

United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar

Tuesday, January 09, 2018

Hearing Room 225

9:00 AM

6:17-12702 Rudolfo Jose Castillo, Jr. and Joann Tojino Castillo

Chapter 7

#1.00

Scheer Law Group, LLP - movant attorney

Motion for relief from stay

Pacific Marine Credit Union vs Debtors
(Motion filed 11/22/17)

RE: 2014 LINCOLN MKZ Vin 3LN6L2GK6ER832594

(Tele. appr. Timothy Silverman, rep. creditor, Pacific Marine Credit Union)

Docket 35

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Rudolfo Jose Castillo Jr.

Represented By
Kristin R Lamar

Joint Debtor(s):

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 09, 2018

Hearing Room 225

9:00 AM

CONT... Rudolfo Jose Castillo, Jr. and Joann Tojino Castillo

Chapter 7

Joann Tojino Castillo

Represented By

Kristin R Lamar

Movant(s):

Pacific Marine Credit Union

Represented By

Timothy J Silverman

Trustee(s):

Larry D Simons (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
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Tuesday, January 09, 2018

Hearing Room 225

9:00 AM

6:17-12702 Rudolfo Jose Castillo, Jr. and Joann Tojino Castillo

Chapter 7

#2.00

Scheer Law Group, LLP - movant attorney

Motion for relief from stay

Pacific Marine Credit Union vs Debtors
(Motion filed 11/22/17)

RE: 2011 FORD F250 Vin 1FT7W2BT1BEA05827

Docket 36

Tentative Ruling:

APPEARANCES REQUIRED.

Deny the motion without prejudice. Movant appears to be adequately protected by over \$3,000 in equity.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

| | |
|---------------------------|-----------------------------------|
| Rudolfo Jose Castillo Jr. | Represented By Kristin R Lamar |
|---------------------------|-----------------------------------|

Joint Debtor(s):

| | |
|-----------------------|-----------------------------------|
| Joann Tojino Castillo | Represented By Kristin R Lamar |
|-----------------------|-----------------------------------|

Movant(s):

| | |
|-----------------------------|---------------------------------------|
| Pacific Marine Credit Union | Represented By Timothy J Silverman |
|-----------------------------|---------------------------------------|

**United States Bankruptcy Court
Central District of California
Riverside
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CONT... Rudolfo Jose Castillo, Jr. and Joann Tojino Castillo

Chapter 7

Trustee(s):

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
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Hearing Room 225

9:00 AM

6:17-17136 Jacqueline Brown

Chapter 7

#3.00

H.G. Long Esq - movant attorney

Motion for relief from stay

The MPSN Properties LP vs Debtor
(Motion filed 12/12/17)

RE: 2048 W. 15th Street, San Bernardino

Docket 24

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is granted pursuant to 11 U.S.C. § 362(d)(1). A judgment against the debtor was entered in the unlawful detainer action prepetition. The granting of this motion will permit the movant to exercise its rights under state law with respect to the subject property.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Jacqueline Brown Pro Se

Movant(s):

THE MPSN PROPERTIES LP Represented By
Helen G Long

Trustee(s):

Charles W Daff (TR) Pro Se

United States Bankruptcy Court
Central District of California
Riverside
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Tuesday, January 09, 2018

Hearing Room 225

9:00 AM

6:17-18480 Hoi Jung Chung

Chapter 7

#4.00

Malcolm Cisneros ALC - movant attorney

Motion for relief from stay

US Bank Trust NA vs Debtor
(Motion filed 12/8/17)

RE: 15719 Virginia Drive, Fontana, CA 92336

Docket 9

***** VACATED *** REASON: Case dismissed 12/20/17**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Hoi Jung Chung

Represented By
Kelly K Chang

Movant(s):

U.S. Bank Trust, N.A., as Trustee

Represented By
Christina J O

Trustee(s):

Todd A. Frealy (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
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Tuesday, January 09, 2018

Hearing Room 225

9:00 AM

6:17-18765 Nicholas J. Adams

Chapter 7

#5.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for relief from stay

TD Auto Finance LLC vs Debtor
(Motion filed 12/12/17)

