

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Neil Bason, Presiding  
Courtroom 1545 Calendar**

**Thursday, February 6, 2025**

**Hearing Room 1545**

8:00 AM  
**2:00-00000**

**Chapter**

- #1.00** Hearings in Judge Bason's courtroom (1545) are simultaneously:
- (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices),
  - (2) via ZoomGov video, and
  - (3) via ZoomGov telephone.

You are free to choose any of these options, except that evidentiary hearings/trials must be in person in the courtroom (unless otherwise ordered). You do not need to call Chambers for advance approval or notice. ZoomGov appearances are free.

**ZoomGov Instructions for all matters on today's calendar:**

Meeting ID: 161 993 9913

Password: 935140

Meeting URL: <https://cacb.zoomgov.com/j/1619939913>

Telephone: +1 669-254-5252 or +1 646-828-7666 or 833-568-8864 (Toll Free)

Please connect at least 5 minutes before the start of your hearing, and wait with your microphone muted until your matter is called.

**Chapter 13: Persons needing to contact the Chapter 13 Trustee's attorney, either prior to the hearing or during a recess, can call Kaleen Murphy, Esq. at (213) 996-4433.**

Members of the public, including the press, are always welcome in person (except in rare instances when the courtroom is sealed) and they may also listen via telephone to non-evidentiary hearings, but must not view any hearings via video (per mandate of the AO).

Any audio or video recording is strictly prohibited. Official recordings are available for a small fee through the Clerk's Office.

Zoomgov hearing etiquette: (a) wait until the judge calls on you, so everyone is not talking at once; (b) when you first speak, state your name and, if you are an attorney, whom you represent (do not make your argument until asked to do so); (c) when you make your argument, please pause from time to time so that, for

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example, the judge can ask a question or anyone else can make an objection; (d) if the judge does not see that you want to speak, or forgets to call on you, please say so when other parties have finished speaking (do not send a "chat" message, which the judge might not see); and (e) please let the judge know if he mispronounces your name, uses the wrong pronoun, etc.

Docket 0

**Tentative Ruling:**

- NONE LISTED -

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**2:22-15246 Zaida Araceli Lopez Montes**

**Chapter 13**

**#1.00** Hrg re: Motion under Local Bankruptcy Rule 3015-1  
(n) and (w) to modify plan or suspend plan payments

Docket 103

**\*\*\* VACATED \*\*\* REASON: See dkt. 110 and order thereon.**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

Zaida Araceli Lopez Montes

Represented By  
Travis M. Poteat

**Movant(s):**

Zaida Araceli Lopez Montes

Represented By  
Travis M. Poteat

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

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**2:24-13769 Matthew Berlin**

**Chapter 13**

**#2.00** Hrg re: Debtor's Motion for Voluntary  
Dismissal of Chapter 13 Case

Docket 41

**\*\*\* VACATED \*\*\* REASON: off calendar [dkt. 51]**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

Matthew Berlin

Represented By  
Eliza Ghanooni

**Movant(s):**

Matthew Berlin

Represented By  
Eliza Ghanooni

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

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2:24-13769 Matthew Berlin

Chapter 13

#3.00 Hrg re: Debtor's motion to re-convert case to Chapter 7 case under 11 USC 1307(C)

Docket 56

**Tentative Ruling:**

Grant Debtor's motion to re-convert this chapter 13 case to chapter 7. Appearances are not required on 2/6/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge proposed order(s) on the foregoing matter(s) via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)).

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted tentative rulings.

Key documents reviewed (in addition to motion papers): Order setting hearing on motion to re-convert (dkt. 51), Proof of service (dkt. 57)

**Party Information**

**Debtor(s):**

Matthew Berlin

Represented By  
Eliza Ghanooni

**Movant(s):**

Matthew Berlin

Represented By  
Eliza Ghanooni

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**CONT... Matthew Berlin**

**Chapter 13**

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

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8:30 AM

2:23-10652 Ernesto Chavez, Jr.

Chapter 13

#4.00 Hrg re: Objection to payment of claim No. 2-2  
filed by JP Morgan Mortgage Acquisition Corp.

Docket 92

**Tentative Ruling:**

Continue to 3/6/25 at 8:30 a.m. to allow time for Debtor and current claim holder U.S. Bank Trust N.A. as Trustee (as successor to Selene Finance) ("Claimant") to review their records, sort out whether Debtor has delivered signed loan modification documents (or needs to re-send anything), and for Claimant to determine whether it will approve Debtor's loan modification request. See Claim Obj. (dkt. 92) & Opp. (dkt. 96). The tentative ruling is also to set a **deadline of 2/27/25** for Claimant to file a brief status report. Appearances are not required on 2/6/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted tentative rulings.

