19-19 Tentative Below:

Cont'd. fr. 11-13-19

At the last hearing, Debtor's attorney indicated that the effort to sell is ongoing on the motion to sell or refinance. See #72 above. The hearing was continued to 11-19-19 to be heard with the motion to sell or refinance.

APPEARANCE REQUIRED for 11-13-19 tentative.

11-13-19 Tentative Below:

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

CONT... Seth Eric Simon
Cont'd. fr. 9-11-19

Chapter 13

The property is in escrow and the hearing was continued to complete the sale. The hearing for the motion for authority to sell is scheduled for 11-19-19. U.S. Bank opposes the motion for authority to sell because the sales proceeds would not fully satisfy U.S. Bank's claim. T'ee. approves of the sale.

APPEARANCE REQUIRED for 11-13-19 tentative.

fr. 7/31/19 , 9/11/19

*This hearing was continued so the parties could negotiate an APO. Nothing has been filed since the last hearing. What is the status of this Motion?
APPEARANCE REQUIRED*

6/26/19 TENTATIVE BELOW

Petition Date: 09/02/2015

Chapter 13 plan confirmed: 3/31/16

Service: Proper. Opposition filed.

Property: 6601 Wilbur Ave., Unit 53, Reseda CA 91335

Property Value: \$336,788.84 (per debtor's schedules)

Amount Owed: \$319,819.55 (per RFS motion)

Equity Cushion: 0.0% (assuming 8% cost of sale)

Equity: \$7,426

Post-Petition Delinquency: \$30,343.53

Movant requests relief under 11 U.S.C. 362(d)(1), with specific relief requested in paragraphs 2 (proceed under non-bankruptcy law); 3 (Movant permitted to engage in loss mitigation activities); 6 (termination of co-debtor stay); and 7 (waiver of the 4001(a)(3) stay).

Debtors opposes the motion, arguing that he would like to enter into an APO with the movant. Is Movant amenable to negotiating an APO with Debtor?

APPEARANCE REQUIRED for 6-26-19 tentative.

Party Information

Debtor(s):

Seth Eric Simon

Represented By
Elena Steers

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

CONT... Seth Eric Simon

Chapter 13

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:15-13123 Buenaventura Marquez

Chapter 13

#67.00 Trustee's Motion to Dismiss Case for Failure to Submit
All Tax Refunds

fr. 10/22/19

Docket 26

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 10-22-19

Debtor opposed explaining that during 2017, 2018, and 2019 tax years, Debtor and her family had increased necessary expenses, particularly health and house insurance, that exceeded the tax refunds.

Trustee filed a reply asserting that Debtor did not disclose her increased income, and did not update income and expenses information.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Buenaventura Marquez

Represented By
Stella A Havkin

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:15-13169 Normandy Papa and Cristeta Gonzaga Papa

Chapter 13

#68.00 U.S. Trustee for Account Reconciliation Statement and Waiver and/or Refund of Unnoticed Mortgage Payment Changes Relating to New Residential Mortgage, LLC's Claim 3-1

Docket 48

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Trustee alleges that New Residential Mortgage, LLC ("NRM") and its servicer, Select Portfolio Servicing ("SPS")(collectively "Respondent") have not complied with FRBP 3002.1 by failing to timely file a Notice of Mortgage Payment Changes ("NPC") in connection with its claim related to Debtors' principal residence ("Property").

Debtors third amended plan ("Plan") required Debtors to make all post-confirmation monthly mortgage payments directly to Respondent, and any arrears would be cured through the Plan. Respondent filed a proof of claim for \$174,474.46 ("Claim 3-1").

Claim 3-1 listed Debtors' post-petition mortgage payments as of October 1, 2015 as \$957.03, including a principal and interest payment of \$727.65 and escrow payment ("Escrow Payment") of \$229.38.

On October 31, 2016, Respondent filed the first NPC. The NPC listed Debtor's new monthly payment as \$984.78 based on an increased Escrow Payment from \$229.38 to \$257.13.

On October 25, 2017, Respondent filed another NPC that reduced Debtors' mortgage payment to \$972.72 due to a decrease in Escrow Payment from \$257.13 to \$245.07.

On October 4, 2019, Respondent filed another NPC that increased Debtors' monthly mortgage payment to \$1,078.78 due to the Escrow Payment increasing from \$245.07 to \$351.33. The escrow statement attached to the NPC listed a \$1,560.27 escrow shortage. However, Respondent did not file an NPC in 2018 for any change in the Escrow Payment, which allegedly puts into question whether the escrow shortage was in part or fully due to Respondent's failure to run an escrow analysis in

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

CONT... Normandy Papa and Cristeta Gonzaga Papa

Chapter 13

2018 for changes in the escrow disbursements.

Trustee seeks a court order requiring Respondent to (1) provide an accounting from 2015 to present; (2) waive or credit any unnoticed post-petition escrow charges; (3) update its records to reflect that Debtors are contractually current, absent evidence that Debtors missed a payment; and (4) comply with other relief under Rule 3002.1(i).

Rule 3002.1

FRBP 3002.1(b) states:

The holder of the claim shall file and serve on the debtor, debtor's counsel, and the trustee a notice of any change in the payment amount including any change that results from an interest rate or escrow account adjustment, no later than 21 days before a payment in the new amount is due.

The Property at issue is Debtor's principal residence. Debtor's loan with Respondent is an escrowed loan. Accordingly, the escrow portion of the monthly mortgage payment changes yearly.

Respondent allegedly did not file an NPC in 2018 for annual escrow account changes. It is also allegedly unclear whether the escrow shortage in the 10-4-19 NPC was due to Respondent's failure to run an escrow analysis and properly notice any change in the escrow payment that could have occurred due to changes in the mortgage insurance, hazard insurance, and/or taxes.

Trustee thus requests for an order to require Respondent to conduct a full and complete account reconciliation from 2015 to present, and to file with the court an account reconciliation statement to identify all post-petition payments made by Debtors; how Debtors' payments were applied to the principal and interest balance and escrow balance; and all escrow payments to and disbursements from Debtors' escrow accounts.

Waiver of Unnoticed Mortgage Payment Changes

Trustee requests that Respondent waive and/or credit the collection of any unnoticed changes in the escrow payment that resulted from Respondent's failure to conduct an escrow analysis and file an NPC for 2018 based on the following rules:

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

CONT... **Normandy Papa and Cristeta Gonzaga Papa**

Chapter 13

"Bankruptcy Rule 3002.1...was promulgated in 2011, in response to a growing problem that had arisen in Chapter 13 cases throughout the country: debtors who had successfully completed their Chapter 13 plans, and paid all of their mortgage arrears and post-petition installment payments, would find themselves in renewed foreclosure proceedings due to undisclosed and unpaid post-petition charges and fees – a result clearly at odds with a debtor's right to a fresh start." In re Gravel, 556 B.R. 561, 568 (Bankr. D. Vt. 2016).

"To honor the promise and spirit of chapter 13 administrations for the compliant debtor...the remedy for a mortgage creditor's failure to provide appropriate notice is disallowance of the implicated deficiencies..." In re Tavares, 547 B.R. 204, 221 (Bankr. S.D. TX 2016).

"[C]ourts have determined that the proper remedy for a failure to abide by the required notice of escrow account analysis under RESPA is essentially a death knell: deeming a waiver of any right to recover any deficiencies encompassed by the failed period." Id. at 220-21.

Rule 3002.1(i) provides a remedy for failure to comply with Rule 3002.1(b):

Failure to Notify: If the holder of a claim fails to provide any information as required by subdivision (b), (c), or (g) of this rule, the court may, after notice and hearing, take either or both of the following actions:

Preclude the holder from presenting the omitted information, in any form, as evidence in any contested matter or adversary proceeding in the case, unless the court determines that the failure was substantially justified or harmless; or

Award other appropriate relief, including reasonable expenses and attorney's fees caused by the failure.

11 U.S.C. § 105

(a) The court may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title. No provision of this title providing for the raising of an issue by a party in interest shall be construed to preclude the court from, *sua sponte*, taking any action or making any determination necessary or

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

CONT... Normandy Papa and Cristeta Gonzaga Papa Chapter 13

appropriate to enforce or implement court orders or rules, or to prevent an abuse of process.

Service proper. No opposition filed.

APPEARANCE REQUIRED.

Party Information

Debtor(s):

Normandy Papa

Represented By
Lawrence B Yang

Joint Debtor(s):

Cristeta Gonzaga Papa

Represented By
Lawrence B Yang

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:15-13493 Ronny Bess and Jeannie Renat Bess

Chapter 13

#69.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 129

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposed explaining that he has not yet filed his taxes and will do so on
December 4, 2019, and will provide the Trustee with a copy.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Ronny Bess

Represented By
Stella A Havkin

Joint Debtor(s):

Jeannie Renat Bess

Represented By
Stella A Havkin

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:15-13971 Ramon Ojeda and Juana Ojeda

Chapter 13

#70.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

fr. 10/22/19

Docket 51

***** VACATED *** REASON: Filed Notice of w/drawal filed 12/16/19 (eg)**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 10-22-19

The last hearing was continued.

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Ramon Ojeda

Represented By
Jaime A Cuevas Jr.

Joint Debtor(s):

Juana Ojeda

Represented By
Jaime A Cuevas Jr.

