

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

Tuesday, March 24, 2026

Hearing Room 1545

9:00 AM
2:00-00000

Chapter

- #0.00** 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: 160 715 5795

Password: 065382

Meeting URL: <https://cacb.zoomgov.com/j/1607155795>

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

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

Tuesday, March 24, 2026

Hearing Room 1545

9:00 AM

CONT...

Chapter

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 -

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:24-14514 Arman Janshiyan and Taguhi Asatryan

Chapter 13

#1.00 Hrg re: Motion for Relief from Automatic Stay [RP]

PLANET HOME LENDING, LLC
vs
DEBTOR

Docket 73

Tentative Ruling:

Appearances required. There is no tentative ruling, but the parties should be prepared to address:

- (a) whether the alleged arrears have been brought current
- (b) whether they will agree to the terms of an adequate protection order
- (c) the request of the Chapter 13 Trustee ("Trustee") to make Trustee the disbursing agent for payments to Movant

(see Trustee's response, dkt. 76).

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.

Party Information

Debtor(s):

Arman Janshiyan

Represented By
Alla Tenina

Joint Debtor(s):

Taguhi Asatryan

Represented By
Alla Tenina

Movant(s):

Planet Home Lending, LLC

Represented By

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT...

Arman Janshiyan and Taguhi Asatryan

Jennifer C Wong

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**

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:25-10324 Dennis Earl Rufus, Sr. and Liz Aase Rufus

Chapter 13

#2.00 Hrg re: Motion for Relief from Automatic Stay [RP]

NEW AMERICAN FUNDING, LLC
vs
DEBTOR

Docket 50

Tentative Ruling:

Appearances required. There is no tentative ruling, but the parties should be prepared to address:

- (a) whether the alleged arrears have been brought current
- (b) whether they will agree to the terms of an adequate protection order
- (c) the request of the Chapter 13 Trustee ("Trustee") to make Trustee the disbursing agent for payments to Movant

(see Trustee's response, dkt. 53).

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.

Party Information

Debtor(s):

Dennis Earl Rufus Sr.

Represented By
Julie J Villalobos

Joint Debtor(s):

Liz Aase Rufus

Represented By
Julie J Villalobos

Movant(s):

New American Funding, LLC and its

Represented By

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT... Dennis Earl Rufus, Sr. and Liz Aase Rufus

Chapter 13

Christina J Khil

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:25-13255 Martha Ochoa de Martinez

Chapter 13

#3.00 Hrg re: Motion for Relief from Automatic Stay [RP]

U.S. BANK TRUST COMPANY, NATIONAL ASSOCIATION
vs
DEBTOR

Docket 51

Tentative Ruling:

Appearances required. There is no tentative ruling, but the parties should be prepared to address:

- (a) whether the alleged arrears have been brought current
- (b) whether they will agree to the terms of an adequate protection order
- (c) the request of the Chapter 13 Trustee ("Trustee") to make Trustee the disbursing agent for payments to Movant (see Trustee's response (dkt. 55)).

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.

Party Information

Debtor(s):

Martha Ochoa de Martinez

Represented By
Tyson Takeuchi

Movant(s):

U.S. Bank Trust Company, National

Represented By
Joseph C Delmotte

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT... Martha Ochoa de Martinez

Chapter 13

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:25-18319 Nancy Liliana Chavez

Chapter 13

#4.00 Hrg re: Motion for Relief from Automatic Stay [RP]

U.S. BANK NATIONAL ASSOCIATION
vs
DEBTOR

Docket 45

Tentative Ruling:

Appearances required. There is no tentative ruling, but the parties should be prepared to address:

- (a) whether the alleged arrears have been brought current
- (b) whether they will agree to the terms of an adequate protection order
- (c) the request of the Chapter 13 Trustee ("Trustee") to make Trustee the disbursing agent for payments to Movant

(see Trustee's response (dkt. 48)).

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.

Party Information

Debtor(s):

Nancy Liliana Chavez

Represented By
Henry Glowa

Movant(s):

U.S. Bank National Association, as

Represented By
Joseph C Delmotte

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT... Nancy Liliana Chavez

Chapter 13

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:25-21469 La Tonya Alexander-Buchanan

Chapter 7

#5.00 Hrg re: Motion for Relief from Automatic Stay [RP]

WILMINGTON SAVINGS FUND SOCIETY, FSB
AS OWNER TRUSTEE OF THE RESIDENTIAL CREDIT
OPPORTUNITIES TRUST X-A
vs
DEBTOR

Docket 19

Tentative Ruling:

Grant as set forth below.

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge proposed order(s) on the matter(s) addressed here 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.

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, 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): Debtor's decl. (dkt. 21) re: suspected hijacking of case

Termination

Terminate the automatic stay under 11 U.S.C. 362(d)(1) and (d)(4).
To the extent, if any, that the motion seeks to terminate the automatic stay in *other* past or pending bankruptcy cases, such relief is denied on the

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT... **La Tonya Alexander-Buchanan** Chapter 7
present record. See *In re Ervin* (Case No. 14-bk-18204-NB, docket no. 311).

Relief notwithstanding future bankruptcy cases

Grant the following relief pursuant to 11 U.S.C. 362(d)(4) and the legal analysis in *In re Vazquez*, 580 B.R. 526 (Bankr. C.D. Cal. 2017), and/or *In re Choong* (case no. 2:14-bk-28378-NB, docket no. 31), as applicable:

If this order is duly recorded in compliance with applicable State laws governing notices of interests or liens in the property at issue, then no automatic stay shall apply to such property in any bankruptcy case purporting to affect such property and filed within two years after the date of entry of this order, unless otherwise ordered by the court presiding over that bankruptcy case.

For the avoidance of doubt, any acts by the movant to obtain exclusive possession of such property shall not be stayed, including any eviction actions, through and including any lockout or other enforcement by the Sheriff or other authorized legal authority.

Note: Per the Posted Procedures of Judge Bason (available at www.cacb.uscourts.gov) this Court's order will state that the Court "does not make" a finding that Debtor was involved in the "scheme" referenced in section 362(d)(4), unless there is sufficient evidence that Debtor was involved and Debtor is given clear notice that the movant seeks an express finding that Debtor was involved. The tentative ruling in this particular case is that there is not sufficient evidence and notice.

No prejudice to Debtor intended. Based on the record, it appears that this might be a "hijacked" case, and that Debtor might be innocent of any involvement. See e.g., *In re Vazquez*, 580 B.R. 526 (Bankr. C.D. Cal. 2017) (describing hijacking); *In re Dorsey*, 476 B.R. 261 (Bankr. C.D. Cal. 2012) (same). In a hijacking case, the Debtor faces the legitimate concern of being subject to a 180-day bar and other adverse consequences if, for example, Debtor later requests and obtains a voluntary dismissal and subsequently needs to file another bankruptcy petition. See, e.g., 11 U.S.C. 109(g)(2), 362(b)(21)(A). There is authority that section 109 "eligibility issues" are nonjurisdictional, can be waived, forfeited, or subject to estoppel, and should not be applied if that would produce an "illogical, unjust, or capricious result, or when the benefit of dismissal would inure to a bad faith creditor." *In re Lefty*, 489 B.R. 545, 550-51 (9th Cir. BAP 2012) (citing cases including under 109(g)(2)). See also *In re Mendez*, 367 B.R. 109, 116-17 (9th Cir. BAP

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT... **La Tonya Alexander-Buchanan**

Chapter 7

2007); *In re Luna*, 122 B.R. 575, 577 (9th Cir. BAP 1991); *Dorsey*, 476 B.R. 261, 270. The same principles apply to any other adverse consequences from a hijacking. Accordingly, the tentative ruling is to condition the relief from the automatic stay granted in this tentative ruling such that no adverse consequences apply to Debtor from the hijacking, including under 11 U.S.C. 109(g)(2) or 362(b)(21)(A). Note: None of the foregoing will shield Debtor if it turns out that Debtor was not, in fact, innocent of any involvement in the apparent hijacking or other abusive scheme.

Effective date of relief

Grant the request to waive the 14-day stay provided by Rule 4001(a) (4) (Fed. R. Bankr. P.).

Co-debtor stay

Any co-debtor stay (11 U.S.C. 1301(c)) has not been shown to have any basis for any different treatment from the stay under 11 U.S.C. 362(a), so the tentative ruling is to grant the identical relief regarding any co-debtor stay.

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| Party Information |
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Debtor(s):

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| La Tonya Alexander-Buchanan | Pro Se |
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Movant(s):

| | |
|----------------------------------|----------------------------------|
| Wilmington Savings Fund Society, | Represented By Nichole Glowin |
|----------------------------------|----------------------------------|

Trustee(s):

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| Elissa Miller (TR) | Pro Se |
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**United States Bankruptcy Court
Central District of California
Los Angeles
Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:26-10859 Ronni Fisher

Chapter 13

#6.00 Hrg re: Motion for Relief from Automatic Stay [RP]

TY INVESTMENT LLC, A CALIFORNIA LIMITED LIABILITY COMPANY
vs
DEBTOR

Docket 14

Tentative Ruling:

Appearances required. There is no tentative ruling, but the parties should be prepared to address:

- (a) whether the alleged arrears have been brought current
- (b) whether they will agree to the terms of an adequate protection order

(see Debtor's (very belated) response, dkt. 48).

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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| Party Information |
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Debtor(s):

Ronni Fisher

Represented By
Michael F Chekian

Movant(s):

TY Investment LLC, a California

Represented By
Luis Chaves

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:25-18349 Jonathan Jones

Chapter 13

#7.00 Hrg re: Motion for Relief from Automatic Stay [RP]

WEST COAST SERVICING, INC
vs
DEBTOR

Docket 49

Tentative Ruling:

Appearances required. There is no tentative ruling, but the parties should be prepared to address:

- (a) whether the alleged arrears have been brought current
- (b) whether they will agree to the terms of an adequate protection order

(see Debtor's response (dkt. 54) & Movant's reply (dkt. 55)).

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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| Party Information |
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Debtor(s):

Jonathan Jones

Represented By
Joshua Sternberg

Movant(s):

West Coast Servicing, Inc.

Represented By
Brian A Paino

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:25-18349 Jonathan Jones

Chapter 13

#8.00 Cont'd Hrg re: Motion for Relief from Automatic Stay [RP]
fr. 02/10/26

NEWREZ LLC dba SHELLPOINT MORTGAGE SERVICING
AS SERVICER FOR THE BANK OF NEW YORK MELLON
vs
DEBTOR

Docket 34

Tentative Ruling:

Appearances required. There is no tentative ruling, but the parties should be prepared to address:

- (a) whether the alleged arrears have been brought current
- (b) whether they will agree to the terms of an adequate protection order

(see Debtor's response (dkt. 42)).

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.

Party Information

Debtor(s):

Jonathan Jones

Represented By
Joshua Sternberg

Movant(s):

NewRez LLC d/b/a Shellpoint

Represented By
Jacqueline D Serrao

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT... Jonathan Jones

Chapter 13

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:25-15972 Basuny A. Eldaouch and Tafida Gamal Radi

Chapter 13

#9.00 Hrg re: Motion for Relief from Automatic Stay [PP]

TOYOTA LEASE TRUST AS SERVICED BY TOYOTA
MOTOR CREDIT CORPORATION
VS
DEBTOR

Docket 48

Tentative Ruling:

Grant.

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge proposed order(s) on the matter(s) addressed here 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, 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)

Termination

Terminate the automatic stay under 11 U.S.C. 362(d)(1).

To the extent, if any, that the motion seeks to terminate the automatic stay in *other* past or pending bankruptcy cases, such relief is denied on the present record. See *In re Ervin* (Case No. 14-bk-18204-NB, docket no. 311).

Effective date of relief

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT... Basuny A. Eldaouch and Tafida Gamal Radi Chapter 13

Grant the request to waive the 14-day stay provided by Rule 4001(a)
(4) (Fed. R. Bankr. P.).

Co-debtor stay

Any co-debtor stay (11 U.S.C. 1301(c)) has not been shown to have any basis for any different treatment from the stay under 11 U.S.C. 362(a), so the tentative ruling is to grant the identical relief regarding any co-debtor stay.

Party Information

Debtor(s):

Basuny A. Eldaouch

Represented By
H. Jasmine Papian

Joint Debtor(s):

Tafida Gamal Radi

Represented By
H. Jasmine Papian

Movant(s):

Toyota Lease Trust as serviced by

Represented By
Kirsten Martinez

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:25-20910 Angela Francine Polasky

Chapter 7

#10.00 Hrg re: Motion for Relief from Automatic Stay [PP]

AMERICAN HONDA FINANCE CORPORATION
vs
DEBTOR

Docket 19

Tentative Ruling:

Grant.

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge proposed order(s) on the matter(s) addressed here 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, 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)

Termination

Terminate the automatic stay under 11 U.S.C. 362(d)(1) and (d)(2).

To the extent, if any, that the motion seeks to terminate the automatic stay in *other* past or pending bankruptcy cases, such relief is denied on the present record. See *In re Ervin* (Case No. 14-bk-18204-NB, docket no. 311).

Effective date of relief

Grant the request to waive the 14-day stay provided by Rule 4001(a)

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT... **Angela Francine Polasky**
(4) (Fed. R. Bankr. P.).

Chapter 7

Co-debtor stay

Any co-debtor stay (11 U.S.C. 1301(c)) has not been shown to have any basis for any different treatment from the stay under 11 U.S.C. 362(a), so the tentative ruling is to grant the identical relief regarding any co-debtor stay.

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| Party Information |
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Debtor(s):

Angela Francine Polasky

Represented By
D Justin Harelik

Movant(s):

American Honda Finance

Represented By
Kirsten Martinez

Trustee(s):

Elissa Miller (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:26-10022 Gabriel Rivera

Chapter 7

#11.00 Hrg re: Motion for Relief from Automatic Stay [PP]

AMERICAN HONDA FINANCE CORPORATION
vs
DEBTOR

Docket 8

Tentative Ruling:

Grant.

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge proposed order(s) on the matter(s) addressed here 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, 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)

Termination

Terminate the automatic stay under 11 U.S.C. 362(d)(1) and (d)(2).

To the extent, if any, that the motion seeks to terminate the automatic stay in *other* past or pending bankruptcy cases, such relief is denied on the present record. See *In re Ervin* (Case No. 14-bk-18204-NB, docket no. 311).

Effective date of relief

Grant the request to waive the 14-day stay provided by Rule 4001(a)

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT... Gabriel Rivera
(4) (Fed. R. Bankr. P.).

Chapter 7

Co-debtor stay

Any co-debtor stay (11 U.S.C. 1301(c)) has not been shown to have any basis for any different treatment from the stay under 11 U.S.C. 362(a), so the tentative ruling is to grant the identical relief regarding any co-debtor stay.

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| Party Information |
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Debtor(s):

Gabriel Rivera

Represented By
Steven A Alpert

Movant(s):

AMERICAN HONDA FINANCE

Represented By
Kirsten Martinez

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:26-11397 JT Freight Solutions

Chapter 7

**#12.00 Hrg re: Motion for Relief from Automatic Stay [PP]
[Ten (10) 2022 Hercules 20-40 Foot Extendable Chassis]**

MOVANT: CROSSROADS EQUIPMENT LEASE AND FINANCE, LLC
vs
DEBTOR

Docket 5

Tentative Ruling:

Grant as set forth below.

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge proposed order(s) on the matter(s) addressed here 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, 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)

Termination

Terminate the automatic stay under 11 U.S.C. 362(d)(1) and (d)(2).

To the extent, if any, that the motion seeks to terminate the automatic stay in *other* past or pending bankruptcy cases, such relief is denied on the present record. See *In re Ervin* (Case No. 14-bk-18204-NB, docket no. 311).

Effective date of relief

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT... JT Freight Solutions Chapter 7

Grant the request to waive the 14-day stay provided by Rule 4001(a)
(4) (Fed. R. Bankr. P.).

Co-debtor stay

Any co-debtor stay (11 U.S.C. 1301(c)) has not been shown to have any basis for any different treatment from the stay under 11 U.S.C. 362(a), so the tentative ruling is to grant the identical relief regarding any co-debtor stay.

Party Information

Debtor(s):

JT Freight Solutions

Represented By
Michael G Spector

Movant(s):

Raffi Khatchadourian

Represented By
Raffi Khatchadourian

Trustee(s):

Timothy Yoo (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:26-11397 JT Freight Solutions

Chapter 7

**#13.00 Hrg re: Motion for Relief from Automatic Stay [PP]
[2020 Volvo VNR64T400 Tractor Truck]**

CROSSROADS EQUIPMENT LEASE AND FINANCE, LLC
VS
DEBTOR

Docket 7

Tentative Ruling:

Grant as set forth below.

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge proposed order(s) on the matter(s) addressed here 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, 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)

Termination

Terminate the automatic stay under 11 U.S.C. 362(d)(1) and also under section 362(d)(2), because of costs of sale (not specified in the motion, but asserted to exceed the nominal FMV equity, and that assertion is not opposed).

To the extent, if any, that the motion seeks to terminate the automatic stay in *other* past or pending bankruptcy cases, such relief is denied on the

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT... JT Freight Solutions Chapter 7
present record. See *In re Ervin* (Case No. 14-bk-18204-NB, docket no. 311).

Effective date of relief

Grant the request to waive the 14-day stay provided by Rule 4001(a) (4) (Fed. R. Bankr. P.).

Co-debtor stay

Any co-debtor stay (11 U.S.C. 1301(c)) has not been shown to have any basis for any different treatment from the stay under 11 U.S.C. 362(a), so the tentative ruling is to grant the identical relief regarding any co-debtor stay.

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| Party Information |
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Debtor(s):

JT Freight Solutions

Represented By
Michael G Spector

Movant(s):

Raffi Khatchadourian

Represented By
Raffi Khatchadourian

Trustee(s):

Timothy Yoo (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:26-11397 JT Freight Solutions

Chapter 7

**#14.00 Hrg re: Motion for Relief from Automatic Stay [PP]
[2022 Mack AN64T Tractor Truck]**

CROSSROADS EQUIPMENT LEASE AND FINANCE, LLC
vs
DEBTOR

Docket 6

Tentative Ruling:

Grant as set forth below.

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge proposed order(s) on the matter(s) addressed here 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, 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)

Termination

Terminate the automatic stay under 11 U.S.C. 362(d)(1) and (d)(2).

To the extent, if any, that the motion seeks to terminate the automatic stay in *other* past or pending bankruptcy cases, such relief is denied on the present record. See *In re Ervin* (Case No. 14-bk-18204-NB, docket no. 311).

Effective date of relief

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT... JT Freight Solutions Chapter 7

Grant the request to waive the 14-day stay provided by Rule 4001(a)
(4) (Fed. R. Bankr. P.).

Co-debtor stay

Any co-debtor stay (11 U.S.C. 1301(c)) has not been shown to have any basis for any different treatment from the stay under 11 U.S.C. 362(a), so the tentative ruling is to grant the identical relief regarding any co-debtor stay.

Party Information

Debtor(s):

JT Freight Solutions

Represented By
Michael G Spector

Movant(s):

Raffi Khatchadourian

Represented By
Raffi Khatchadourian

Trustee(s):

Timothy Yoo (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:26-11134 Jonathan Orr

Chapter 13

#15.00 Hrg re: Motion for Relief from Automatic Stay [UD]

DELAWARE GLENDORA CALIFORNIA APARTMENTS
vs
DEBTOR

Docket 12

Tentative Ruling:

Grant in part and deny in part as set forth below.

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge proposed order(s) on the matter(s) addressed here 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.

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, 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)

The automatic stay does not apply, but not for the reason asserted by Movant

The tentative ruling is to deny the request for an order confirming that no stay is in effect. Movant has not established an exception to the automatic stay under 11 U.S.C. 362(b) or (c) because, although the motion references 11 U.S.C. 362(b)(22) and (23), the elements of those sections have not been established (e.g., a prepetition judgment for possession).

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT...

Jonathan Orr

Chapter 13

But, the tentative ruling is to confirm that the automatic stay no longer applies because this case has been dismissed, which terminates the automatic stay. See 11 U.S.C. 349(b)(3) & 362(c).

In the alternative and in addition, the tentative ruling is to grant relief from the automatic stay as follows.

Note regarding mootness: As provided in the posted "Procedures of Judge Bason" (available at www.cacb.uscourts.gov), the tentative ruling is that a motion for relief from the automatic stay is not mooted even when the tentative ruling is that the stay no longer exists, for the following reasons:

a. Multiple, alternative grounds for relief should all be reached.

When a motion seeks the same relief on multiple alternative grounds, all of those grounds usually should be ruled on because a tentative or final ruling on any one ground might be reversed or altered later on. For example, movants often seek a ruling that the automatic stay does not prevent them from pursuing their remedies both (i) because the stay does not apply (e.g., after dismissal of the bankruptcy case, per 11 U.S.C. §§ 349(b)(3), 362(c)) and alternatively (ii) because relief from the stay is appropriate (under 11 U.S.C. § 362(d)). If the first ground later turns out to be reversed or altered (e.g., if a dismissal is vacated), the movant would be prejudiced if this Court had refused to reach the movant's alternative argument that the stay should be lifted. See also, e.g., *In re Krueger*, 88 B.R. 238, 241-42 (9th Cir. BAP 1988) (notwithstanding dismissal, stay held to continue due to lack of proper notice re dismissal).

b. Annulment, in rem relief, etc. Some matters always remain relevant, notwithstanding dismissal, closing of a case, or other grounds on which the stay might not currently exist. See *In re Aheong*, 276 B.R. 233 (9th Cir. BAP 2002).

For the foregoing reasons, the tentative ruling is that it is appropriate to address the following issues.

Termination

Terminate the automatic stay under 11 U.S.C. 362(d)(1), (d)(2) and (d)

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT... Jonathan Orr

Chapter 13

(4).

To the extent, if any, that the motion seeks to terminate the automatic stay in *other* past or pending bankruptcy cases, such relief is denied on the present record. See *In re Ervin* (Case No. 14-bk-18204-NB, docket no. 311).

Relief notwithstanding future bankruptcy cases

Deny the request for in rem relief for lack of sufficient cause shown. Although such relief might be available even outside of 11 U.S.C. 362(d)(4) (per the "Procedures of Judge Bason," available at www.cacb.uscourts.gov), the tentative ruling is that there are no allegations of multiple bankruptcy cases affecting landlord/movant, nor transfers of interests, nor any other interference with landlord/movant's rights that arise to a comparable "scheme" analogous to the type of scheme referenced in section 362(d)(4).

Effective date of relief

Grant the request to waive the 14-day stay provided by Rule 4001(a) (4) (Fed. R. Bankr. P.).

Co-debtor stay

Any co-debtor stay (11 U.S.C. 1301(c)) has not been shown to have any basis for any different treatment from the stay under 11 U.S.C. 362(a), so the tentative ruling is to grant the identical relief regarding any co-debtor stay.

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| Party Information |
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Debtor(s):

Jonathan Orr

Pro Se

Movant(s):

Delaware Glendora California

Represented By
Allison Kathleen Higley

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:26-11714 Terence Davon Berry and Keli Jenin Berry

Chapter 13

#16.00 Motion in Individual Case for Order
Imposing a Stay or Continuing the Automatic
Stay as the Court Deems Appropriate

Docket 12

Tentative Ruling:

Grant, subject to the following conditions. Appearances are not required. (If you wish to contest the tentative ruling, see the "Procedures of Judge Bason," available at 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)

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

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

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT...

Terence Davon Berry and Keli Jenin Berry

Chapter 13

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. See generally *In re Rodriguez*, case no. 2:25-bk-16676-NB, docket #25. Notice of these standard procedures has been provided to all parties in interest via the "Procedures of Judge Bason," publicly posted at www.cacb.uscourts.gov.

(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. In addition, nothing in this order continuing the automatic stay in general should be deemed to affect any separate orders issued by this Court that grant relief from the automatic stay as to specific creditors.

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| Party Information |
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Debtor(s):

Terence Davon Berry

Represented By
Andrew Moher

Joint Debtor(s):

Keli Jenin Berry

Represented By
Andrew Moher

Movant(s):

Terence Davon Berry

Represented By
Andrew Moher

Keli Jenin Berry

Represented By
Andrew Moher

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:26-12038 Genesis Maritza Junkermeier

Chapter 13

#17.00 Motion in Individual Case for Order
Imposing a Stay or Continuing the Automatic
Stay as the Court Deems Appropriate

Docket 7

Tentative Ruling:

Grant, subject to the following conditions, and also subject to any opposition at the hearing. Appearances required.

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)

Shortened time

The motion papers were served on shortened time, pursuant to the posted "Procedures of Judge Bason" (available at www.cacb.uscourts.gov) but, contrary to those Procedures, Movant gave an incorrect deadline for any opposition: Movant stated that oppositions are due at the hearing instead of five days before the hearing - which would be 3/19/26 at 11:59 p.m. See Motion (dkt. 7), p. 3.

This Court presumes that, if there is no opposition at the hearing, counsel for the Movant will not seek to charge Debtor any fees for appearing at this hearing because such appearance would have been unnecessary if the correct procedures had been followed (if counsel intends to do otherwise, that must be raised and argued at the hearing).

Analysis

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**

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT...

Genesis Maritza Junkermeier

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. *See generally In re Rodriguez*, case no. 2:25-bk-16676-NB, docket #25. Notice of these standard procedures has been provided to all parties in interest via the "Procedures of Judge Bason," publicly posted at www.cacb.uscourts.gov.

(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. In addition, nothing in this order continuing the automatic stay in general should be deemed to affect any separate orders issued by this Court that grant relief from the automatic stay as to specific creditors.

Party Information

Debtor(s):

Genesis Maritza Junkermeier

Represented By
Onyinye N Anyama

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT... Genesis Maritza Junkermeier

Chapter 13

Movant(s):

Genesis Maritza Junkermeier

Represented By

Onyinye N Anyama

Onyinye N Anyama

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:21-16840 Edward Roland Hayes, Jr

Chapter 13

#18.00 Cont'd hrg re: Motion for relief from automatic stay [RP]
fr. 1/7/25, 2/25/25, 4/8/25, 5/20/25, 7/8/25,
08/19/25, 10/07/25, 12/2/25, 01/20/26

DEUTSCHE BANK NATIONAL TRUST COMPANY
vs
DEBTOR

Docket 114

***** VACATED *** REASON: Resolved by stipulation (dkt. 167) and order thereon**

Tentative Ruling:

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| Party Information |
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Debtor(s):

Edward Roland Hayes Jr

Represented By
Stella A Havkin

Movant(s):

Deutsche Bank National Trust

Represented By
Chad L Butler
Theron S Covey
Sean C Ferry
Vincent Alexander Aprile

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:23-11247 Edmund Lincoln Anderson

Chapter 13

#19.00 Cont'd hrg re: Motion for Relief from Automatic Stay [RP]
fr. 12/2/25, 01/20/26

HSBC BANK USA NATIONAL ASSOCIATION
vs
DEBTOR

Docket 208

Tentative Ruling:

Tentative Ruling for 3/24/26:

Appearances required.

At the hearing on 1/20/26 this Court was persuaded to continue this matter to today. There is no tentative ruling but the parties should be prepared to address the current status of this matter, and whether this Court should set any briefing schedules, any hearings, or any other procedures.

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 1/20/26:

Appearances required.