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

Ernesto Chavez Jr.

Represented By  
D Justin Harelik

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

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2:23-10652 Ernesto Chavez, Jr.

Chapter 13

#5.00 Cont'd hrg re: Motion under Local Bankruptcy Rule 3015-1 (n) and (w) to modify plan or suspend plan payments fr. 12/12/24

Docket 80

**Tentative Ruling:**

**Tentative Ruling for 2/6/25:**

At the hearing on 12/12/24 this Court was persuaded to continue this matter to today. The tentative ruling is to continue this matter again, to be concurrent with the continued hearing on Debtor's related objection to the claim #2 held by U.S. Bank as trustee - *i.e.*, continue to continue this matter to 3/6/25 at 8:30 a.m. Appearances are not required on 2/6/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted tentative rulings.

**Tentative Ruling for 12/12/24:**

Appearances required, absent either (1) an agreement with the Chapter 13 Trustee's office to further continue this matter or (2) withdrawal of the motion. There is no tentative ruling, but the parties should be prepared to address the issues raised by the Chapter 13 Trustee (dkt. 81).

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted tentative rulings.

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**CONT... Ernesto Chavez, Jr.**

**Chapter 13**

**Debtor(s):**

Ernesto Chavez Jr.

Represented By  
D Justin Harelik

**Movant(s):**

Ernesto Chavez Jr.

Represented By  
D Justin Harelik

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

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2:24-14220 Robert Evangelista Pulido

Chapter 13

#6.00 Hrg re: Objection to proof of claim filed by  
Carmax Business Services claim #2;  
request for attorney fees

Docket 33

**Tentative Ruling:**

Grant the Claim Objection in part: disallow Claim 2 in full but with a reduced award of \$900.00 in Debtor's attorneys fees, all as set forth below.

Appearances are not required. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

Proposed order(s): Unless otherwise ordered, Debtor is directed to lodge proposed order(s) on the foregoing matter(s) via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)) and attach a copy of this tentative ruling, thereby incorporating it as this Court's actual ruling.

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted Tentative Rulings.

Key documents reviewed (in addition to motion papers): N/A (no opposition on file as of the preparation of this tentative ruling)

Analysis:

(a) Service

There appears to be a minor discrepancy in the form of address used by Debtor. Debtor's proof of service (dkt. 33, PDF p. 32) states that the Claim Objection was addressed to "CarMax Auto Finance **dba CarMax Business Srvcs, LLC.**" (Emphasis added.) The tentative ruling is that this does not technically comply with the requirements of Rule 2002(g)(1) (Fed. R. Bankr.

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CONT... **Robert Evangelista Pulido**

Chapter 13

P.) which requires that "[a] notice mailed to a creditor ... be addressed as the entity or its authorized agent provided in its last request filed in the case," including in a proof of claim (emphasis added). Based on this Court's review of the docket and claims register, it appears that CarMax Business Services, LLC's ("Claimant") "last request filed in this case" was filing Proof of Claim 2-1 ("Claim 2"). Claim 2 provides that notices should be sent to "CarMax Auto Finance **Attn: Bankruptcy Department**," (emphasis added) which is different from the form of address listed on Debtor's proof of service.

Nevertheless, for several reasons the tentative ruling is that the minor discrepancy in the form of address is not fatal to the claim objection.

First, Claimant appears to have had actual notice of Debtor's assertions (i) that Claim 2 should be withdrawn because Claimant had already been paid the full dollar amount it was entitled to receive (as a result of the vehicle accident and payment of insurance proceeds) and (ii) that if Claimant did not voluntarily withdraw its proof of claim (which would be very *inexpensive* for Claimant to do) then Debtor would be forced to file an objection to the claim (at much *greater expense*) and would seek attorney fees.

Second, if this Court were to insist on Debtor re-serving the claim objection, that would only increase the attorney fees, to the detriment of either or both parties.

Third, because of the actual notice and lack of response, the tentative ruling is that any minor deficiencies in the form of address have been waived and forfeited.