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:15-14147 Jared Garcia Canchola

Chapter 13

**#71.00 Motion to Dismiss Case for Failure to Make
Plan Payments**

Docket 88

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposed asserting that he will be current on or before the hearing.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Jared Garcia Canchola

Represented By
L. Tegan Rodkey

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:16-10064 Jacobo Reyes

Chapter 13

#72.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 62

*** VACATED *** REASON: Ntc. of w/drawal filed 11/6/19 (eg)

Matter Notes:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jacobo Reyes

Represented By
Ghada Helena Philips

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:16-10348 Jim K. Nikolopoulos and Ayarpi Nikolopoulos

Chapter 13

#73.00 Trustee's Motion for Order Modifying the Plan to Increase the Plan Payment Pursuant to 11 USC Sec. 1329(a) and the Percentage to be Paid to Unsecured Creditors or, in the Alternative, Dismissing the Chapter 13 Petition Due to Debtors' Failure to Make Debtors' Best Efforts to Repay Creditors Pursuant to 11 USC Sec. 1307(c)(6)

Docket 55

Matter Notes:

- NONE LISTED -

Tentative Ruling:

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Jim K. Nikolopoulos

Represented By
Scott D Olsen

Joint Debtor(s):

Ayarpi Nikolopoulos

Represented By
Scott D Olsen

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:16-10507 Amjad Shaktah

Chapter 13

**#74.00 Motion to Dismiss Case for Failure to Make
Plan Payments**

Docket 97

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor will bring receipts of payments at the hearing and/or file a motion to modify.
No motion to modify has been filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Amjad Shaktah

Represented By
Kevin T Simon

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:16-10898 Jacqueline Desiree Landaeta Alvarez

Chapter 13

**#75.00 Motion to Dismiss Case for Failure to Make
Plan Payments**

fr. 8/20/19, 9/24/19

Docket 113

***** VACATED *** REASON: Trustee filed withdrawal [#131] - ts**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Party Information

Debtor(s):

Jacqueline Desiree Landaeta Alvarez

Represented By
Matthew D Resnik
Matthew D Resnik

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:16-11164 Bennie James Hildreth

Chapter 13

#76.00 Trustee's Motion to Dismiss Case Trustee
Motion for Failure to Submit All Tax Returns

Docket 45

***** VACATED *** REASON: Trustee filed a withdrawal #47. If**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bennie James Hildreth

Represented By
Jeffrey J Hagen

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:16-11278 Armine Charkhchyan and Andranik Charkhchyan

Chapter 13

#77.00 Motion for Order Modifying the Plan to Increase
the Plan Payment

fr. 10/22/19

Docket 73

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 10-22-19

At the last hearing, the parties requested to continue.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

10-22-19 Tentative Below:

On 9/17/19, Trustee filed this Motion requesting to increase plan payments to \$5,587.88 starting November 13, 2019 and to increase the percent to unsecured creditors, or, alternatively, dismiss the petition.

On 10/8/19, Debtors filed an Opposition asking to deny the Motion, or, alternatively, modify the plan to no greater than \$905 based on Debtors' current monthly net income.

Debtors were given notice that they selected the incorrect hearing date and time of 11/12/19.

On 10/10/2019, Trustee filed a Reply stating the following issues with Debtors' proposal: (1) no current paystub has been provided to Trustee; (2) Debtors' budget now includes a \$721.41 payment for a vehicle. Trustee states that Debtors appeared to have purchased or leased a vehicle without court authorization to incur debt; and (3) Debtors increased the entertainment expense from \$100 to \$300 and the charitable expense from \$30 to \$200. The Trustee requests that Debtor provide the current paystub and address the budget concerns.

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

CONT... Armine Charkhchyan and Andranik Charkhchyan

Chapter 13

APPEARANCE REQUIRED unless Trustee stipulates to continue for 10-22-19 tentative.

Party Information

Debtor(s):

Armine Charkhchyan

Represented By
Rosie Barmakszian

Joint Debtor(s):

Andranik Charkhchyan

Represented By
Rosie Barmakszian

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:16-11315 Samantha Michelle Johnson

Chapter 13

#78.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

fr. 10/22/19

Docket 33

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 10-22-19

A stipulation to modify plan was entered.

Does this resolve this Motion?

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Samantha Michelle Johnson

Represented By
Shirlee L Bliss

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:16-11648 Aydin Aliyev

Chapter 13

#79.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 38

*** VACATED *** REASON: trustee withdrew [#40] - ts

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Party Information

Debtor(s):

Aydin Aliyev

Represented By
Danny K Agai

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:16-12085 Arthur H. Song

Chapter 13

#80.00 Trustee's Motion to Dismiss Case for Failure
to Submit All Tax Returns

fr. 10/22/19

Docket 34

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 10-22-19

All parties agreed to continue at the last hearing.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

10-22-19 Tentative Below:

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue for 10-22-19 tentative.

Party Information

Debtor(s):

Arthur H. Song

Represented By
Ali R Nader

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:16-12201 Andrea Beckham

Chapter 13

#81.00 Motion to Dismiss Case for Failure to Make
Plan Payments

fr. 10/22/19

Docket 42

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 10-22-19

All parties agreed to continue at the last hearing.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

10-22-19 Tentative Below:

On 9/18/19, Debtor filed an Opposition asserting that the delinquent payment will be cured before the hearing. Debtor also claims making an online payment of \$1,200 on 9/13/19.

Has Trustee received Debtor's payments?

APPEARANCE REQUIRED unless Trustee stipulates to continue for 10-22-19 tentative.

Party Information

Debtor(s):

Andrea Beckham

Represented By
Michael Jay Berger

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:16-12275 Cecilia Arrieta

Chapter 13

#82.00 Trustee's Motion to Dismiss Case Trustee
Motion for Failure to Submit All
Tax Refunds

Docket 27

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposed explaining that she filed amended schedules B & C exempting the tax refunds. Debtor alleges that her tax refunds are exempted because no objections were filed to the amended exemptions per FRBP § 4003(b)(1).

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Cecilia Arrieta

Represented By
Stella A Havkin

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:16-12319 Erik Chavez

Chapter 13

#83.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Refunds

fr. 10/22/19

Docket 32

***** VACATED *** REASON: Ntc. of w/drawal filed 11/14/19 (eg)**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Party Information

Debtor(s):

Erik Chavez

Represented By
R Grace Rodriguez

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:16-12528 Damian M Wilson

Chapter 13

**#84.00 Motion to Dismiss Case for Failure to Make
Plan Payments**

Docket 60

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposed explaining that he mailed a \$22,000 cashier's check to Trustee on November 5, 2019.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Damian M Wilson

Represented By
Michael Jay Berger

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:16-12578 Waqas Memon

Chapter 13

#85.00 Trustee's Motion for Order Modifying the Plan to Increase the Plan Payment Pursuant to 11 USC Sec. 1329(a) and the Percentage to be Paid to Unsecured Creditors or, in the Alternative, Dismissing the Chapter 13 Petition Due to Debtor's Failure to Make Debtor's Best Efforts to Repay Creditors Pursuant to 11 USC Sec. 1307(c)(6).

Docket 85

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor filed a notice of non-opposition to Trustee's motion to modify to increase plan payment to \$6,864.80 as of January 1, 2020 and percentage paid to unsecured creditors to 100%.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Waqas Memon

Represented By
William R Ramsey

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Represented By
Huy N Tran

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:16-12860 Erika Urrego

Chapter 13

#86.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 38

Matter Notes:

- NONE LISTED -

Tentative Ruling:

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Erika Urrego

Represented By
Ali R Nader

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:16-12904 Maria Teresa Pedalino

Chapter 13

#87.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 29

*** VACATED *** REASON: Ntc. of w/drawal filed 12/4/19 (eg)

Matter Notes:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Maria Teresa Pedalino

Represented By
Paul M Allen

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:16-12948 Chiraporn Phornpituck

Chapter 13

#88.00 Trustee's Motion to Dismiss Case for Failure
to Submit All Tax Returns

Docket 43

*** VACATED *** REASON: Trustee filed a withdrawal - Doc. #46. If

Matter Notes:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Chiraporn Phornpituck

Represented By
Nicholas S Nassif

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:16-13023 Monica Marie Fuentes

Chapter 13

#89.00 Trustee's Motion to Dismiss Case for Failure
to Submit All Tax Returns

Docket 31

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposed explaining that she provided her attorney the 2016, 2017, and 2018 tax returns. Debtor provided the 2015 tax returns before filing this ch. 13 case.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Monica Marie Fuentes

Represented By
Allan S Williams

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:16-13109 Andrew S Joo and Eunyong Joo

Chapter 13

#90.00 Trustee's Motion to Dismiss Case for Failure
to Submit All Tax Returns

Docket 57

***** VACATED *** REASON: Trustee filed a withdrawal - Doc. #63. If**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Andrew S Joo

Represented By
M Teri Lim

Joint Debtor(s):

Eunyong Joo

Represented By
M Teri Lim

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:16-13127 Adolfo Flores, Jr.

Chapter 13

#91.00 Trustee's Motion to Dismiss Case for Failure to submit all tax returns

Docket 39

Matter Notes:

- NONE LISTED -

Tentative Ruling:

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Adolfo Flores Jr.

Represented By
Sydell B Connor

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:16-13236 Francisco Montes and Elizabeth F Montes

Chapter 13

#92.00 Motion to Dismiss Case for Failure to Make
Plan Payments

Docket 79

***** VACATED *** REASON: Trustee filed a withdrawal - Doc. #83. If**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Francisco Montes

Represented By
Elena Steers

Joint Debtor(s):

Elizabeth F Montes

Represented By
Elena Steers

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:16-13250 Robert Michael Martinez

Chapter 13

#93.00 Trustee's Motion to Dismiss Case for Failure to Submit
All Tax Returns

fr. 10/22/19

Docket 84

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 10-22-19

All parties agreed to continue at the last hearing.

Has Debtor provided the federal and state tax returns?

APPEARANCE REQUIRED unless Trustee stipulates to continue.

10-22-19 Tentative Below:

On 9/5/19, Debtor filed an Opposition stating that he will provide 2016, 2017, and 2018 federal and state tax returns before the hearing.

Has Trustee received Debtor's tax returns?

APPEARANCE REQUIRED unless Trustee stipulates to continue for 10-22-19 tentative.