At the hearing on 12/2/25 this Court was persuaded to continue this matter to today. There is no tentative ruling but the parties should be prepared to address the current status of this matter, and whether this Court should set any briefing schedules, any hearings, or any other procedures.

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.

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT... Edmund Lincoln Anderson

Chapter 13

Tentative Ruling for 12/2/25:

Appearances required. There is no tentative ruling, but the parties should be prepared to address:

- (a) whether the alleged arrears have been brought current
- (b) whether they will agree to the terms of an adequate protection order
- (c) the request of the Chapter 13 Trustee ("Trustee") to make Trustee the disbursing agent for payments to Movant (see Debtor's response, dkt. 219; Trustee's response, dkt. 210).

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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| Party Information |
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Debtor(s):

Edmund Lincoln Anderson

Pro Se

Movant(s):

HSBC Bank USA National

Represented By

Theron S Covey

Sean C Ferry

David Coats

Sarah Arlene Dooley-Lewis

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:23-13445 Terri Anita Payne

Chapter 13

#20.00 Cont'd hrg re: Motion for Relief from Automatic stay [RP]
fr. 6/17/25, 07/15/25, 10/21/25, 12/16/25, 2/10/26

LAKEVIEW LOAN SERVICING, LLC
vs
DEBTOR

Docket 40

Tentative Ruling:

Tentative Ruling for 3/24/26:

Appearances required.

This matter was continued to this date by stipulation of the parties. Dkt. 69 & 71. There is no tentative ruling but the parties should be prepared to address the current status of this matter, and whether this Court should set any briefing schedules, any hearings, or any other procedures.

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 12/16/25:

Appearances required.

This matter was continued to this date by stipulation of the parties. Dkt. 61 & 63. There is no tentative ruling but the parties should be prepared to address the current status of this matter, and whether this Court should set any briefing schedules, any hearings, or any other procedures.

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.

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT... Terri Anita Payne

Chapter 13

Tentative Ruling for 7/15/25:

Appearances required.

At the hearing on 6/17/25 this Court was persuaded to continue this matter to today. There is no tentative ruling but the parties should be prepared to address the current status of this matter, and whether this Court should set any briefing schedules, any hearings, or any other procedures.

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 6/17/25:

Appearances required. There is no tentative ruling, but the parties should be prepared to address (a) whether the alleged arrears have been brought current, (b) whether they will agree to the terms of an adequate protection order (see Debtor's response, dkt. 46–47), and (c) their positions with respect to the motion of the Chapter 13 Trustee (“Trustee”) to modify Debtor’s confirmed plan to make Trustee the disbursing agent with respect all payments pertaining to the mortgage obligation on Debtor’s primary residence (see Trustee’s response (dkt. 48) and Trustee’s motion to modify plan (dkt. 49)).

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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| Party Information |
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Debtor(s):

Terri Anita Payne

Represented By
Gregory M Shanfeld

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT... Terri Anita Payne

Chapter 13

Movant(s):

Lakeview Loan Servicing, LLC

Represented By
Nathan F Smith
Christina J Khil

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:25-10324 Dennis Earl Rufus, Sr. and Liz Aase Rufus

Chapter 13

#21.00 Cont'd hrg re: Motion for Relief from Automatic Stay [RP]
fr. 12/2/25, 01/20/26

FOOTHILL FEDERAL CREDIT UNION
vs
DEBTOR

Docket 41

Tentative Ruling:

Tentative Ruling for 3/24/26:

Appearances required.

At the hearing on 1/20/26 this Court was persuaded to continue this matter to. There is no tentative ruling but the parties should be prepared to address the current status of this matter, and whether this Court should set any briefing schedules, any hearings, or any other procedures.

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 1/20/26:

Appearances required.

At the hearing on 12/2/25 this Court was persuaded to continue this matter to today with a deadline of 12/4/25 for Debtor to file and serve a notice of the continued hearing on Movant and file a proof of service. As of the preparation of this tentative ruling, Debtor has not complied. Why not?

There is no tentative ruling but the parties should be prepared to address the current status of this matter, and whether this Court should set any briefing schedules, any hearings, or any other procedures.

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

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT... **Dennis Earl Rufus, Sr. and Liz Aase Rufus** **Chapter 13**

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 12/2/25:

Appearances required. There is no tentative ruling, but the parties should be prepared to address:

- (a) whether the alleged arrears have been brought current
- (b) whether they will agree to the terms of an adequate protection order
- (c) the request of the Chapter 13 Trustee ("Trustee") to make Trustee the disbursing agent for payments to Movant (see Debtors' response, dkt. 47; Trustee's response, dkt. 44).

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.

Party Information

Debtor(s):

Dennis Earl Rufus Sr.

Represented By
Julie J Villalobos

Joint Debtor(s):

Liz Aase Rufus

Represented By
Julie J Villalobos

Movant(s):

Foothill Federal Credit Union

Represented By
Shannon A Doyle
Michael R. Brooks

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:25-13134 Mario Bharath Mohan and Alana Renee Mohan

Chapter 13

#22.00 Cont'd hrg re: Motion for Relief from Automatic Stay [RP]
fr. 11/18/25, 1/6/26, 2/10/26

CROSS COUNTRY MORTGAGE LLC
VS
DEBTOR

Docket 30

***** VACATED *** REASON: Resolved by stipulation (dkt.57) and order
thereon (dkt.59)**

Tentative Ruling:

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Mario Bharath Mohan

Represented By
Barry E Borowitz

Joint Debtor(s):

Alana Renee Mohan

Represented By
Barry E Borowitz

Movant(s):

CrossCountry Mortgage, LLC

Represented By
Joseph C Delmotte

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:25-19902 Sabrina Cupid

Chapter 13

#23.00 Cont'd Hrg re: Motion for Relief from Automatic Stay [RP]
fr. 01/20/26, 2/10/26

RUSSELL D. HARRIS
vs
DEBTOR

Docket 44

Tentative Ruling:

Tentative Ruling for 3/24/26:

Grant as set forth below. Appearances required.

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge proposed order(s) on the matter(s) addressed here 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.

Background:

On 1/23/26 (dkt. 80) and 2/11/26 (dkt. 111) this Court issued orders explaining the parties' burdens of proof and continuing this matter, ultimately with a 3/19/26 deadline for Debtor to "file and serve (x) on all parties in interest a motion to approve a sale of the subject property pursuant to 11 U.S.C. [section] 363(b) & (f), or (y) on Movant a declaration explaining in detail and with appropriate supporting evidence why a further continuance of the Continued Hearing is appropriate despite the lack of any sale motion by the deadline set forth [therein] and file a proof of service." Order (dkt. 111), p. 3, para. 18.c.

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT...

Sabrina Cupid

Chapter 13

As of the preparation of this tentative ruling, Debtor has not complied. This has several consequences.

First, as to 11 U.S.C. 362(d)(2)(A) (Debtor's lack of equity in the subject Property), the tentative ruling is that Movant has met his burden to show a lack of equity in the subject Property given (i) his evidence that prior proposed sales were not only at a lower valuation but also failed to close, (ii) Debtor's failure to propose any current sale at all, let alone one by the deadline set by this Court or at a valuation comparable to the value she has been asserting, (iii) Movant's evidence in support of the dollar amount of his own claim (see dkt. 163-65), and (iv) this Court's order (dkt. 154) overruling Debtor's objection to the other major lien on the subject Property (a judgment lien). In other words, Movant has shown a lack of equity that satisfies one element of 11 U.S.C. 362(d)(2), namely, subparagraph "(A)."

As for subparagraph "(B)" of that statute (that the property is not necessary to an effective reorganization), the tentative ruling is that Debtor has never met that burden, either when this motion first came on for hearing (see Order, dkt. 80), or as of today (when she has failed to propose any sale or refinance of the subject property, despite the opportunity granted by this Court to do so). See Order (dkt. 111).

In other words, both elements of 11 U.S.C. 362(d)(2) have been satisfied. In addition, and in the alternative, this Court has already found that Debtor's filing of this bankruptcy petition was part of a "scheme" to delay, hinder, or defraud creditors within the meaning of 11 U.S.C. 362(d)(4), and this Court exercised its discretion to grant partial relief in the form of issuing an order (dkt. 111) that made the automatic stay inapplicable to Movant's remedies against the subject Property in any future bankruptcy case ("*in rem*" relief) and setting a deadline of 3/19/26 for Debtor to file and serve a motion to approve the sale of the subject Property (or to file a declaration with persuasive reasons for additional time). The tentative ruling is that Debtor's failure to meet that deadline is an alternative reason to grant the relief set forth below.

For all of the foregoing reasons, the tentative ruling is to grant the R/S Motion and terminate the automatic stay as follows.

Termination

Terminate the automatic stay under 11 U.S.C. 362(d)(2) and (4).

To the extent, if any, that the motion seeks to terminate the automatic

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT... Sabrina Cupid

Chapter 13

stay in *other* past or pending bankruptcy cases, such relief is denied on the present record. See *In re Ervin* (Case No. 14-bk-18204-NB, docket no. 311).

Relief notwithstanding future bankruptcy cases

Grant the following relief pursuant to 11 U.S.C. 362(d)(4) and the legal analysis in *In re Vazquez*, 580 B.R. 526 (Bankr. C.D. Cal. 2017), and/or *In re Choong* (case no. 2:14-bk-28378-NB, docket no. 31), as applicable:

If this order is duly recorded in compliance with applicable State laws governing notices of interests or liens in the property at issue, then no automatic stay shall apply to such property in any bankruptcy case purporting to affect such property and filed within two years after the date of entry of this order, unless otherwise ordered by the court presiding over that bankruptcy case.

For the avoidance of doubt, any acts by the movant to obtain exclusive possession of such property shall not be stayed, including any eviction actions, through and including any lockout or other enforcement by the Sheriff or other authorized legal authority.

Note: Per the Posted Procedures of Judge Bason (available at www.cacb.uscourts.gov) this Court's order will state that the Court "does not make" a finding that Debtor was involved in the "scheme" referenced in section 362(d)(4), unless there is sufficient evidence that Debtor was involved and Debtor is given clear notice that the movant seeks an express finding that Debtor was involved. The tentative ruling in this particular case is that there is sufficient evidence and notice.

Effective date of relief

Grant the request to waive the 14-day stay provided by Rule 4001(a) (4) (Fed. R. Bankr. P.).

Co-debtor stay

Any co-debtor stay (11 U.S.C. 1301(c)) has not been shown to have any basis for any different treatment from the stay under 11 U.S.C. 362(a), so the tentative ruling is to grant the identical relief regarding any co-debtor stay.

Tentative Ruling for 2/10/26:

Appearances required.

At the hearing on 1/20/26 this Court was persuaded not to adopt the

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT... Sabrina Cupid

Chapter 13

tentative ruling for that date (reproduced below) and took the matter under submission. On 1/23/26 this Court issued an Order (dkt. 80) continuing this matter to today for the reasons set forth therein. There is no tentative ruling but the parties should be prepared to address the issues addressed in that Order, including whether this Court should rule on the motion at this hearing, or whether there are sufficient grounds for any continuance or other procedures, such as setting deadlines for filing and serving declarations with supporting evidence.

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 1/20/26:

Grant in part and deny in part and continue to 2/10/26 at 10:00 a.m. as set forth below. Appearances are not required on 1/20/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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)

Termination

Terminate the automatic stay under 11 U.S.C. 362(d)(2).

To the extent, if any, that the motion seeks to terminate the automatic stay in *other* past or pending bankruptcy cases, such relief is denied on the present record. See *In re Ervin* (Case No. 14-bk-18204-NB, docket no. 311).

Relief notwithstanding future bankruptcy cases

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT...

Sabrina Cupid

Chapter 13

As to the requested relief that will remain effective notwithstanding any future bankruptcy case, continue the motion to the date and time set forth at the start of this tentative ruling, for service on the persons who executed the documents through which the movant asserts its interest in the property (sometimes referred to in the mortgage context as the "original borrower"). Reasons: See LBR 4001-1(c)(1)(B). In addition, Judge Bason has due process concerns about granting such relief without service on the person(s) whose interests may be most directly affected. See *generally Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306 (1950) (due process generally). In this matter, such persons appear to include: Marion S. Turner-Riley.

Option for shortened time: This Court has selected a continued hearing date that contemplates shortened notice (per Rule 9006) but that date is conditioned on the movant (i) serving, on the day after the current hearing date, the motion papers and notice of the continued hearing date, and (ii) filing that notice and a proof of service no later than the next day. Alternatively, the movant may self-calendar a continued hearing on *regular* notice.

Option for interim/partial order: Movant may elect to lodge a proposed order granting the *partial* relief provided in this tentative ruling, but any such order must recite that a continued hearing has been set to consider additional relief (or, alternatively, that the movant no longer seeks additional relief and the Clerk's office is requested and directed to take the continued hearing off calendar).

Effective date of relief

Grant the request to waive the 14-day stay provided by Rule 4001(a) (4) (Fed. R. Bankr. P.).

Co-debtor stay

Any co-debtor stay (11 U.S.C. 1301(c)) has not been shown to have any basis for any different treatment from the stay under 11 U.S.C. 362(a), so the tentative ruling is to grant the identical relief regarding any co-debtor stay.

Party Information

Debtor(s):

Sabrina Cupid

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT... Sabrina Cupid

Chapter 13

Movant(s):

Russell D. Harris

Represented By
Andrew Mase
Matthew H. Aguirre

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:25-15019 Monica Urquidi

Chapter 13

#24.00 Cont'd hrg re: Motion for Relief from Automatic Stay [RP]
fr. 2/10/26, 3/10/26

DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR
INDYMAC INDX MORTGAGE LOAN TRUST 2004-AR15, MORTGAGE PASS-
THROUGH CERTIFICATES SERIES 2004-AR15
VS
DEBTOR

Docket 46

***** VACATED *** REASON: APO**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Monica Urquidi

Represented By
R Grace Rodriguez - SUSPENDED BK -
Michael D Kwasigroch

Movant(s):

Deutsche Bank National Trust

Represented By
Joseph C Delmotte

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:25-14102 Lorne G Grant

Chapter 13

#25.00 Cont'd hrg re: Motion for Relief from Automatic Stay [RP]
fr. 10/7/25, 12/2/25, 01/20/26, 2/10/26, 3/10/26

SELENE FINANCE, L.P.
VS
DEBTOR

Docket 40

***** VACATED *** REASON: Withdrawn (dkt. 61).**

Tentative Ruling:

| |
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| Party Information |
|--------------------------|

Debtor(s):

Lorne G Grant

Represented By
Thomas B Ure

Movant(s):

U.S. Bank Trust National

Represented By
Sarah Arlene Dooley-Lewis
Sean C Ferry
David Coats

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:23-16782 Cesar Augusto Archila and Blanca E. Archila

Chapter 13

#26.00 Cont'd hrg re: Motion for Relief from Automatic Stay [RP]
fr. 11/4/25, 12/2/25, 01/20/26, 3/10/26

BANK OF AMERICA, N.A.
vs
DEBTOR

Docket 55

***** VACATED *** REASON: APO**

Tentative Ruling:

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Cesar Augusto Archila

Represented By
D Justin Harelik

Joint Debtor(s):

Blanca E. Archila

Represented By
D Justin Harelik

Movant(s):

BANK OF AMERICA, N.A.

Represented By
Christina J Khil

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:25-21325 Daniel Chang

Chapter 7

#27.00 Cont'd hrg re: Motion for Relief from Automatic Stay [RP]
fr. 2/10/26

CHANGWEI CHEN
vs
DEBTOR

Docket 11

Tentative Ruling:

Tentative Ruling for 3/24/26:

Appearances required.

At the hearing on 2/10/26 this Court was persuaded to continue this matter to today. There is no tentative ruling but the parties should be prepared to address the current status of this matter, and whether this Court should set any briefing schedules, any hearings, or any other procedures.

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 2/10/26:

Appearances required. There is no tentative ruling, but the parties should be prepared to address:

- (a) whether the alleged arrears have been brought current
- (b) whether they will agree to the terms of an adequate protection order

(see Debtor's response (dkt. 18) and Movant's reply (dkt. 24)).

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.

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

CONT... Daniel Chang

Chapter 7

Party Information

Debtor(s):

Daniel Chang

Represented By
Jonathan J. Lo

Movant(s):

CHANGWEI CHEN

Represented By
Leonard Pena
Daniel I Singer

Trustee(s):

John J Menchaca (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:25-21325 Daniel Chang

Chapter 7

#28.00 Cont'd hrg re: Motion for Relief from Automatic Stay [RP]
fr. 2/10/26

SELENE FINANCE LP AS SERVICER FOR U.S. BANK
TRUST NA
VS
DEBTOR

Docket 14

***** VACATED *** REASON: Withdrawn (dkt. 44).**

Tentative Ruling:

| |
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| Party Information |
|--------------------------|

Debtor(s):

Daniel Chang

Represented By
Jonathan J. Lo

Movant(s):

U.S. Bank Trust National

Represented By
Sarah Arlene Dooley-Lewis
David Coats

Trustee(s):

John J Menchaca (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

10:00 AM

2:25-21229 Alexey Ott

Chapter 13

#29.00 Cont'd hrg re: Debtor's Motion to Invalidate Sale of Manufactured Home
(Debtor's Request for Contempt)
fr. 1/6/26, 2/10/26, 2/24/26

Docket 9

***** VACATED *** REASON: Cont'd to 4/21/26 per order issued 3/12/26
(dkt. 59)**

Tentative Ruling:

- NONE LISTED -

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| Party Information |
|--------------------------|

Debtor(s):

| | |
|------------|--------|
| Alexey Ott | Pro Se |
|------------|--------|

Movant(s):

| | |
|------------|--------|
| Alexey Ott | Pro Se |
|------------|--------|

Trustee(s):

| | |
|----------------------|--------|
| Kathy A Dockery (TR) | Pro Se |
|----------------------|--------|

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

2:25-11820 Christopher J Tidwell

Chapter 7

Adv#: 2:25-01206 Tidwell v. Department of Education et al

#1.00 Status Conference re: Complaint to determine dischargeability
for undue hardship re: US Department of Education

Docket 1

***** VACATED *** REASON: Dismissed by stipulation of the parties (adv.
dkt. 22) and order thereon**

Tentative Ruling:

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Christopher J Tidwell

Represented By
Scott R Burton

Defendant(s):

Department of Education

Represented By
Robert F Conte

Educational Credit Management

Represented By
Scott A Schiff

Plaintiff(s):

Christopher J Tidwell

Represented By
Scott R Burton

Trustee(s):

Brad D Krasnoff (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

2:25-19055 Sanjesh Prasad Sharma

Chapter 7

Adv#: 2:26-01004 Botthof et al v. Sharma

#2.00 Status Conference re: Complaint to Determine Dischargeability
of Debt

Docket 1

***** VACATED *** REASON: Cont'd to 6/2/26 at 11:00 AM per order
(dkt.11)**

Tentative Ruling:

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Sanjesh Prasad Sharma

Represented By
Vahe Khojayan

Defendant(s):

Sanjesh Prasad Sharma

Represented By
Vahe Khojayan

Plaintiff(s):

Stephen Botthof

Represented By
Timothy J Silverman

Aja Botthof

Represented By
Timothy J Silverman

Trustee(s):

John P Pringle (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

2:25-19833 VIA REAL GROUP, LLC

Chapter 7

Adv#: 2:26-01021 4E Capital LP et al v. Pacific Consolidated Holdings Group, Inc. et al

#3.00 Status Conference: Notice of Removal of pre-petition lawsuit pending in Los Angeles Superior Court to Bankruptcy Court (28 U.S.C. section 1452(a))

Docket 1

Tentative Ruling:

Please see the tentative ruling for Calendar No. 5 (3/24/26 at 11:00 a.m.).

Party Information

Debtor(s):

VIA REAL GROUP, LLC

Represented By
Zev Shechtman

Defendant(s):

John J. Menchaca

Represented By
Wesley H Avery

Michael Steinberg

Represented By
Richard Lee Wynne

The Inception Companies, LLC

Represented By
Richard Lee Wynne

OBM Holdings LLC

Represented By
Richard Lee Wynne

OBM PDG, LLC

Pro Se

Via Real Group, LLC

Pro Se

Michael Steinberg

Pro Se

Omar Mangalji

Represented By
Richard Lee Wynne

Zevo Drive Holdings, LLC

Represented By

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... VIA REAL GROUP, LLC

Chapter 7

| | |
|-------------------------------|-------------------------------------|
| | Richard Lee Wynne |
| Meridian Via Real, LLC | Represented By Richard Lee Wynne |
| Pacific Consolidated Holdings | Pro Se |
| David Mehlman | Represented By Richard Lee Wynne |

Plaintiff(s):

| | |
|--------------------|---|
| Alexey Mikhaylov | Represented By Christopher Dale Beatty |
| 4E Capital LP | Represented By Christopher Dale Beatty |
| Pharm Capital, LLC | Represented By Christopher Dale Beatty |

Trustee(s):

| | |
|-----------------------|--------|
| David M Goodrich (TR) | Pro Se |
|-----------------------|--------|

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

2:25-19834 PACIFIC CONSOLIDATED HOLDINGS GROUP, INC. Chapter 7

Adv#: 2:26-01022 4E Capital LP et al v. Pacific Consolidated Holdings Group, Inc. et al

#4.00 Status Conference: Notice of Removal of pre-petition lawsuit pending in Los Angeles Superior Court to Bankruptcy Court (28 U.S.C. section 1452(a))

Docket 1

Tentative Ruling:

Please see the tentative ruling for Calendar No. 5 (3/24/26 at 11:00 a.m.).

Party Information

Debtor(s):

PACIFIC CONSOLIDATED

Represented By
Zev Shechtman

Defendant(s):

John J. Menchaca

Represented By
Wesley H Avery

DOES 1-10

Pro Se

The Inception Companies, LLC

Represented By
Richard Lee Wynne

OBM Holdings LLC

Represented By
Richard Lee Wynne

OBM PDG, LLC

Pro Se

Via Real Group, LLC

Pro Se

Michael Steinberg

Represented By
Richard Lee Wynne

Omar Mangalji

Represented By
Richard Lee Wynne

Zevo Drive Holdings, LLC

Represented By

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... PACIFIC CONSOLIDATED HOLDINGS GROUP, INC. Chapter 7

Richard Lee Wynne

Meridian Via Real, LLC

Represented By
Richard Lee Wynne

Pacific Consolidated Holdings

Pro Se

David Mehlman

Represented By
Richard Lee Wynne

Plaintiff(s):

Alexey Mikhaylov

Represented By
Christopher Dale Beatty

4E Capital LP

Represented By
Christopher Dale Beatty

Pharm Capital, LLC

Represented By
Christopher Dale Beatty

Trustee(s):

John J Menchaca (TR)

Represented By
Wesley H Avery

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

2:25-19835 OBM PDG, LLC a California limited liability compan

Chapter 7

Adv#: 2:26-01023 4E Capital LP et al v. Pacific Consolidated Holdings Group, Inc. et al

#5.00 Status Conference: Notice of Removal of pre-petition lawsuit pending in Los Angeles Superior Court to Bankruptcy Court (28 U.S.C. section 1452(a))

Docket 1

Tentative Ruling:

Appearances required.

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.

(1) Current issues

This Court has reviewed the parties' joint status reports filed in each of these three removed adversary proceedings (Adv. No. 2:26-ap-01021-NB, adv. dkt. 14 & 18; Adv. No. 2:26-ap-01022-NB, adv. dkt. 13 & 17; and Adv. No. 2:26-ap-01023-NB, adv. dkt. 14) and the other filed documents and records in each proceeding.

(a) Jurisdiction and authority

These are gating issues. Nevertheless, they are addressed in part "(2) (a)" below, *after* discussion of the issues in this part "(1)," because the latter help to inform the former.

(b) Possible partial or full settlements; and consolidation of adversary proceedings

The commencement before this Bankruptcy Court of all three of the adversary proceedings resulted from Plaintiffs' removal of only one state court action. There are three adversary proceedings because that state court action names as defendants the three entities that sought bankruptcy protection in addition to multiple non-debtor entities.

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT...

OBM PDG, LLC a California limited liability compan

Chapter 7

The parties previously requested that the three adversary proceedings be consolidated under a single lead case. Recently, it appears that settlements have been agreed (subject to notice, an opportunity to object, and approval of this Bankruptcy Court) between Trustees for two of the three Debtors and the non-debtor Defendants. See Supp. Stat. Rpts. (Adv. No. -1021 dkt. 18 & -1022 dkt. 17). It is unclear whether those settlements also apply to any claims asserted by co-plaintiff Alexey Mikhaylov. The parties are directed to address at this status conference whether Mr. Mikhaylov is expected to be included in the proposed settlements, and also any other procedural and substantive issues related to any proposed partial or full settlements of some or all of these adversary proceedings.

Meanwhile, regardless of the responses on the foregoing issues, the tentative ruling is that consolidation is warranted, even if only for administrative convenience, under Rule 42(a)(2) (Fed. R. Civ. P., made applicable by Rule 7042, Fed. R. Bankr. P.). The parties are directed to address whether Adv. No. 2:26-ap-01021-NB (the low-numbered adversary proceeding) should be designated as the lead proceeding, or if instead the un-settled adversary proceeding (Adv. No. 2:26-ap-01023-NB) should be designated as the lead proceeding.

In any event, the tentative ruling is to direct Plaintiffs to lodge proposed orders in each adversary proceeding with a caption in the same format as Local Form F 1015-1.1.NOTICE.JOINT.ADMINISTRATION (e.g., listing all adversary proceedings and with check-boxes for whether the captioned document affects all adversary proceedings or just some; directing all parties who previously electronically filed documents only in cases other than the lead case promptly to file in the lead case a "Request to be Added to Courtesy Notice of Electronic Filing" using the court-approved form; etc.).

(c) Whether the automatic stay applies, or a discretionary stay should apply, to any of this litigation

Trustees have questioned whether the automatic stay applies to any matters that are pending in this Bankruptcy Court. The tentative ruling is that it does not. See *In re N. Coast Vill., Ltd.*, 135 B.R. 641, 643 (9th Cir. BAP 1992) ("The application of the stay to proceedings in the home bankruptcy court does not serve the purposes underlying the stay. The automatic stay is designed (1) to provide the debtor a breathing spell from his or her creditors by stopping all collection efforts, (2) to protect creditors from each other by

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... **OBM PDG, LLC a California limited liability compan**

Chapter 7

stopping the race for the debtor's assets and preserving the assets for the benefit of all creditors and (3) to provide for an orderly liquidation or administration of the estate.... Declining to apply the stay to proceedings in the home bankruptcy court will not interfere with these purposes.... All collection efforts will proceed only under the bankruptcy court's control, either in the bankruptcy court or in another forum only if the court grants relief from the stay.").

Nevertheless, to avoid any doubt about whether the automatic stay applies, it might be appropriate to entertain motions for relief from the automatic stay. Such motions presumably could be heard either orally at this hearing or on shortened time, and could be resolved to be consistent with the analysis set forth later in this tentative ruling about what aspects of this litigation should or should not proceed at this time in view of issues of which claims do or do not belong to the bankruptcy estates, and issues of jurisdiction, abstention, etc.

A related issue is whether this Court should exercise its inherent power to control its docket by temporarily staying any of this litigation in view of the pending proposed settlements or some or all aspects of at least two of these adversary proceedings (as noted in the parties' supplemental status reports cited above). The tentative ruling is that a temporary stay of Adv. Nos. 2:26-ap-01021-NB and -01022-NB is warranted until a motion to approve any settlements can be filed, served, and heard by this Bankruptcy Court. The parties are directed to address whether a temporary stay would also be appropriate as to Adv. No. 2:26-ap-01023-NB.