RE: 2017 Ford Mustang, VIN: 1FA6P8CF8H5240969

Docket 10

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Nicholas J. Adams

Represented By
Steven E Cowen

Movant(s):

TD Auto Finance LLC

Represented By
Sheryl K Ith

**United States Bankruptcy Court
Central District of California
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CONT... Nicholas J. Adams

Chapter 7

Trustee(s):

Robert Whitmore (TR)

Pro Se

United States Bankruptcy Court
Central District of California
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Hearing Room 225

9:00 AM

6:17-18810 Bernard A. Pineda

Chapter 7

#6.00

Law Office of Bret D. Allen - movant attorney

Motion for Relief from Stay

BMW Bank of North America vs. DEBTOR
(Motion filed 12/4/17)

Re: 2013 MINI Cooper Wagon 2D S I4 Turbo

Docket 12

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Bernard A. Pineda

Represented By
Ahren A Tiller

Movant(s):

BMW Bank of North America

Represented By
Bret D. Allen

**United States Bankruptcy Court
Central District of California
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CONT... Bernard A. Pineda

Chapter 7

Trustee(s):

Todd A. Frealy (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar

Tuesday, January 09, 2018

Hearing Room 225

9:00 AM

6:17-19305 Michael Newett and Brooke Newett

Chapter 7

#7.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

Santander Consumer USA Inc. vs. DEBTOR, John Pringle, trustee
(Motion filed 12/6/17)

Re: 2013 Ford Mustang, VIN: 1ZVBP8CF8D5262454

Docket 9

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Michael Newett Pro Se

Joint Debtor(s):

Brooke Newett Pro Se

**United States Bankruptcy Court
Central District of California
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CONT... Michael Newett and Brooke Newett

Chapter 7

Movant(s):

Santander Consumer USA Inc.

Represented By
Sheryl K Ith

Trustee(s):

John P Pringle (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
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Tuesday, January 09, 2018

Hearing Room 225

9:00 AM

6:17-19374 Francisco J Partida and Lydia Partida

Chapter 7

#8.00

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

Santander Consumer USA Inc. vs. DEBTOR, Karl Anderson, trustee
(Motion filed 12/6/17)

Re: 2015 Nissan Versa, VIN: 3N1CN7AP6FL801128

Docket 9

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Francisco J Partida

Represented By
Alexander Pham

Joint Debtor(s):

Lydia Partida

Represented By
Alexander Pham

**United States Bankruptcy Court
Central District of California
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CONT... Francisco J Partida and Lydia Partida

Chapter 7

Movant(s):

Santander Consumer USA Inc.

Represented By
Sheryl K Ith

Trustee(s):

Karl T Anderson (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
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Tuesday, January 09, 2018

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9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

#9.00

Higgs Fletcher & Mack LLP - movant attorney

Motion for Relief from Stay

Havasu Lakeshore Investments vs. DEBTOR
(Motion filed 12/1/17)

Re: ACTION IN NON-BANKRUPTCY FORUM RE: Orange County Fraudulent Transfer Action

Docket 18

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is moot because the underlying state court action has been removed to this Court.

Deny without prejudice.

Havasu Lakeshore Investments' right to move for remand is preserved. As to motion 3 regarding the Riverside Dwelling Action, deny for reasons stated in Debtor's opposition.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

Movant(s):

Havasu Lakeshore Investments

Represented By
Martin A Eliopoulos

**United States Bankruptcy Court
Central District of California
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9:00 AM

CONT... Terry Lee Fleming, Sr

Chapter 11

United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar

Tuesday, January 09, 2018

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

#10.00

Higgs Fletcher & Mack LLP - movant attorney

Motion for Relief from Stay

Havasu Lakeshore Investments vs. DEBTOR
(Motion filed 12/1/17)

Re: ACTION IN NON-BANKRUPTCY FORUM RE: Riverside Fraudulent Transfer Action.

Docket 19

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is moot because the underlying state court action has been removed to this Court.

Deny without prejudice.