Fourth, the tentative ruling is that, to avoid any potential prejudice from the foregoing approach, Claimant will have a period of 14 days after service of the written order granting the Claim Objection to file and serve a motion for reconsideration (if, e.g., Claimant is able to assert that not being served at exactly the right department impaired its ability to respond, and that it has meritorious defenses to the payment of attorney fees).

For all of these reasons, this Court proceeds to the merits of the claim objection. That said, this Court cautions Debtor's counsel to be more attentive in future to the exact address to which notice should be sent.

(b) Sustain the claim objection

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**Robert Evangelista Pulido**

**Chapter 13**

The tentative ruling is to sustain Debtor's objection to Claim 2 and disallow the claim in full pursuant to 11 U.S.C. 502(b)(1) because Debtor has presented evidence establishing that Claimant has been paid in full from insurance proceeds which shifted the burden back to Claimant and Claimant has not responded with any argument or evidence establishing its claim by a preponderance of the evidence. *See In re Consolidated Pioneer Mortgage*, 178 B.R. 222, 226 (9th Cir. BAP 1995), *aff'd* 91 F.3d 151 (9th Cir. 1996) (describing the shifting burdens of proof on a claim objection).

(c) Attorney fees

The tentative ruling is to grant Debtor's request for an award of attorney fees, in a reduced dollar amount. The tentative ruling is that Claimant has waived and forfeited any objection it might have made to the procedural manner in which Debtor has requested attorney fees, and this Court's authority to make an award of such fees (this Court is not implying that any such objection would be sustained - it is simply noting that awards of attorney fees in these circumstances are unusual).

The tentative ruling is to reduce the dollar amount of the requested fees to \$900.00 because (i) Debtor has not filed time records in support of his request for attorneys fees, and (ii) a certain amount of work reviewing and objecting to claims is part and parcel of any bankruptcy case and Debtor's counsel has not adequately addressed how much of the requested fees are attributable to Claimant's alleged inaction (as opposed to routine claim review).

The foregoing fee reduction is provided for in this tentative ruling without the need for appearances at this hearing (or, for that matter, at a continued hearing) and without the need for supplemental briefing, all to save time and expense for counsel, Claimant, Debtor and this Court. If Debtor's counsel disputes the proposed fee reduction then he is directed to comply with the "Posted Procedures of Judge Bason" (available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)) by giving notice to Claimant of his intent to contest the tentative ruling and appear at the hearing to raise any objection. *See generally In re Auto Parts Club, Inc.*, 211 B.R. 29, 34 (9th Cir. BAP 1997) (court has independent obligation to review fees); *In re Eliapo*, 468 F.3d 592, 602 (9th Cir. 2006) (opportunity for hearing required if court intends to reduce fees materially); *In re Wade*, 115 B.R. 222, 229 (9th Cir. BAP 1991).

**Party Information**

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**CONT... Robert Evangelista Pulido**

**Chapter 13**

**Debtor(s):**

Robert Evangelista Pulido

Represented By  
Roland H Kedikian

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

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2:24-19861 Delia Judith Sierra

Chapter 13

#7.00 Hrg re: Debtor's motion for valuation of certain personal property home improvement/roofing systems attached to debtor's real property located at 318 E. 98th St Los Angeles, CA 90003, for purposes of plan confirmation (determination extent of secured claims)

Docket 19

**Tentative Ruling:**

Grant.

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge proposed order(s) on the foregoing matter(s) via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)).

Appearances are not required. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted Tentative Rulings.

Key documents reviewed (in addition to motion papers): N/A (no opposition on file as of the preparation of this tentative ruling)

**Party Information**

**Debtor(s):**

Delia Judith Sierra

Represented By  
Marcus G Tiggs

**Movant(s):**

Delia Judith Sierra

Represented By

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**CONT... Delia Judith Sierra**

**Chapter 13**

Marcus G Tiggs  
Marcus G Tiggs

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court  
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2:24-19861 Delia Judith Sierra

Chapter 13

**#8.00** Hrg re: Debtor's motion for valuation of certain photovoltaic/solar [Mosaic-3390] personal property systems attached to debtor's real property located at 318 E. 98th St Los Angeles, CA 90003, for purposes of plan confirmation (determination extent of secured claims)

Docket 21

**\*\*\* VACATED \*\*\* REASON: Cont'd to 4/10/25 at 8:30 a.m. per order ent. 1/28/25**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

Delia Judith Sierra

Represented By  
Marcus G Tiggs

**Movant(s):**

Delia Judith Sierra

Represented By  
Marcus G Tiggs  
Marcus G Tiggs

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

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2:24-19861 Delia Judith Sierra

Chapter 13

#9.00 Hrg re: Debtor's motion for valuation of certain photovoltaic/solar [Mosaic-7710] personal property systems attached to debtor's real property located at 318 E. 98th St Los Angeles, CA 90003, for purposes of plan confirmation (determination extent of secured claims)

Docket 23

**Tentative Ruling:**

Grant.