(d) Claims that do or do not belong to the bankruptcy estates

The parties should be prepared to discuss the assertion of the Non-Debtor Defendants (in one of the seemingly identical initial status reports) that "[u]nless and until the Chapter 7 Trustees ['Trustees'] decide whether to pursue [claims belonging to the bankruptcy estates], litigation directed at the Debtors, and any related claims against the non-debtor defendants to the extent derivative of estate rights, is premature and risks unnecessary expense" Status Report (Adv. No. 2:26-ap-01023-NB, adv. dkt. 14) (the "Sample Status Report") at ¶ G (p. 4). In effect, Defendants appear to be seeking a blanket stay of this litigation (as to whether the automatic stay applies, see separate discussion below).

The tentative ruling is that a blanket stay of this litigation would be too

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... **OBM PDG, LLC a California limited liability compan** Chapter 7

broad - notwithstanding that (i) this litigation ultimately might be subject to mandatory or discretionary abstention or similar doctrines (e.g., comity) as to some claims, (ii) neither Plaintiffs nor Non-Debtor Defendants have consented to the entry of final judgments by this Bankruptcy Court (see, e.g., Sample Status Report p. 4, part F), and (iii) a partial and temporary stay might be appropriate because Trustees may need some time to assess the claims at issue. The reasons are as follows.

On the one hand, this Court assumes for the sake of discussion that in future a different forum might decide some or all of this litigation. Nevertheless, for the moment the notices of removal have properly transferred jurisdiction to this Bankruptcy Court, and, in this Court's experience, some aspects of litigation would not be premature or be likely to entail unnecessary expense. The tentative ruling is that this is so regardless of whether Plaintiffs or the Trustees control the litigation against Non-Debtor Defendants, and regardless of whether the ultimate forum for any given claim or matter ends up being the State Courts or this Bankruptcy Court (or some other venue - e.g., if the reference from the District Court to this Court were to be withdrawn).

To illustrate, consider Plaintiffs' reference to their "pending motion for writ of attachment against non-debtor Zevo Drive Holdings, LLC [the 'Zevo Attachment Matter'] and a pending motion for sanctions for violation of a discovery court order against non-debtors Omar Mangajli and Meridian Via Real, LLC [the 'Mangajli/Meridian Discovery Matter'] that were stayed upon initiation of the bankruptcy and still need to be resolved." Sample Status Report, p. 2 (part A.5.). In addition, consider the possibility of other pending or unfinished discovery matters.

The tentative ruling is that it might be essential for the Zevo Attachment Matter to proceed. The whole point of any attachment is to assure that assets are not dissipated or hidden pending an opportunity to address the merits, so delay would not be appropriate.

Likewise, the tentative ruling is that the Mangajli/Meridian Discovery Matter might need to proceed. Just like any attachment, compelling discovery can be essential to assure that, e.g., unknown assets are not dissipated or hidden during any period of delay.

The same principles might apply not just to the Mangajli/Meridian Discovery Matter but to any pending or unfinished discovery. In addition to any concerns about discovering assets that could be dissipated or hidden,

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... **OBM PDG, LLC a California limited liability compan**

Chapter 7

discovery might help inform all parties and therefore foster any future settlement(s) by Trustee(s) or co-plaintiff Mr. Mikhaylov with some or all parties (although this Court notes that sometimes additional discovery is not needed for such purposes).

For all of the foregoing reasons, the tentative ruling is that any temporary stay of this litigation should not include the Zevo Attachment Matter, the Mangajli/Meridian Discovery Matter, and, possibly, other discovery matters. All of that said, it might be appropriate to defer to the State Court on some matters.

For example, if there are questions about the scope of discovery ordered by the State Court (*e.g.*, if Plaintiffs were to contend that the State Court intended its prior discovery order to be broad, and if Defendants were to contend that the State Court intended a narrow scope), then the State Court might be best situated to determine whether discovery sanctions are appropriate and the nature and degree of any such sanctions (if the State Court is willing and timely able to do so). In other words, if it is not too inefficient to have multiple *fora* involved, perhaps on some issues this Bankruptcy Court should abstain, or grant limited relief from the automatic stay, so that the State Court can address some matters.

For the foregoing reasons, the parties are directed to address at this status conference which matters should or should not proceed, and in which forum - including but not limited to the Zevo Attachment Matter, the Mangajli/Meridian Discovery Matter, and any other discovery matters. In addition, the parties are directed to address coordination among them of discovery and other matters (*e.g.*, whether any deposition of some or all individual Non-Debtor Defendants will be conducted jointly or separately by Trustees and/or Plaintiffs).

The tentative ruling is that this Court may order some matters to proceed right away at this status conference, and defer any decision on other matters to a continued status conference, while directing the parties (x) to meet and confer (*e.g.*, about coordinating discovery) and (y) to provide an update in their status report for the continued status conference.

(e) Resolution through the claims allowance process?

The parties should also be prepared to discuss Trustees' position that Plaintiffs' claims against each Debtor could be more economically resolved through the claims allowance process, as opposed to these adversary

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... **OBM PDG, LLC a California limited liability compan** Chapter 7

proceedings. The tentative ruling is that, except for matters that need to proceed quickly (e.g., the Zevo Attachment Matter or the Mangajli/Meridian Discovery Matter) it appears to be sensible to proceed via a claims allowance process as an initial matter.

For example, suppose that

- (i) Plaintiffs hypothetically (purely for illustrative purposes) were to file a claim for \$1 million against Debtor "A" (while also asserting that Defendant "X" is jointly liable for \$200,000.00, and Defendant "Y" is jointly liable for \$400,000.00),
- (ii) this Court were to set a deadline of 14 days later for any objections to the claim against Debtor "A," and
- (iii) no party in interest were to file and serve any objection to that \$1 million claim (except that Defendants "X" and "Y" filed responses reserving their rights to defend against their alleged joint liabilities).

In that situation, it is possible that it would be easier for all parties to assess both the procedural and substantive aspects of this litigation. For example, the parties might be able to assess more easily whether any Trustee(s) and/or Mr. Mikhaylov "owns" and can control any joint liability litigation (e.g., under the "*Barton* doctrine") and whether this Bankruptcy Court should abstain from determining such joint liability claims. The parties also might be able to assess potential settlements more easily.

The parties are directed to address whether this Court should order (i) a special deadline for Plaintiffs to file preliminary proofs of claim (subject to amendment later on either before the claims bar date or, if appropriate under usual legal principles, thereafter) and (ii) deadlines of 14 days later for any objections to those claims, 7 days later for any reply, and a hearing shortly thereafter (or something similar). In addition, the parties are directed to address whether, if such a process were to be ordered, how soon Plaintiffs can file their proofs of claim.

(f) Filing of the State Court record with this Bankruptcy Court

On February 18, 2026, due to the volume of the record in the underlying state court action, this Court issued orders in each of the three adversary proceedings excusing Plaintiffs from complying with the requirement to file the entire record with this Bankruptcy Court. First, the tentative ruling is to direct Plaintiffs within 7 days after this status conference

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... **OBM PDG, LLC a California limited liability compan** **Chapter 7**

to file papers that are relevant to their "pending motion for writ of attachment against non-debtor Zevo Drive Holdings, LLC and a pending motion for sanctions for violation of a discovery court order against non-debtors Omar Mangajli and Meridian Via Real, LLC that were stayed upon initiation of the bankruptcy and still need to be resolved." Sample Status Report, p. 2 (part A.5.). The tentative ruling is to set a deadline of 7 days after Plaintiffs file such papers for Defendants to file any supplemental papers that they believe are relevant to those matters.

Second, the tentative ruling is to direct Plaintiffs to file those papers that they believe are relevant to any other matters that the parties agree should go forward in this Bankruptcy Court, or that this Bankruptcy Court orders to go forward here, within 7 days after the filing of any such written agreement or order, with any supplement by Defendants within 7 days thereafter.

The tentative ruling is that, in the interests of efficiency, any such filing of relevant papers should be without prejudice to a later supplement by Plaintiffs or Defendants at any time, without prior authorization of this Bankruptcy Court, if any of them determine in their sole discretion that any supplemental papers would be helpful to this Bankruptcy Court in connection with any matter that is before this Bankruptcy Court. In other words, this Bankruptcy Court seeks to establish a procedure that will encourage parties to file only relatively few documents (out of the vast record before the State Court), knowing that they will be free to supplement those documents later on if they wish. To be clear, however, the usual rules apply regarding timely submission of arguments and evidence - *e.g.*, a party could not wait until filing and serving reply papers to supplement the record with arguments or evidence that could not normally be submitted with a reply.

Proposed order(s): Unless otherwise ordered, Trustees are directed to lodge in each adversary proceeding proposed orders authorizing consolidation via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)). In addition, unless otherwise ordered, Trustees are directed to lodge proposed orders on each of the other matters above, with a copy of relevant portions of this tentative ruling attached, thereby adopting those portions as the actual rulings of this Court.

(2) Standard requirements

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT...

OBM PDG, LLC a California limited liability compan

Chapter 7

The following are Judge Bason's standard requirements for status conferences. (To the extent that the parties have already addressed these issues in their status report, they need not repeat their positions at the status conference.)

(a) Venue/jurisdiction/authority

The parties are directed to address any outstanding matters of (a) venue, (b) jurisdiction, (c) this Bankruptcy Court's authority to enter final orders or judgment(s) in this proceeding and, if consent is required, whether the parties do consent, or have already expressly or impliedly consented. *See generally Stern v. Marshall*, 131 S.Ct. 2594, 2608 (2011) (if litigant "believed that the Bankruptcy Court lacked the authority to decide his claim...then he should have said so – and said so promptly."); *Wellness Int'l Network, Ltd. v. Sharif*, 135 S.Ct. 1932 (2015) (consent must be knowing and voluntary but need not be express); *In re Bellingham Ins. Agency, Inc.*, 702 F.3d 553 (9th Cir. 2012) (implied consent), *aff'd on other grounds*, 134 S. Ct. 2165 (2014); *In re Pringle*, 495 B.R. 447 (9th Cir. BAP 2013) (rebuttable presumption that failure to challenge authority to issue final order is intentional and indicates consent); *In re Deitz*, 760 F.3d 1038 (9th Cir. 2014) (authority to adjudicate nondischargeability encompasses authority to liquidate debt and enter final judgment). *See generally In re AWTR Liquidation, Inc.*, 548 B.R. 300 (Bankr. C.D. Cal. 2016).

Supplemental notes: (i) The parties need not repeat their positions as stated in the status reports (e.g., any lack of consent to this Bankruptcy Court's entry of any final judgments or orders).

(ii) The tentative ruling is that, as discussed in part "(1)" of this tentative ruling, there are potentially complex issues about abstention or similar issues of jurisdiction and authority that might be better addressed at a later stage of this litigation, and the tentative ruling is that all rights are reserved on any such issues.

(b) Mediation

The tentative ruling is not to order further mediation at this time.

(c) Deadlines

These adversary proceedings have been pending since 2/2/26. The tentative ruling is that it would be premature to set litigation deadlines, other

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... **OBM PDG, LLC a California limited liability compan** **Chapter 7**
than as set forth in part "(1)" of this tentative ruling above, and setting a
continued status conference (see below).
Joint Status Report: Not required.
Continued status conference: 4/7/26 at 11:00 a.m., concurrent with
other matters.

Party Information

Debtor(s):

| | |
|---------------------------|---------------------------------|
| OBM PDG, LLC a California | Represented By Zev Shechtman |
|---------------------------|---------------------------------|

Defendant(s):

| | |
|-------------------------------|-------------------------------------|
| Meridian Via Real, LLC | Represented By Richard Lee Wynne |
| Pacific Consolidated Holdings | Pro Se |
| JOHN J MENCHACA | Represented By Wesley H Avery |
| OBM Holdings LLC | Represented By Richard Lee Wynne |
| DOES 1 - 10 | Pro Se |
| Via Real Group, LLC | Pro Se |
| OBM PDG, LLC | Pro Se |
| David Mehlman | Represented By Richard Lee Wynne |
| Michael Steinberg | Represented By Richard Lee Wynne |
| Omar Mangalji | Represented By Richard Lee Wynne |
| Zevo Drive Holdings, LLC | Represented By Richard Lee Wynne |

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... OBM PDG, LLC a California limited liability compan

Chapter 7

The Inception Companies, LLC

Represented By
Richard Lee Wynne

Plaintiff(s):

Alexey Mikhaylov

Represented By
Christopher Dale Beatty

4E Capital LP

Represented By
Christopher Dale Beatty

Pharm Capital, LLC

Represented By
Christopher Dale Beatty

Trustee(s):

Carolyn A Dye (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

2:25-18219 Matthew Johnathan Eandi

Chapter 7

#6.00 Hrg re: Objection to Debtor's Homestead Exemption

Docket 41

Tentative Ruling:

(A) Procedurally consolidate litigation of (i) Creditor Levine's exemption objection (dkt. 41, 42; Opp. dkt. 46; Reply dkt. 48), (ii) Debtor's improperly calendared motion to avoid Creditor Levine's lien (11 U.S.C. 522(f)) (dkt. 37; Opp. dkt. 40; purportedly self-calendared for today, per the caption of the Reply, dkt. 47), and (iii) Creditor Levine's nondischargeability First Amended Complaint (Adv. No. 2:25-ap-01415-NB, adv. dkt. 15); (B) continue hearings on the former two matters to be concurrent with the continued status conference in last matter; and (C) set a **deadline of 3/26/26** for Debtor to file and serve on all lienholders an amended section 522(f) motion, all as set forth below. Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

(1) Related nature of these three matters

Debtor was hired to represent Creditor Levine in nonbankruptcy litigation involving Creditor Levine's former life partner. A clerk's default and then a default judgment were entered against Creditor Levine in that underlying litigation, and subsequent attempts by Creditor Levine to obtain relief from that default judgment, including with new counsel, were unsuccessful. Creditor Levine sued Debtor in State Court and obtained a default judgment against Debtor.

Creditor Levine now seeks to limit Debtor's asserted homestead exemption and obtain a judgment that Debtor's liability to Creditor Levine is not discharged in this chapter 7 bankruptcy case. Debtor opposes those

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT...

Matthew Johnathan Eandi

Chapter 7

things and seeks to avoid Creditor Levine's judgment lien against Debtor's homestead. All of these matters raise common issues.

The First Amended Complaint in Creditor Levine's non-dischargeability action (Adv. No. 2:25-ap-01415-NB, adv. dkt. 15) asserts various claims, including a claim for "fraud or defalcation while acting in a *fiduciary capacity*" under 11 U.S.C. 523(a)(4) (emphasis added). See FAC adv. dkt. 15, Adv. No. 2:25-ap-01415-NB. The tentative ruling is that the dischargeability complaint is relevant to Creditor's objection to Debtor's homestead exemption, because Creditor Levine objects to the exemption under 11 U.S.C. 522(q)(1)(B)(ii), which limits a homestead exemption to \$214,000.00 (as adjusted effective 4/1/25) if "debtor owes a debt arising from fraud, deceit, or manipulation in a *fiduciary capacity*" (Emphasis added.) The term "fiduciary capacity" under 11 U.S.C. 522(q)(1)(B)(ii) has "the same meaning as under [11 U.S.C.] 523(a)(4): the fiduciary relationship must be based on an express or technical trust and must be imposed prior to the wrongdoing that caused the debt." *In re Uriostegui*, 669 B.R. 49, 55 (9th Cir. BAP 2025).

The tentative ruling is that Creditor Levine's exemption objection and Creditor Levine's dischargeability complaint "involve a common question of law or fact" and that accordingly it is appropriate to consolidate the litigation of the exemption objection and dischargeability complaint pursuant to Rule 42(a)(1) (Fed. R. Civ. P., made applicable by Rule 7042, Fed. R. Bankr. P.). (Although a claim objection is a "contested matter" governed by Rule 9014, under Rule 9014(c), Rule 7042 applies to contested matters.) The tentative ruling is to set a continued hearing on the exemption objection **on 5/12/26 at 11:00 a.m.**, concurrent with the continued status conference in the dischargeability action.

In addition, the tentative ruling is that the foregoing matters and the section 522(f) motion "involve a common question of law or fact" because any calculation of the extent to which the fixing of Creditor Levine's judicial lien impairs Debtor's asserted homestead exemption necessarily depends on the dollar amount of that homestead exemption. Accordingly it is appropriate to consolidate this litigation as well (under Rule 42(a)(1)).

In addition, the tentative ruling is to direct Debtor to file and serve on all lienholders an *amended* section 522(f) motion, addressing the deficiencies pointed out in the Opposition papers, which Debtor asserts in his Reply that he can and will correct. See 522(f) Reply (dkt. 47). The tentative ruling is to direct Debtor to provide notice that this amended motion is being set for an

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... **Matthew Johnathan Eandi**

Chapter 7

actual hearing concurrent with the other matters noted above.

(2) Tentative rulings on selected issues

In connection with the continued hearings, the tentative rulings on selected issues relating to the exemption objection are as follows:

- (a) overrule Creditor Levine's objection (dkt. 48, pp. 2:24-3:13) that Debtor's opposition to his exemption objection is late, due to the lack of any evidence of undue prejudice;
- (b) overrule Creditor Levine's objection (dkt. 48, pp. 3:16-4:23) that Debtor's opposition to the exemption objection should be disregarded because it was signed by Debtor rather than Debtor's counsel, but direct Debtor and his counsel of record to address at the continued hearing their roles going forward;
- (c) to grant Debtor leave to file an amended section 522(f) motion by the deadline set forth above; and
- (d) on the merits of the Exemption Objection, to overrule Debtor's assertion that the exemption objection must be denied "as a matter of law" (Opp., dkt. 46, p. 3:6) because, purportedly, Creditor Levine's exemption objection "fails to focus or elaborate on the nexus between the funds being held in Trust [*i.e.*, the evergreen retainer] and Debtor's conduct [possibly distinguishing between acts and omissions]." (emphasis added) The reason is that, as this Court understands Creditor Levine's current pleadings, his assertions are:
 - (i) that Debtor breached ongoing fiduciary duties by acts and omissions not only (x) regarding any retainer but also regarding his duties (y) diligently to represent Creditor Levine and (z) to keep him informed (see, e.g., dkt. 41, p. 3:15-24) including by hiding the fact that a default judgment was entered against Creditor Levine (*id.*, p. 4:5-7), and Debtor's allegedly false assurances that he would timely seek relief (*id.*, p. 4:12-19),
 - (ii) that the fact of the clerk's default and default judgment in the underlying litigation, and also the falseness of the assurances that those things would be remedied, were all kept hidden by Debtor from Creditor Levine until it was too late to seek relief from that default judgment (*id.*, p.

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT...

Matthew Johnathan Eandi

Chapter 7

4:20-27),

(iii) that Creditor Levine had "good defenses" to the underlying lawsuit (FAC, Adv. No. 2:25-ap-01415-NB, adv. dkt. 15, p. 2:23-24), and

(iv) that all of those things resulted in Creditor Levine incurring very substantial liability in the underlying litigation, due to the acts and omissions of Debtor arising from breaches of his fiduciary duties.

The tentative ruling is that the central remaining issues are (A) whether the default judgment against Debtor has a preclusive effect as a matter of law (see Exemption Objection, dkt. 41, pp. 12:20-13:14), alternatively, (B) whether, as a factual matter, Creditor Levine's evidence establishes his allegations, and (C) whether Debtor has waived or forfeited these legal and factual issues by not responding to them in his Opposition to the Exemption Objection. See, e.g., 522(q) Reply (dkt. 48) pp. 5:6-7:6.

To be clear, the foregoing tentative rulings are just that: tentative. All rights are reserved to argue these issues and all other issues in each of the procedurally consolidated matters at the continued hearing.

Proposed order(s): Unless otherwise ordered, Creditor Levine is directed to lodge proposed order(s) (i) procedurally consolidating the Exemption Objection (11 U.S.C. 522(q)), the Lien Objection (11 U.S.C. 522(f)), and the Nondischargeability Litigation (11 U.S.C. 523(a)(2), (4) & (6)), (ii) setting the deadline listed above for Debtor to file and serve on all lienholders an amended section 522(f) Lien Objection motion, and (iii) setting a continued hearing on all three matters as set forth above. Creditor Levine is directed to lodge those orders via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)) and attach a copy of this tentative ruling to each order, thereby incorporating it as this Court's actual ruling.

Party Information

Debtor(s):

Matthew Johnathan Eandi

Represented By
Shirlee L Bliss
Matthew J Eandi

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... Matthew Johnathan Eandi

Chapter 7

Trustee(s):

Rosendo Gonzalez (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

2:25-16020 Larry Jack Caldwell

Chapter 7

#7.00 Hrg re: Motion for order authorizing sale of certain assets under 11 U.S.C. section 363

Docket 83

Tentative Ruling:

Subject to the issues set forth below regarding any overbid by Debtor, and also subject to the bid(s) of any other overbidder(s) who are qualified, at the hearing (see below), and unless this Court is persuaded to depart from its tentative ruling to deny Debtor's motion to continue the hearing on this motion (see Calendar No. 7.1, 3/24/26 at 11:00 a.m.), the tentative ruling is to overrule Debtor's opposition and grant the sale motion (dkt. 83) for the reasons stated in the motion and reply papers, and as set forth below.

Appearances required.

Proposed order(s): Unless otherwise ordered, Trustee is directed to lodge proposed order(s) on the matter(s) addressed here 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): Notice of sale (dkt. 85), Supplemental Trustee declaration (dkt. 90), Debtor's opposition (dkt. 91), Declaration of prospective buyer (dkt. 92), Trustee's reply (dkt. 93)

Analysis:

The tentative ruling is to grant the motion and authorize the proposed sale under 11 U.S.C. 363(b), subject to any overbids at the hearing, with the following relief:

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT...

Larry Jack Caldwell

Chapter 7

(i) approve the proposed overbid procedures, except that the parties are directed to address

(A) whether, consistent with Trustee's assertion that, consistent with Trustee's initial agreement to give Debtor until "approximately ... March 23, 2026" to overbid (Motion, dkt. 83, p. 4:4-5), and that Debtor "will have the ability to overbid at the March 24, 2026, hearing" (Motion, dkt. 83, p. 4:10-11), Debtor should not be subject to the requirements to submit his overbid 7 days prior to this hearing and/or even 24 hours prior to this hearing (see Motion, dkt. 83, p. 6:7-9 & p. 6:12-16), or if instead Debtor should be able to bid at the hearing without any prequalification, and/or

(B) whether any other prospective overbidders should have these same overbidding opportunities as Debtor, or

(C) whether, to the contrary, Debtor should be judicially estopped from objecting to the sale or, alternatively, objecting to Trustee's proposed bidding procedures, because of inconsistencies between Debtor's allegations in his Opposition (dkt. 91) and his allegations in his sworn bankruptcy Schedules and/or his testimony at the meeting of creditors under 11 U.S.C. 341(a);

(ii) authorize a sale free and clear of all liens, claims and interests under 11 U.S.C. 363(f)(3);

(iii) grant the request to waive the 14-day stay provided by Rule 6004(h) (Fed. R. Bankr. P.); and

(iv) grant the request for a "good faith" finding (11 U.S.C. 363(m)) if Matthew Green is the successful bidder and, alternatively, if another person is the successful bidder and that person seeks a "good faith" finding they must, prior to the lodging of any order containing such a finding, file declaration(s) substantially in the form set forth in the posted "Procedures of Judge Bason" (available at www.cacb.uscourts.gov) within 7 days after the hearing.

Party Information

Debtor(s):

Larry Jack Caldwell

Pro Se

Movant(s):

David M Goodrich (TR)

Represented By

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... Larry Jack Caldwell

Chapter 7

David Wood

Trustee(s):

David M Goodrich (TR)

Represented By
David Wood

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

2:25-16020 Larry Jack Caldwell

Chapter 7

#7.10 Hrg re: Ex Parte Application to Continue Hearing on Chapter 7 Trustee's Motion for Order Authorizing Sale of Certain Assets Under 11 U.S.C. § 363

Docket 96

Tentative Ruling:

Appearances required. The tentative ruling is to deny the Application for a continuance.

Proposed order(s): Unless otherwise ordered, Trustee is directed to lodge proposed order(s) on the matter(s) addressed here 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.

This Court is not aware of any reason why Debtor could not have sought a continuance much sooner after Trustee filed and served his Sale Motion on 3/3/26 (dkt. 83). Therefore, the tentative ruling is that, consistent with this Court's provisional order shortening time (dkt. 94, "OST"), Debtor has not shown sufficient cause for his very expedited, last-minute request to continue the hearing on Trustee's sale motion.

Alternatively, even if this Court were persuaded to reach the merits of whether to continue the hearing on the Sale Motion, the tentative ruling is not to continue the hearing for all of the reasons stated in the Sale Motion (dkt. 83) and Reply (dkt. 93), and for the following additional reasons.

First, the tentative ruling is that Debtor is estopped to assert that he needs more time to conduct an ORAP examination of Mr. Matthew Green (the creditor and "stalking horse" bidder) ("Mr. Green") to determine whether Mr. Green has fraudulently transferred assets, and/or to assert any other basis on which to claim that the value to the bankruptcy estate of the assets being sold is, as he now claims, "conservatively ... at a minimum ... 10 to 20 times larger than the net \$25,000 that the bankruptcy estate would realize from the potential sale to Matthew Green" (Opp., dkt. 91, p. 3:21-25) - *i.e.*, a conservative minimum of \$250,000.00 to \$500,000.00 value - because Debtor asserted in his bankruptcy Schedule A and Statement of Financial

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... **Larry Jack Caldwell**

Chapter 7

Affairs ("SOFA") (and reaffirmed at his meeting of creditors under 11 U.S.C. 341(a)) that the entire value of all of his assets was \$148,700.00. See Motion, dkt. 83, Ex. 1, at Bates p. 37 (PDF p. 42 of 98)).

Second, and alternatively, even supposing for the sake of discussion that Debtor could be excused from not including in his bankruptcy Schedule A some funds referred to in his SOFA with an estimated value of between \$145,000.00 and \$200,000.00 (*id.*, at Bates p. 70 (PDF p. 75 of 98) - *i.e.*, supposing that those funds are additional to, and not duplicative of, what is in his bankruptcy Schedule A, and that this fact had been adequately disclosed for judicial estoppel not to apply - the tentative ruling is that it is well within Trustee's business judgment to value these hypothetical recoveries at a substantially lower dollar amount. Moreover, the tentative ruling is that it is also within Trustee's business judgment to accept a bid for a substantially lower dollar amount, subject to overbids. In other words, even if Debtor could obtain a continuance of this hearing and obtain evidence potentially supporting a higher valuation of the assets than the \$55,825.00 price at which Trustee proposes to sell them, it is still within Trustee's business judgment to accept a lower purchase "stalking horse" bid today.

Third, Debtor has not adequately explained how there is any unfairness in Trustee accepting cash from Mr. Green, even supposing for the sake of discussion that Debtor could assert that some of that cash consisted of assets that Mr. Green had fraudulently transferred out of property in which Debtor had some sort of interest. There is no unfairness because (a) no such fraudulent transfer was disclosed on Debtor's bankruptcy Schedules or SOFA and (b) even if this or any other claims existed against Mr. Green, the proposed Asset Purchase Agreement does not include any releases of any such claims (see Motion, dkt. 83, Ex. 3, at PDF pp. 92-96).