Party Information

Debtor(s):

Robert Michael Martinez

Represented By
Kevin T Simon

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:16-13250 Robert Michael Martinez

Chapter 13

**#94.00 Motion to Dismiss Case for Failure to Make
Plan Payments**

Docket 93

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposed explaining that he will bring receipts of payments for the \$8,576 delinquency or file a motion to modify. No motion to modify on file.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Robert Michael Martinez

Represented By
Kevin T Simon

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:16-13394 Marshall T. Pattison

Chapter 13

#95.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 38

***** VACATED *** REASON: Ntc. of w/drawal filed 12/16/19 (eg)**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Marshall T. Pattison

Represented By
Jeffrey N Wishman

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-10032 Michael Klapsis and Marina Klapsis

Chapter 13

#96.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 36

Matter Notes:

- NONE LISTED -

Tentative Ruling:

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Michael Klapsis

Represented By
Devin Sawdayi

Joint Debtor(s):

Marina Klapsis

Represented By
Devin Sawdayi

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-10080 Jesse Farran

Chapter 13

#97.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 60

Matter Notes:

- NONE LISTED -

Tentative Ruling:

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Jesse Farran

Represented By
Janet L Mertes

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-10095 Georg Bruno Ehlert

Chapter 13

**#98.00 Motion to Dismiss Case for Failure to Make
Plan Payments**

Docket 105

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposed explaining that he will bring receipts of payments for \$9,012 delinquency or he will file a motion to modify. No motion to modify on file.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Georg Bruno Ehlert

Represented By
Kevin T Simon

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-10164 Christy Ann Nelson

Chapter 13

#99.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 86

Matter Notes:

- NONE LISTED -

Tentative Ruling:

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Christy Ann Nelson

Represented By
Ali R Nader

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-10165 Maria Guadalupe Rodriguez

Chapter 13

#100.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 31

***** VACATED *** REASON: trustee withdrew [#33] -ts**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Party Information

Debtor(s):

Maria Guadalupe Rodriguez

Represented By
Ali R Nader

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-10297 Felix Ray Wright

Chapter 13

#101.00 Motion to Dismiss Case for Failure to Make Plan Payments

Docket 145

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposed explaining that his shoe business has been impacted by the U.S. trade war. Debtor expects to be financially on track when sales increase for the holidays. Debtor alleges paying over \$197,000 to his plan and requests to continue paying his plan.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Felix Ray Wright

Represented By
Vernon R Yancy

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-10302 Prentiss Greene and Annette Greene

Chapter 13

#102.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 79

Matter Notes:

- NONE LISTED -

Tentative Ruling:

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Prentiss Greene

Represented By
Richard T Baum

Joint Debtor(s):

Annette Greene

Represented By
Richard T Baum

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-10353 Annette Sanders-Wright

Chapter 13

**#103.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns**

Docket 51

Matter Notes:

- NONE LISTED -

Tentative Ruling:

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Annette Sanders-Wright

Represented By
Dana C Bruce

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-10437 Osnat Bentov

Chapter 13

#104.00 Motion to Dismiss Case for Failure to Make
Plan Payments

fr. 10/22/19

Docket 112

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 10-22-19

All parties agreed to continue at the last hearing.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

10-22-19 Tentative Below:

On 9/18/19, Debtor filed an Opposition stating that the arrears were paid.

Debtor provided evidence in the form of exhibits of an \$8,500 payment to the Trustee via a cashier's check.

Has Trustee received the payment?

APPEARANCE REQUIRED unless Trustee stipulates to continue for 10-22-19 tentative.

Party Information

Debtor(s):

Osnat Bentov

Represented By
Stella A Havkin

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-10437 Osnat Bentov

Chapter 13

#105.00 Trustee's Motion to Dismiss Case for Failure
to Submit All Tax Returns

Docket 118

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposes explaining that he has not submitted his 2018 tax returns because it has not yet been completed and filed. Debtor requests to dismiss this motion or to continue the hearing.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Osnat Bentov

Represented By
Stella A Havkin

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-10460 Liliana Sanchez

Chapter 13

#106.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 25

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposes explaining that she has provided the Trustee with her 2018 federal and state tax returns.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Liliana Sanchez

Represented By
David S Hagen

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-10543 Jessica Reyes Gaeta

Chapter 13

#107.00 Motion to Dismiss Case for Failure to Make
Plan Payments

fr. 9/24/19, 11/19/19

Docket 38

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 11-19-19

All parties agreed to continue at the last hearing.

APPEARANCE REQUIRED.

Party Information

Debtor(s):

Jessica Reyes Gaeta

Represented By
Steven A Alpert

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-10543 Jessica Reyes Gaeta

Chapter 13

#108.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 42

Matter Notes:

- NONE LISTED -

Tentative Ruling:

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Jessica Reyes Gaeta

Represented By
Steven A Alpert

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-10545 Mario Rene Tejada

Chapter 13

#109.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 113

***** VACATED *** REASON: trustee withdrew [#115] - ts**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Party Information

Debtor(s):

Mario Rene Tejada

Represented By
Ali R Nader

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-10545 Mario Rene Tejada

Chapter 13

#110.00 Motion to Dismiss Case for Failure to Make
Plan Payments

fr. 7/30/19; 8/20/19, 10/22/19

Docket 109

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 10-22-19

All parties agreed to continue at the last hearing.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

10-22-19 Tentative Below:

Cont'd. fr. 8/20/19

Trustee asserts that Debtor has a \$3,273 delinquency.

Debtor filed an Opposition on 6/25/19 stating that he will bring his plan current before the hearing or will file a motion to modify.

No motion to modify has been filed.

Has Debtor cured the default?

APPEARANCE REQUIRED unless Trustee stipulates to continue for 10-22-19 tentative.

Party Information

Debtor(s):

Mario Rene Tejada

Represented By
Ali R Nader

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

CONT... Mario Rene Tejada

Chapter 13

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-10565 Nelson Pedraza and Elsa Patino

Chapter 13

#111.00 Trustee's Motion to Dismiss Case for Failure
to Submit All Tax Returns

Docket 44

*** VACATED *** REASON: Trustee filed a withdrawal - Doc. #47. If

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Party Information

Debtor(s):

Nelson Pedraza

Represented By
Kevin T Simon

Joint Debtor(s):

Elsa Patino

Represented By
Kevin T Simon

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-10636 Juan L Vaca

Chapter 13

#112.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 41

***** VACATED *** REASON: Trustee withdrew [#46]-ts**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Party Information

Debtor(s):

Juan L Vaca

Represented By
Alla Tenina

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-10654 Alex Michael Mariano and Sarah Jane Abad Cruz-Mariano

Chapter 13

#113.00 Trustee's Motion to Dismiss Case for Failure
to Submit All Tax Returns

Docket 31

*** VACATED *** REASON: Trsutee filed a withdrawal - doc. #34. If

Matter Notes:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Alex Michael Mariano

Represented By
Paul M Allen

Joint Debtor(s):

Sarah Jane Abad Cruz-Mariano

Represented By
Paul M Allen

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-10674 Jose Martin Dulanto

Chapter 13

#114.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 41

*** VACATED *** REASON: Trustee filed a withdrawal #43. If

Matter Notes:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jose Martin Dulanto

Represented By
Donald E Iwuchuku

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-10697 Jerriann Francis Anderson

Chapter 13

#115.00 Trustee's Motion to Dismiss Case for Failure
to Submit All Tax Returns

Docket 21

*** VACATED *** REASON: Trustee filed a withdrawal - Doc. #25. If

Matter Notes:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jerriann Francis Anderson

Represented By
Gregory M Shanfeld

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-10856 Marian Woods and Timothy Woods

Chapter 13

**#116.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns**

Docket 45

Matter Notes:

- NONE LISTED -

Tentative Ruling:

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Marian Woods

Represented By
Aalok Sikand

Joint Debtor(s):

Timothy Woods

Represented By
Aalok Sikand

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-10883 Martin Rios

Chapter 13

#117.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 47

Matter Notes:

- NONE LISTED -

Tentative Ruling:

No opposition filed.

The court entered an order granting stipulation to modify plan.

Does this modification resolve this Motion?

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Martin Rios

Represented By
William G Cort

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-11120 Jennifer H. Nguyen

Chapter 13

#118.00 Trustee's Motion to Dismiss Case Trustee Motion
for Failure to Submit All Tax Returns

Docket 42

Matter Notes:

- NONE LISTED -

Tentative Ruling:

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Jennifer H. Nguyen

Represented By
Rob R Nichols

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-11130 Monet R Davis

Chapter 13

#119.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 32

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor filed a response agreeing that Trustee is correct in that 2017 and 2018 tax returns have not been provided. Debtor asserts that 2017 state and federal tax returns will be filed in the next few days; 2018 tax returns will be filed and turned over by end of November 2019; and that she has been unemployed since May 2019 and is seeking new employment.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Monet R Davis

Represented By
Devin Sawdayi

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-11146 Arnae Annette Bailey

Chapter 13

#120.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 23

Matter Notes:

- NONE LISTED -

Tentative Ruling:

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Arnae Annette Bailey

Represented By
Barry E Borowitz

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-11159 Levia Blane Arbuckle

Chapter 13

#121.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 107

***** VACATED *** REASON: trustee withdrew [#111]-ts**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Party Information

Debtor(s):

Levia Blane Arbuckle

Represented By
Kevin T Simon

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-11205 Shahla Hariri

Chapter 13

#122.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 82

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposed explaining that all filed tax returns have been submitted.

Did Trustee receive the tax returns, and does this resolve the Motion?