Havasu Lakeshore Investments' right to move for remand is preserved. As to motion 3 regarding the Riverside Dwelling Action, deny for reasons stated in Debtor's opposition.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

Movant(s):

Havasu Lakeshore Investments

Represented By
Martin A Eliopoulos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
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Tuesday, January 09, 2018

Hearing Room 225

9:00 AM

CONT... Terry Lee Fleming, Sr

Chapter 11

United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
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Tuesday, January 09, 2018

Hearing Room 225

9:00 AM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

#11.00

Higgs Fletcher & Mack LLP - movant attorney

Motion for Relief from Stay

Havasu Lakeshore Investments vs. DEBTOR
(Motion filed 12/1/17)

Re: ACTION IN NON-BANKRUPTCY FORUM RE: Riverside Sale of Dwelling Action.

Docket 20

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is moot because the underlying state court action has been removed to this Court.

Deny without prejudice.

Havasu Lakeshore Investments' right to move for remand is preserved. As to motion 3 regarding the Riverside Dwelling Action, deny for reasons stated in Debtor's opposition.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

Movant(s):

Havasu Lakeshore Investments

Represented By
Martin A Eliopoulos

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
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Tuesday, January 09, 2018

Hearing Room 225

9:00 AM

CONT... Terry Lee Fleming, Sr

Chapter 11

United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar

Tuesday, January 09, 2018

Hearing Room 225

9:00 AM

6:17-19549 Alejandro Morales and Paramy Mimee Raxajack-Morales

Chapter 7

#12.00

Mark D. Estle - movant attorney

Motion for relief from stay

Toyota Motor Credit Corporation vs Debtors
(Motion filed 12/11/17)

2011 Toyota Venza, VIN:4T3ZK3BB0BU034651

(Tele. appr Mark Estle, rep. creditor, Toyota Motor Credit Corporation)

Docket 18

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Alejandro Morales

Represented By
Nicholas M Wajda

**United States Bankruptcy Court
Central District of California
Riverside**

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Hearing Room 225

9:00 AM

CONT... Alejandro Morales and Paramy Mimee Raxajack-Morales

Chapter 7

Joint Debtor(s):

Paramy Mimee Raxajack-Morales

Represented By
Nicholas M Wajda

Movant(s):

TOYOTA MOTOR CREDIT

Represented By
Mark D Estle

Trustee(s):

Arturo Cisneros (TR)

Pro Se

United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
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Tuesday, January 09, 2018

Hearing Room 225

9:00 AM

6:17-19572 Michael F. Catley and Rose T. Catley

Chapter 7

#13.00

Mark D. Estle - movant attorney

Motion for relief from stay

Toyota Lease Trust vs Debtors
(Motion filed 12/11/17)

2015 Toyota Sienna, VIN:5TDYK3DC0FS575398

(Tele. appr Mark Estle, rep. creditor, Toyota Lease Trust)

Docket 10

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Michael F. Catley

Represented By
Christopher J Langley

**United States Bankruptcy Court
Central District of California
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9:00 AM

CONT... Michael F. Catley and Rose T. Catley

Chapter 7

Joint Debtor(s):

Rose T. Catley

Represented By
Christopher J Langley

Movant(s):

TOYOTA LEASE TRUST

Represented By
Mark D Estle

Trustee(s):

Arturo Cisneros (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
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Tuesday, January 09, 2018

Hearing Room 225

9:00 AM

6:17-19638 Olga Asuquo Zakhar

Chapter 7

#14.00

Kimball, Tirey & St. John LLP - movant attorney

Motion for Relief from Stay

Ridgestone Partners, L.P. vs. DEBTOR
(Motion filed 11/29/17)

Re: 39415 Ardenwood Wy. #2812, Lake Elsinore, CA 92532

Docket 9

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2). This motion has been filed to proceed with an unlawful detainer action. This action must go forward because the debtor's right to possess the premises must be determined. This does not change simply because a bankruptcy petition was filed.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Olga Asuquo Zakhar Pro Se

Movant(s):

RIDGESTONE PARTNERS, L.P. Represented By
Scott Andrews

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
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CONT... Olga Asuquo Zakhar

Chapter 7

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
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Tuesday, January 09, 2018

Hearing Room 225

9:00 AM

6:17-19947 Se Jin Kim

Chapter 7

#15.00

Luke Daniels - movant attorney

Motion for relief from stay

Andy Chou vs Debtors
(Motion filed 12/12/17)

RE: 5051 Juneau Ct., Rancho Cucamonga, CA 91737

Docket 7

Tentative Ruling:

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Se Jin Kim Pro Se

Movant(s):

Andy Chou Represented By
Luke P Daniels

Trustee(s):

Arturo Cisneros (TR) Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
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Tuesday, January 09, 2018

Hearing Room 225

2:00 PM

6:15-18833 Loretta Ann Flores

Chapter 7

#1.00

Trustee's Final Report and Applications for Compensation

Docket 63

Tentative Ruling:

APPEARANCES NOT REQUIRED.