Fourth, as Trustee points out in his Reply (dkt. 93, p. 6:15-27), Debtor appears to misconstrue what is being sold. Debtor asserts that his work in process has a potential value of over \$10 million in contingency fees. But Trustee confirms that the Sale Motion:

does not seek to sell work from clients obtained by the Debtor postpetition. Rather, it seeks to sell the rights of the bankruptcy estate in the Accounts Receivable existing as of the Petition Date.
[Reply (dkt. 93) p. 6:19-21]

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

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... Larry Jack Caldwell

Chapter 7

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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|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Larry Jack Caldwell

Pro Se

Trustee(s):

David M Goodrich (TR)

Represented By
David Wood

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

2:25-20461 Farideh Bagheri

Chapter 7

#8.00 Hrg re: Motion to extend the deadline to file a complaint under 11 U.S.C. section 727

Docket 22

Tentative Ruling:

Grant, and extend the deadline to file and serve any Complaint under 11 U.S.C. 727 through 5/1/26.

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge proposed order(s) on the matter(s) addressed here 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, 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):

Farideh Bagheri

Represented By
Craig G Margulies
Samuel Mushegh Boyamian

Movant(s):

Baker Keener & Nahra LLP

Represented By
Lior Katz

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... Farideh Bagheri

Chapter 7

Trustee(s):

Timothy Yoo (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

2:25-20461 Farideh Bagheri

Chapter 7

#9.00 Hrg re: Motion to Avoid Lien under 11 U.S.C. § 522(f) (Real Property)
Creditor: Baker, Kenner & Nahra, LLP

Docket 18

Tentative Ruling:

Continue as set forth below to provide Creditor an opportunity to conduct discovery and submit supplemental evidence. Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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): Creditor's opposition (dkt. 24), Debtor's reply (dkt. 28) and evidentiary objections (dkt. 29)

Analysis

The tentative ruling is that, although Debtor is correct that current occupancy is not necessarily required to support a homestead exemption (under the circumstances she alleges), and although Debtor is also correct that Creditor's evidence appears to be subject to evidentiary objections and that a transcript of the section 341(a) would be necessary to cure, nevertheless it is appropriate to continue this matter so that Creditor can conduct discovery regarding the issue of whether the Property qualifies as Debtor's primary residence and can obtain a transcript of the meeting of creditors and file a declaration authenticating that transcript.

But the tentative ruling is that discovery in this "contested matter" must proceed under Rules 7028–7037 (Fed. R. Bankr. P.), not under Rule 2004. See LBR 2004-1(b) (a motion for a Rule 2004 examination "must also explain why the examination cannot proceed under FRBP 7030 or 9014").

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT...

Farideh Bagheri

Chapter 7

The tentative ruling is (A) **to set a deadline of 3/31/26** for the parties to meet and confer regarding discovery and (B) to continue the hearing on the 522(f) motion to **5/12/26 at 11:00 a.m.**

The parties are notified that if they cannot agree on a discovery schedule, topics, or other procedures then they should not file motions to compel or restrict discovery but instead should follow the "Procedures of Judge Bason" (available at www.cacb.uscourts.gov) to bring their disputes before this Court.

Party Information

Debtor(s):

Farideh Bagheri

Represented By

Craig G Margulies

Samuel Mushegh Boyamian

Movant(s):

Farideh Bagheri

Represented By

Craig G Margulies

Samuel Mushegh Boyamian

Trustee(s):

Timothy Yoo (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

2:24-17763 Julie Elizabeth Sagatelian

Chapter 13

Adv#: 2:24-01262 Sagatelian v. U.S. Bank National Assoc.asTrustee for Banc of Ame

#10.00 Hrg re: Motion For Summary Judgment or Summary Adjudication

Docket 34

Tentative Ruling:

Grant Defendant's motion for summary judgment. Appearances required.

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: Plaintiff/Debtor's Complaint (adv. dkt. 1); Motion for Summary Judgment filed by U.S. Bank, N.A. (adv. dkt. 34, the "MSJ"), Request for Judicial Notice (adv. dkt. 35), Statement of Uncontroverted Facts (adv. dkt. 36), and Declarations of Jennifer M. Wade (adv. dkt. 37) and Simon Ward-Brown (adv. dkt. 38); Plaintiff/Debtor's Opposition (adv. dkt. 48), Request for Judicial Notice and Errata (adv. dkt. 49 & 53), Statement of Genuine Issues (adv. dkt. 50), and Evidentiary Objections (adv. dkt. 51); Defendant's Reply to Opposition (adv. dkt. 54), Reply to Statement of Genuine Issues (adv. dkt. 55), and Request for Judicial Notice (adv. dkt. 56); Plaintiff/Debtor's request to strike (adv. dkt. 57) Defendant's Reply to Plaintiff/Debtor's Statement of Genuine Issues (adv. dkt. 55), and Request for Judicial Notice (adv. dkt. 56)

(1) Background

Plaintiff/Debtor inherited property located at 2168 Highland Oaks Drive, Arcadia, CA 91006 (the "Property") from her parents. At the time Plaintiff/Debtor inherited the Property, it was encumbered by a Deed of Trust in favor of U.S. Bank, N.A. ("Defendant").

Plaintiff/Debtor alleges that Defendant failed to respond to her application to modify the loan against the Property in the manner required by Cal. Civ. Code 2923.1 *et seq.* Opp. (adv. dkt. 48) pp. 24:24–27:12. She also

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... **Julie Elizabeth Sagatelian**

Chapter 13

asserts claims for breach of contract, breach of the duty of good faith and fair dealing, violations of the Fair Debt Collection Practices Act (15 U.S.C. 1692 *et seq.*), violations of the Garn St. Germain Depository Institutions Act (12 U.S.C. 1701j-3(d)), violations of the Truth in Lending Act (15 U.S.C. 1601 *et seq.*), and for declaratory and injunctive relief.

Defendant moves for summary judgment in its favor, and Plaintiff/Debtor opposes the motion.

(2) Legal standards

Under Rule 56(a) (Fed. R. Civ. P., made applicable by Rule 7056, Fed R. Bankr. P.), summary judgment (on all or on part of a claim) is proper when the pleadings, discovery, and affidavits show that there is no genuine dispute as to any material fact and that the movant is entitled to judgment as a matter of law. The evidence and inferences therefrom must be viewed in the light most favorable to the non-moving party. *Matsushita Elec. Industrial Co. v. Zenith Radio Corp.*, 475 U.S. 574, 587 (1986); *Celotex Corp. v. Catrett*, 477 U.S. 317, 322-23 (1986). But a mere "scintilla" of evidence in opposition to summary judgment is insufficient. *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 251-52 (1986).

"Genuine": If one party's "version of events is so utterly discredited by the record that no reasonable jury could have believed him" summary judgment is appropriate. *Scott v. Harris*, 550 US 372, 380 (2007). But the Ninth Circuit has observed that "cases where intent is a primary issue generally are inappropriate for summary judgment[.]" *Provenz v. Miller*, 102 F.3d 1478, 1489 (9th Cir. 1996). As the Bankruptcy Appellate Panel for the Ninth Circuit has explained: "Fraud claims, in particular, normally are so attended by factual issues (including those related to intent) that summary judgment is seldom possible." *In re Stephens*, 51 B.R. 591, 594 (9th Cir. BAP 1985).

"Material": Material facts which would preclude entry of summary judgment are those which, under applicable substantive law, could affect the outcome of the case. The substantive law will identify which facts are material. *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248 (1986). At the summary judgment stage, the court does not weigh the evidence and determine the truth of the matter, but determines whether there is a genuine issue for trial. *Id.* at 249.

Shifting burdens: The moving party bears the initial burden of

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... **Julie Elizabeth Sagatelian**

Chapter 13

showing that there is no genuine issue of material fact. If the moving party meets its initial burden, the burden then shifts to the non-moving party to set out, by affidavits or admissible discovery material, specific facts showing a genuine issue for trial. *Celotex*, 477 U.S. at 324. The party opposing summary judgment must produce affirmative evidence that is sufficiently probative on the issue that a jury reasonably could rely on that evidence to decide the issue in his or her favor at trial. *Matsushita Elec. Indust. Co., Inc. v. Zenith Radio Corp.*, 475 U.S. 574, 588 (1986). Without such evidence, there is no reason for a trial. *Celotex*, 477 U.S. at 323. See also *Nissan Fire and Marine Ins. Co. v. Fritz*, 210 F.3d 1099, 1103 (9th Cir. 2000) (analyzing burdens of production and proof).

Evidence: Finally, the evidence presented by the parties must be admissible, or at least it must be capable of later being presented in admissible form if the litigation were to proceed to trial. *JL Beverage Co., LLC v. Jim Beam Brands Co.*, 828 F.3d 1098, 1110 (9th Cir. 2016); *Sec. & Exch. Comm'n v. Strategic Glob. Invs., Inc.*, 262 F.Supp.3d 1007, 1019 (S.D. Cal. 2017) (hearsay evidence could be considered on summary judgment "if the content of the evidence proffered could later be provided in an admissible form at trial") (citing *JL Beverage*).

A party cannot create a genuine issue of fact simply by filing a sworn statement that contradicts an earlier sworn statement. See, e.g., *Kennedy v. Allied Mut. Ins. Co.*, 952 F.2d 262, 266 (9th Cir. 1991).

(3) Discussion

(a) Plaintiff/Debtor's request to strike (adv. dkt. 57) Defendant's Reply to Plaintiff/Debtor's Statement of Genuine Issues (adv. dkt. 55), and Request for Judicial Notice (adv. dkt. 56)

Plaintiff/Debtor asserts that by filing a Reply to Plaintiff/Debtor's Statement of Genuine Issues (adv. dkt. 55) and an additional Request for Judicial Notice (adv. dkt. 56), Defendant is improperly attempting to introduce evidence in connection with its reply papers that should have been first presented in the MSJ. The tentative ruling is to overrule Plaintiff/Debtor's objection, and to decline to strike these documents, based on a determination that the documents are directly responsive to arguments raised by Plaintiff/Debtor in her opposition papers.

(b) Plaintiff/Debtor has standing

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT...

Julie Elizabeth Sagatelian

Chapter 13

Defendant's first argument is that Plaintiff/Debtor lacks standing with respect to all her claims because she was not a party to the loan transaction. MSJ (adv. dkt. 34) p. 9:7–10:9. Defendant cites *Wilkinson v. PHH Mortg. Corp.*, No. 2:24-CV-1416 TLN AC PS, 2025 WL 565971 (E.D. Cal. Feb. 20, 2025), *report and recommendation adopted*, No. 2:24-CV-01416-TLN-AC, 2025 WL 1262873 (E.D. Cal. May 1, 2025) and *Cleveland v. Deutsche Bank Nat. Tr. Co.*, No. 08-CV-0802-JM-(NLS), 2009 WL 250017, (S.D. Cal. Feb. 2, 2009) in support of its position.

In *Wilkinson*, the court's conclusion that plaintiffs lacked standing was based in part on the fact that plaintiffs brought the case "on behalf of themselves, and not on behalf of the decedent's estate." *Wilkinson*, 2025 WL 565971, at *4 n. 2. The *Wilkinson* court further observed that "even if plaintiffs were attempting to bring this case on behalf of the estate, dismissal would be necessary because they have not alleged facts demonstrating that they have any sort of legal authority to do so, such as facts demonstrating that one of them was legally appointed in probate as the executor, trustee, or administrator of the estate." *Wilkinson*, 2025 WL 565971, at *4 n. 2 (internal citation omitted).

Here, by contrast, Plaintiff/Debtor alleges that she is the trustee of the trust that holds title to the Property. The tentative ruling is that unlike the situation in *Wilkinson*, Plaintiff/Debtor has alleged sufficient facts to establish that she has standing in her capacity as a trustee.

In *Cleveland*, the court dismissed the complaint as to a non-borrower on standing grounds, but with leave to amend to provide the non-borrower an opportunity to allege facts establishing that the non-borrower possessed an "interest in the underlying property, transactions or occurrences." *Cleveland*, 2009 WL 250017, at *2. The tentative ruling is that *Cleveland* does not support Defendant's position because unlike the situation in that case, Plaintiff/Debtor has alleged facts showing she has an interest in the Property – as discussed above, Plaintiff alleges that she is the trustee of the trust that holds title to the Property.

In sum, this Court is not persuaded that Debtor lacks standing. Nevertheless, the tentative ruling is that Defendant is entitled to summary judgment on the other grounds set forth below.

(c) Defendant is entitled to summary judgment in its favor with respect to Plaintiff/Debtor's claims under Cal. Civ. Code 2923.1

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT...

Julie Elizabeth Sagatelian

Chapter 13

The tentative ruling is that Defendant is entitled to summary judgment in its favor with respect to Plaintiff/Debtor's claims under Cal. Civ. Code 2923.1 *et seq.* (the "Homeowner Bill of Rights"). There is no genuine dispute that Defendant reviewed Plaintiff/Debtor's application for a loan modification on eight different occasions, and determined each time that Plaintiff/Debtor did not qualify. MSJ (adv. dkt. 34) p. 13:24–25. Nor is there any genuine dispute that each time Defendant denied Plaintiff/Debtor's loan modification application, Defendant issued a denial letter explaining the basis for the decision. Reply (adv. dkt. 54) p. 2:11–13.

Plaintiff/Debtor alleges that Defendant violated the "dual tracking" provisions of the Homeowner Bill of Rights. The tentative ruling is that regardless of whether there is any genuine dispute of fact as to this issue, Plaintiff/Debtor's remedy for any violation would be an injunction halting any scheduled foreclosure sale until the violations have been cured. However, because no foreclosure sale is currently scheduled, the injunction remedy is not available to Plaintiff/Debtor.

Moreover, this Court's understanding of the "dual tracking" prohibition is that a borrower cannot obtain endless continuances of foreclosure by filing endless requests for loan modifications after denial of any prior loan modifications. In the absence of persuasive legal arguments and evidence from Debtor showing precisely how any dual tracking prohibition has been violated, Debtor's arguments on this issue are not persuasive.

(d) Defendant is entitled to summary judgment in its favor with respect to Plaintiff/Debtor's claims under the Truth in Lending Act ("TILA")

Plaintiff/Debtor argues that genuine disputes exist with respect to her claims under TILA, because Plaintiff/Debtor "was misled in her efforts to comply with the loan modification process and, in addition, she was misled about the foreclosure process and was told that would be halted while the loan modification process was occurring." Opp. (adv. dkt. 48) p. 23:19–26.

The tentative ruling is that Defendant is entitled to summary judgment in its favor as to Plaintiff/Debtor's TILA claims, because Plaintiff/Debtor's allegations that she was misled during the loan modification are not actionable under TILA, for the reasons stated by Defendant.

(e) Defendant is entitled to summary judgment in its favor with respect to Plaintiff/Debtor's claims under the Federal Fair Debt Collections Practices

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... Julie Elizabeth Sagatelian

Chapter 13

Act ("FDCPA")

In her opposition, Plaintiff/Debtor merely states the elements of the FDCPA. She does not point to any specific facts that are in genuine dispute suggesting that she may be able to prevail upon her FDCPA claims. A party asserting that a fact is genuinely disputed within the context of a motion for summary judgment must cite "to particular parts of materials in the record, including depositions, documents, electronically stored information, affidavits or declarations, stipulations ..., admissions, interrogatory answers, or other materials" Rule 56(c)(1)(A) (Fed. R. Civ. P., made applicable by Rule 7056, Fed. R. Bankr. P.). The tentative ruling is that because Plaintiff/Debtor has not met this burden, Defendant is entitled to summary judgment in its favor on Plaintiff/Debtor's FDCPA claims.

(f) Defendant is entitled to summary judgment in its favor with respect to Plaintiff/Debtor's claims for breach of contract

Plaintiff/Debtor asserts that a genuine dispute exists regarding whether Plaintiff/Debtor's parents "were in default at the time of their deaths" Opp. (adv. dkt. 48) p. 20:22–24. Plaintiff/Debtor's position is that a genuine dispute is present because the testimony proffered by Defendant in support of the alleged default – a declaration from Simon Ward-Brown, an employee of Defendant – is hearsay.

The tentative ruling is that Mr. Ward-Brown's testimony is admissible as a record of a regularly conducted activity under Rule 803(7) (Fed. R. Evid.). Nor has Debtor presented evidence and argument to overcome Defendant's *prima facie* showing of a default. Accordingly, the tentative ruling is that there is no genuine dispute that Plaintiff/Debtor's parents were in default at the time of their deaths, and that as a result of this non-performance under the loan contract, Defendant is entitled to summary judgment in its favor with respect to Plaintiff/Debtor's claim for breach of contract.

(h) Defendant is entitled to summary judgment in its favor with respect to Plaintiff/Debtor's claims for breach of the duty of good faith and fair dealing

Plaintiff/Debtor cites *Alvarez v. BAC Home Loans Servicing, L.P.*, 228 Cal. App. 4th 941, 943 (Cal. 2014) for the proposition that Defendant can be held liable for breaching a duty to care it owed Plaintiff/Debtor with respect to the processing of Plaintiff/Debtor's application for a loan modification. Opp.

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... Julie Elizabeth Sagatelian

Chapter 13

(adv. dkt. 34) p. 22:9–12. The tentative ruling is that, as Defendant points out, *Alvarez* is of no assistance to Plaintiff/Debtor because it was subsequently overruled by *Sheen v. Wells Fargo Bank, N.A.*, 12 Cal. 5th 905 (Cal. 2022), which held that lenders do not owe “a tort duty to ‘process, review and respond carefully and completely to [a borrower’s] loan modification application[s].’” *Sheen*, 12 Cal. 5th 905, 925 (Cal. 2022).

In common sense terms, a loan modification request is a request by a borrower (or their authorized representative or successor in interest) to pay less, or later, than what they contractually agreed to. This Court is not aware of any legal cause of action against a lender for declining to do those things, even if they do so in a way that a borrower or a court would not consider sufficiently “careful[]” or “complete[].”

(i) Defendant is entitled to summary judgment in its favor with respect to Plaintiff/Debtor’s claims for declaratory and injunctive relief

The tentative ruling is that Plaintiff/Debtor’s claims for declaratory and injunctive relief are duplicative of her other claims for relief, and that because Defendant is entitled to summary judgment in its favor with respect to those other claims, Defendant is also entitled to summary judgment as to the claims for declaratory and injunctive relief.

(4) Conclusion

For all the foregoing reasons, the tentative ruling is that Defendant is entitled to summary judgment in its favor as to all claims asserted in the Complaint.

Proposed order(s): Unless otherwise ordered, Defendant is directed to lodge (i) a proposed order granting its motion for summary judgment and (ii) a proposed judgment via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)) and attach a copy of this tentative ruling to the former, thereby incorporating it as this Court’s actual ruling.

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| Party Information |
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Debtor(s):

Julie Elizabeth Sagatelian

Represented By
Sevan Gorginian

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... Julie Elizabeth Sagatelian

Chapter 13

Defendant(s):

U.S. Bank National Assoc.asTrustee

Represented By
Justin D Balser

NATIONSTAR MORTGAGE LLC

Represented By
Justin D Balser
Jillian Kaiser

Movant(s):

U.S. Bank National Assoc.asTrustee

Represented By
Justin D Balser

NATIONSTAR MORTGAGE LLC

Represented By
Justin D Balser
Jillian Kaiser

Plaintiff(s):

Julie Sagatelian

Represented By
Susan Barilich

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

2:24-17763 Julie Elizabeth Sagatelian

Chapter 13

Adv#: 2:24-01262 Sagatelian v. U.S. Bank National Assoc.asTrustee for Banc of Ame

- #11.00** Cont'd Status Conference re: Complaint of Plaintiff: i. Breach of Contract; ii. Breach of the Duty of Good Faith and Fair Dealing; iii. Violations of Fair Debt Collection Practices Act; iv. Violations of the Truth in Lending Act; v. Request for Relief vi. Request for Injunctive Relief
fr. 1/28/25, 3/4/25, 4/8/25, 6/17/25, 9/23/25, 01/20/26, 2/24/26

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Grant Defendant's motion for summary judgment and continue the status conference to address any requests for post-judgment relief. Appearances required.

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.

(1) Current issues

(a) Plaintiff/Debtor's Complaint (adv. dkt. 1); Motion for Summary Judgment filed by U.S. Bank, N.A. (adv. dkt. 34, the "MSJ"), Request for Judicial Notice (adv. dkt. 35), Statement of Uncontroverted Facts (adv. dkt. 36), and Declarations of Jennifer M. Wade (adv. dkt. 37) and Simon Ward-Brown (adv. dkt. 38); Plaintiff/Debtor's Opposition (adv. dkt. 48), Request for Judicial Notice and Errata (adv. dkt. 49 & 53), Statement of Genuine Issues (adv. dkt. 50), and Evidentiary Objections (adv. dkt. 51); Defendant's Reply to Opposition (adv. dkt. 54), Reply to Statement of Genuine Issues (adv. dkt. 55), and Request for Judicial Notice (adv. dkt. 56); Plaintiff/Debtor's request to strike (adv. dkt. 57) Defendant's Reply to Plaintiff/Debtor's Statement of Genuine Issues (adv. dkt. 55), and Request for Judicial Notice (adv. dkt. 56)

Grant as set forth in the tentative ruling for Calendar No. 10 (3/24/26 at 11:00 a.m.).

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... Julie Elizabeth Sagatelian

Chapter 13

(2) Standard requirements

The following are Judge Bason's standard requirements for status conferences. (To the extent that the parties have already addressed these issues in their status report, they need not repeat their positions at the status conference.)

(a) Venue/jurisdiction/authority

Issues of venue, jurisdiction, and authority were determined at the prior status conference – at which both Plaintiff and Defendant consented to this Bankruptcy Court's entry of final judgment in this adversary proceeding. See 2/20/25 Status Report (adv. dkt. 22) at ¶ F (p. 4).

(b) Mediation

The tentative ruling is to decline to direct the parties to attend formal mediation at this time.

(c) Deadlines

This adversary proceeding has been pending since 11/22/24. The scheduled deadlines and/or hearing/trial date(s) have been memorialized in this Court's written order (adv. dkt. 32) except as modified/supplemented below.

Joint Status Report: Not required

Continued status conference: 4/21/26 at 11:00 a.m.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Julie Elizabeth Sagatelian

Represented By
Sevan Gorginian

Defendant(s):

U.S. Bank National Assoc.asTrustee

Represented By
Justin D Balser

NATIONSTAR MORTGAGE LLC

Represented By

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... Julie Elizabeth Sagatelian

Chapter 13

Justin D Balsler
Jillian Kaiser

Plaintiff(s):

Julie Sagatelian

Represented By
Susan Barilich

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

2:25-16752 Gustavo Ruiz

Chapter 13

Adv#: 2:25-01417 Ruiz v. LOAN FUNDER LLC, a Delaware Limited Liability Comp

- #12.00** Cont'd Status Conference re: Complaint for (1) Fraudulent Transfer; (2) Violations of California High-Cost Mortgage Law, California Financial Code §4970 et seq; (3) Violation of California Civil Code § 1632; (4) Intentional Misrepresentation; (5) Fraud; (6) Unfair Business Practices; and (Bus Prof Code § 17200) (7) Declaratory Relief fr. 2/24/26

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Continue as set forth below to be concurrent with the pending motion to dismiss filed by certain Defendants and for Plaintiff to take steps to obtain default judgment(s) against other Defendants. Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

(1) Current issues

This Court has reviewed Plaintiff's unilateral status report (adv. dkt. 5) and the other filed documents and records in this adversary proceeding.

(a) Unilateral status report

As of the preparation of this tentative ruling Defendants have not filed their own unilateral status report(s). Defendants are cautioned not to disregard this Court's order to file timely status report(s) in future - but this Court is excusing all parties from filing any status report(s) in advance of the continued status conference, as set forth in Part "(2)(c)" below.

(2) Standard requirements

The following are Judge Bason's standard requirements for status conferences. (To the extent that the parties have already addressed these issues in their status report, they need not repeat their positions at the status conference.)

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... Gustavo Ruiz

Chapter 13

(a) Venue/jurisdiction/authority

The parties have stated their position (see adv. dkt. 3, p. 4, para. F) and this Court has not yet ruled on these issues (the tentative ruling is that it is premature and unnecessary to do so at this time).

(b) Mediation

Neither party seeks mediation until this Court has ruled on Defendants' motion to dismiss (adv. dkt. 15 & 16). Adv. dkt. 3, p. 3, para. E.3. The tentative ruling is not to order mediation on this Court's own motion.

(c) Deadlines

This adversary proceeding has been pending since 12/23/25.

The tentative ruling is to continue the matter as set forth below:

Joint Status Report: No status report required.

Continued status conference: 4/21/26 at 11:00 a.m. concurrent with other matters.

Tentative Ruling for 2/24/26:

Continue to 3/24/26 at 11:00 a.m. with a **deadline of 3/10/26** for the parties to file a joint status report. This Court anticipates, based on the parties' joint status report, that Plaintiff will file a proof of service of the summons & complaint, Defendants will file their motion to dismiss ("MTD") and arrange to have it heard at the same time, and after this Court rules on the MTD Plaintiff will, if necessary or appropriate, file and serve an amended complaint. Stat. Rpt. (adv. dkt. 3) p. 2, section A.5. 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, then search for "tentative rulings.")

Note: Defendants report that they have served their MTD on Plaintiff's counsel (although it is not on the docket) "but have been unable to secure a hearing date for the motion from the Court." Stat. Rpt. (adv. dkt. 3) p. 2, section B.2 (emphasis added). This Court does not know what that means. Have Defendants followed the procedures in LBR 9013-1(b)(3) - *i.e.*, did they contact the Courtroom Deputy?

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT...

Gustavo Ruiz

Chapter 13

This Court's prior Courtroom Deputy recently retired. Perhaps Defendants called a non-working telephone number, or maybe Defendants left a voicemail that got lost in the transition to a new Courtroom Deputy, or perhaps there is another explanation. But without more information this Court is left with the impression that Defendants have not tried very hard to schedule their MTD. If Defendants allege that for some reason they are unable to contact the Courtroom Deputy to schedule their MTD as set forth above, they are directed to contact chambers and explain why not.

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.

Party Information

Debtor(s):

Gustavo Ruiz

Represented By
Onyinye N Anyama
Stella A Havkin

Defendant(s):

| | |
|----------------------------------|--------|
| JSS ENTERPRISES INC, an | Pro Se |
| LIL WAVE FINANCIAL INC dba | Pro Se |
| LOAN FUNDER LLC, a Delaware | Pro Se |
| LOAN FUNDER LLC SERIES | Pro Se |
| HOF I Grantor Trust 5 a Delaware | Pro Se |

Plaintiff(s):

Gustavo Ruiz

Represented By
Stella A Havkin

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... Gustavo Ruiz

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**

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

2:24-17786 Marisela Montejo

Chapter 7

Adv#: 2:25-01362 Leslie, Chapter 7 Trustee v. Montejo, Jr.