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Shahla Hariri

Represented By
Stella A Havkin

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-11230 Shana Kemp

Chapter 13

#123.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 59

***** VACATED *** REASON: Withdrawal of motion filed 10/31/19.
[Dkt.61]**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Shana Kemp

Represented By
Beatriz Chen

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-11267 Irma Villalpando

Chapter 13

#124.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 118

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposed explaining that she sent the 2017 and 2018 federal tax returns to Trustee, and will send the state tax returns.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Irma Villalpando

Represented By
Steven A Alpert

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-11267 Irma Villalpando

Chapter 13

#124.01 Motion to Dismiss Case for Failure to Make Plan Payments

Docket 120

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposes explaining that she will file a motion to modify. No motion to modify on file.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Irma Villalpando

Represented By
Steven A Alpert

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-11281 Eduard Shevkolenko and Sokhiba Shevkolenko

Chapter 13

#125.00 Trustee's Motion to Dismiss Case Trustee
Motion for Failure to Submit All
Tax Refunds

Docket 107

Matter Notes:

- NONE LISTED -

Tentative Ruling:

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Eduard Shevkolenko

Represented By
Elena Steers

Joint Debtor(s):

Sokhiba Shevkolenko

Represented By
Elena Steers

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-11301 Allen Charles Mixon, III and Gladys Stennis Mixon

Chapter 13

#126.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 151

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtors oppose asserting that they have provided the tax returns to the Trustee.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Allen Charles Mixon III

Represented By
Stella A Havkin

Joint Debtor(s):

Gladys Stennis Mixon

Represented By
Stella A Havkin

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-11310 Hilda Correa

Chapter 13

#127.00 Order to have attorney Michael Avanesian appear
in person on behalf of debtor

Docket 0

Matter Notes:

- NONE LISTED -

Tentative Ruling:

At the last hearing, Debtor's attorney did not appear but had substitute counsel specially appear. Debtor stated that her attorney's office is not acknowledging receipt of information she forwarded about payments she made. Debtor's attorney needs to appear to explain the difference in position between the debtor and the lender.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Hilda Correa

Represented By
Michael Avanesian

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-11310 Hilda Correa

Chapter 13

#128.00 Motion to Dismiss Case for Failure to Make
Plan Payments

fr. 6/25/19, 7/30/19, 9/24/19; 11/19/19

Docket 78

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 11-19-19

At the last hearing, Debtor stated that there is a discrepancy between the balance on her account and the payments she made. Debtor's attorney is ordered to appear to explain the discrepancy. See #127 above.

11-19-19 Tentative Below:

Cont'd. fr. 9-24-19

Debtor opposed asserting that she is current on payments and has overpaid. Debtor attached proof of payment via cashier's checks in her declaration.

APPEARANCE REQUIRED unless Trustee stipulates to continue for 11-19-19 tentative.

Party Information

Debtor(s):

Hilda Correa

Represented By
Michael Avanesian

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-11404 Jose Rodriguez Garcia

Chapter 13

#129.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 72

***** VACATED *** REASON: Ntc. of w/drawal filed 12/12/19 (eg)**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Party Information

Debtor(s):

Jose Rodriguez Garcia

Represented By
Donna R Dishbak

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-11625 Linda Akerele Alele

Chapter 13

#130.00 Motion to Dismiss Case for Failure to Make
Plan Payments

fr. 7/30/19, 9/24/19, 11/19/19

Docket 50

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 11-19-19

At the last hearing, Trustee indicated that Debtor has an RFS motion and Debtor was supposed to object to creditor's proof of claim. Debtor has since filed an objection to claim by BONYM. The objection to claim hearing was moved to January 28, 2020.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Linda Akerele Alele

Pro Se

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-11625 Linda Akerele Alele

Chapter 13

#130.01 Motion RE: Objection to Creditor's Proof
of Claim

Docket 77

***** VACATED *** REASON: Stip. cont. to 1/28/20 @ 11am (eg)**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Linda Akerele Alele

Pro Se

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-11732 Anthony Antonello and Tamara Marie Antonello

Chapter 13

#131.00 Trustee's Motion to Dismiss Case for Failure
to Submit All Tax Returns

Docket 91

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtors oppose explaining that they will provide 2017 and 2018 federal and state tax returns before the hearing.

Has Trustee received the tax returns?

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Anthony Antonello

Represented By
Kevin T Simon

Joint Debtor(s):

Tamara Marie Antonello

Represented By
Kevin T Simon

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-11732 Anthony Antonello and Tamara Marie Antonello

Chapter 13

#131.01 Motion to Dismiss Case for Failure to Make Plan Payments

Docket 93

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtors oppose explaining that they will bring receipts of payment to the hearing and/or will file a motion to modify.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Anthony Antonello

Represented By
Kevin T Simon

Joint Debtor(s):

Tamara Marie Antonello

Represented By
Kevin T Simon

Movant(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-11764 Jeffrey Arthur Craddock

Chapter 13

#132.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 72

Matter Notes:

- NONE LISTED -

Tentative Ruling:

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Jeffrey Arthur Craddock

Represented By
Stephen S Smyth

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-11764 Jeffrey Arthur Craddock

Chapter 13

#133.00 Trustee's Motion for Order Modifying the Plan to
Increase the Plan Payment

Docket 75

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Trustee moves to modify the Plan or dismiss the case because Debtor allegedly failed to make best efforts to repay creditors.

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Jeffrey Arthur Craddock

Represented By
Stephen S Smyth

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-11777 Cindy Lee Harris

Chapter 13

#134.00 Motion to Dismiss Case for Failure to Make
Plan Payments F Rojas (TR) (Rojas (TR), Elizabeth (SV))

Docket 68

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposed explaining that she will bring receipts of payments at the hearing or file motion to modify. TMD indicates \$7,056.79 delinquency.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Cindy Lee Harris

Represented By
Kevin T Simon

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-11843 Lilia De Niz

Chapter 13

#135.00 Trustee's Motion to Dismiss Case for Failure to Submit
All Tax Returns

Docket 33

*** VACATED *** REASON: Ntc. of w/drawal filed 11/6/19 (eg)

Matter Notes:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lilia De Niz

Represented By
Rebecca Tomilowitz

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-11913 Timothy Vegtel

Chapter 13

#136.00 Trustee's Motion to Dismiss Case for Failure to Submit All Tax Returns

Docket 23

***** VACATED *** REASON: Ntc. of w/drawal filed 10/21/19 (eg)**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Timothy Vegtel

Represented By
Rabin J Pournazarian

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-11995 Priscilla Jeanette Bueno

Chapter 13

**#137.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns**

Docket 55

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposed explaining that she provided the Trustee with her 2017 and 2018 tax returns by uploading them on the Trustee's website.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Priscilla Jeanette Bueno

Represented By
Matthew D. Resnik
Roksana D. Moradi-Brovia

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-12246 Dana Alexander Lieberman and Elaine Michelle Lieberman

Chapter 13

#138.00 Trustee's Motion to Dismiss Case for Failure
to Submit All Tax Refunds

fr. 10/22/19, 11/19/19

Docket 79

***** VACATED *** REASON: resolved per stipulation modifying plan
[#86] - ts**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Party Information

Debtor(s):

Dana Alexander Lieberman

Represented By
Richard Mark Garber

Joint Debtor(s):

Elaine Michelle Lieberman

Represented By
Richard Mark Garber

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-12346 Carmen Pilar Ocaranza

Chapter 13

#139.00 Trustee's Motion to Dismiss Case for Failure
to Submit All Tax Returns

Docket 52

*** VACATED *** REASON: Ntc. of w/drawal filed 12/17/19 (eg)

Matter Notes:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Carmen Pilar Ocaranza

Represented By
Kevin T Simon

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-12363 Janice Marie Semien

Chapter 13

#140.00 Trustee's Motion to Dismiss Case for Failure
to Submit All Tax Returns

Docket 52

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposed explaining that she filed the 2017 and 2018 tax returns and uploaded them on the website. Debtor will also upload her most recent pay check before the hearing. Debtor alleges having paid over \$32,000 into the plan and requests to continue her plan.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Janice Marie Semien

Represented By
Vernon R Yancy

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-12596 Lynne Suzanne Boyarsky

Chapter 13

#141.00 Trustee's Motion to Dismiss Case for Failure
to Submit All Tax Returns

Docket 75

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposed explaining that the 2017 and 2018 tax returns were uploaded on Trustee's website.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Lynne Suzanne Boyarsky

Represented By
Matthew D. Resnik

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-12764 Sheldon Scott Green and Laura Elaine Green

Chapter 13

#142.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 74

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtors opposed explaining that he submitted copies of his 2017 and 2018 federal and state tax returns to the Trustee. Debtors will also submit their 2017 and 2018 combined federal and state refunds to the Trustee before the hearing.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Sheldon Scott Green

Represented By
Gregory M Shanfeld

Joint Debtor(s):

Laura Elaine Green

Represented By
Gregory M Shanfeld

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-12834 Michael Rizzo, Jr

Chapter 13

#143.00 Trustee's Motion to Dismiss Case for Failure
to Submit All Tax Returns

Docket 64

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposed explaining that he turned over his tax returns.

Has Trustee received Debtor's tax returns?

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Michael Rizzo Jr

Represented By
Stella A Havkin

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-12943 Alireza Alex Mesrinejad and Mojgan Taghipour

Chapter 13

#144.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 78

*** VACATED *** REASON: Trustee filed a withdrawal #84. If

Matter Notes:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Alireza Alex Mesrinejad

Represented By
Kevin T Simon

Joint Debtor(s):

Mojgan Taghipour

Represented By
Kevin T Simon

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-13047 Brenda Leigh Worden-Jones

Chapter 13

#145.00 Trustee's Motion to Dismiss Case for Failure
to Submit All Tax Returns

Docket 25

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposed explaining that she uploaded her 2017 and 2018 tax returns on the Trustee's website.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Brenda Leigh Worden-Jones

Represented By
Jeffrey J Hagen

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-13365 Sundara Devananda Rao

Chapter 13

#146.00 Trustee's Motion to Dismiss Case Trustee
Motion for Failure to Submit All Tax Returns

Docket 57

Matter Notes:

- NONE LISTED -

Tentative Ruling:

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Sundara Devananda Rao

Represented By
William G Cort

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:17-13429 Dawn O. Olivieri

Chapter 13

#147.00 Motion under Local Bankruptcy Rule 3015-1 (n)
and (w) to modify plan or suspend plan payments

Docket 89

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor proposes to suspend 3 plan payments and reduce plan payment from \$5,800 to \$500.