In a case under chapter 7 or 11, the court may allow reasonable compensation under § 330 to the trustee for the trustee's services, payable after the trustee renders such services, not to exceed 25% on the first \$5,000 or less, 10% on any amount in excess of \$5,000 but not in excess of \$50,000, 5% on any amount in excess of \$50,000 but not in excess of \$1,000,000, and reasonable compensation not to exceed 3% of such moneys in excess of \$1,000,000, upon all moneys disbursed or turned over in the case by the trustee to parties in interest, excluding the debtor, but including holders of secured claims. 11 U.S.C. § 326(a).

The Court finds that the Trustee's requested compensation meets the requirements of 11 U.S.C. § 326(a) and represents reasonable compensation for actual, necessary services rendered in the administration of this estate.

The compensation is approved as to the Trustee, with fees in the amount of \$771.34 and expenses in the amount of \$214.66.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Loretta Ann Flores

Represented By
Sunita N Sood

Trustee(s):

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
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Tuesday, January 09, 2018

Hearing Room 225

2:00 PM

6:16-14072 Noel S. Varela

Chapter 7

#2.00

Trustee's Final Report and Applications for Compensation

Docket 44

Tentative Ruling:

APPEARANCES NOT REQUIRED.

In a case under chapter 7 or 11, the court may allow reasonable compensation under § 330 to the trustee for the trustee's services, payable after the trustee renders such services, not to exceed 25% on the first \$5,000 or less, 10% on any amount in excess of \$5,000 but not in excess of \$50,000, 5% on any amount in excess of \$50,000 but not in excess of \$1,000,000, and reasonable compensation not to exceed 3% of such moneys in excess of \$1,000,000, upon all moneys disbursed or turned over in the case by the trustee to parties in interest, excluding the debtor, but including holders of secured claims. 11 U.S.C. § 326(a).

The Court finds that the Trustee's requested compensation meets the requirements of 11 U.S.C. § 326(a) and represents reasonable compensation for actual, necessary services rendered in the administration of this estate.

The compensation is approved as to the Trustee, with fees in the amount of \$7,500.00 and expenses in the amount of \$317.38.

The Court approves a payment of a priority tax claim of \$373.23 to the California taxing authority.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Noel S. Varela

Represented By
Mona V Patel

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
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2:00 PM

CONT... Noel S. Varela

Chapter 7

United States Bankruptcy Court
Central District of California
Riverside
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Tuesday, January 09, 2018

Hearing Room 225

2:00 PM

6:16-15248 Murray Altman

Chapter 11

Adv#: 6:16-01167 Shin v. Altman

#3.00

PRE-TRIAL CONFERENCE re fraud as fiduciary, embezzlement, larceny)),(68 (Dischargeability - 523(a)(6), willful and malicious injury))

(Advanced from 2/15/18)

(Tele. appr. Kathleen March, rep. creditor, Angie Shin)

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

Defendant(s):

Murray Altman

Represented By
Andrew S Bisom
Kathleen P March

Plaintiff(s):

Yun Hei Shin

Represented By
Kathleen P March
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
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Tuesday, January 09, 2018

Hearing Room 225

2:00 PM

6:16-15248 Murray Altman

Chapter 11

#4.00

Hrg on Motion of Creditor, Shin/RPL: (1) Moving for Order Dismissing Altmans Chapter 11 Case, or Converting it to Ch 7; and Alternatively (2) Moving Court to Re-set Deadline for Altman to File a New Plan and Disclosure Statement, Deadline to Get Disclosure Statement Approved, and Deadline to Confirm a Ch11 Plan, or Have Case Dismiss

(Tele. appr. Kathleen March, rep. creditor, Angie Shin)

Docket 131

Tentative Ruling:

APPEARANCES NOT REQUIRED.