#13.00 Cont'd Status Conference re: Trustee's Complaint for: (1) Declaratory Relief; (2) Authority for Sell Entirety of Real Property Under 11 U.S.C. Section 363(h) and (3) Turnover
fr. 12/2/25

Docket 1

***** VACATED *** REASON: This matter is scheduled to be heard on
05/12/26 at 11:00 a.m. per parties stipulation and order thereon (dkt. 19)**

Tentative Ruling:

Continue as set forth below in view of this Court's review of the parties' latest joint status report (adv. dkt. 12). Appearances are not required on 12/2/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

(1) Current issues

This Court has reviewed the parties joint status report (adv. dkt. 12) and the other documents and records filed in this adversary proceeding and has no issues to address *sua sponte* at this time.

(2) Standard requirements

The following are Judge Bason's standard requirements for status conferences. (To the extent that the parties have already addressed these issues in their status report, they need not repeat their positions at the status conference.)

(a) Venue/jurisdiction/authority

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT...

Marisela Montejo

Chapter 7

The tentative ruling is that there are no outstanding matters of (a) venue, (b) jurisdiction, (c) this Bankruptcy Court's authority to enter final orders or judgment(s) in this proceeding and, if consent is required, the parties have already expressly or impliedly consented. See *generally Stern v. Marshall*, 131 S.Ct. 2594, 2608 (2011) (if litigant "believed that the Bankruptcy Court lacked the authority to decide his claim...then he should have said so – and said so promptly."); *Wellness Int'l Network, Ltd. v. Sharif*, 135 S.Ct. 1932 (2015) (consent must be knowing and voluntary but need not be express); *In re Bellingham Ins. Agency, Inc.*, 702 F.3d 553 (9th Cir. 2012) (implied consent), *aff'd on other grounds*, 134 S. Ct. 2165 (2014); *In re Pringle*, 495 B.R. 447 (9th Cir. BAP 2013) (rebuttable presumption that failure to challenge authority to issue final order is intentional and indicates consent); *In re Deitz*, 760 F.3d 1038 (9th Cir. 2014) (authority to adjudicate nondischargeability encompasses authority to liquidate debt and enter final judgment). See *generally In re AWTR Liquidation, Inc.*, 548 B.R. 300 (Bankr. C.D. Cal. 2016).

(b) Mediation

The tentative ruling is to order the parties to mediation before one of the volunteer mediators (*not* a Bankruptcy Judge), and meanwhile set the deadlines set forth below. The tentative ruling is to set a **deadline of 12/16/25** for the parties to lodge a proposed mediation order (the parties are directed to use the time between now and that deadline to find a mutually agreeable mediator whose schedule can accommodate the needs of this matter; and if the parties cannot even agree on a mediator they may lodge separate orders and Judge Bason will choose among them, or issue his own order).

(c) Deadlines

This adversary proceeding has been pending since 9/25/25.

Pursuant to LBR 9021-1(b)(1)(B), plaintiff is directed to lodge a proposed order via LOU within 7 days after the status conference, attaching a copy of this tentative ruling or otherwise memorializing the following.

Joinder of parties/amendment of pleadings-deadline: 2/17/26

Discovery cutoff (for completion of discovery): 3/3/26

Expert(s) - deadline for reports: 3/17/26 if any expert testimony will be presented.

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT...

Marisela Montejo

Chapter 7

Expert(s) - discovery cutoff (if different from above): 3/31/26 if any expert testimony will be presented.

Dispositive motions to be heard no later than: 5/12/26

Joint Status Report: 3/10/26

Continued status conference: 3/24/26 at 11:00 a.m.

Lodge Joint Proposed Pretrial Order: TBD

Pretrial conference: TBD

Deliver trial exhibits to other parties and chambers, including direct testimony by declaration unless excused: TBD

Trial commencement: TBD

Party Information

Debtor(s):

Marisela Montejo

Represented By
Eric Bensamochan

Defendant(s):

Ricardo M. Montejo Jr.

Represented By
Leonard Pena

Plaintiff(s):

Sam S. Leslie, Chapter 7 Trustee

Represented By
Eric P Israel

Trustee(s):

Sam S Leslie (TR)

Represented By
Eric P Israel
John N Tedford IV

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

2:24-13431 FAME Housing Corporation and Oner Charles Mergerson

Chapter 7

#14.00 Cont'd Status Conference re: Chapter 7 Case
fr. 6/25/24, 7/16/24, 8/27/24, 10/8/24, 11/19/24,
12/03/24, 12/10/24, 12/17/24, 1/21/25, 2/11/25,
3/18/25, 4/22/25, 6/3/25, 07/15/25, 9/9/25, 9/22/25
11/18/25, 01/20/26

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Continue the status conference as set forth below. Appearances are not required on 1/20/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

(1) Current issues

This Court has reviewed the documents on file in Debtor's bankruptcy case-in-chief and has no issues to raise *sua sponte*.

(2) Dates/procedures. This case was filed on 5/1/24. The Chapter 7 Trustee is temporarily operating the businesses of the three related debtors. See Order (dkt. 61) *and* 11 U.S.C. 721.

(a) Continued status conference: 7/14/26 at 11:00 a.m. No written status report required.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... FAME Housing Corporation and Oner Charles Mergerson

Chapter 7

Debtor(s):

FAME Housing Corporation

Represented By
Gerald Edwin Rush II
Stephen L Burton

Trustee(s):

John J Menchaca (TR)

Represented By
John N Tedford IV

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

2:25-21068 Tammie Larae Bowser

Chapter 7

#15.00 Cont'd hrg re: Emergency motion to enforce the automatic stay and to compel immediate cancellation of trustee sale fr. 3/10/26

Docket 49

Tentative Ruling:

Tentative Ruling for 3/24/26:

Deny without leave to amend. Appearances required (provided that Debtor may elect not to appear, in which event this Court will construe that as a decision not to contest this Court's tentative ruling).

At the hearing on 3/10/26 this Court was persuaded to continue this matter to today. Although Debtor was not able to address the tentative ruling for 3/10/26 (*i.e.*, the reasons to deny her motion without leave to amend), nevertheless this Court was concerned that Debtor, who is self-represented, needed time to analyze the 3/10/26 tentative ruling and/or obtain legal counsel (and also it did not appear that there would be any undue prejudice from a short continuance). Since that time, the docket does not reflect any substitution of counsel nor any proposed amendment to the motion, and this Court knows of no reason to depart from its tentative ruling for 3/10/26.

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 3/10/26:

Subject to any oral argument at the hearing, the tentative ruling is to deny the Stay Violation Motion and supplemental requests for relief (dkt. 49-53, 57-60, 62-65), without leave to amend, all as set forth below. Appearances required.

Proposed order(s): Unless otherwise ordered, Alleged Contemnor (defined below) is directed to lodge proposed order(s) on the matter(s) addressed here via LOU within 7 days after the hearing

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT...

Tammie Larae Bowser

Chapter 7

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): Opposition of Newrez LLC d/b/a Shellpoint Mortgage Servicing and ZBS Law, LLP ("Alleged Contemnors") (dkt. 61); Debtor's reply papers (dkt. 62-65).

Analysis

(a) Procedural issues

Debtor has not properly served her papers. See, e.g., Declaration of Service (dkt. 52) (executed by Debtor, who is a party; and referring to "attached" service list that is missing). The tentative ruling is to disregard the lack of proper service as to Alleged Contemnors, because they have responded, but not as to any other persons.

The tentative ruling is to overrule Alleged Contemnors' objection that Debtor has not complied with the "safe harbor" or "separate request" aspects of Rule 9011 (Fed. R. Bankr. P.), because Debtor does not rely on Rule 9011. Debtor instead cites 11 U.S.C. 362(k). See Motion (dkt. 49) p. 4. On other issues, however, the tentative ruling is to agree with Alleged Contemnors' arguments.

The tentative is to overrule Debtor's objection that Alleged Contemnors did not file papers by this Court's deadline of 2/26/26 at noon. See Order (dkt. 54) p. 3:4-5. True, the Opposition papers (dkt. 61) were not filed until 4:17 p.m. on that date. But Debtor has not shown any prejudice from missing the deadline by a few hours.

A separate issue is that Debtor's original motion papers (dkt. 49-53) appear to be directed solely at Alleged Contemnors (although the papers are not entirely clear). Debtor's reply papers (dkt. 62-65) add a new alleged contemnor - JPMorgan Chase Bank, N.A. ("JPMC") - and a host of new factual allegations. These new parties and allegations are improper in a reply. In any event, even if this Court were to consider the assertions against

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... Tammie Larae Bowser

Chapter 7

JPMC and all of the new allegations against it and Alleged Contemnors, the tentative ruling is that they are unpersuasive for the same reasons applicable to Alleged Contemnors (discussed below).

(b) Debtor has not established any violation of the automatic stay (11 U.S.C. 362(a))

First, Alleged Contemnors are correct that postponement of a foreclosure sale while a bankruptcy case is pending does not violate the automatic stay. See e.g., *In re Roach*, 660 F.2d 1316, 1318 (9th Cir. 1981) ("Foreclosure sale [p]ostponement notices which specify a new sale date do not violate 11 U.S.C 362"). Debtor has not cited any legal authority to the contrary.

Second, Debtor has not provided any evidence establishing that (x) the unidentified individuals who are alleged to have driven by, parked near, approached, and/or photographed Debtor's house were agents of Alleged Contemnors or acted under the Alleged Contemnors' direction (or, for that matter, were agents or acting for JPMC), or (y) any other way in which the automatic stay has been violated by Alleged Contemnors (or JPMC). See Opposition (dkt. 61), pp. 5:11-7:5. To the contrary, Alleged Contemnors have submitted a declaration that "[s]ince the filing of the BK Action, no agent, affiliate or party associated with [Alleged Contemnors] ... has approached, visited or entered upon the Property." See Decl. (dkt. 61) p. 4:4-6.

Third, there is no evidence that the mortgage statements and correspondence received by Debtor were postpetition attempts to collect any debt (as distinguished from being provided for informational purposes) after Alleged Contemnors received notice of this bankruptcy case. See Opp. (dkt. 61) pp. 5:11-7:5. Cf. Reply (dkt. 62) p. 14 (alleging, in "Factor 5," that 2/4/26 mortgage statement stated "[t]his is an attempt to collect a debt," but without citing to evidence), and compare Reply (dkt. 62) Ex. Q (at PDF p. 87) ("Our records show that you are a debtor in bankruptcy. We are sending this statement to you for information and compliance purposes only. It is not an attempt to collect a debt against you. If you want to stop receiving statements, write us.")

Fourth, Debtor objects to postpetition removal from State Court to Federal District Court of an action in which she was the plaintiff, and subsequent dismissal of that action. She cites no authority that claims by her (as distinguished from claims against her) are stayed by 11 U.S.C. 362(a).

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... Tammie Larae Bowser

Chapter 7

Cf. 11 U.S.C. 362(a)(1) (staying claims "against" debtors).

In other words, none of the acts that Debtor complains about amount to any violation of the automatic stay by Alleged Contemnors (or JPMC), so far as this Court can tell (assuming for the sake of discussion the truth of all allegations made by Debtor).

(c) Insufficient/unpersuasive evidence of damages

Alternatively, the tentative ruling is that, even if Debtor had established any violation(s) of the automatic stay (she has not), she has not submitted any admissible evidence establishing any compensable damage caused by the alleged stay violation(s). In other words, Debtor has not met the standards under 11 U.S.C. 362(k).

As a preliminary matter, to the extent Debtor seeks damages on behalf of her daughter, the tentative ruling is that the daughter lacks standing under section 362(k) (only Debtor, not a third party, can seek damages under that provision). Alternatively, even if the daughter had standing, Debtor has not established that she is her daughter's legal agent for purposes of seeking damages for her daughter.

Moreover, the tentative ruling is that Debtor's allegations of damage are insufficient as a matter of law. Debtor alleges that she and her daughter suffered severe emotional distress as a result of the alleged stay violations, but Debtor has not submitted anything that might qualify as clear and convincing evidence establishing that any significant harm occurred as a result of alleged stay violation(s). *In re Dawson*, 390 F.3d 1139, 1149 (9th Cir. 2004).

For example, Debtor alleges that she suffered severe emotional distress by persons loudly knocking on her door. That, by itself, does not appear to be the type of act that would cause distress beyond the usual level of distress for anyone facing a possible foreclosure.

True, Debtor also alleges that (unknown) persons looked into (unspecified) windows, but she does not describe all the facts and circumstances - *e.g.*, it is not unusual for persons who knock on the front door and receive no response to peers into a window next to the front door. Although this Court does not condone that activity, it would not normally by itself cause significant emotional distress, in this Court's experience.

Moreover, even supposing that (i) the persons knocking on the front door and peering in windows were agents of Alleged Contemnors (or ZBS Law

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... Tammie Larae Bowser

Chapter 7

or JPMC), (ii) those persons did those acts in a manner that plausibly would cause significant emotional distress, and (iii) that Debtor can act for her daughter and the daughter has standing to seek emotional distress damages under 11 U.S.C. 362(k) (none of which is shown by Debtor), Debtor's motion papers still do not "connect the dots" between any such acts and any alleged injuries. For example, Debtor alleges that her daughter sought emergency care due to "illness [the nature of which is not specified in the original motion papers], severe anxiety [the causes of which are not clearly delineated], and acute emotional distress [same]" and attaches a copy of a hospital bill (dkt. 59, pp. 2 & 8). But was the daughter distressed due to problems unrelated to the acts that Debtor complains about? Was the hospital visit caused solely, primarily, or even in substantial part by those acts?

Debtor's papers leave these types of questions unanswered. In legal terms, she has not shown "but for" causation: would the alleged emotional distress and hospital visit have been absent "but for" the acts that Debtor complains about?

Ultimately, even if Debtor could address all of these issues, the fact remains that there is no evidence to overcome the standing and agency issues noted above regarding her daughter. Nor is there any evidence of any compensable damages to Debtor herself from the alleged acts.

In other words, Debtor has not made sufficient allegations to show that she could, at any trial or evidentiary hearing, present clear and convincing evidence of any significant emotional distress that she herself suffered that is causally linked to the acts about which she complains (even supposing, for the sake of discussion, that any of those acts violated the automatic stay). Therefore, the tentative ruling is that Debtor has not met the standards for establishing emotional distress damages under 11 U.S.C. 362(k).

(d) Conclusion

This Court does not minimize the very substantial emotional distress that is experienced by almost anyone facing foreclosure of a family home. That distress is exacerbated by third parties who constantly contact the family with scams and predatory loans. See Reply (dkt. 64) Ex. L, at PDF pp. 19 and following.

As stated by Crystal Faye Smith (a personal friend of Debtor), "A mother's home" should be "a place of safety and stability for her child" Smith Decl. (dkt. 64) Ex. R, at PDF p. 93 of 96. But that is not always

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... Tammie Larae Bowser

Chapter 7

possible. When that mother has borrowed many tens of thousands of dollars secured by a lien on that home, and when that mother is unable to repay that borrowed money according to her contractual and legal obligations, there is no way to avoid the distress and lack of stability inherent in facing a possible foreclosure. Nor is there any legal basis known to this Court to hold Alleged Contemnors (or JPMC) liable for the acts of third parties offering foreclosure prevention scams and predatory loans.

The bottom line is that, for all of the reasons set forth above, the tentative ruling is to deny the motion. The tentative ruling is also to deny leave to amend, because nothing in Debtor's reply papers offers any way in which Debtor could overcome the deficiencies noted above.

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

| | |
|---------------------|--------|
| Tammie Larae Bowser | Pro Se |
|---------------------|--------|

Movant(s):

| | |
|---------------------|--------|
| Tammie Larae Bowser | Pro Se |
|---------------------|--------|

Trustee(s):

| | |
|---------------------|--------|
| John P Pringle (TR) | Pro Se |
|---------------------|--------|

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

2:24-16947 Oxford Gold Group Inc.
Adv#: 2:24-01280 Dye v. Adler et al

Chapter 7

#16.00 Cont'd hrg re: Motion For Summary Judgment and/or
Partial Summary Judgment as to Defendants
Johnathan Adler and Laura Adler
fr. 4/7/26

Docket 249

Tentative Ruling:

Grant the second motion for summary judgment filed by Plaintiff/Trustee.
Appearances required.

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: Chapter 7 Trustee's Third Amended Complaint (adv. dkt. 140, the "Complaint"); Plaintiff/Trustee's Second Motion for Summary Judgment (adv. dkt. 249, the "**Second MSJ**"), Request for Judicial Notice (adv. dkt. 250), Declarations of James A. Dumas (adv. dkt. 251), Carolyn A. Dye (adv. dkt. 252), and Jessica M. Heredia (adv. dkt. 253), and Statement of Uncontroverted Facts (adv. dkt. 254); Opposition of Johnathan and Laura Adler (adv. dkt. 264), Declaration of Laura Adler. (adv. dkt. 259), Evidentiary Objections (adv. dkt. 265), Statement of Genuine Issues (adv. dkt. 266); Plaintiff/Trustee's Reply (adv. dkt. 268) and Response to Evidentiary Objections (adv. dkt. 269)

(1) Background

On 12/30/24, the Chapter 7 Trustee ("Plaintiff/Trustee") filed a complaint (adv. dkt. 1) against Johnathan Adler, Pedram Granfar, and Patrick Granfar, seeking among other things to avoid fraudulent transfers alleged to be in excess of \$6 million. Complaint (adv. dkt. 1) at pp. 5:8–6:22 & 8:1–4. On 3/11/25, this Court approved a settlement with Patrick Granfar (see bankr.

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... **Oxford Gold Group Inc.**

Chapter 7

dkt. 96), and on 4/15/25, this Court approved a settlement with Pedram Granfar (see bankr. dkt. 107). On 4/10/25, over the opposition of Johnathan Adler, this Court granted Trustee's motion for leave to file a first amended complaint that also named Laura Adler, Mr. Adler's spouse, as a defendant. See adv. dkt. 101.

Plaintiff/Trustee filed the operative Third Amended Complaint (adv. dkt. 140, the "Complaint") against Johnathan and Laura Adler on 8/26/25. Plaintiff/Trustee now moves for summary judgment on the Complaint's third claim for relief, which seeks (A) to avoid as actually fraudulent various transfers from Debtor to Defendants pursuant to 11 U.S.C. 544(b) and Cal. Civ. Code 3439.04 and (B) to impose a constructive trust on property located at 10832 Wrightwood Lane, Studio City, CA (the "Wrightwood Lane Property") that Defendants purchased using the proceeds of the transfers. Defendants oppose Plaintiff/Trustee's Second MSJ.

(2) Legal standards

(a) Summary judgment standard

Under Rule 56(a) (Fed. R. Civ. P., made applicable by Rule 7056, Fed R. Bankr. P.), summary judgment (on all or on part of a claim) is proper when the pleadings, discovery, and affidavits show that there is no genuine dispute as to any material fact and that the movant is entitled to judgment as a matter of law. The evidence and inferences therefrom must be viewed in the light most favorable to the non-moving party. *Matsushita Elec. Industrial Co. v. Zenith Radio Corp.*, 475 U.S. 574, 587 (1986); *Celotex Corp. v. Catrett*, 477 U.S. 317, 322-23 (1986). But a mere "scintilla" of evidence in opposition to summary judgment is insufficient. *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 251-52 (1986).

"Genuine": If one party's "version of events is so utterly discredited by the record that no reasonable jury could have believed him" summary judgment is appropriate. *Scott v. Harris*, 550 US 372, 380 (2007). But the Ninth Circuit has observed that "cases where intent is a primary issue generally are inappropriate for summary judgment[.]" *Provenz v. Miller*, 102 F.3d 1478, 1489 (9th Cir. 1996). As the Bankruptcy Appellate Panel for the Ninth Circuit has explained: "Fraud claims, in particular, normally are so attended by factual issues (including those related to intent) that summary judgment is seldom possible." *In re Stephens*, 51 B.R. 591, 594 (9th Cir. BAP 1985).

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT...

Oxford Gold Group Inc.

Chapter 7

"Material": Material facts which would preclude entry of summary judgment are those which, under applicable substantive law, could affect the outcome of the case. The substantive law will identify which facts are material. *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248 (1986). At the summary judgment stage, the court does not weigh the evidence and determine the truth of the matter, but determines whether there is a genuine issue for trial. *Id.* at 249.

Shifting burdens: The moving party bears the initial burden of showing that there is no genuine issue of material fact. If the moving party meets its initial burden, the burden then shifts to the non-moving party to set out, by affidavits or admissible discovery material, specific facts showing a genuine issue for trial. *Celotex*, 477 U.S. at 324. The party opposing summary judgment must produce affirmative evidence that is sufficiently probative on the issue that a jury reasonably could rely on that evidence to decide the issue in his or her favor at trial. *Matsushita Elec. Indust. Co., Inc. v. Zenith Radio Corp.*, 475 U.S. 574, 588 (1986). Without such evidence, there is no reason for a trial. *Celotex*, 477 U.S. at 323. *See also Nissan Fire and Marine Ins. Co. v. Fritz*, 210 F.3d 1099, 1103 (9th Cir. 2000) (analyzing burdens of production and proof).

Evidence: Finally, the evidence presented by the parties must be admissible, or at least it must be capable of later being presented in admissible form if the litigation were to proceed to trial. *JL Beverage Co., LLC v. Jim Beam Brands Co.*, 828 F.3d 1098, 1110 (9th Cir. 2016); *Sec. & Exch. Comm'n v. Strategic Glob. Invs., Inc.*, 262 F.Supp.3d 1007, 1019 (S.D. Cal. 2017) (hearsay evidence could be considered on summary judgment "if the content of the evidence proffered could later be provided in an admissible form at trial") (citing *JL Beverage*).

A party cannot create a genuine issue of fact simply by filing a sworn statement that contradicts an earlier sworn statement. *See, e.g., Kennedy v. Allied Mut. Ins. Co.*, 952 F.2d 262, 266 (9th Cir. 1991).

(b) Fraudulent transfer standard

Under 11 U.S.C. 544(b)(1), Plaintiff/Trustee may "avoid any transfer of an interest of the debtor in property ... that is voidable under applicable law by a creditor holding an unsecured claim that is allowable under section 502 of this title or that is not allowable only under section 502(e) of this title." The "applicable law" in this case is Cal. Civ. Code 3439.04, which provides:

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

(a) A transfer made or obligation incurred by a debtor is voidable as to a creditor, whether the creditor's claim arose before or after the transfer was made or the obligation was incurred, if the debtor made the transfer or incurred the obligation as follows:

(1) With actual intent to hinder, delay, or defraud any creditor of the debtor....

(b) In determining actual intent under paragraph (1) of subdivision (a), consideration may be given, among other factors, to any or all of the following:

(1) Whether the transfer or obligation was to an insider.

(2) Whether the debtor retained possession or control of the property transferred after the transfer.

(3) Whether the transfer or obligation was disclosed or concealed.

(4) Whether before the transfer was made or obligation was incurred, the debtor had been sued or threatened with suit.

(5) Whether the transfer was of substantially all the debtor's assets.

(6) Whether the debtor absconded.

(7) Whether the debtor removed or concealed assets.

(8) Whether the value of the consideration received by the debtor was reasonably equivalent to the value of the asset transferred or the amount of the obligation incurred.

(9) Whether the debtor was insolvent or became insolvent shortly after the transfer was made or the obligation was incurred.

(10) Whether the transfer occurred shortly before or shortly after a substantial debt was incurred.

(11) Whether the debtor transferred the essential assets of the business to a lienor that transferred the assets to an insider of the debtor.

(c) A creditor making a claim for relief under subdivision (a) has the burden of proving the elements of the claim for relief by a preponderance of the evidence. [Cal. Civ. Code 3439.04.]

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

To establish “insolvency” for purposes of Cal. Civ. Code 3439.04(b)(9), Plaintiff/Trustee must satisfy one or more of the following tests:

- (a) A debtor is insolvent if, at a fair valuation, the sum of the debtor’s debts is greater than the sum of the debtor’s assets.
- (b) A debtor that is generally not paying the debtor’s debts as they become due other than as a result of a bona fide dispute is presumed to be insolvent. The presumption imposes on the party against which the presumption is directed the burden of proving that the nonexistence of insolvency is more probable than its existence. [Cal. Civ. Code 3439.02(a)–(b).]

The first test (Cal. Civ. Code 3439.02(a)) is commonly referred to as “balance sheet insolvency” and the second test (Cal. Civ. Code 3439.02(b)) is commonly referred to as “cash flow insolvency.”

To determine whether a debtor is generally not paying its debts as they come due under the cash flow insolvency test, courts within the Ninth Circuit have “adopted a ‘totality of the circumstances’ test,” which may include a comparison of “the number of debts unpaid each month to those paid, the amount of the delinquency, the materiality of the non-payment, and the nature of the [d]ebtor’s conduct of its financial affairs.” *In re Vortex Fishing Sys., Inc.*, 277 F.3d 1057, 1072 (9th Cir. 2002) (internal quotation and citation omitted). Meeting this standard “requires a more general showing of the debtor’s financial condition and debt structure than merely establishing the existence of a few unpaid debts.” *In re Vortex Fishing Sys., Inc.*, 277 F.3d 1057, 1072 (9th Cir. 2002) (internal quotation and citation omitted).

In addition, the “mere existence of a Ponzi scheme is sufficient to establish actual intent to defraud.” *Donell v. Kowell*, 533 F.3d 762, 770 (9th Cir. 2008) (internal citation omitted). A business is a Ponzi scheme where there is no legitimate profit-making opportunity and the illusion of profitability is sustained only as a result of the constant infusion of additional money from either new customers or new investors. *In re EPD Inv. Co., LLC*, 114 F.4th 1148, 1159 (9th Cir. 2024).

(3) Discussion

- (a) There is no *genuine* dispute that Debtor’s business operated as a

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... **Oxford Gold Group Inc.**

Chapter 7

Ponzi scheme

The tentative ruling is that there is no *genuine* dispute that during the time of the transfers at issue, Debtor operated its business as a Ponzi scheme. Debtor marketed precious metals to customers to be held for investment purposes. Second MSJ (adv. dkt. 249) p. 4:25–26. Debtor sourced these precious metals from wholesalers, and made money almost entirely by charging its customers a markup (or spread) over the wholesale price (other sources of revenue were *de minimus*). Second MSJ (adv. dkt. 249) p. 6:19–27.

Plaintiff/Trustee has provided *prima facie* evidence that the average spread that Debtor charged its customers during the relevant time period was approximately 21.8%. Second MSJ (adv. dkt. 249) p. 7:21–23. Put another way, Debtor's income should have been approximately 21.8% of sales, less selling, general, and administrative expenses.

Despite the foregoing, Debtor's purported gross profit, as set forth in its tax returns, for the last quarter of 2020 and the first quarter of 2021 was 49.4%. Second MSJ (adv. dkt. 249) p. 16:12–14. The tentative ruling is that there is no *genuine* dispute that the only plausible explanation for the vast discrepancy between the spread in the range of 21.8% and the purported gross profit in the range of 49.4% is that the purported gross profit was in fact an illusion. The tentative ruling is that, although Plaintiff/Trustee was not required to explain precisely how the perpetrators of the Ponzi scheme "cooked the books" to show a wildly inflated purported gross profit, she has offered *prima facie* evidence of how this was done, which further supports her showing that there is no genuine dispute as to the existence of the Ponzi scheme.

Specifically, Plaintiff/Trustee has provided *prima facie* proof that the false "gross profit" resulted from two things. First, Debtor was not timely settling orders it received from customers for the purchase of precious metals. Second, Debtor used cash basis accounting as a means of largely ignoring its huge accrued liabilities, and net losses, that would have been apparent if any reliable accrual basis accounting had been used.