Trustee opposes Debtor's Motion because the reduced payment to \$500 from \$5,800 does not appear to be Debtor's best effort.

Former Ch. 7 Trustee objects as well because the reduced payment and suspension of 3 payments is allegedly not Debtor's best efforts. Trustee states that the Motion is not filed in good faith and requests to reconvert Debtor's case to Ch. 7.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Dawn O. Olivieri

Represented By
Larry D Simons

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-10018 Betty D Frey

Chapter 13

#148.00 Motion to Dismiss Case for Failure to Make
Plan Payments

fr. 8/20/19, 10/22/19

Docket 72

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 10-22-19

All parties agreed to continue at the last hearing.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

10-22-19 Tentative Below:

Cont'd. fr. 8/20/19, 10/22/19

On 7/24/19, Debtor filed an Opposition stating that she intends to bring plan payments current before 8/20/19.

Is Debtor now current on her plan payments?

APPEARANCE REQUIRED unless Trustee stipulates to continue for 10-22-19 tentative.

Party Information

Debtor(s):

Betty D Frey

Represented By
Gregory M Shanfeld

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-10023 Gennady Aleksandrovsky

Chapter 13

**#149.00 Trustee's Motion to Dismiss Case Trustee
Motion for Failure to Submit All Tax Returns**

Docket 57

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor objects explaining that he has uploaded his 2018 tax returns to Trustee's website.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Gennady Aleksandrovsky

Represented By
David S Hagen

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-10083 Abdul K. Patel

Chapter 13

#150.00 Trustee's Motion to Dismiss Case for Failure
to Submit All Tax Returns

Docket 47

***** VACATED *** REASON: trustee withdrew [#51] -ts**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Party Information

Debtor(s):

Abdul K. Patel

Represented By
David Samuel Shevitz

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-10222 Maria Audelia Navarro

Chapter 13

#151.00 Trustee's Motion To Dismiss for Failure to
Submit All Tax Returns

Docket 54

***** VACATED *** REASON: Ntc. of w/drawal filed 12/16/19 (eg)**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposed explaining that she will provide Trustee her 2018 tax returns on or before the hearing.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Maria Audelia Navarro

Represented By
Donald E Iwuchuku

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-10250 Gabriela Kinney Puentes

Chapter 13

#152.00 Trustee's Motion to Dismiss Case Trustee
Motion for Failure to Submit All
Tax Returns

Docket 44

Matter Notes:

- NONE LISTED -

Tentative Ruling:

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Gabriela Kinney Puentes

Represented By
Hector Vega

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-10533 Marvin Eleid

Chapter 13

#153.00 Trustee's Motion to Dismiss Case Trustee
Motion for Failure to Submit
All Tax Returns

Docket 45

Matter Notes:

- NONE LISTED -

Tentative Ruling:

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Marvin Eleid

Represented By
Ali R Nader

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-10551 Joaquin Martinez

Chapter 13

#154.00 Motion to Dismiss Case for Failure to Make Plan Payments

fr. 9/24/19, 11/19/19

Docket 68

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 11-19-19

All parties agreed to continue at the last hearing.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

11-19-19 Tentative Below:

Cont'd. fr. 9-24-19

Debtor opposed explaining that he suffered financial hardship because his brother and tenant failed to pay rent due to diabetes complications. Debtor would like to reinstate his post-petition arrears by modifying the plan. Debtor has not filed a motion for plan modification.

APPEARANCE REQUIRED unless Trustee stipulates to continue for 11-19-19 tentative.

Party Information

Debtor(s):

Joaquin Martinez

Represented By
Donald E Iwuchuku

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-10551 Joaquin Martinez

Chapter 13

#155.00 Trustee's Motion to Dismiss Case Trustee
Motion for Failure to Submit All
Tax Returns

Docket 77

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposed explaining that he will file the 2018 tax returns on or before the hearing.

Has Trustee received Debtor's 2018 tax returns?

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Joaquin Martinez

Represented By
Donald E Iwuchuku

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-10671 Yuriy Sharonov

Chapter 13

#156.00 Trustee's Motion to Dismiss Case Trustee Motion
for Failure to Submit All Tax Returns

Docket 37

Matter Notes:

- NONE LISTED -

Tentative Ruling:

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Yuriy Sharonov

Represented By
Vahe Khojayan

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-10772 Anna Gevorkian

Chapter 13

#157.00 Trustee's Motion to Dismiss Case Trustee
Motion for Failure to Submit All
Tax Returns

Docket 77

***** VACATED *** REASON: Trustee filed a withdrawal #79. If**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Anna Gevorkian

Represented By
Robert T Chen

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-10843 Mary Ann Friermor

Chapter 13

#158.00 Trustee's Motion to Dismiss Case Trustee
Motion for Failure to Submit All Tax Returns

Docket 33

*** VACATED *** REASON: Trustee filed a withdrawal #35. If

Matter Notes:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mary Ann Friermor

Represented By
Steven A Alpert

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-10930 Jose Alberto Vidal Romero

Chapter 13

#159.00 Trustee's Motion to Dismiss Case for
Failure to Submit All Tax Returns

Docket 52

*** VACATED *** REASON: Ntc. of w/drawal filed 11/14/19 (eg)

Matter Notes:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jose Alberto Vidal Romero

Represented By
Anil Bhartia

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-10934 Maria Mercedes Arana

Chapter 13

#160.00 Motion to Dismiss Case for Failure to Make Plan Payments

fr. 9/24/19

Docket 54

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 9-24-19

Debtor opposed explaining that she will bring receipts of payments for \$4,127.70 deficiency or will file a motion to modify. Order granting Debtor's Mtn. to Modify was approved.

Does the modification resolve this Motion?

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Maria Mercedes Arana

Represented By
Kevin T Simon

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-10969 Hal Berman

Chapter 13

#161.00 Trustee's Motion to Dismiss Case for Failure
to Submit All Tax Returns

Docket 33

*** VACATED *** REASON: Trustee filed a withdrawal - Doc. #35. If

Matter Notes:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hal Berman

Represented By
Steven A Wolvek

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-10979 Irina G Dzhalalyants

Chapter 13

#162.00 Trustee's Motion to Dismiss Case
Trustee Motion for Failure to Submit
All Tax Returns

Docket 40

***** VACATED *** REASON: Trustee filed a w/drawal - doc. #42. If**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Irina G Dzhalalyants

Represented By
Elena Steers

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-11002 Joshua M Smith

Chapter 13

#163.00 Trustee's Motion for Order Modifying the Plan to Increase the Plan Payment

fr. 10/22/19

Docket 43

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 10-22-19

All parties agreed to continue at the last hearing.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

10-22-19 Tentative Below:

Trustee requests to increase plan payments to \$3,750.37 as of 11/22/2019 and increase the percentage to unsecured creditors, or, alternatively, dismiss the petition.

Debtor filed an Opposition on 10/8/2019 stating that the plan payments should not increase after considering his monthly income and expenses. Debtor claims that he will file a motion to request a continuance of the hearing to allow time to review the matter with his attorney and to file a supplemental opposition with the correct amount for any plan payment increase. Debtor claims that he has not filed a motion to request a continuance because of a delay in the mail in receiving the Trustee's notice; (2) Debtor has been out of state; and (3) Debtor's attorney has been busy tending to Debtor's mother, who has cancer.

Debtor did not sign the Opposition and was instructed to re-file with the proper signatures on 10/9/2019.

APPEARANCE REQUIRED unless Trustee stipulates to continue for 10-22-19 tentative.

Party Information

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

CONT... Joshua M Smith

Chapter 13

Debtor(s):

Joshua M Smith

Represented By
David T Egli

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-11080 Rafael Huerta

Chapter 13

#164.00 Motion to Dismiss Case for Failure to Make Plan Payments

Docket 31

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposed explaining that he mailed a cashier's check for \$1,248 to Trustee and that he will be current on his plan payments by the hearing.

Did Trustee receive Debtor's payments?

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Rafael Huerta

Represented By
William G Cort

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-11090 Jason R. Corralejo and Claudine P. Corralejo

Chapter 13

#165.00 Trustee's Motion to Dismiss Case Trustee
Motion for Failure to Submit All
Tax Returns

Docket 55

***** VACATED *** REASON: Ntc. of w/drawal filed on 11/6/19 (eg)**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jason R. Corralejo

Represented By
Gregory M Shanfeld
Amelia Puertas-Samara

Joint Debtor(s):

Claudine P. Corralejo

Represented By
Gregory M Shanfeld

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-11140 Dahlia J-nai Jones

Chapter 13

#166.00 Trustee's Motion to Dismiss Case Trustee
Motion for Failure to Submit All Tax Returns

Docket 53

*** VACATED *** REASON: Trustee withdrew [#59] – ts

Matter Notes:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Dahlia J-nai Jones

Represented By
Erika Luna

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-11247 Sabrina Loralyn Samuel-Lawton

Chapter 13

**#167.00 Trustee's Motion to Dismiss Case Trustee
Motion for Failure to Submit All Tax Returns**

Docket 69

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposed stating that she will be current by the hearing or she will file a motion to modify. No motion to modify on file.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Sabrina Loralyn Samuel-Lawton

Represented By
Barry E Borowitz

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-11399 Florbabee Regala-Robles

Chapter 13

**#167.01 Motion to Dismiss Case for Failure to
Make Plan Payments**

Docket 32

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposed explaining that payments were made to cure the default.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Florbabee Regala-Robles

Represented By
Nicholas M Wajda

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-11399 Florbobe Regala-Robles

Chapter 13

#168.00 Trustee's Motion to Dismiss Case Trustee Motion
for Failure to Submit All Tax Returns

Docket 29

***** VACATED *** REASON: Trustee filed a withdrawal - Doc. #31. If**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Florbobe Regala-Robles

Represented By
Nicholas M Wajda

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-11512 Donna Mapile

Chapter 13

#169.00 Trustee's Motion to Dismiss Case Trustee
Motion for Failure to Submit All
Tax Refunds

Docket 33

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor filed a motion to retain her 2018 tax refunds for \$3,986 for birthday expenses and child care. Debtor used \$1,500 to pay a divorce attorney.