If Ms. Shin's appeal of this Court's order denying her motion confirming that the stay does not apply to a state court motion to appoint a receiver for DSF (or in the alternative for relief from stay), is successful and Ms. Shin obtains a receiver's appointment in state court, the debtor-in-possession will lose control of over 80 percent of the estate's assets by value. At that point it seems questionable whether there would be any point to Mr. Altman continuing with this bankruptcy case, and a voluntary dismissal (or a consent to conversion to chapter 7) would seem to be in the cards.

For reasons of judicial economy, this Court will await the BAP's determination of the appeal before hearing and determining this motion.

The hearing on this motion is continued to June 26, 2018 at 2:00 p.m. In the event the BAP determines the appeal prior to June 26, 2018, the Court will reset this hearing to a date convenient to the Court and the parties.

COURT TO PREPARE ORDER.

Party Information

**United States Bankruptcy Court
Central District of California
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2:00 PM

CONT... Murray Altman

Chapter 11

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

Movant(s):

Ramon Palm Lane, Inc., a CA Corp.

Represented By
Kathleen P March

Yun Hei Shin

Represented By
Kathleen P March

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 09, 2018

Hearing Room 225

2:00 PM

6:16-15248 Murray Altman

Chapter 11

#5.00

Hrg. on Chapter 11 Status Conference

(Cont. from 11/28/17)

(Tele. appr. Kathleen March, rep. creditor, Angie Shin)

Docket 0

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into compliance with United States Trustee guidelines and requirements.

Next status conference: May 31, 2018 at 9:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Murray Altman

Represented By
Andrew S Bisom

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 09, 2018

Hearing Room 225

2:00 PM

6:16-21126 Epifanio Sandoval, Jr.

Chapter 7

#6.00

Trustee's Final Report and Applications for Compensation

Docket 27

Tentative Ruling:

APPEARANCES NOT REQUIRED.

In a case under chapter 7 or 11, the court may allow reasonable compensation under § 330 to the trustee for the trustee's services, payable after the trustee renders such services, not to exceed 25% on the first \$5,000 or less, 10% on any amount in excess of \$5,000 but not in excess of \$50,000, 5% on any amount in excess of \$50,000 but not in excess of \$1,000,000, and reasonable compensation not to exceed 3% of such moneys in excess of \$1,000,000, upon all moneys disbursed or turned over in the case by the trustee to parties in interest, excluding the debtor, but including holders of secured claims. 11 U.S.C. § 326(a).

The Court finds that the Trustee's requested compensation meets the requirements of 11 U.S.C. § 326(a) and represents reasonable compensation for actual, necessary services rendered in the administration of this estate.

The compensation is approved as to the Trustee, with fees in the amount of \$1,046.50 and expenses in the amount of \$9.32.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Epifanio Sandoval Jr.

Represented By
David Lozano

Trustee(s):

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 09, 2018

Hearing Room 225

2:00 PM

6:17-12318 Alicia Martinez

Chapter 7

#7.00

Hrg on Trustee's Motion to Claim 10 filed by Wells Fargo Bank NA

Docket 35

Tentative Ruling:

APPEARANCES REQUIRED.

Grant the motion, sustain the objection, and treat Claim No. 10 of Wells Fargo Bank, N.A. as a late-filed claim subordinated to all timely-filed claims.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Alicia Martinez

Represented By
C Scott Rudibaugh

Movant(s):

Robert Whitmore (TR)

Pro Se

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Mark Wallace, Presiding
Courtroom 225 Calendar**

Tuesday, January 09, 2018

Hearing Room 225

2:00 PM

6:17-19513 Terry Lee Fleming, Sr

Chapter 11

#8.00

Hrg. on Movant's Motion filed 12/19/17 to dismiss Debtor's Chapter 11 case, or in the alternative, convert to Chapter 7, pursuant to Bankruptcy Code § 1112(b)

Docket 34

Tentative Ruling:

APPEARANCES REQUIRED.

Party Information

Debtor(s):

Terry Lee Fleming Sr

Represented By
James E Till

Movant(s):

Havasu Lakeshore Investments

Represented By
Martin A Eliopoulos