The tentative ruling is that because, during the relevant periods, Debtor's expenditures on marketing and shareholder distributions exceeded its roughly 21.8% profit from the spread, it was able to settle orders only from an influx of additional funds from new clients (that is, Debtor was settling orders placed by older clients with funds from new clients). Dye Decl. (adv.

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... **Oxford Gold Group Inc.**

Chapter 7

dkt. 252) pp. 5:17–6:12. In other words, Plaintiff/Trustee has shown that the spread from which Debtor generated any actual gross profits - as distinguished from its bare, unsupported assertions of purported gross profits - was nowhere near enough to support its expenditures. Beyond that, she has shown that the reason Debtor was able to report higher gross profits and was able to continue operating its business during the relevant period was only that the new cash it received from new customers allowed it to satisfy its obligations to pre-existing customers – the hallmark of a Ponzi scheme.

As noted above, Plaintiff/Trustee has also shown that the discrepancy between Debtor’s actual financial condition and its finances as reflected in its tax returns and Quickbooks accounts was enabled in part by the fact that Debtor’s Quickbooks accounts were computed on a cash basis, not an accrual basis. Reply (adv. dkt. 268) p. 3:4–7. Debtor’s Quickbooks accounting records omitted the majority of its unsettled orders. Dye Decl. (adv. dkt. 252) p. 9:20–22.

The upshot is that Debtor’s accounting records did not accurately reflect its financial condition because those records omitted a substantial portion of Debtor’s liabilities. That gave the false impression that Debtor was profitable when in fact it was not.

Because Plaintiff/Trustee has made a *prima facie* showing that there is no genuine dispute as to the existence of a Ponzi scheme, the burden shifts to Defendants to point to evidence that there is a genuine dispute on that issue. The tentative ruling is that Defendants have failed to do so.

Defendants contend that Debtor’s profit and loss statement for the third quarter of 2020 shows that Debtor was profitable. Opp. (adv. dkt. 264) p. 3:17–19. But Defendants’ reliance upon the profit and loss statement is unavailing, because (as noted above) the profit and loss statement did not reflect Debtor’s actual financial condition since it failed to set forth all of Debtor’s liabilities.

Defendants fail to offer any other basis on which to assert a genuine dispute as to the Ponzi scheme issue. The only evidence to which they point does not rise to the level of creating any genuine dispute.

Once a Ponzi scheme is established, the determination of actual fraud necessarily follows. The Court of Appeals for the Ninth Circuit has held that transfers made by a debtor during the period that it operated as a Ponzi scheme are by definition actually fraudulent as to creditors:

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT...

Oxford Gold Group Inc.

Chapter 7

The basis for applying the Ponzi scheme presumption in the first place is that a Ponzi scheme is doomed to fail by virtue of its pyramid structure. Because a pyramid scheme relies on an impossibility—a limitless pool of new investors—a Ponzi scheme operator “must know all along, *from the very nature of his activities*, that investors at the end of the line will lose their money.” *In re Indep. Clearing House Co.*, 77 B.R. [843] at 860 [D. Utah 1987 (en banc)] (emphasis added). As our sister circuits have explained, “[s]ince Ponzi schemes do not generate profits sufficient to provide their promised returns, but rather use investor money to pay returns, they are insolvent and become more insolvent with each investor payment.” *Wiand v. Lee*, 753 F.3d 1194, 1201 (11th Cir. 2014); *see also Warfield v. Byron*, 436 F.3d 551, 558 (5th Cir. 2006) (observing that Ponzi schemes are insolvent from their inception as a matter of law). So if the essential elements of a Ponzi scheme are truly present—consistent funneling of money from new investors to pay old investors where in fact no legitimate profit-making business opportunity exists—then the operator's actual intent to defraud his investors and knowledge that the scheme will eventually fail follows logically and necessarily. [*In re EPD Inv. Co., LLC*, 114 F.4th 1148, 1160 (9th Cir. 2024).]

Accordingly, the tentative ruling is that based upon the Ponzi presumption alone, Plaintiff/Trustee is entitled to summary judgment in her favor.

(b) Alternatively, even if the evidence did not require a finding of a Ponzi scheme (which it does), there is no genuine dispute that the transfers were actually fraudulent under Cal. Civ. Code 3439.04

In addition and in the alternative, the tentative ruling is that there is no genuine dispute that the transfers were actually fraudulent under Cal. Civ. Code 3439.04(a), because of the number and nature of the “badges of fraud” enumerated in Cal. Civ. Code 3439.04(b). Specifically, Plaintiff/Trustee has established, and Defendants have not demonstrated any genuine dispute with respect to, the existence of the following “badges of fraud” (numbering corresponds to the numbering of the statute):

(1) The transfers were to an insider (Johnathan Adler was

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT...

Oxford Gold Group Inc.

Chapter 7

Debtor's Chief Financial Officer, and alternatively he exercised sufficient control to qualify as an insider).

(2) Debtor retained control of the property subsequent to the transfer (because Johnathan Adler, the principal of the Debtor, remained in control of the funds, by using them to purchase the Wrightwood Lane Property).

(3) The transfers were concealed (because Debtor's accounting records did not accurately reflect Debtor's financial position by omitting a substantial portion of Debtor's liabilities).

(7) Debtor removed assets (by causing substantial shareholder distributions to be made at a time when it lacked sufficient profits to warrant those distributions).

(8) Debtor did not receive reasonable equivalent value for the distributions – in fact, Debtor received no value for the distributions, because the distributions were in addition to a very substantial salary paid to Johnathan Adler, and therefore cannot be deemed to have been compensation for services rendered by Mr. Adler to Debtor (and any purported understatement of salary is unsupported by any evidence - possibly because it would have constituted tax fraud, but for whatever reason Defendants have not provided market evidence or any other evidence that Johnathan Adler's services were worth above his salary and that this accounts for the vastly greater distributions to him as a stockholder).

(9) At the time of the transfers, Debtor was insolvent, both on a balance sheet basis (the sum of its debts was greater than the sum of its assets at a fair valuation) and on a cash flow basis (Debtor was not generally paying its debts as they became due - true, at first Debtor eventually settled many of its customers' purchases, but every pattern has a starting point, and Plaintiff/Trustee's *prima facie* evidence is that Debtor's general pattern of not paying its debts as they came due started at or before the period at issue).

(10) Debtor made the transfers shortly before incurring additional substantial debts (in the form of additional customer orders which created additional liabilities, since with each order Debtor became obligated to pay for more precious metals from

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... **Oxford Gold Group Inc.**
its wholesalers).

Chapter 7

This Court notes that certain arguments presented in the Second MSJ imply that Plaintiff/Trustee may also be seeking to avoid the transfers as constructively fraudulent pursuant to Cal. Civ. Code 3439.04(a)(2). See, e.g., Second MSJ (adv. dkt. 249) p. 31:11–19 (arguing that there is no genuine dispute that Debtor did not receive reasonably equivalent value for the transfers). But the Second MSJ states that it seeks summary judgment only on the Complaint’s third claim for relief (see adv. dkt. 249, p. 3:3–5), and that claim is limited to *intentionally* fraudulent transfers under Cal. Civ. Code 3439.02(a)(1) (see Complaint (adv. dkt. 140) p. 8:20–9:7). Plaintiff/Trustee’s claims to avoid the transfers as *constructively* fraudulent (under Cal. Civ. Code 3439.02(a)(2)) is set forth in the fourth claim for relief (see Complaint (adv. dkt. 140) p. 9:19–10:7). The tentative ruling is that it would not be appropriate for this Court to construe the Second MSJ as though it also sought avoidance on a constructively fraudulent transfer theory, because that would deprive Defendants of a sufficient opportunity to respond.

Defendants argue in response to the Second MSJ (as they have in response to the First MSJ) that Plaintiff/Trustee has to show that Debtor was *generally* not paying its debts as they came due, and the caselaw holds that small debts or disputed debts typically are not evidence of generally not paying debts. But (i) the core of Debtor’s business was to fulfill customer purchase orders for precious metals; (ii) Plaintiff/Trustee has shown a continuous trend from the start of the period of not settling those purchase orders; (iii) Defendants have not pointed to any disputes with customers or any other reason why purchase orders were not being fulfilled within the 28 day contractual period; and (iv) to the extent that Defendants attempt to salvage their arguments by challenging only the *start* of the period on which Plaintiff/Trustee focuses, their argument proves too much: every pattern of *generally* not paying debts as they come due starts with just one, two, or a few debts.

(c) Plaintiff/Trustee is Entitled to Imposition of a Constructive Trust on the Wrightwood Lane Property as a Matter of Law

The tentative ruling is that there is no genuine dispute that Defendants purchased the Wrightwood Lane Property using the proceeds of the fraudulent transfers. The tentative ruling is that consequently, Plaintiff/Trustee is entitled as a matter of law to imposition of a constructive

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... **Oxford Gold Group Inc.**

Chapter 7

trust on the Wrightwood Lane Property pursuant to Cal. Civ. Code 2224, which provides that “[o]ne who gains a thing by fraud, accident, mistake, undue influence, the violation of a trust, or other wrongful act, is, unless he or she has some other and better right thereto, an involuntary trustee of the thing gained, for the benefit of the person who would otherwise have had it.”

Persuasive authority citing California law (albeit outside of this Circuit and not cited by the parties) holds that a debtor was not entitled to claim a homestead exemption as to property that had been acquired using fraudulently transferred funds:

California courts addressing the homestead exemption issue in the context of tainted funds have often imposed an equitable lien on the property which primes the homestead claim. See, e.g., *Duhart v. O'Rourke*, 99 Cal. App. 2d 277, 280, 221 P.2d 767 (1950) (where fraudulently obtained funds are invested in a homestead, “the right of the creditor so defrauded becomes paramount to that of the owner of the homestead...and the property so homesteaded is not exempt from execution or sale”). In *Ohio Electric Car Co. v. Duffet*, 48 Cal. App. 674, 192 P. 298 (1920), judgment was entered against the defendant in a contract dispute. The sheriff was unable to find any property not exempt from execution; the defendant had “gifted” property to his wife, out of reach of his creditors. His wife subsequently sold that property and invested the proceeds to pay off debt and make improvements upon her homestead. The judgment creditor sought to have its judgment declared a lien on the homestead because of the fact that the property had been improved with funds that originated from the husband's fraudulent transfer. The lower court granted the relief requested and the appellate court affirmed, concluding that “a court of equity would have had power not only to declare the money judgment against the defendant, but to go further and declare such judgment a lien upon her property under the circumstances in evidence here.” *Id.* at 679, 192 P. 298. The court ruled further that the tainted funds could not be protected by investing them in her homestead: “In so far as her home represented the funds received from her husband, under the circumstances in this case, it was not a proper subject for

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT...

Oxford Gold Group Inc.

Chapter 7

inclusion in her declaration of homestead, and cannot be impressed with this character.” *Id. See also Shinn*, 58 Cal. at 599 (holding that the defendants' homestead right was held subject to a lien for the payment of the amount misappropriated); *Holder v. Williams*, 167 Cal. App. 2d 313, 317, 334 P.2d 291 (1959) (imposing an equitable lien that preceded the defendants' homestead exemption). [*In re Mamtek US, Inc.*, 588 B.R. 72, 78–79 (Bankr. W.D. Mo. 2018).]

(4) Conclusion

For all the reasons discussed above, the tentative ruling is that Plaintiff/Trustee is entitled to summary judgment on the Complaint's third claim for relief, which seeks (A) to avoid as actually fraudulent various transfers from Debtor to Defendants pursuant to 11 U.S.C. 544(b) and Cal. Civ. Code 3439.04 and (B) to impose a constructive trust on the Wrightwood Lane Property.

Proposed order(s): Unless otherwise ordered, Plaintiff/Trustee is directed to lodge (i) a proposed order granting her Second MSJ and (ii) a proposed judgment. She is directed to do so via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)) and attach a copy of this tentative ruling to the order (not the judgment), thereby incorporating it as this Court's actual ruling.

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| Party Information |
|--------------------------|

Debtor(s):

| | |
|------------------------|--------|
| Oxford Gold Group Inc. | Pro Se |
|------------------------|--------|

Defendant(s):

| | |
|-------------|--------|
| Laura Adler | Pro Se |
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| Jonathan Adler | Pro Se |
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| Pedram Granfar | Represented By Marc Weitz |
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| Patrick Granfar | Pro Se |
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**United States Bankruptcy Court
Central District of California
Los Angeles
Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

Movant(s):

Carolyn Dye

Represented By
James A Dumas Jr
Christian T Kim I

Plaintiff(s):

Carolyn Dye

Represented By
James A Dumas Jr
Christian T Kim I

Trustee(s):

Carolyn A Dye (TR)

Represented By
James A Dumas Jr
Christian T Kim I
Maria Severson

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

2:24-16947 Oxford Gold Group Inc.

Chapter 7

Adv#: 2:24-01280 Dye v. Adler et al

- #17.00** Cont'd Status Conference re: Amended Complaint for: 1. Actual Fraudulent Transfer [Bankruptcy Code Section 548(1)(a); CAL. CIV.Code Section 3439.04 (A)(1)]; 2. Constructive Fraudulent Transfer [Bankruptcy Code Section 548 (1)(b); CAL. CIV. CODE Sections 3439.04(B)(2) and 3439.05]; 3 To Recover Shareholder Loans; 4. For Money Had and Received fr. 3/4/25, 4/8/25, 6/17/25, 8/19/25, 9/23/25, 10/7/25, 10/21/25, 11/4/25, 1/6/26, 01/20/26, 2/24/26, 3/10/26

Docket 103

Tentative Ruling:

Tentative Ruling for 3/24/26:

Appearances required.

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.

(1) Current issues

(a) Third Amended Complaint filed by Chapter 7 Trustee ("Plaintiff/Trustee") (adv. dkt. 222); Plaintiff/Trustee's First Motion for Summary Judgment (adv. dkt. 222, the "First MSJ") and supporting declarations of James A. Dumas (adv. dkt. 223), Adam Meislik (adv. dkt. 224), and Carolyn A. Dye (adv. dkt. 227); Notice of MSJ (adv. dkt. 228); Statement of Unconverted Facts (adv. dkt. 225) and erratum (adv. dkt. 242); Opposition filed by Johnathan and Laura Adler (adv. dkt. 234) and supporting declaration of Laura Adler (adv. dkt. 235); Statement of Genuine Issues (adv. dkt. 236); Plaintiff/Trustee's reply (adv. dkt. 239), evidentiary objections to Laura Adler Decl. (adv. dkt. 240), and supplemental declarations of James A. Dumas (adv. dkt. 241) and Carolyn A. Dye (adv. dkt. 243); Johnathan and Laura Adler's evidentiary objections to Exhibit A to Trustee's Reply (adv. dkt. 245) and Response to Trustee's evidentiary objections to Laura Adler Decl.

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... **Oxford Gold Group Inc.**

Chapter 7

(adv. dkt. 246) and Proof of Service (adv. dkt. 248)

At the conclusion of the hearing on 2/24/26 this Court took this matter under submission in view of various issues raised by Defendant Laura Adler at oral argument. No additional argument will be invited or permitted. But for informational purposes this Court provides the following update.

Having further considered the issues, this Court anticipates issuing a written decision largely adopting the tentative ruling for 2/24/26 (reproduced in full below), augmented primarily by ruling that Plaintiff/Trustee has at least shown cash flow insolvency, even if Defendants are correct that this Court cannot treat any judicial notice of the aggregate dollar amounts of alleged debts asserted in proofs of claim as sufficient evidence of the actual debts for purposes of balance sheet insolvency. As set forth in the tentative ruling on the Second MSJ, the evidence of cash flow insolvency does not appear to be subject to any genuine dispute, because Plaintiff/Trustee has provided *prima facie* evidence that no later than the start of the period on which she focuses, Debtor had started falling behind on generally paying its debts as they came due, and the only contrary evidence offered by Defendants is not of sufficient weight to establish a genuine dispute (Defendants' evidence fails to account for unsettled purchases of precious metals, and masks these liabilities by using cash accounting rather than an accrual method of accounting).

For purposes of consistency and thoroughness, this Court will not issue a final ruling on the First MSJ (adv. dkt. 222) until it is also ready to issue a final ruling on the Second MSJ (adv. dkt. 249).

(b) Plaintiff/Trustee's Third Amended Complaint (adv. dkt. 140, the "Complaint"); Plaintiff/Trustee's Second Motion for Summary Judgment (adv. dkt. 249, the "Second MSJ"), Request for Judicial Notice (adv. dkt. 250), Declarations of James A. Dumas (adv. dkt. 251), Carolyn A. Dye (adv. dkt. 252), and Jessica M. Heredia (adv. dkt. 253), and Statement of Uncontroverted Facts (adv. dkt. 254); Opposition of Johnathan and Laura Adler (adv. dkt. 264), Declaration of Laura Adler. (adv. dkt. 259), Evidentiary Objections (adv. dkt. 265), Statement of Genuine Issues (adv. dkt. 266); Plaintiff/Trustee's Reply (adv. dkt. 268) and Response to Evidentiary Objections (adv. dkt. 269)

The tentative ruling is to grant the Second MSJ (adv. dkt. 249) for the reasons set forth in Calendar No. 16 (3/24/26 at 11:00 a.m.).

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

(2) Standard requirements

The following are Judge Bason's standard requirements for status conferences. (To the extent that the parties have already addressed these issues in their status report, they need not repeat their positions at the status conference.)

(a) Venue/jurisdiction/authority

Issues of venue, jurisdiction, and authority have been determined and/or waived or forfeited in the parties' filed papers, or at prior status conferences.

(b) Mediation

A mediation conference in this matter was held on 4/28/25, with M. Jonathan Hayes acting as mediator. Adv. dkt. 117. The matter did not settle. The tentative ruling is to decline to order further formal mediation at this time.

(c) Deadlines

This adversary proceeding has been pending since 12/30/24. The scheduled deadlines and/or hearing/trial date(s) have been memorialized in this Court's written order (adv. dkt. 203) except as set forth in part "(1)(b)," above and as modified/supplemented below.

Joint Status Report: Not required

Continued status conference: 4/21/26 at 11:00 a.m. No written status report required.

Tentative Ruling for 3/10/26:

Continue to 3/24/26 at 11:00 a.m., so that this Court can (1) issue ruling(s) on the first motion for summary judgment (which is under submission) and/or (2) adjudicate Plaintiff/Trustee's first and second motions for summary judgment concurrently. No written status report is required for the continued Status Conference. Appearances are not required on 3/10/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... **Oxford Gold Group Inc.**

Chapter 7

ZoomGov instructions for all matters on calendar, please see page 1 of the posted tentative rulings.

Tentative Ruling for 2/24/26:

Grant Plaintiff/Trustee's motion for partial summary judgment and extend the deadline for filing additional dispositive motions, all as set forth below.

Appearances required.

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.

(1) Current issues

(a) Plaintiff/Trustee's motion for summary judgment (adv. dkt. 222, the "MSJ") and supporting declarations of James A. Dumas (adv. dkt. 223), Adam Meislik (adv. dkt. 224), and Carolyn A. Dye (adv. dkt. 227); Notice of MSJ (adv. dkt. 228); Statement of unconverted facts (adv. dkt. 225) and erratum (adv. dkt. 242); Opposition filed by Johnathan and Laura Adler (adv. dkt. 234) and supporting declaration of Laura Adler (adv. dkt. 235); Statement of Genuine Issues (adv. dkt. 236); Plaintiff/Trustee's reply (adv. dkt. 239), evidentiary objections to Laura Adler Decl. (adv. dkt. 240), and supplemental declarations of James A. Dumas (adv. dkt. 241) and Carolyn A. Dye (adv. dkt. 243); Johnathan and Laura Adler's evidentiary objections to Exhibit A to Trustee's Reply (adv. dkt. 245) and Response to Trustee's evidentiary objections to Laura Adler Decl. (adv. dkt. 246) and Proof of Service (adv. dkt. 248)

The tentative ruling is to grant the MSJ in its entirety, and to overrule the opposition of Defendants, for the following reasons:

- (i) Evidence. Defendants characterize the exhibits submitted by Plaintiff/Trustee in support of the MSJ as "unauthenticated." Opp. (adv. dkt. 234) p. 1:13–14. As far as this Court can tell, it appears that Defendants' position is that to authenticate the documents that she obtained from Debtor in the course of discharging her duties as Trustee, Plaintiff/Trustee is required to submit declarations from the individuals who originally prepared

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT...

Oxford Gold Group Inc.

Chapter 7

those documents (e.g., as to financial statements, a declaration from the employee of Debtor who created the financial statement would be required). The tentative ruling is that Defendants' argument is without merit and that the initial and supplemental declarations of Carolyn A. Dye (adv. dkt. 227 & 243) sufficiently authenticate the exhibits (and, insofar as any implicit hearsay objection, the exhibits are admissible as records of a regularly conducted activity under Rule 803(6) (Fed. R. Evid.)).

Defendants also object to Plaintiff/Trustee's summary of proofs of claim, arguing among other things that courts can take judicial notice of a claims register but not the "contents" of the proofs of claim. Def. Evid. Obj. (dkt. 245) p. 2:22-24 (citing, *inter alia*, *In re Johnson*, 638 B.R. 782, 792 (Bankr. C.D. Cal. 2022) (citing authority, despite ultimately ruling that debt was nondischargeable, that it "may" not be appropriate to take judicial notice of contents of proof of claim, at least when defendant had no apparent incentive to object to allowance of such claims), *aff'd*, 2022 WL 16731090 (9th Cir. 2022)). But, as Plaintiff/Trustee points out, the proofs of claim filed under oath are deemed allowed (because no objection has been filed to them), so at the very least they are *prima facie* evidence of the dollar amounts that Debtor failed to pay. Moreover, Plaintiff/Trustee has provided other evidence of balance sheet and cash flow insolvency at various points in time, so when Defendants assert that any such insolvency was not continuous (Opp., adv. dkt. 234, p. 1:26-27) it is their burden to produce evidence showing as much. Not only have they failed to do so but Plaintiff/Trustee is pointing out in reply that any such dispute on this issue could not be genuine because the multiple pages listing the transaction dates in the filed proofs of claim show that those claimants assert transaction dates throughout the relevant period. In this context, the tentative ruling is that it is appropriate for Plaintiff/Trustee to request, in her reply, that this Court take judicial notice of the dollar amounts and transaction dates asserted by the claimants. Alternatively, even without Plaintiff/Trustee's summary of the proofs of claim, her evidence

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT...

Oxford Gold Group Inc.

Chapter 7

of insolvency at various points of time is sufficient to shift the burden to Defendants to show a genuine dispute about Debtor's solvency during any relevant period, and they have failed to do so.

The tentative ruling is that Defendants' other evidentiary assertions are also without merit. See dkt. 245, 246. For example, they complain (dkt. 245, p. 3:10-11) that Plaintiff/Trustee did not provide copies of the proofs of claim; but those documents are available online (through this Court's PACER system).

Similarly, Defendants apparently take the position that Plaintiff/Trustee has miscalculated dates because the first claim would not come due until "November 2, 2021" rather than October 5, 2021 (see dkt. 245, p. 4:6-7). But Defendants cannot have it both ways: if they want to include future anticipated profits as assets as of October 5, 2021, then they have to deduct the associated future liabilities, even if the contractual due date of that liability is not until a few weeks later.

(ii) Insolvency. Defendants assert that Plaintiff/Trustee "has failed to establish that the Debtor was insolvent at [the] time of each transfer to Defendant Johnathan Adler that occurred after October 15, 2021 or that Debtor was not paying its debts as they became due in October 2021." Opp. (adv. dkt. 234) p. 1:19–21. The tentative ruling is that there is no "genuine dispute" that during the relevant time period, Debtor was insolvent both on a balance sheet basis and alternatively on a cash flow basis (its failure to timely pay its obligations as they came due).

(A) Balance sheet insolvency. As to balance sheet insolvency, Debtor's only meaningful asset was the balance in its bank account; that bank account balance was very low in comparison to Debtor's liabilities, which were vastly understated because they failed to reflect Debtor's significant unsettled obligations to purchase precious metals behalf of its clients. MSJ (adv. dkt. 222) pp. 6:16–10:11. Defendants appear to rely on the entire bank account balances as if they were accounts

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT...

Oxford Gold Group Inc.

Chapter 7

receivable, or otherwise reflect future profits (e.g., Opp., adv. dkt. 234, p. 10:1-2); but as Plaintiff/Trustee points out the only future profits would be the "spread" between the funds they received from clients and any lower price that Debtor would pay for the precious metals (e.g. Reply (adv. dkt. 239) p. 7:21-23, p. 8:1-5, & p. 8:19-23) and any such potential profit (which would only arise to the extent Debtor fulfilled its purchase obligations) pales in comparison to the outstanding liabilities for unsettled orders. Alternatively, at the very least, Plaintiff/Trustee's evidence is sufficient to shift the burden to Defendants to show balance sheet solvency, and they have failed to produce sufficient evidence to raise a genuine dispute on this issue.

(B) Cash flow insolvency. As to insolvency based upon failure to timely pay its obligations as they came due, Debtor failed to obtain the precious metals it was obligated to acquire on behalf of its clients because it lacked the funds to pay precious metal wholesalers. Based solely on the dollar amounts of the proofs of claim filed to date, Debtor failed to fulfill precious metals orders worth at least \$38 million. MSJ (adv. dkt. 222) pp. 10:12–11:27. The proofs of claim show that this lack of fulfillment of basic obligations lasted throughout the entire period referenced by Plaintiff/Trustee. Alternatively, at the very least, Plaintiff/Trustee's evidence (even without the proofs of claim) is sufficient to shift the burden to Defendants to show cash flow solvency in any relevant time frame, and they have failed to produce sufficient evidence to raise a genuine dispute on this issue.

(iii) Reasonably equivalent value. The tentative ruling is that Debtor did not receive reasonably equivalent value for these shareholder distributions because distributions on account of equity ownership are presumptively not for value (MSJ, adv. dkt. 222, p. 16:20-25) (subject to being rebutted, but Defendants have failed to raise a genuine dispute on this issue). Alternatively, supposing for the sake of discussion that no such

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT...

Oxford Gold Group Inc.

Chapter 7

presumption applies (which it does), and that Debtor theoretically could have been using distributions to stockholders in lieu of salary (for which there is no evidence), that theory is undercut and the burden is still on Defendants because, at the time the transfers were made, Defendant Johnathan Adler was also receiving a very substantial salary (\$426,788.59 in 2021, \$836,798.06 in 2022, \$870,000.00 in 2023, and \$105,000.00 in 2024). Defendants have not shown a genuine dispute that distributions on account of his stock ownership were either intended to be or were in fact compensation for services (which, as Plaintiff/Trustee points out, would have been in apparent violation of payroll withholding laws). Meislik Decl. (adv. dkt. 224) p. 6; Reply adv. dkt. 239) p. 9:12-16. None of the cases cited by Defendants are to the contrary, because those cases deal with transfers other than shareholder distributions (such as partnership draws, salaries and perks, or bonuses). In sum, Plaintiff/Trustee has met her initial burden to show lack of reasonably equivalent value (or any value), and Defendants have failed to produce sufficient evidence to raise a genuine dispute on this issue.