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge proposed order(s) on the foregoing matter(s) via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)).

Appearances are not required. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted Tentative Rulings.

Key documents reviewed (in addition to motion papers): N/A (no opposition on file as of the preparation of this tentative ruling)

**Party Information**

**Debtor(s):**

Delia Judith Sierra

Represented By  
Marcus G Tiggs

**Movant(s):**

Delia Judith Sierra

Represented By  
Marcus G Tiggs

**United States Bankruptcy Court  
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**CONT... Delia Judith Sierra**

Marcus G Tiggs

**Chapter 13**

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

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2:24-19861 Delia Judith Sierra

Chapter 13

#10.00 Hrg re: Debtor's motion for valuation of certain Photovoltaic/Solar [Mosaic-8400] personal property systems attached to debtor's real property located at 318 E. 98th St Los Angeles, CA 90003, for purposes of plan confirmation (determination extent of secured claims)

Docket 25

**Tentative Ruling:**

Grant.

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge proposed order(s) on the foregoing matter(s) via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)).

Appearances are not required. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted Tentative Rulings.

Key documents reviewed (in addition to motion papers): N/A (no opposition on file as of the preparation of this tentative ruling)

**Party Information**

**Debtor(s):**

Delia Judith Sierra

Represented By  
Marcus G Tiggs

**Movant(s):**

Delia Judith Sierra

Represented By  
Marcus G Tiggs

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**CONT... Delia Judith Sierra**

Marcus G Tiggs

**Chapter 13**

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

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2:24-19861 Delia Judith Sierra

Chapter 13

#11.00 Hrg re: Debtor's motion for valuation of certain photovoltaic/solar [Tesla] personal property systems attached to debtor's real property located at 318 E. 98th St Los Angeles, CA 90003, for purposes of plan confirmation (determination extent of secured claims)

Docket 27

**Tentative Ruling:**

Grant.

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge proposed order(s) on the foregoing matter(s) via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)).

Appearances are not required. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted Tentative Rulings.

Key documents reviewed (in addition to motion papers): N/A (no opposition on file as of the preparation of this tentative ruling)

**Party Information**

**Debtor(s):**

Delia Judith Sierra

Represented By  
Marcus G Tiggs

**Movant(s):**

Delia Judith Sierra

Represented By  
Marcus G Tiggs

**United States Bankruptcy Court  
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**CONT... Delia Judith Sierra**

Marcus G Tiggs

**Chapter 13**

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

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Hearing Room 1545

8:30 AM

2:25-10114 Quirino Moreno Romano

Chapter 13

#12.00 Hrg re:Motion in Individual Case for Order Imposing a Stay or Continuing the Automatic Stay as the Court Deems Appropriate

Docket 11

**Tentative Ruling:**

Grant, subject to the following conditions, and also subject to Debtor filing an amended proof of service addressing the service issue discussed below **by no later than February 11, 2025** and calling Chambers to advise Judge Bason's law clerks that an amended proof of service has been filed. Appearances required by counsel for the Debtor.

Service:

This Court's order setting this hearing on shortened time (dkt. 13, "OST") directed Debtor to serve a copy of that order and the motions papers on all parties in interest by 1/17/25 and file a proof of service by 1/21/25 (*id.*, p. 2, para. 3 & p. 4, para. 8). Debtor timely filed a proof of service representing that those papers were served "on all parties in interest entitled to notice, as required by the Order" and that "service was completed by first class U.S. Mail...." (dkt. 17, p. 2, para. 5), but the proof of service does not attach the typical service list that accompanies the proof of service, so this Court and other parties in interest cannot verify that all creditors were in fact served. The tentative ruling is to direct Debtor's counsel to file an amended proof of service correcting this issue by the deadline set forth at the start of this tentative ruling.

In addition, Debtor's counsel is cautioned that he should always attach a list of the parties being served whenever he files a proof of service.