Trustee filed a comment stating that more information is needed to determine whether she can recommend retaining the tax refunds or whether the remaining payments can be increased to compensate the estate for the use of the refunds. Debtor's circumstances appear to have significantly changed. Trustee requests Debtor to update Schedules I and J to show current income and expenses and provide evidence of current income. Trustee is not clear whether Debtor is receiving support or is continuing to pay household expenses.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Donna Mapile

Represented By
Nathan A Berneman

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-11528 Heather Lynn Brezny

Chapter 13

#170.00 Trustee's Motion to Dismiss Case Trustee
Motion for Failure to Submit All Tax Returns

Docket 30

Matter Notes:

- NONE LISTED -

Tentative Ruling:

In opposition, Debtor's attorney declared that he uploaded Debtor's 2018 state and federal tax returns on the Trustee's website.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Heather Lynn Brezny

Represented By
Richard A Brownstein

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-11550 Andrea L Cervantes

Chapter 13

#171.00 Trustee's Motion to Dismiss Case Trustee
Motion To Dismiss for Failure to Submit
All Tax Returns

Docket 37

***** VACATED *** REASON: Ntc. of w/drawal filed 12/16/19 (eg)**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Andrea L Cervantes

Represented By

Stephen S Smyth

William J Smyth

Andrew Edward Smyth

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-11558 Paymaun Jafari

Chapter 13

#172.00 Trustee's Motion to Dismiss Case Trustee
Motion for Failure to Submit All Tax Returns

Docket 44

Matter Notes:

- NONE LISTED -

Tentative Ruling:

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Paymaun Jafari

Represented By
Julie J Villalobos

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-11575 Roderick Bill Norseweather

Chapter 13

**#173.00 Motion to Dismiss Case for Failure to Make
Plan Payments**

Docket 60

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposed explaining that he will file a motion to modify. No motion to modify on file yet.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Roderick Bill Norseweather

Represented By
James G. Beirne

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-11625 Blanca Araceli Michel

Chapter 13

#174.00 Trustee Motion to Dismiss case for Failure
to Submit All Tax Returns

Docket 65

*** VACATED *** REASON: Trustee filed a withdrawal - Doc. #67. If

Matter Notes:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Blanca Araceli Michel

Represented By
Sanaz S Bereliani

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-11703 Fredy A. Caballero

Chapter 13

#175.00 Trustee's Motion to Dismiss Case Trustee
Motion for Failure to Submit All
Tax Returns

Docket 48

***** VACATED *** REASON: Ntc. of w/rawal filed 12/12/19 (eg)**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Party Information

Debtor(s):

Fredy A. Caballero

Represented By
Nathan A Berneman

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-11771 Claudia Victoria Gonzalez

Chapter 13

#176.00 Trustee's Motion to Dismiss Case for Failure to
Submit All Tax Returns

Docket 39

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposed explaining that she uploaded her 2018 tax returns to the Trustee's website.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Claudia Victoria Gonzalez

Represented By
Giovanni Orantes

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-11784 Alexandra Olga Sologub

Chapter 13

#177.00 Trustee's Motion to Dismiss Case Trustee
Motion for Failure to Submit All
Tax Returns

Docket 44

***** VACATED *** REASON: order entered granting stipulation to modify
and resolve tax [#47] – ts**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Alexandra Olga Sologub

Represented By
Peter M Lively

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-11961 Sukhdev Singh and Gurjinder Pal Kaur

Chapter 13

#178.00 Trustee's Motion to Dismiss Case Trustee
Motion for Failure to Submit All
Tax Returns

Docket 26

***** VACATED *** REASON: Trustee filed a withdrawal - Doc. #28. If**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sukhdev Singh

Represented By
Edmond Richard McGuire

Joint Debtor(s):

Gurjinder Pal Kaur

Represented By
Edmond Richard McGuire

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-12016 Gregory Bernard Walker and Brenda Yvonne Walker

Chapter 13

#179.00 Motion to Dismiss Case for Failure to Make Plan Payments

fr. 6/25/19, 7/30/19; 8/20/19, 10/22/19

Docket 60

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 10-22-19

All parties agreed to continue at the last hearing.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

10-22-19 Tentative Below:

Cont'd. fr. 8/20/19

Trustee indicates that Debtors are \$8,871 in default.

On 5/14/19, Debtors filed an Opposition stating that they intend to cure the delinquency before the hearing.

Have Debtors cured the default?

APPEARANCE REQUIRED unless Trustee stipulates to continue for 10-22-19 tentative.

Party Information

Debtor(s):

Gregory Bernard Walker

Represented By
Thomas B Ure

Joint Debtor(s):

Brenda Yvonne Walker

Represented By

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

**CONT... Gregory Bernard Walker and Brenda Yvonne Walker
Thomas B Ure**

Chapter 13

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-12294 Joe Magana

Chapter 13

#180.00 Trustee's Motion to Dismiss Case Trustee
Motion for Failure to Submit
All Tax Returns

Docket 38

*** VACATED *** REASON: trustee withdrew [#40] -ts

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Party Information

Debtor(s):

Joe Magana

Represented By
Barry E Borowitz

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-12534 David Wayne Thompson

Chapter 13

#181.00 Motion to Dismiss Case for Failure to Make Plan Payments

fr. 9/24/19

Docket 51

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 9-24-19

All parties agreed to continue at the last hearing.

On 8-1-2019, Debtor opposed asserting that he will bring receipts of payment for \$6,505 delinquency.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

David Wayne Thompson

Represented By
Kevin T Simon

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-12591 Frances Pink Kaplan

Chapter 13

#182.00 Motion to Dismiss Case for Failure to Make Plan Payments

fr. 9/24/19

Docket 65

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 9-24-19

All parties agreed to continue at the last hearing.

On 8-1-19, Debtor opposed indicating that he will bring receipts of payments.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Frances Pink Kaplan

Represented By
Kevin T Simon

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-12737 Craig A. Lapiner

Chapter 13

#183.00 Motion to Dismiss Case for Failure to Make
Plan Payments

fr. 10/22/19

Docket 65

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 10-22-19

All parties agreed to continue at the last hearing.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

10-22-19 Tentative Below:

Trustee's Motion indicates that Debtor is \$8,478 in default.

On 9/16/19, Debtor filed an Opposition stating that he will cure delinquency on or before 10/22/19.

Has Debtor cured the default?

APPEARANCE REQUIRED unless Trustee stipulates to continue for 10-22-19 tentative.

Party Information

Debtor(s):

Craig A. Lapiner

Represented By
Eliza Ghanooni

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:19-10083 Daniel Y. Baah

Chapter 7

#184.00 Motion to vacate dismissal

Docket 36

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor moves the court for an order vacating dismissal under FRBP 9024 and Fed. R. Civ. P. 60(b).

Under Fed. R. Civ. P. 60(b), as incorporated in FRBP 9024, a court may relieve a party or its legal representative from a final judgment, order, or proceeding for (1) mistake, inadvertence, surprise, or excusable neglect; (6) any other reason that justifies relief.

Debtor explains that his attorney mistakenly did not prepare Form 122A ch. 7 means test upon conversion of Debtor's ch. 13 case because the attorney believed that Debtor's eligibility for relief under ch. 7 had been established by Debtor's filed Form 122C-1.

No opposition filed.

Motion GRANTED.

NO APPEARANCE REQUIRED.

Party Information

Debtor(s):

Daniel Y. Baah

Represented By
Clifford Bordeaux

Trustee(s):

David Keith Gottlieb (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:19-10108 Wilfredo Castillo and Carmen Rosa Castillo

Chapter 13

**#185.00 Motion to Dismiss Case for Failure to Make
Plan Payments**

Docket 36

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtors opposed explaining that plan payments were not accounted for and that they will provide evidence of payment or, alternatively, tender the balance on or before the hearing.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Wilfredo Castillo

Represented By
Donald E Iwuchuku

Joint Debtor(s):

Carmen Rosa Castillo

Represented By
Donald E Iwuchuku

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:19-10287 Paris Fuerte

Chapter 13

#186.00 Motion to Dismiss Case for Failure to Make
Plan Payments

fr. 10/22/19

Docket 36

***** VACATED *** REASON: Debtor requested for a voluntary dismissal
[#44] - ts.**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Party Information

Debtor(s):

Paris Fuerte

Represented By
Elena Steers

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:19-10664 Bridget G Moran Smith

Chapter 13

#187.00 Motion RE: Objection to Claim Number 3 by Claimant U.S. Bank, National Association, et al. c/o PHH Mortgage Corporation, its Successors and/or Assigns.

fr. 7/30/19; 8/20/19; 10/22/2019

Docket 26

***** VACATED *** REASON: parties stipulated to continue to February 25, 2020 at 11:00 a.m.**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Party Information

Debtor(s):

Bridget G Moran Smith

Represented By
Kevin T Simon

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:19-10708 Elizabeth Fincher

Chapter 13

#188.00 Motion to Dismiss Case for Failure to Make Plan Payments

Docket 19

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor opposed explaining that he will file motion to modify, which has not yet been filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Elizabeth Fincher

Represented By
Elena Steers

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:19-11045 John S. Singler

Chapter 13

#189.00 Motion RE: Objection to Claim Number 4
by Claimant Select Portfolio Servicing, Inc.

fr. 9/24/19, 10/22/19, 11/19/19

Docket 21

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Cont'd. fr. 11-19-19

This matter was vacated at the last hearing and continued.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

John S. Singler

Represented By
Michael F Chekian

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:19-12079 Martin Pantoja

Chapter 13

#190.00 Motion for Order Determining Value of Collateral

Docket 38

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Pursuant to 11 U.S.C. § 1322, Debtor moves for order to determine the value of a used 2014 Nissan Altima. Debtor asserts that the value is \$4,240 based on an Edmunds appraisal report that assumes the car is "average." Debtor states that Coast Hills is the 1st lienholder with a \$4,240 secured claim and \$6,037.58 unsecured claim.