- (iv) Avoidability. The tentative ruling is that all other elements for avoidance have been met and, as a matter of law, the shareholder distributions that Debtor made to Defendants while it was insolvent qualify as “constructively” fraudulent transfers for purposes of 11 U.S.C. 544(b) (incorporating Cal. Civ. Code 3439.05). Alternatively, the tentative ruling is that Plaintiff/Trustee has met her initial burden as to all other elements, and that Defendants have failed to produce sufficient evidence to raise a genuine dispute on this issue.
- (iv) Liability/recovery. Laura (given names are used for the Adlers solely to distinguish spouses with the same surname and no disrespect is intended) argues that Plaintiff/Trustee is not entitled to any recovery from her. She argues that she was “not an initial transferee of the distributions” based on the fact that “although she had legal title to the bank account in which [the distributions] were deposited she [allegedly] did not exercise dominion or control [over] the funds.” Opp. (adv. dkt. 234) p.

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT...

Oxford Gold Group Inc.

Chapter 7

16:4–7. The tentative ruling is that Laura is (together with Jonathan) an initial transferee, for the reasons stated by Plaintiff/Trustee. Alternatively, the tentative ruling is that even if Laura were an “immediate or mediate transferee” rather than an “initial transferee” (within the meaning of California law, Cal. Civ. C. 3439.08), Plaintiff/Trustee would still be entitled to recover from Laura because her “marital estate received the money” and “because [Laura] admitted [she] did not provide value in exchange” (assuming for the sake of discussion that she would qualify as a “good faith” transferee based on her alleged ignorance of the facts). Reply (adv. dkt. 239) p. 11:9–11.

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)) and attach a copy of this tentative ruling, thereby incorporating it as this Court’s actual ruling.

(b) Deadline for filing dispositive motions

The tentative ruling is to grant Plaintiff/Trustee’s request to extend the deadline to file dispositive motions from 3/24/26 to 4/7/26. Although Defendants assert that “[a]ny continuances are prejudicial,” Status Report (adv. dkt. 244) p. 4 (para. G), the tentative ruling is that Defendants have not established any meaningful or undue prejudice from an extension of approximately two weeks.

(2) Standard requirements

The following are Judge Bason’s standard requirements for status conferences. (To the extent that the parties have already addressed these issues in their status report, they need not repeat their positions at the status conference.)

(b) Venue/jurisdiction/authority

Issues of venue, jurisdiction, and authority have been determined and/or waived or forfeited in the parties’ filed papers, or at prior status conferences.

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... **Oxford Gold Group Inc.**

Chapter 7

(b) Mediation

A mediation conference in this matter was held on 4/28/25, with M. Jonathan Hayes acting as mediator. Adv. dkt. 117. The matter did not settle. The tentative ruling is to decline to order further formal mediation at this time.

(c) Deadlines

This adversary proceeding has been pending since 12/30/24. The scheduled deadlines and/or hearing/trial date(s) have been memorialized in this Court's written order (adv. dkt. 203) except as set forth in part "(1)(b)," above and as modified/supplemented below.

Joint Status Report: Not required

Continued status conference: 4/7/26 at 11:00 a.m., concurrent with the hearing on the second motion for summary judgment that Plaintiff/Trustee anticipates filing. No written status report required.

[PRIOR TENTATIVE RULING(S) OMITTED. For key issues see Order Denying Motion for Reconsideration etc. (adv. dkt. 207).]

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|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

| | |
|------------------------|--------|
| Oxford Gold Group Inc. | Pro Se |
|------------------------|--------|

Defendant(s):

| | |
|-----------------|------------------------------|
| Jonathan Adler | Pro Se |
| Pedram Granfar | Represented By Marc Weitz |
| Patrick Granfar | Pro Se |
| Laura Adler | Pro Se |

Plaintiff(s):

| | |
|-------------|---|
| Carolyn Dye | Represented By James A Dumas Jr Christian T Kim I |
|-------------|---|

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

Trustee(s):

Carolyn A Dye (TR)

Represented By
James A Dumas Jr
Christian T Kim I
Maria Severson

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

2:24-16947 Oxford Gold Group Inc.

Chapter 7

#18.00 Cont'd Status Conference re: Involuntary Chapter 7 Petition
fr. 10/8/24, 11/19/24, 1/21/25, 2/5/25, 2/11/25, 3/4/25, 4/8/25,
6/17/25, 8/19/25, 10/21/25, 11/4/25, 01/06/26, 01/20/26, 2/24/26

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Appearances required.

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.

(1) Current issues

(a) Motion of Trustee to approve settlement with Equity Trust Company ("Equity Trust") (dkt. 130); Joinder of Equity Trust (dkt. 133); Opposition by Petitioning Creditors (dkt. 142); Trustee's Reply (dkt. 150), Transcript of 10/21/25 hearing (dkt. 161); Status Report (dkt. 183), Orders continuing hearing (dkt. 170, 186, 192); Stipulation to withdraw Rule 9019 motion (dkt. 215); Order approving stipulated withdrawal of Rule 9019 motion (dkt. 217)

Although Trustee has withdrawn her motion to approve a settlement with Equity Trust (dkt. 215 & 217), this Court understands that the parties are still attempting to mediate the issues raised by that motion. Without disclosing confidential settlement communications, the parties are directed to provide an update regarding the progress of their continued negotiations.

The tentative ruling is to continue the hearing to the date of the continued status conference (see part "(2)(a)" of this tentative ruling, below).

(b) Trustee v. Adler (Adv. No. 2:24-ap-01280-NB)

Please see the tentative ruling for Calendar Nos. 16 & 17 (3/24/26 at 11:00 a.m.).

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

(2) Dates/procedures. The involuntary petition was filed on 8/28/24. Carolyn Dye is the duly appointed and acting trustee (dkt. 20, 22, 49, 50); and an order for relief was entered on 10/15/24 (dkt. 29).

(a) Continued status conference: 4/21/26 at 11:00 a.m. No written status report required.

[PRIOR TENTATIVE RULINGS OMITTED]

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Oxford Gold Group Inc.

Pro Se

Trustee(s):

Carolyn A Dye (TR)

Represented By
James A Dumas Jr
Christian T Kim I
Maria Severson

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

2:25-13048 RD William Whittington

Chapter 7

Adv#: 2:25-01315 Kent v. Whittington

#19.00 Cont'd Status Conference re: NonDischargeability Complaint
[11 U.S.C Section 523(a)(2)(A), 523 (a)(4), 523(a)(6)]
fr. 9/23/25, 01/20/26

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Modify the discovery dates and deadlines previously set (adv. dkt. 29) and continue the status conference as set forth below, with a caution to Defendant/Debtor that this Court does not anticipate granting any further extension of the discovery dates/deadlines for the purpose of giving him time to find counsel. Appearances required.

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.

(1) Current issues

This Court has reviewed the parties' latest status report (adv. dkt. 31) and believes it is appropriate to modify the existing discovery dates and deadlines to allow a final continuance for Defendant/Debtor to retain new counsel and for the parties to explore settlement discussions. The parties are directed to address whether they have any objection(s) to the proposed dates and deadlines.

(2) Standard requirements

The following are Judge Bason's standard requirements for status conferences. (To the extent that the parties have already addressed these issues in their status report, they need not repeat their positions at the status conference.)

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT...

RD William Whittington

Chapter 7

(a) Venue/jurisdiction/authority

Matters of venue, jurisdiction, and authority have been determined and/or waived or forfeited (adv. dkt. 13).

(b) Mediation

The tentative ruling is not to order mediation on this Court's own motion.

(c) Deadlines

This adversary proceeding has been pending since 7/17/25.

The scheduled deadlines and/or hearing/trial date(s) have been memorialized in this Court's written order (adv. dkt. 29), but are modified/supplemented below as discussed above. Pursuant to LBR 9021-1(b)(1)(B), plaintiff is directed to lodge a proposed order via LOU within 7 days after the status conference, attaching a copy of this tentative ruling or otherwise memorializing the following.

Joinder of parties/amendment of pleadings-deadline: 7/14/26

Discovery cutoff (for completion of discovery): 7/28/26

Expert(s) - deadline for reports: 8/4/26 if any expert testimony will be presented.

Expert(s) - discovery cutoff (if different from above): 8/11/26 if any expert testimony will be presented.

Dispositive motions to be heard no later than: TBD

Joint Status Report: 5/19/26

Continued status conference: 6/2/26 at 11:00 a.m.

Lodge Joint Proposed Pretrial Order: TBD

Pretrial conference: TBD

Deliver trial exhibits to other parties and chambers, including direct testimony by declaration unless excused: TBD

Trial commencement: TBD

Tentative Ruling for 1/20/26:

Modify the discovery dates and deadlines previously set (adv. dkt. 17) and continue the status conference as set forth below, with a warning to Defendant/Debtor that if he fails to file status reports, respond to communications from Plaintiff, or otherwise appear in proper defense in this Adversary Proceeding then he is likely to face adverse consequences.

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... RD William Whittington
Appearances required.

Chapter 7

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.

(1) Current issues

This Court has reviewed Plaintiff's unilateral status report (adv. dkt. 28) and believes it is appropriate to modify the existing discovery dates and deadlines to allow time for Defendant/Debtor to retain new counsel. The parties are directed to address whether they have any objection(s) to the proposed dates and deadlines.

(2) Standard requirements

The following are Judge Bason's standard requirements for status conferences. (To the extent that the parties have already addressed these issues in their status report, they need not repeat their positions at the status conference.)

(a) Venue/jurisdiction/authority

Matters of venue, jurisdiction, and authority have been determined and/or waived or forfeited (adv. dkt. 13).

(b) Mediation

The tentative ruling is not to order mediation on this Court's own motion.

(c) Deadlines

This adversary proceeding has been pending since 7/17/25. The scheduled deadlines and/or hearing/trial date(s) have been memorialized in this Court's written order (adv. dkt. 17), but are modified/supplemented below as discussed above. Pursuant to LBR 9021-1(b)(1)(B), plaintiff is directed to lodge a proposed order via LOU within 7 days after the status conference, attaching a copy of this tentative ruling or otherwise memorializing the following.

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT...

RD William Whittington

Chapter 7

Joinder of parties/amendment of pleadings-deadline: 5/12/26

Discovery cutoff (for completion of discovery): 5/26/26

Expert(s) - deadline for reports: 6/2/26 if any expert testimony will be presented.

Expert(s) - discovery cutoff (if different from above): 6/9/26 if any expert testimony will be presented.

Dispositive motions to be heard no later than: TBD

Joint Status Report: 3/10/26

Continued status conference: 3/24/26 at 11:00 a.m.

Lodge Joint Proposed Pretrial Order: TBD

Pretrial conference: TBD

Deliver trial exhibits to other parties and chambers, including direct testimony by declaration unless excused: TBD

Trial commencement: TBD

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

RD William Whittington

Pro Se

Defendant(s):

RD William Whittington

Pro Se

Plaintiff(s):

Debra Kent

Represented By
J Scott Bovitz

Trustee(s):

John P Pringle (TR)

Represented By
Todd A. Frealy

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

2:25-13048 RD William Whittington

Chapter 7

Adv#: 2:25-01320 Ross v. Whittington

#20.00 Cont'd status conference re: Complaint to determine dischargeability of debt (11 U.S.C. 523(a) and to deny discharge (11 U.S.C. 727))
[First Amended complaint filed 10/2/2025]
fr. 9/23/25, 10/21/25, 12/16/25

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Appearances required.

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.

(1) Current issues

This Court has reviewed the parties' joint status report (adv. dkt. 29) and the other filed documents and records in this adversary proceeding.

(a) Initial disclosure requirements

The parties are directed to appear to address what remedies this Court should impose in view of Defendant/Debtor's failure to satisfy his initial disclosure requirements. See adv. dkt. 28.

In addition, Defendant/Debtor is directed to provide an update on the status of any efforts to retain new counsel to represent him in this proceeding because this Court's previously ordered discovery deadlines (adv. dkt. 24) are fast approaching.

(2) Standard requirements

The following are Judge Bason's standard requirements for status conferences. (To the extent that the parties have already addressed these issues in their status report, they need not repeat their positions at the status conference.)

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... **RD William Whittington**

Chapter 7

(a) Venue/jurisdiction/authority

Matters of venue, jurisdiction, and authority have been determined and/or waived or forfeited (adv. dkt. 16, p. 4, para. f.)

(b) Mediation

Neither party seeks mediation at this time (adv. dkt. 29, p. 3). The tentative ruling is not to order mediation on this Court's own motion.

(c) Deadlines

This adversary proceeding has been pending since 7/21/25.

The scheduled deadlines and/or hearing/trial date(s) have been memorialized in this Court's written order (adv. dkt. 24) except as modified/supplemented below.

Joint Status Report: 5/19/26

Continued status conference: 6/2/26 at 11:00 a.m.

Tentative Ruling for 12/16/25:

Appearances required by Plaintiff's counsel and Defendant/Debtor's present counsel, and by Defendant/Debtor if he wishes to contest any of the tentative rulings set forth below.

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.

(1) Current issues

This Court has reviewed the parties' joint status report (adv. dkt. 16) and the other filed documents and records in this adversary proceeding.

(a) Motion to withdraw as counsel to Defendant/Debtor (adv. dkt. 17), Order setting hearing (adv. dkt. 19)

Grant.

Proposed order(s): Unless otherwise ordered, Movant is directed to

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT...

RD William Whittington

Chapter 7

lodge proposed order(s) on the matter(s) addressed here via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)).

(2) Standard requirements

The following are Judge Bason's standard requirements for status conferences. (To the extent that the parties have already addressed these issues in their status report, they need not repeat their positions at the status conference.)

(a) Venue/jurisdiction/authority

Matters of venue, jurisdiction, and authority have been determined and/or waived or forfeited (adv. dkt. 16, p. 4, para. f.)

(b) Mediation

Neither party seeks mediation at this time (adv. dkt. 16, p. 3). The tentative ruling is not to order mediation on this Court's own motion.

(c) Deadlines

This adversary proceeding has been pending since 7/21/25.

Pursuant to LBR 9021-1(b)(1)(B), plaintiff is directed to lodge a proposed order via LOU within 7 days after the status conference, attaching a copy of this tentative ruling or otherwise memorializing the following.

Joinder of parties/amendment of pleadings-deadline: 5/5/26

Discovery cutoff (for completion of discovery): 5/19/26

Expert(s) - deadline for reports: 5/26/26

Expert(s) - discovery cutoff (if different from above): 6/2/26

Dispositive motions to be heard no later than: 7/14/26

Joint Status Report: 3/10/26

Continued status conference: 3/24/26 at 11:00 a.m.

Lodge Joint Proposed Pretrial Order: TBD

Pretrial conference: TBD

Deliver trial exhibits to other parties and chambers, including direct testimony by declaration unless excused: TBD

Trial commencement: TBD

Tentative Ruling for 10/21/25:

Continue as set forth below, in view of the fact that no Answer or other

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... RD William Whittington

Chapter 7

responsive pleading has yet been filed to the First Amended Complaint. Appearances are not required on 10/21/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

(1) Current issues

This Court has reviewed the parties' joint status report (adv. dkt. 12) and the other filed documents and records in this adversary proceeding and has no issues to raise *sua sponte* at this time.

(2) Standard requirements

The following are Judge Bason's standard requirements for status conferences. (To the extent that the parties have already addressed these issues in their status report, they need not repeat their positions at the status conference.)

(a) Venue/jurisdiction/authority

The tentative ruling is that there are no outstanding matters of (a) venue, (b) jurisdiction, or (c) this Bankruptcy Court's authority to enter final orders or judgment(s) in this nondischargeability/denial of discharge proceeding. See *generally Stern v. Marshall*, 131 S.Ct. 2594 (2011); *Wellness Int'l Network, Ltd. v. Sharif*, 135 S.Ct. 1932 (2015); *In re Deitz*, 760 F.3d 1038 (9th Cir. 2014) (authority to adjudicate nondischargeability encompasses authority to liquidate debt and enter final judgment). See *generally In re AWTR Liquidation, Inc.*, 548 B.R. 300 (Bankr. C.D. Cal. 2016).

(b) Mediation

Neither party seeks mediation at this time (adv. dkt. 12, p. 3). The tentative ruling is not to order mediation on this Court's own motion.

(c) Deadlines

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT...

RD William Whittington

Chapter 7

This adversary proceeding has been pending since 7/21/25.

The tentative ruling is to adopt the following deadlines and dates, and that no written order is required to memorialize the following.

Joinder of parties/amendment of pleadings-deadline: TBD

Discovery cutoff (for completion of discovery): TBD

Expert(s) - deadline for reports: TBD

Expert(s) - discovery cutoff (if different from above): TBD

Dispositive motions to be heard no later than: TBD

Joint Status Report: 12/2/25

Continued status conference: 12/16/25 at 11:00 a.m.

Lodge Joint Proposed Pretrial Order: TBD

Pretrial conference: TBD

Deliver trial exhibits to other parties and chambers, including direct testimony by declaration unless excused: TBD

Trial commencement: TBD

| |
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| Party Information |
|--------------------------|

Debtor(s):

RD William Whittington

Pro Se

Defendant(s):

RD William Whittington

Pro Se

Plaintiff(s):

Adin Ross

Represented By
Michael F Chekian

Trustee(s):

John P Pringle (TR)

Represented By
Todd A. Frealy

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

2:23-13187 Vista Studios, LLC

Chapter 7

Adv#: 2:25-01192 Gonzalez v. The Tennis Channel LLC

#21.00 Cont'd Status Conference re: Complaint (1) To Avoid Fraudulent Transfer Pursuant to 11 U.S.C. Sections 544 and 548; (2) To Avoid Preferential Transfers Pursuant to 11 U.S.C. Section 547; (3) To Recover Avoided Transfers Pursuant to 11 U.S.C. Section 550; and, (4) Automatic Preservation of Avoided Transfer Pursuant to 11 U.S.C. Section 551 fr. 8/5/25, 9/9/25, 01/20/26

Docket 1

***** VACATED *** REASON: Per order entered (dkt. 24)**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Vista Studios, LLC

Represented By
David B Golubchik

Defendant(s):

The Tennis Channel LLC

Represented By
David I Horowitz

Plaintiff(s):

Rosendo Gonzalez

Represented By
Rosendo Gonzalez

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
Rosendo Gonzalez

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

2:23-13187 Vista Studios, LLC

Chapter 7

Adv#: 2:25-01198 Gonzalez v. Tech. Finance Co., LLC

#22.00 Cont'd Status Conference re: Complaint: (1) To Avoid Fraudulent Transfer Pursuant to 11 U.S.C. Sections 544 and 548; (2) To Recover Avoided Transfers Pursuant to 11 U.S.C. Section 550; and (3) Automatic Preservation of Avoided Transfer Pursuant to 11 U.S.C. Section 551; and, (4) Unjust Enrichment / Restitution
fr. 8/5/25, 9/9/25, 9/23/25, 10/7/25, 11/18/25, 01/20/26

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Continue as set forth below, with a **deadline of 4/7/26** for Plaintiff/Trustee to file and serve a motion for leave to file a proposed first amended complaint ("FAC"), to be set for hearing concurrent with the continued status conference (see below). No discovery permitted unless and until such motion is granted and the FAC is on file. Appearances are not required on 3/24/26.

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.

(1) Current issues

This Court has reviewed the unilateral status reports filed by Plaintiff/Trustee (adv. dkt. 38) and Defendant (adv. dkt. 39), as well as the other filed documents and records in this adversary proceeding. This Court's tentative rulings as to discovery and filing a FAC are set forth at the start of this tentative ruling.

(2) Standard requirements

The following are Judge Bason's standard requirements for status conferences. (To the extent that the parties have already addressed these issues in their status report, they need not repeat their positions at the status

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

Tuesday, March 24, 2026

Hearing Room 1545

11:00 AM

CONT... Vista Studios, LLC
conference.)

Chapter 7

(a) Venue/jurisdiction/authority

Matters of venue, jurisdiction, and authority have been determined and/or waived or forfeited (adv. dkt. 34).

(b) Mediation

The tentative ruling is not to order further mediation at this time.

(c) Deadlines

This adversary proceeding has been pending since 5/20/25. The tentative ruling is that given the current posture of this action, it would not be appropriate to set litigation deadlines, other than a continued status conference (see below).

Joint Status Report: n/a.

Continued status conference: 4/21/26 at 11:00 a.m.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Vista Studios, LLC

Represented By
David B Golubchik

Defendant(s):

Tech. Finance Co., LLC

Represented By
Alex Darcy

Plaintiff(s):

Rosendo Gonzalez

Represented By
Rosendo Gonzalez

Trustee(s):

Rosendo Gonzalez (TR)

Represented By
Rosendo Gonzalez

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

2:25-14827 Dog Robber Inc.

Chapter 11

#1.00 First and Final application of Mark M Sharf, Subchapter V Trustee, for approval of compensation and reimbursement of expenses for the period from 6/17/2025 to 2/12/2026

Docket 212

Tentative Ruling:

Please see the tentative ruling for the status conference (Calendar No. 1.10, 3/24/26 at 1:00 p.m.).

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| Party Information |
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Debtor(s):

Dog Robber Inc.

Represented By
Richard L. Sturdevant
Andy C Warshaw
David M Goodrich

Movant(s):

Mark M. Sharf

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

2:25-14827 Dog Robber Inc.

Chapter 11

#1.10 Cont'd Status Conference re: Chapter 11 Case
fr. 6/12/25, 6/17/25, 7/8/25, 8/19/25, 9/9/25, 10/7/25
11/4/25, 12/2/25, 12/16/25, 1/6/26, 2/10/26, 3/10/26

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Approve the final fee application of the Subchapter V Trustee for Benny and Mary's, and maintain the previously ordered date for the post-confirmation status conference in the lead case, all as set forth below. Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

(1) Current issues

(a) Final fee application of Subchapter V Trustee for Benny & Mary's (dkt. 212), Notice and proof of service (dkt. 214-15), No opposition on file

Allow \$12,738.00 in fees and \$0.00 in expenses (no expenses were requested), on a final basis, for a total award of \$12,738.00, and authorize and direct payment of the full amounts allowed.

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

(2) Dates/procedures. The Dog Robber case was filed on 6/6/25; Benny & Marys on 6/6/25; Mimosas on 6/12/25.

(a) Bar date: Dog Robber 9/15/25 (per Order dkt. 55; timely served

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT...

Dog Robber Inc.

Chapter 11

- dkt. 59); Benny & Marys 8/15/25 (per General Order 20-01); Mimosas 8/21/25 (*id.*).
- (b) Procedures Order: Dog Robber dkt. 4 (timely served, dkt. 6); Benny & Marys dkt. 3 (timely served, dkt. 5); Mimosas dkt. 6 (timely served, dkt. 8)
- (c) Plan/Disclosure Statement: Joint Plans (dkt. 153) confirmed on 3/4/26 (dkt. 221).
- (d) Continued post-confirmation status conference: 7/14/26 at 1:00 p.m. (as previously ordered). Post-confirmation status reports for each of the three related Debtors, containing the information set forth in LBR 3020-1(b), due by 6/30/36.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Dog Robber Inc.

Represented By
Richard L. Sturdevant
Andy C Warshaw
David M Goodrich

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

2:25-13881 Dedication & Everlasting Love To Animals

Chapter 11

#2.00 Hrg re: Motion for entry of an order: (I) Authorizing Further
Use Of Cash Collateral; And (II) Granting Adequate Protection

Docket 221

Tentative Ruling:

Please see the tentative ruling for the status conference (Calendar No. 2.10,
3/24/26 at 1:00 p.m.).

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| Party Information |
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Debtor(s):

Dedication & Everlasting Love To

Represented By
William R Hess
Krikor J Meshefejian

Movant(s):

Todd A. Frealy (TR)

Represented By
Krikor J Meshefejian

Trustee(s):

Todd A. Frealy (TR)

Represented By
Krikor J Meshefejian

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

2:25-13881 Dedication & Everlasting Love To Animals

Chapter 11

#2.10 Cont'd Status Conference re: Chapter 11 Case
fr. 5/16/25, 5/20/25, 5/28/25, 6/17/25, 7/8/25, 07/15/25,
8/19/25, 10/7/25, 10/21/25, 11/18/25, 12/2/25, 1/6/26,
2/10/26

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Grant the motion for continued use of cash collateral and adjust the previously ordered date for the continued status conference to provide the parties time to attend mediation, all as set forth below. Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

(1) Current issues

(a) Motion for Continued Use of Cash Collateral (dkt. 221), Statement Re: Cash Collateral Provisions (dkt. 223), Notice (dkt. 222), No opposition on file

The tentative ruling is (A) to approve the proposed budget and grant Trustee's motion for continued use of cash collateral, on the same terms and conditions as set forth in the cash collateral orders issued on 9/2/25 (dkt. 143), 10/8/25 (dkt. 153), and 12/4/25 (dkt. 196) and (B) to deem this hearing to be a "final" hearing – as opposed to a "preliminary" hearing – for purposes of Rule 4001(b)(2) (Fed. R. Bankr. P.) because parties in interest were provided more than 14 days' notice of the hearing (*i.e.*, it is not necessary for this Court to conduct an additional hearing to determine whether to approve on a final basis Trustee's request for further interim use of cash collateral).

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... **Dedication & Everlasting Love To Animals**

Chapter 11

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

(2) Dates/procedures. This Chapter 11 case was filed on 5/9/25. On 5/16/25, this Court both (x) directed the United States Trustee to appoint a Chapter 11 Trustee (dkt. 20) and (y) approved the appointment of Todd Frealy as Trustee (dkt. 24).

- (a) Bar date: 9/19/25 (Bar Date Order (dkt. 113) timely served, dkt. 114)
- (b) Procedures Order: dkt. 6 (not timely served, but eventually served, per dkt. 36, 37, thereby providing notice to all parties in interest of the matters therein)
- (c) Plan/Disclosure Statement: filing deadline TBD (DO NOT SERVE - except on the U.S. Trustee).
- (d) Continued status conference: 5/12/26 at 1:00 p.m. (the previously ordered 4/7/26 continued status conference is taken off calendar in light of the mediation conference scheduled for 4/13/26 (dkt. 227)). *Brief* written status report due by 4/28/26.

Tentative Ruling for 2/10/26:

Direct Chapter 11 Trustee ("Trustee") and the City of El Monte to appear to provide an update regarding Trustee's Motion to Abandon and continue the status conference, all as set forth below. Appearances required. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

(1) Current issues

(a) Trustee's Motion to abandon real property (dkt. 147, the "Motion to Abandon"), Notice of Motion to Abandon (dkt. 148), Opposition filed by City of

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... **Dedication & Everlasting Love To Animals**

Chapter 11

El Monte (dkt. 152), Reply (dkt. 157)

Without discussing any confidential settlement communications, the parties are directed to appear to provide an update regarding whether this matter has settled (subject to any required approval of this Court) or whether this Court should establish a briefing schedule or otherwise address this matter.

(2) Dates/procedures. This Chapter 11 case was filed on 5/9/25. On 5/16/25, this Court both (x) directed the United States Trustee to appoint a Chapter 11 Trustee (dkt. 20) and (y) approved the appointment of Todd Frealy as Trustee (dkt. 24).