Inadequate explanation for urgency of hearing on shortened time:

The Application (dkt. 12) requesting this hearing on a shortened time states that the "requested relief is critical to prevent immediate and irreparable harm to the Debtor ...." *Id.* p. 1, para. 2.a. While that may be true, the Application fails to address why it was not (or could not have been) filed sooner. Debtor's Counsel is directed to appear to address why these types of

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CONT... **Quirino Moreno Romano**

Chapter 13

motions are not routinely filed with or immediately after the petition is filed.

True, in this case the petition date was 1/8/25 so shortened time would still have been necessary, based on Judge Bason's available self-calendar hearing dates, to ensure that the hearing was "completed before the expiration of the 30-day period following the petition date" as required by 11 U.S.C. 362(c)(2)(B). But the "Procedures of Judge Bason" ("Procedures") (available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)) permit parties to self-calendar motions to continue/impose the stay (under 11 U.S.C. 362(c)(3) or (4)) on 14 days' notice (without the typical need to add 3 days for service via U.S. mail) without prior approval, so if Counsel had filed the motion sooner he could have taken advantage of that procedure without having to incur the added expense of preparing and filing the Application for a hearing on shortened time.

No fees on this matter, absent specific authorization.

Counsel is directed not to charge any fees (x) for preparing and filing the application for hearing on shortened notice and the lodged order granting that application, (y) for appearing at this hearing, or (z) for filing an amended proof of service and alerting Chambers, because none of those things would not have been necessary if Counsel had followed the Procedures and filed a complete proof of service to begin with.

This Court does not have the capacity to monitor all fee applications to assure compliance with the foregoing limitation on fees. But if counsel is found to have disregarded this limitation then this Court may impose sanctions.

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted tentative rulings.

Key documents reviewed (in addition to motion papers): N/A (no opposition on file as of the preparation of this tentative ruling)

After the hearing date this Court will prepare an order and the tentative ruling is to include the following language in that order:

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Neil Bason, Presiding  
Courtroom 1545 Calendar**

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Hearing Room 1545

8:30 AM

CONT...

**Quirino Moreno Romano**

**Chapter 13**

The stay of 11 U.S.C. 362(a) applies subject to the following modifications and conditions:

(1) Service and reconsideration. Any party in interest who was not timely served in accordance with FRBP 7004 (incorporated by FRBP 9014(b)) is hereby granted through 14 days after proper service to seek reconsideration, including retroactive relief (under FRBP 9023 and/or 9024). Any such person (a) may set a hearing on 14 days' notice, (b) may appear by telephone (if arrangements are made per Judge Bason's posted procedures), and (c) may present all arguments orally at the hearing (*i.e.*, no written argument is required). If written arguments appear necessary then this court will set a briefing schedule at the hearing.

(2) Reasons. (a) It appears appropriate to continue/impose the automatic stay, and to continue/impose it as to all persons rather than just as to selected persons, because one purpose of the automatic stay is to preventing a "race to collect" that could unfairly advantage some creditors at the expense of others. (b) To prevent possible abuse, this Court provides the foregoing simple process for reconsideration.

(3) Very limited ruling. This Court's tentative ruling to grant the foregoing relief is solely for purposes of this motion, and is not intended to have any binding effect with respect to any future assertions by any party in interest regarding the existence or lack of existence of good faith in any other context.

**Party Information**

**Debtor(s):**

Quirino Moreno Romano

Represented By  
Anthony Obehi Egbase

**Movant(s):**

Quirino Moreno Romano

Represented By  
Anthony Obehi Egbase

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Neil Bason, Presiding  
Courtroom 1545 Calendar**

Thursday, February 6, 2025

Hearing Room 1545

8:30 AM

2:23-17793 Tony Lavell Middleton

Chapter 13

#13.00 Cont'd hrg re: Motion under Local Bankruptcy Rule 3015-1 (n) and (w) to modify plan or suspend plan payments fr. 1/9/25

Docket 39

**Tentative Ruling:**

**Tentative Ruling for 2/6/25:**

Deny for lack of prosecution and lack of response to the objections raised by the Chapter 13 Trustee (dkt. 41). Appearances are not required. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

Proposed order(s): Unless otherwise ordered, Trustee is directed to lodge proposed order(s) on the foregoing matter(s) via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)).

At the hearing on 1/9/25, this Court set a deadline of 1/23/25 for Debtor to submit Amended Schedules I and J and a declaration regarding 2023 tax returns and child support payments. As of the preparation of this tentative ruling, none of these items have been submitted. The tentative ruling is to deny the motion for lack of prosecution.