Creditor, Coasthills Credit Union (as holder of the 1st TD), opposed the Motion, arguing that Debtor is not entitled to strip away or cram down the amount owed to Creditor. Creditor alleges Debtor undervalued the property and that the actual value of the vehicle is \$9,115 based on Kelley Blue Book. Creditor requests the value be set at no less than \$9,115 and for Debtor to pay this amount through his Ch. 13 Plan.

Under Ch. 13, the Plan must provide for the payment of the present value of the secured claim. Under 11 U.S.C. § 506(a)(2), "If the debtor is an individual in a case under chapter... 13...such value with respect to personal property securing an allowed claim shall be determined based on the replacement value of such property as of the date of the filing of the petition without deduction for costs of sale or marketing. With respect to property acquired for personal, family, or household purposes, replacement value shall mean the price a retail merchant would charge for property of that kind considering the age and condition of the property at the time value is determined." 11 U.S.C. § 506(a)(2).

The correct method for calculating a vehicle's retail value depends on the facts presented in each case. In re Morales, 387 B.R. 36, 45 (Bankr. C.D. Cal. 2008). Absent unusual circumstances, the retail value should be calculated by adjusting the Kelley Blue Book or N.A.D.A. Guide's retail value for a like vehicle by a reasonable amount in light of any additional evidence presented regarding the condition of the vehicle and any other relevant factors. Id. The burden of proving the

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

CONT... **Martin Pantoja**

Chapter 13

reasonableness of any deviation from a valuation guide is on the debtor because the debtor has the best access to information about the condition of the vehicle. Id.

Debtor's petition was filed on 8-20-2019, so this is the date to determine replacement value.

Debtor and Creditor's valuation differs in the following ways:

	Condition	Guide	Valuation	Valuation Date	Miles
Debtor	Average	Edmunds	\$4,240	10-29-19	104,000
Creditor	Fair	Kelly Blue Book	\$9,115	11-2-19	93,776

In addition, Debtor based his valuation as a private party, which is usually lower than the retail price.

Creditor's valuation is appropriate because it used the Kelley Blue Book and adjusted for the vehicle's options, such as traction control, keyless entry, power steering, 4-wheel drive, etc.

The burden of proving the reasonableness of deviation from the \$9,115 Kelly Blue Book valuation is on Debtor. Debtor must now present evidence that the price should deviate from the \$9,115 Kelly Blue Book valuation.

Debtor presented evidence in the form of an Edmunds valuation that adjusts for higher mileage. Debtor's stated mileage is 104,000 and Creditor's stated mileage is 93,776, which is a difference of 10,224 miles. If this 10,224-mile difference accounts for the \$4,875 valuation difference, then Debtor's valuation is accurate.

What else does debtor show to justify the difference?

APPEARANCE REQUIRED.

Party Information

Debtor(s):

Martin Pantoja

Represented By

Matthew D. Resnik

Roksana D. Moradi-Brovia

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

CONT... Martin Pantoja

Chapter 13

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:19-12205 Mauricio Nunez

Chapter 13

#191.00 Trustee's Objection to Homestead Exemption

Docket 16

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtor seeks to exempt \$11,000 of construction tools under C.C.P. § 704.060 based on the assertion that he and his wife both work in the business as construction workers. Trustee objects to Debtor's claimed exemption because Debtor has allegedly not provided any evidence that his wife also works in the business and requests to limit the exemption to \$8,725.

C.C.P. §704.060 exempts equity in tools, implements, instruments, materials, uniforms, furnishings, books, equipment, among other personal property used in a debtor's business or livelihood up to \$8,725. This exemption increases to \$17,450 if both husband and wife engage in the business.

Generally, a debtor's claimed exemption is presumptively valid, and the party objecting to a debtor's exemption has the burden of proving that the exemption is improper. Carter v. Anderson (In re Carter), 182 F.3d 1027, 1029 n. 3 (9th Cir. 1999); Rule 4003(c).

If the objecting party can produce evidence sufficient to rebut the presumption of validity, then the burden of production shifts to the debtor to provide unequivocal evidence to demonstrate that the exemption is proper. Carter, 182 F.3d at 1029 n. 3. The burden of persuasion always remains with the objecting party who must provide sufficient proof to meet the preponderance of the evidence standard. Id. The objecting party must show by a preponderance of the evidence that the exemption should be denied. In re Nicholson, 435 BR 622, 632-633 (B.A.P. 9th Cir. 2010).

Debtor's \$11,000 claimed exemption is presumptively valid. However, Trustee presented evidence to rebut the presumption of validity by indicating that Debtor has not provided evidence that his wife also works in the business in order to be entitled to the higher exemption amount of \$17,450 under C.C.P. § 704.060.

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

CONT... Mauricio Nunez

Chapter 13

The burden of production now shifts to Debtor, who must provide unequivocal evidence to demonstrate that his wife works in the same business and that they are entitled to the \$11,000 exemption.

Objection is SUSTAINED. Debtor's exemption under 704.060 is allowed in the amount of \$8,725.

Service proper. Debtor has not filed a response to this objection.

APPEARANCE REQUIRED.

Party Information

Debtor(s):

Mauricio Nunez

Represented By
Donald E Iwuchuku

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:19-12351 Hadar Heather Sadon and Sharon Sadon

Chapter 13

#192.00 Motion RE: Objection to Claim Number 9 by Claimant
LVNV Funding, LLC.

Docket 22

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtors object to Claim #9 in the amount of \$5,055.21 by LVNV Funding ("Lender"). The proof of claim indicates a 12-22-2003 last payment date.

A proof of claim is deemed allowed unless a party in interest objects under § 502(a) and constitutes "prima facie evidence of the validity and amount of the claim" pursuant to Bankruptcy Rule 3001(f). See *also* Fed. R. Bankr.P. 3007. The filing of an objection to a proof of claim "creates a dispute which is a contested matter" within the meaning of Bankruptcy Rule 9014 and must be resolved after notice and opportunity for hearing upon a motion for relief. See Adv. Comm. Notes to Fed. R. Bankr.P. 9014.

Upon objection, the proof of claim provides "some evidence as to its validity and amount" and is "strong enough to carry over a mere formal objection without more." Wright v. Holm (In re Holm), 931 F.2d 620, 623 (9th Cir.1991) (quoting 3 Collier on Bankruptcy § 502.02, at 502-22 (15th ed.1991)); see *also* Ashford v. Consolidated Pioneer Mort. (In re Consol. Pioneer Mort.), 178 B.R. 222, 226 (9th Cir. BAP 1995), *aff'd*, 91 F.3d 151, 1996 WL 393533 (9th Cir.1996). To defeat the claim, the objector must come forward with sufficient evidence and "show facts tending to defeat the claim by probative force equal to that of the allegations of the proofs of claim themselves." In re Holm, 931 F.2d at 623.

"If the objector produces sufficient evidence to negate one or more of the sworn facts in the proof of claim, the burden reverts to the claimant to prove the validity of the claim by a preponderance of the evidence." In re Consol. Pioneer, 178 B.R. at 226 (quoting In re Allegheny Int'l, Inc., 954 F.2d 167, 173-74 (3d Cir.1992)). The ultimate burden of persuasion remains at all times upon the claimant. See In re Holm, 931 F.2d at 623.

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

CONT... Hadar Heather Sadon and Sharon Sadon Chapter 13

Under California Civil Code § 335, the periods prescribed for the commencement of actions other than for the recovery of real property, are as follows:

California Civil Code § 335

The periods prescribed for the commencement of actions other than for the recovery of real property, are as follows:

California Civil Code § 337

Within four years (from the date of breach of contract):

(a) An action upon any contract, obligation or liability founded upon an instrument in writing, except as provided in Section 336a...

Lender's proof of claim is prima facie evidence of the validity and amount of the claim. However, Debtor has provided sufficient evidence to defeat the claim in the form of Lender's proof of claim, which indicates that the last payment date was 12-22-2003. Under C.C.P. §§ 335 and 337, Lender had 4 years to bring an action for breach of contract. The breach of contract occurred on 12-22-2003. Lender had until 12-22-2007 to bring an action. Lender did not file a proof of claim until 11-11-2019, which is beyond the time allowed. The burden is now on Lender to prove the validity of its claim by a preponderance of the evidence. Given that Lender has not filed an opposition to prove the validity of its claim, Debtor's objection is SUSTAINED.

Service proper at address designated by Creditor on the proof of claim. No opposition filed.

APPEARANCE REQUIRED.

Party Information

Debtor(s):

Hadar Heather Sadon

Represented By
Jeffrey J Hagen

Joint Debtor(s):

Sharon Sadon

Represented By
Jeffrey J Hagen

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

CONT... Hadar Heather Sadon and Sharon Sadon

Chapter 13

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:19-12351 Hadar Heather Sadon and Sharon Sadon

Chapter 13

#193.00 Motion RE: Objection to Claim Number 7 by
Claimant Rosenthal & Rosenthal, Inc.

Docket 23

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Debtors object to Claim No. 7 filed on 10-18-19 by Rosenthal & Rosenthal, Inc. ("Lender") in the unsecured and nonpriority amount of \$12,824.

Debtors allege that claim is for a debt owed by Debtor's now defunct corporation, Bellagio Shoes, Inc. Debtors allegedly never personally guaranteed the debt and are not personally liable as the alter ego of the defunct business.

A proof of claim is deemed allowed unless a party in interest objects under § 502(a) and constitutes "prima facie evidence of the validity and amount of the claim" pursuant to Bankruptcy Rule 3001(f). See *also* Fed. R. Bankr.P. 3007. The filing of an objection to a proof of claim "creates a dispute which is a contested matter" within the meaning of Bankruptcy Rule 9014 and must be resolved after notice and opportunity for hearing upon a motion for relief. See Adv. Comm. Notes to Fed. R. Bankr.P. 9014.

Upon objection, the proof of claim provides "some evidence as to its validity and amount" and is "strong enough to carry over a mere formal objection without more." Wright v. Holm (In re Holm), 931 F.2d 620, 623 (9th Cir.1991) (quoting 3 Collier on Bankruptcy § 502.02, at 502-22 (15th ed.1991)); see *also* Ashford v. Consolidated Pioneer Mort. (In re Consol. Pioneer Mort.), 178 B.R. 222, 226 (9th Cir. BAP 1995), *aff'd*, 91 F.3d 151, 1996 WL 393533 (9th Cir.1996). To defeat the claim, the objector must come forward with sufficient evidence and "show facts tending to defeat the claim by probative force equal to that of the allegations of the proofs of claim themselves." In re Holm, 931 F.2d at 623.

"If the objector produces sufficient evidence to negate one or more of the sworn facts in the proof of claim, the burden reverts to the claimant to prove the validity of the claim by a preponderance of the evidence." In re Consol. Pioneer, 178 B.R. at

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

CONT... Hadar Heather Sadon and Sharon Sadon

Chapter 13

226 (*quoting In re Allegheny Int'l, Inc.*, 954 F.2d 167, 173-74 (3d Cir.1992)). The ultimate burden of persuasion remains at all times upon the claimant. See In re Holm, 931 F.2d at 623.

Under California Civil Code § 335, the periods prescribed for the commencement of actions other than for the recovery of real property, are as follows:

California Civil Code § 335

The periods prescribed for the commencement of actions other than for the recovery of real property, are as follows:

California Civil Code § 337

Within four years (from the date of breach of contract):

(a) An action upon any contract, obligation or liability founded upon an instrument in writing, except as provided in Section 336a...

Service proper at address designated by Creditor on the proof of claim". No opposition filed.

Lender's \$12,824 proof of claims is prima facie evidence of its validity. To defeat the claim, Debtors must provide sufficient evidence and show facts tending to defeat the claim by probative force equal to that of the allegations in the proofs of claim.

Here, Debtors offers evidence in the form of a declaration and exhibits. Debtors declare that the claim is against their now defunct corporation. Debtors also provide a statement of account indicating that the debt is owed by the corporation. Generally, principals of a corporate are not personally liable for the debts of a corporation, unless the corporate veil is pierced. Holley v. Crank, 386 F.3d 1248 (9th Cir. 2004). Because Debtors were owners of the defunct corporation and no evidence was provided to pierce the corporate veil, Debtors are considered not personally liable for the debts of the corporation.

The burden reverts to Lender to prove the validity of its \$12,824. Lender having filed no opposition, Debtor's objection is SUSTAINED.

APPEARANCE REQUIRED.

Party Information

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

CONT... Hadar Heather Sadon and Sharon Sadon

Chapter 13

Debtor(s):

Hadar Heather Sadon

Represented By
Jeffrey J Hagen

Joint Debtor(s):

Sharon Sadon

Represented By
Jeffrey J Hagen

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:19-12352 Martin Miguel Centurion and Magalita R Centurion

Chapter 13

#194.00 Objection to Homestead Exemption

Docket 16

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Trustee objects to Debtors' \$100,000 claimed exemption from an alleged personal injury lawsuit and drunk driving accident under C.C.P. § 704.140.

C.C.P. § 704.140 provides:

(a) Except as provided in Article 5 (commencing with [Section 708.410](#)) of Chapter 6, a cause of action for personal injury is exempt without making a claim.

(b) Except as provided in subdivisions (c) and (d), an award of damages or a settlement arising out of personal injury is exempt to the extent necessary for the support of the judgment debtor and the spouse and dependents of the judgment debtor.

Generally, a debtor's claimed exemption is presumptively valid, and the party objecting to a debtor's exemption has the burden of proving that the exemption is improper. Carter v. Anderson (In re Carter), 182 F.3d 1027, 1029 n. 3 (9th Cir. 1999); Rule 4003(c).

If the objecting party can produce evidence sufficient to rebut the presumption of validity, then the burden of production shifts to the debtor to provide unequivocal evidence to demonstrate that the exemption is proper. Carter, 182 F.3d at 1029 n. 3. The burden of persuasion always remains with the objecting party who must provide sufficient proof to meet the preponderance of the evidence standard. Id. The objecting party must show by a preponderance of the evidence that the exemption should be denied. In re Nicholson, 435 BR 622, 632-633 (B.A.P. 9th Cir. 2010).

Debtors' \$100,000 claimed exemption is presumptively valid. Trustee carries the

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

CONT... Martin Miguel Centurion and Magalita R Centurion Chapter 13

burden to prove that the exemption is improper. Here, Trustee objects based on the allegation that Debtors provided no evidence that the proceeds are reasonable and necessary for maintenance and support, and that Debtors' budget indicates \$100,000 is not necessary for Debtors' maintenance and support.

Debtors argue that Trustee applied the wrong standard, C.C.P. § 704.140(b), which exempts an award of damages or a settlement to the extent necessary for the support of the judgment debtor and the spouse and dependents of the judgment debtor. Debtors explain that the personal injury cause of action has not yet been reduced to a judgment, and as of the petition, are only claims, so C.C.P. § 704.140(b) does not apply and Trustee's objection is premature and inapplicable. Debtors assert that, even assuming C.C.P. § 704.140(b) applies, \$100,000 is necessary for their maintenance and support because they are still undergoing treatment and the extent of their injuries is unknown.

Debtors explain that C.C.P. § 704.140(a) is the proper standard, which exempts a personal injury cause of action that has not yet been reduced to a judgment and paid.

Without more evidence to rebut the presumption of validity of Debtors' claimed exemption, Trustee's evidence is insufficient. As such, Trustee's objection is **OVERRULED**.

Service proper. Opposition filed.

APPEARANCE REQUIRED.

Party Information

Debtor(s):

Martin Miguel Centurion

Represented By
Kevin T Simon

Joint Debtor(s):

Magalita R Centurion

Represented By
Kevin T Simon

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:19-12788 Claire L Gregorio

Chapter 13

#195.00 Motion to Avoid Lien Junior Lien with
Statebridge Company, LLC

Docket 13

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Service: Proper. Opposition filed.
Property Address: 16401 Flander Street, Granada Hills, CA 91344
First trust deed: \$ 440,288.25 (PHH Mortgage)
Second trust deed (to be avoided): \$ 257,631.72 (Statebridge Company, LLC)
Debtor's Fair market value per appraisal: \$ 618,000

Statebridge Company, LLC ("Creditor") opposed arguing that Debtor cannot modify its secured claim because the claim is secured by Debtor's principal residence. Creditor argues that under 11 U.S.C. § 1322(b)(2), the plan may "modify the rights of holders of secured claims, other than a claim secured only by a security interest in real property that is the debtor's principal residence, or of holders of unsecured claims, or leave unaffected the rights of holders of any class of claims." Creditor further argues that rights that cannot be modified under § 1322(b)(2) include Creditor's rights under the loan documents, including the right to accelerate the loan upon default. See Nobleman v. American Savings Banks, 508 U.S. 324, 329 (1993). These rights are protected from modification, although a Creditor's powers to enforce such rights may be limited by the mortgagor's Chapter 13 bankruptcy filing. See Nobleman, 508 U.S. at 329-30.

The Ninth Circuit has determined that Debtors are able to combine section 506(a) with section 1322 (b)(2) to effectively "avoid" or "strip-off" a junior lien on a Debtor's principal residence if the lien is completely or wholly unsecured. See Lam v. Investors Thrift (In re Lam), 211 B.R. 36 (B.A.P. 9th Cir. 1997); Zimmer v. PSB Lending Corp. (In re Zimmer), 313 F.3d 1220 (9th Cir. Cal. 2002).

Here, Creditor's junior lien is not completely or wholly unsecured because the fair market value of the Property is \$618,000. After accounting for the \$440,288.25 first trust deed, \$177,711.75 remain to partially secure the second trust deed. As such,

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

CONT... Claire L Gregorio
Motion is DENIED.

Chapter 13

APPEARANCE REQUIRED.

Party Information

Debtor(s):

Claire L Gregorio	Pro Se
-------------------	--------

Trustee(s):

Elizabeth (SV) F Rojas (TR)	Pro Se
-----------------------------	--------

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:00 AM

1:18-11672 Artura Flores and Rosalba Rubalcaba

Chapter 13

#196.00 Trustee's Motion for Order Modifying the Plan to
Increase the Plan Payment

Docket 33

Matter Notes:

- NONE LISTED -

Tentative Ruling:

No opposition filed.

APPEARANCE REQUIRED unless Trustee stipulates to continue.

Party Information

Debtor(s):

Artura Flores

Represented By
Rebecca Tomilowitz

Joint Debtor(s):

Rosalba Rubalcaba

Represented By
Rebecca Tomilowitz

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

11:30 AM

1:19-11422 Joe Kearney

Chapter 13

#197.00 Motion to Disallow Claims of Patricia Leupold (claim # 8-1)
fr. 10/22/19

Docket 37

Matter Notes:

- NONE LISTED -

Tentative Ruling:

APPEARANCE REQUIRED.

Party Information

Debtor(s):

Joe Kearney

Represented By
Robert M Aronson

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Chief Judge Maureen Tighe, Presiding
Courtroom 302 Calendar**

Tuesday, December 17, 2019

Hearing Room 302

1:00 PM

1:19-11422 Joe Kearney

Chapter 13

#198.00 Motion to Disallow Claims of Patricia Leupold (claim # 8-1)
fr. 10/22/19

Docket 37

***** VACATED *** REASON: Moved to 11:30 am (eg)**

Matter Notes:

- NONE LISTED -

Tentative Ruling:

Party Information

Debtor(s):

Joe Kearney

Represented By
Robert M Aronson

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se