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted tentative rulings.

**Tentative Ruling for 1/9/25:**

Appearances required, absent either (1) an agreement with the Chapter 13 Trustee's office to further continue this matter or (2) withdrawal of the motion. There is no tentative ruling, but the parties should be prepared to address the issues raised by the Chapter 13 Trustee (dkt. 41).

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**CONT... Tony Lavell Middleton**

**Chapter 13**

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted tentative rulings.

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

Tony Lavell Middleton

Represented By  
Steven A Alpert

**Movant(s):**

Tony Lavell Middleton

Represented By  
Steven A Alpert

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
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8:30 AM

2:24-19052 Marcella Antonio Mateo

Chapter 13

#14.00 Cont'd hrg re: Motion for order determining value of collateral [11 U.S.C. section 506(a), FRBP 3012] fr. 1/9/25

Docket 28

**Tentative Ruling:**

**Tentative Ruling for 2/6/25:**

Deny the motion without prejudice for lack of prosecution. Appearances are not required on 2/6/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

After the hearing this Court will prepare the order.

Reason: This Court's adopted tentative ruling for 1/9/25 (copied below) set a deadline of 1/23/25 for Debtor to file and serve either (1) a supplemental declaration addressing the valuation issues set forth below or (2) a voluntary dismissal/withdrawal of the motion, but Debtor has not timely complied.

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted Tentative Rulings.

**Tentative Ruling for 1/9/25:**

Continue to 2/6/25 at 8:30 a.m., with a **deadline of 1/23/25** for Debtor to file and serve either (1) a supplemental declaration addressing the valuation issues set forth below or (2) a voluntary dismissal/withdrawal of the motion. Appearances are not required on 1/9/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

If you are making an appearance, you may do so (1) in person in the

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8:30 AM

CONT... **Marcella Antonio Mateo**

**Chapter 13**

courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted tentative rulings.

Reasons:

(1) Retail value, not trade-in value

The Edmunds and CarMax printouts state that they are offers to trade-in or purchase Debtor's vehicle, but under 11 U.S.C. 506(a)(2) the value means "the price a retail merchant would charge for the property ..." (emphasis added), which typically is higher than the trade-in or sale value.

(2) Qualification to opine on valuation

Debtor's attorney has provided hearsay valuation evidence. Experts can rely on hearsay, but Debtor's attorney has not established that she has expertise in this area.

Typically debtors themselves value property that they own, because owners traditionally are deemed to be competent to opine about the value of their own property. Typicall, however, debtors' bare opinions of value without any supporting evidence are insufficient. Therefore, it is typical for a debtor to reference Edmunds/BlueBook/similar sources, so as to meet the minimum level of proof of value. But, again, those sources must be used to provide retail value, not trade-in value.

(3) No charge for correcting these errors

The tentative ruling is that Debtor's counsel will not be permitted to charge for correcting these errors. If Debtor's counsel wishes to contest this aspect of the tentative ruling, she must appear at the hearing and contest this tentative ruling.

**Party Information**

**Debtor(s):**

Marcella Antonio Mateo

Represented By

R Grace Rodriguez

**Movant(s):**

Marcella Antonio Mateo

Represented By

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
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**CONT... Marcella Antonio Mateo**

R Grace Rodriguez

**Chapter 13**

**Trustee(s):**

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Neil Bason, Presiding  
Courtroom 1545 Calendar**

**Thursday, February 6, 2025**

**Hearing Room 1545**

9:30 AM

**2:00-00000**

**Chapter**

**#1.00 PLEASE BE ADVISED THAT THE CHAPTER 13 9:30 AM  
CONFIRMATION CALENDAR CAN BE VIEWED ON THE  
COURT'S WEBSITE ([www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)) UNDER:  
JUDGES>BASON, N.>CHAPTER 13>CONFIRMATION HEARINGS CALENDAR**

Docket 0

**Tentative Ruling:**

- NONE LISTED -

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
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**Thursday, February 6, 2025**

**Hearing Room 1545**

11:00 AM  
**2:00-00000**

**Chapter**

**#1.00 PLEASE BE ADVISED THAT THE CHAPTER 13 HEARINGS  
at 11:00 AM CAN BE VIEWED ON THE COURT'S WEBSITE  
([www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)) UNDER: JUDGES>BASON, N.>CHAPTER 13**

Docket 0

**Tentative Ruling:**

- NONE LISTED -