- (a) Bar date: 9/19/25 (Bar Date Order (dkt. 113) timely served, dkt. 114)
- (b) Procedures Order: dkt. 6 (not timely served, but eventually served, per dkt. 36, 37, thereby providing notice to all parties in interest of the matters therein)
- (c) Plan/Disclosure Statement: filing deadline TBD (DO NOT SERVE - except on the U.S. Trustee).
- (d) Continued status conference: 4/7/26 at 1:00 p.m. No written status report required.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Dedication & Everlasting Love To

Represented By
William R Hess
Krikor J Meshefejian

Trustee(s):

Todd A. Frealy (TR)

Represented By
Krikor J Meshefejian

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

2:25-13052 Raymond Martin Camarillo

Chapter 11

#3.00 Status conference re: Post Confirmation
fr. 5/20/25, 6/3/25, 6/24/25, 8/19/25, 10/7/25,
10/21/25, 11/4/25, 12/16/25

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Continue as set forth below in view of this Court's review of Debtor's post-confirmation status report (dkt. 129). Appearances are not required on 3/24/26.

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.

(1) Current issues

This Court has no issues to raise sua sponte at this time.

(2) Dates/Deadlines. This case was filed on 4/14/25. On 12/17/25 this Court entered an order confirming Debtor's chapter 11 plan (dkt. 122). The tentative ruling is to continue the status conference to 8/4/26 at 1:00 p.m. Post-confirmation status report due 7/21/26.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Raymond Martin Camarillo

Represented By
Onyinye N Anyama

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... Raymond Martin Camarillo

Chapter 11

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

2:25-10237 KB3 2275 Century LLC

Chapter 11

#4.00 Combined hrg re: Final Approval of Disclosures and Plan Confirmation

Docket 1

Tentative Ruling:

Please see the tentative ruling for the status conference (Calendar No. 5, 3/24/26 at 1:00 p.m.).

Party Information

Debtor(s):

KB3 2275 Century LLC

Represented By
Onyinye N Anyama
Sedoo Manu

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

2:25-10237 KB3 2275 Century LLC

Chapter 11

#5.00 Cont'd Status Conference re: Chapter 11 Case
fr. 2/11/25, 2/25/25, 4/8/25, 5/20/25, 6/3/25,
7/8/25, 8/5/25, 9/23/25, 12/2/25, 01/20/26, 2/10/26

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Appearances required.

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.

(1) Current issues

(a) First Amended Plan (dkt. 126) and First Amended Disclosure Statement (dkt. 127); Order Setting Combined Hearing on (a) Final approval of Disclosures and (b) Plan Confirmation (dkt. 130, the "Hearing Order"); Hernandez Decl. Re: Service of Hearing Order (dkt. 136); Hernandez Decl. Re: Service of Ballots (dkt. 137); Objection to Confirmation filed by Preferred Bank (dkt. 138); very belated ballot summary (dkt. 140)

The deadline for Debtor to file a ballot summary and a response to the objection to confirmation filed by Preferred Bank ("Bank") was 3/17/26. Hearing Order (dkt. 130) p. 2:13–15. Debtor's ballot summary was not filed until 4:42 p.m. on 3/23/26 - the day before this hearing. The tentative ruling is to deny confirmation on that basis alone, and fine Debtor's counsel \$100.00 with a caution that continued failure to abide by deadlines ordered by this Court will result in larger fines and other adverse consequences.

In addition, as of the preparation of this tentative ruling, no response to Bank's confirmation objection is on file, which this Court interprets as Debtor's intent not to proceed with confirmation. Debtor should be prepared to

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... KB3 2275 Century LLC

Chapter 11

address whether this case should be dismissed, converted to chapter 7, or proceed in some other fashion.

(2) Dates/procedures. This case was filed on 1/13/25.

(a) Bar date: 4/10/25 (Bar Date Order (dkt. 22) timely served, dkt. 24)

(b) Procedures Order: dkt. 4 (timely served, dkt. 7)

(c) Plan/Disclosure Statement: See part "(1)(a)," above.

(d) Continued status conference: 4/7/26 at 1:00 p.m. No written status report required.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

KB3 2275 Century LLC

Represented By
Onyinye N Anyama
Sedoo Manu

**United States Bankruptcy Court
Central District of California
Los Angeles
Neil Bason, Presiding
Courtroom 1575 Calendar**

Tuesday, March 24, 2026

Hearing Room 1575

1:00 PM

2:26-10067 Alpine Corporation

Chapter 11

#6.00 Hrg re: Motion to Reject Real Property Executory Contract Under
11 U.S.C. 365 - City of Industry Lease

Docket 197

***** VACATED *** REASON: Resolved per stip (dkt. 214) and order
thereon (dkt. 218)**

Tentative Ruling:

- NONE LISTED -

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| Party Information |
|--------------------------|

Debtor(s):

Alpine Corporation

Represented By
Michael S Kogan

Movant(s):

Alpine Corporation

Represented By
Michael S Kogan

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

2:26-10067 Alpine Corporation

Chapter 11

#7.00 Hrg re: Motion for Relief from Automatic Stay [PP]

FIRST CITIZENS BANK & TRUST COMPANY
vs
DEBTOR

Docket 179

Tentative Ruling:

Grant as set forth below.

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge proposed order(s) on the matter(s) addressed here 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, 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)

Termination

Terminate the automatic stay under 11 U.S.C. 362(d)(1) and (d)(2).

To the extent, if any, that the motion seeks to terminate the automatic stay in *other* past or pending bankruptcy cases, such relief is denied on the present record. See *In re Ervin* (Case No. 14-bk-18204-NB, docket no. 311).

Effective date of relief

Grant the request to waive the 14-day stay provided by Rule 4001(a)

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... Alpine Corporation
(4) (Fed. R. Bankr. P.).

Chapter 11

Co-debtor stay

Any co-debtor stay (11 U.S.C. 1301(c)) has not been shown to have any basis for any different treatment from the stay under 11 U.S.C. 362(a), so the tentative ruling is to grant the identical relief regarding any co-debtor stay.

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| Party Information |
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Debtor(s):

Alpine Corporation

Represented By
Michael S Kogan

Movant(s):

First Citizens Bank & Trust

Represented By
Garry A Masterson

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

2:26-10067 Alpine Corporation

Chapter 11

#8.00 Hrg re: Amended Motion to Reject Real Property Executory
Contract Under 11 U.S.C. 365 - Iowa Lease

Docket 182

*** VACATED *** REASON: Resolved per stip (dkt. 212) and order
thereon (dkt. 217)

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Alpine Corporation

Represented By
Michael S Kogan

Movant(s):

Alpine Corporation

Represented By
Michael S Kogan

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

2:26-10067 Alpine Corporation

Chapter 11

Adv#: 2:26-01040 Alpine Corporation v. Samson MCA LLC

#9.00 Hrg re: Motion for Preliminary Injunction Against Samson MCA LLC

Docket 4

Tentative Ruling:

Grant in part and deny in part Debtor's motion for a preliminary injunction under 11 U.S.C. 105, and continue the hearing, all as set forth below. Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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 matter(s) addressed here 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)

(1) Background

Debtor seeks an injunction under 11 U.S.C. 105 against Samson MCA LLC ("Samson") and in favor of Debtor's principal, Robby Soofer. The objective of the injunction is to prevent Samson from continuing to prosecute against Mr. Soofer an action filed in New York State on 12/19/25 (the "New York Action"). In the New York Action, Samson seeks to recover against Mr. Soofer based upon Mr. Soofer's guarantee of a loan extended to Debtor by Samson. Soofer Decl. (adv. dkt. 4) ¶ 2 (p. 26:9–18). Samson has not filed

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... Alpine Corporation

Chapter 11

an opposition to Debtor's Section 105 Motion (adv dkt. 4).

(2) Legal standard

"Section 105(a) gives the bankruptcy courts the power to stay actions that are not subject to the 11 U.S.C. § 362(a) automatic stay but 'threaten the integrity of a bankrupt's estate.'" *In re Excel Innovations, Inc.*, 502 F.3d 1086, 1095 (9th Cir. 2007) (internal citation omitted). The standard governing issuance of a preliminary injunction also applies to issuance of a section 105 injunction, except that in lieu of showing a likelihood of success on the merits, the debtor "must show a reasonable likelihood of a successful reorganization." *Excel*, 502 F.3d 1086, 1095. A section 105 injunction should "not be granted lightly," and the time in which such an injunction remains in effect may not extend beyond the confirmation of a Chapter 11 plan. *Excel*, 502 F.3d 1086, 1095. "A plaintiff seeking a preliminary injunction must establish that he is likely to succeed on the merits, that he is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, and that an injunction is in the public interest." *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008). Even subsequent to *Winter*, a preliminary injunction may issue "where the likelihood of success is such that 'serious questions going to the merits [are] raised and the balance of hardships tips sharply in [plaintiff's] favor,'" *All. for the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1131 (9th Cir. 2011), provided that the plaintiff "also shows that there is a likelihood of irreparable injury and that the injunction is in the public interest," *id.* at 1135.

(3) Discussion

The tentative ruling is that, given that a section 105 injunction should "not be granted lightly," *Excel*, 502 F.3d 1086, 1095, on this record Debtor is entitled to a section 105 injunction lasting for only a limited period of approximately sixty days, and that if Debtor wishes to extend the injunction beyond that period, it will be required to supply additional evidence in support of such an extension. In making this determination, this Court places substantial weight upon the first factor – whether Debtor has shown a reasonable likelihood of a successful reorganization. This Court notes that in connection with Debtor's requests for authorization to use cash collateral, secured creditor Israel Discount Bank ("Bank") has questioned whether Debtor's business operations generate sufficient cash flow to fund a plausible

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... Alpine Corporation

Chapter 11

plan. See, e.g., bankr. dkt. 200, 207, & 222 (Bank's status reports expressing its view that its collateral position is being diminished as a result of Debtor's continuing operations).

In *In re Purdue Pharms. L.P.*, 619 B.R. 38, 58–59 (S.D.N.Y. 2020), the District Court affirmed the Bankruptcy Court's issuance of a preliminary injunction that lasted for a limited period of time. After a hearing held on October 11, 2019, the Bankruptcy Court initially issued an injunction running until April 8, 2020. *Purdue*, 619 B.R. 38, 46. Then, in an order issued on March 30, 2020, the Bankruptcy Court extended the injunction to October 5, 2020. *Purdue*, 619 B.R. 38, 47. When first ordering the preliminary injunction, the Bankruptcy Court explained that the injunction's limited duration would allow it to monitor whether Debtor and its creditors were making progress toward "negotiating an overall settlement" likely to lead to a confirmable plan. *Purdue*, 619 B.R. 38, 59. The Bankruptcy Court extended the injunction only after making sure "that the parties were not at an impasse regarding" the negotiations necessary to facilitate plan confirmation. *Purdue*, 619 B.R. 38, 59.

The tentative ruling is that, similar to the situation in *Purdue*, it is appropriate for this Court to limit the length of the injunction so that it can ensure that Debtor continues to make sufficient progress towards vindicating the injunction's purpose (successfully reorganizing). The tentative ruling is to limit the length of the injunction to approximately sixty days, so that this Court can shortly revisit the question of whether a successful reorganization is likely in view of Debtor's operations and other factors bearing upon the plausibility of reorganization. Specifically, the tentative ruling is (A) that the injunction will last until **June 2, 2026**; (B) that a continued hearing on whether to extend the injunction will take place on that same date at 1:00 p.m.; and (C) that to the extent Debtor wishes to extend the injunction beyond that date, no later than **May 12, 2026** it must file and serve a supplement and notice of the continued hearing, with deadlines of **May 19, 2026** for parties in interest to oppose any extension and **May 26, 2026** for Debtor's reply.

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| Party Information |
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Debtor(s):

Alpine Corporation

Represented By
Michael S Kogan

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... Alpine Corporation

Chapter 11

Defendant(s):

Samson MCA LLC

Pro Se

Movant(s):

Alpine Corporation

Represented By
Michael S Kogan

Plaintiff(s):

Alpine Corporation

Represented By
Michael S Kogan

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

2:26-10067 Alpine Corporation

Chapter 11

#10.00 Cont'd hrg re: Emergency Motion for Authority to Use (A) Cash Collateral on an Interim Basis Pending Final Hearing; and (B) Grant Replacement Liens fr. 1/9/26, 01/20/26, 01/26/26, 2/3/26, 2/10/26, 2/24/26, 3/10/26

Docket 15

Tentative Ruling:

Please see the tentative ruling for the status conference (Calendar No. 11, 3/24/26 at 1:00 p.m.).

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| Party Information |
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Debtor(s):

Alpine Corporation

Represented By
Michael S Kogan

Movant(s):

Alpine Corporation

Represented By
Michael S Kogan

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

2:26-10067 Alpine Corporation

Chapter 11

#11.00 Cont'd Status Conference re: Chapter 11 Case
fr. 1/9/26, 01/20/26, 01/26/26, 2/3/26, 2/10/26,
2/24/26, 3/10/26

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

(a) Grant the motion for relief from the automatic stay filed by First Citizens Bank; (b) grant a preliminary injunction protecting Mr. Soofer on only a temporary basis, and continue the hearing; (c) authorize on an interim basis the continued use of cash collateral, with a continued hearing; and (d) set a continued status conference, as set forth below. Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

(1) Current issues

(a) R/S Motion filed by First Citizens Bank & Trust Co. (dkt. 179), No opposition on file

Grant as provided in the tentative ruling for Calendar No. 7 (3/24/26 at 1:00 p.m.).

(b) Motion for preliminary injunction against Samson MCA, LLC (protecting Mr. Soofer) (Adv. No. 26-01040); no opposition on file

Grant on a temporary basis, as set forth in the tentative ruling for Calendar No. 9 (3/24/26 at 1:00 p.m.).

(c) Cash collateral motion (dkt. 15); Rule 4001 Statements (dkt. 16 &

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT...

Alpine Corporation

Chapter 11

77); Declaration (dkt. 17); Statement of Creditor Israel Discount Bank of New York ("Bank") (dkt. 31); Notice of continued hearing (dkt. 41); Memorialization of (mostly adopted) tentative rulings (dkt. 51); interim cash collateral orders (dkt. 64, 122, 149, 206); Bank's supplements (dkt. 66, 100, 123, 132, 135, 175, 200, 207); Debtor's supplements (dkt. 121, 128, 131, 176, 203)

Pursuant to the request of Debtor and Bank, the tentative ruling is (A) to authorize the continued use of cash collateral, on the same terms and conditions as set forth in the prior cash collateral orders; (B) to set a continued cash collateral hearing on **4/7/26 at 1:00 p.m.**; and (C) to **set a deadline of 3/31/26** for both Debtor and Bank to file optional status reports setting forth their positions with respect to the continued use of cash collateral.

Debtor has not yet lodged a proposed order in connection with the cash collateral hearing that took place on 3/10/26. The tentative ruling is to **set a deadline of 3/27/26** for Debtor to lodge a proposed order, with a caution to Debtor that failure in future to promptly lodge orders (especially orders pertaining to the use of cash collateral) may result in adverse consequences.

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

(2) Dates/procedures. This case was filed on 1/5/26.

- (a) Bar date: TBD (DO NOT SERVE notice yet - *court will prepare an order after the Principal Status conference*).
- (b) Procedures Order: dkt. 7 (served slightly late, but sufficient to give adequate notice, dkt. 42).
- (c) Plan/Disclosure Statement: TBD (DO NOT SERVE - except on the U.S. Trustee). See Procedures Order.
- (d) Continued status conference: Concurrent with the continued cash collateral hearing (see part "(1)" of this tentative ruling, above). No written status report required.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... Alpine Corporation

Chapter 11

Debtor(s):

Alpine Corporation

Represented By
Michael S Kogan

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

2:26-10806 Kent Moyer and Kaoru Moyer

Chapter 11

#12.00 Cont'd Status Conference re: Chapter 11 Case
fr. 2/12/26, 2/24/26

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Continue as set forth below. Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

(1) Current issues

(a) Unauthorized payment of pre-petition debt(s)

Debtors' January MOR (dkt. 38, p. 13) states that they paid J.P. Morgan Chase Bank \$2,296.80 on 1/29/26 (post-petition) on account of prepetition debt(s). Debtor's counsel is directed to meet and confer with the United States Trustee's Office to determine what action, if any, may be appropriate regarding that payment, while taking into account the cost-benefit-analysis of any attorneys fees that might be incurred to recover those funds.

(b) Moyer et al. v. Davidson (Adv. No. 2:26-ap-01028-NB)

This matter is not on for hearing today, but the summons issued by the Clerk of the Court (adv. dkt. 3) in this proceeding inadvertently scheduled the initial status conference for 4/21/26 at 11:00 a.m. The tentative ruling is that the status conference should be scheduled at 1:00 p.m. so that it can be heard concurrently with a status conference in this bankruptcy case in chief. The tentative ruling is to set a **deadline of 3/31/26** for Debtors to (x) give

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... **Kent Moyer and Kaoru Moyer** **Chapter 11**

notice to the Defendant in that proceeding that the initial status conference is rescheduled to 4/21/26 at 1:00 p.m. and (y) file a proof of service.

(2) Dates/procedures. This case was filed on 1/29/26.

(a) Bar date: 5/26/26 (DO NOT SERVE notice yet - court will prepare an order after the principal status conference).

(b) Procedures Order: dkt. 8 (no proof of service on file)

(c) Plan/Disclosure Statement: file by 6/9/26 (DO NOT SERVE - except on the U.S. Trustee). See Procedures Order.

(d) Continued status conference: 4/21/26 at 1:00 p.m., *brief* status report due 4/7/26.

[PRIOR TENTATIVE RULING(S) OMITTED]

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| Party Information |
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Debtor(s):

Kent Moyer

Represented By
Uzzi O Raanan

Joint Debtor(s):

Kaoru Moyer

Represented By
Uzzi O Raanan

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

2:25-21059 Eden on Brand, Inc.

Chapter 11

#13.00 Cont'd Status Conference re: Chapter 11 Case
fr. 12/16/25, 01/06/26, 2/10/26, 3/10/26

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Set a plan confirmation hearing and related deadlines and a continued status conference, all as set forth below. Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

(1) Current issues

(a) Deadlines pertaining to plan confirmation

This Court has reviewed the Subchapter V Plan of Reorganization (dkt. 53, the "Plan") filed by Debtor on 3/9/26.

The tentative ruling is to anticipate a **Confirmation Hearing on 5/12/26 at 1:00 p.m.**, with the following associated schedule:

3/26/26 deadline for Debtor to lodge a proposed order setting the Confirmation Hearing and associated deadlines (the "Hearing Order"), substantially in the form posted on Judge Bason's portion of the Court's website (www.cacb.uscourts.gov);

3/30/26 anticipated deadline (in the Hearing Order) for Debtor to serve the voting package;

4/28/26 anticipated deadline (in the Hearing Order) for any Objections to the Plan to be filed and served and for ballots to be returned;

5/5/26 anticipated deadline (in the Hearing Order) for any Replies

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT...

Eden on Brand, Inc.
and a ballot summary.

Chapter 11

Proposed order: 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)).

- (2) Dates/procedures. This Subchapter V case was filed on 12/9/25.
- (a) Bar date: 2/17/26 per General Order 20-01 (70 days after petition date in Subchapter V cases) (DO NOT SERVE any notice: one has already been sent, see dkt. 21).
 - (b) Procedures Order: dkt. 3 (timely served, dkt. 12)
 - (c) Plan/Disclosure Statement: file by 90 days after the petition date (per 11 U.S.C. 1189(b)) (DO NOT SERVE - except on the U.S. Trustee). See Procedures Order.
 - (d) Continued status conference: Concurrent with the confirmation hearing (see part "(1)(a)" of this tentative ruling, above). No written status report required.

[PRIOR TENTATIVE RULING(S) OMITTED]

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| Party Information |
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Debtor(s):

Eden on Brand, Inc.

Represented By
Michael Jay Berger

Trustee(s):

Gregory Kent Jones (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

2:25-20816 Truett memorial southern baptist church

Chapter 11

#14.00 Cont'd Status Conference re: Chapter 11 Case
fr. 1/6/26, 2/10/26, 2/24/26

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Appearances required.

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.

(1) Current issues

(a) Monthly Operating Reports ("MORs")

Debtor's January MOR (dkt. 50) states that its total disbursements for the month were \$41,869.00. *Id.*, p. 2, part 1, line c. That is problematic for two reasons.

First, Debtor has not attached copies of complete bank statements and checks so there is no way for creditors, the United States Trustee ("UST"), or this Court to know how that money was spent. Second, this Court only authorized monthly expenses of \$19,960.45 (see Budget Motion (dkt. 43), p. 6 & Order (dkt.51)) so, without that supporting documentation, this Court and creditors have no way of knowing whether Debtor is engaging in the unauthorized use of funds in violation of its fiduciary duties as a debtor-in-possession.

This Court's adopted tentative ruling for 2/24/26 (reproduced in this Court's Order at dkt. 52) cautioned Debtor that (x) failure to provide timely and accurate financial reporting sets a very bad record, which may be grounds in future for not only dismissing this case but also imposing a bar, or other remedies, and (y) that Debtor was on very thin ice, and it may be Debtor's **last chance** to start filing timely and accurate papers. Debtor apparently did not get the message.

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... Truett memorial southern baptist church

Chapter 11

(b) Failure to comply with this Court's Order (dkt. 52) regarding notice to worshipers

This Court's Order (dkt. 52) directed Debtor "to give a copy of this order, which will serve as written notice of this bankruptcy case and of some of the problems at the start of this case, to the worshipers of the church no later than March 20, 2026." *Id.* p. 2:3-6 (emphasis added). The Order also specified that one purpose of requiring such distribution of the Order to all worshipers was to "assure that worshipers know that they can attend hearings via video, telephone, or in person and they can also review any filed documents in this case" *Id.* p. 2:9-13 (emphasis added).

Despite this Order, Lance Riley ("Pastor Riley"),* declares that instead of sending a copy of the written order to all worshipers he only offered a copy to those worshipers who attended one sermon and only one worshiper asked for a copy:

After my sermon on March 8, 2026, I asked all of the worshippers in attendance if they wanted a copy of the Court's order giving written notice of this bankruptcy case. Only one worshiper wanted a copy, so I handed them a copy of the Court's order. [Decl. (dkt. 59) p. 1:23-26]

*Note: This Court has used the term "Pastor" based on this Court's intent to use an appropriate honorific. If that title is incorrect, no disrespect is intended, and this Court requests that Debtor notify this Court at this Status Conference.

The tentative ruling is that this declaration is wholly inadequate. To illustrate why, suppose that a hypothetical principal of a corporate debtor in bankruptcy told all stockholders that profits were up and the bankruptcy case was going very well, when in reality that principal was submitting erroneous financial reports and the bankruptcy case had many other problems. Suppose further that the stockholders of this hypothetical corporation assumed that if there were any financial irregularities or other problems then the court would require that they be notified. In this hypothetical situation, the principal could hide his own wrongdoing by failing to provide all stockholders with a copy of the written order that specified various problems and that notified stockholders how they could find out more.

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT...

Truett memorial southern baptist church

Chapter 11

To be clear, this Court is not accusing Pastor Riley or anyone else associated with Debtor with any intentional financial or other wrongdoing. The point is only that **this bankruptcy case has gotten off to a very rocky start, and its financial reporting continues to be defective, and all worshipers need to be notified of those things by receiving a copy of a written order saying so.**

As this Court has warned Debtor in the past, the harder Debtor resists this Court's directives, the more this Court is inclined to impose additional remedies, which may include taking additional steps to enforce those directives and make them more explicit. The tentative ruling is to issue another order (the "Second Disclosure Order"), expressly directing Pastor Riley (i) to mail via U.S. mail, no later than 7 calendar days after issuance of the Second Disclosure Order, a copy of that order to all worshipers whose address is known, (ii) to announce at the start of the next three consecutive Sunday sermons that this Bankruptcy Court has directed him to deliver to every worshiper a copy of the Second Disclosure Order, (iii) to personally hand to each worshiper in attendance a copy of the Second Disclosure Order (regardless of whether they have already received a copy via U.S. mail or state that they do not want a copy), and (iv) to file and serve on the UST declarations after each of the next three Sunday sermons verifying those things, including a proof of service listing every worshiper's name and address.

Alternatively and in addition, this Court is considering dismissal of this bankruptcy case and/or other remedies (see below).

(c) Possible additional remedies for Debtor's inadequate financial reporting and non-compliance with this Court's Order regarding notice to worshipers

Although this Court is concerned that the foregoing might be cause to dismiss or convert this case, the tentative ruling is that this Court will not do so *at this hearing and on its own motion*. But counsel for Debtor, the U.S. Trustee, and any other party in interest who wishes to be heard are directed to appear to address what remedies this Court should impose for Debtor's repeated failures to file complete and accurate papers and comply with this Court's directives. Possible remedies may include one or more of the following:

(w) additional monetary sanctions against Debtor's counsel, Ms.

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT...

Truett memorial southern baptist church

Chapter 11

Fraze, or whomever is responsible for preparing the MORs and not putting in the necessary time and attention to file complete and accurate MORs;

- (x) require such person(s) to come into Court in person to testify under oath about every item in the January MOR and other MORs, because this Court has real concerns about whether Debtor's repeated lack of transparency is an attempt to conceal the misuse of funds;
- (y) direct Debtor and its counsel to meet and confer with the U.S. Trustee to file an amended January MOR by a set deadline (and possibly also for all future MORs); and/or
- (z) issue an order for Debtor to show cause (an "OSC") why this case should not be dismissed or converted, or why this Court should not impose some other remedy.

(2) Dates/procedures. This case was filed on 12/3/25.

- (a) Bar date: 3/17/26 (dkt. 24) (timely served, dkt. 25).
- (b) Procedures Order: dkt. 12 (timely served, dkt. 14)
- (c) Plan/Disclosure Statement: file by 4/2/26 (DO NOT SERVE - except on the U.S. Trustee). See Procedures Order.
- (d) Continued status conference: 4/21/26 at 1:00 p.m. No written status report required.

[PRIOR TENTATIVE RULING(S) OMITTED - see Orders (dkt. 35, 52) for key issues]

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| Party Information |
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Debtor(s):

Truett memorial southern baptist

Represented By
Roseann Fraze

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

2:25-19576 Supra National Express, Inc.

Chapter 11

#15.00 Cont'd Status Conference re: Chapter 11 Case
fr. 11/4/25, 12/2/25, 12/16/25, 01/06/26, 01/15/26,2/12/26

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Extend the deadline for Debtor to file a disclosure statement and plan and continue the status conference as set forth below. Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

(1) Current issues

(a) Deadline for Debtor to file disclosure statement and plan

This Court previously set 3/17/26 as the deadline for Debtor to file a disclosure statement and plan. But, on 3/18/26, this Court issued an order (dkt. 115) granting Debtor's motion to extend the exclusivity periods (11 U.S.C. 1121(b)&(c)) for sixty days, so the tentative ruling is that it is appropriate to also extend the deadline for Debtor to file (but NOT SERVE - except on the U.S. Trustee) a disclosure statement and plan for an additional sixty days, to 5/17/26.

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge proposed order(s) on the matter(s) addressed here 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.

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... Supra National Express, Inc.

Chapter 11

- (2) Dates/procedures. This case was filed on 11/28/25.
- (a) Bar date: 2/24/26 (dkt. 61) (timely served, dkt. 67)
 - (b) Procedures Order: dkt. 3 (timely served, dkt.22)
 - (c) Plan/Disclosure Statement: see Part "(1)(a)," above (DO NOT SERVE - except on the U.S. Trustee). See Procedures Order.
 - (d) Continued status conference: 5/12/26 at 1:00 p.m., concurrent with other matters. No written status report required.

[PRIOR TENTATIVE RULING(S) OMITTED]

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| Party Information |
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Debtor(s):

Supra National Express, Inc.

Represented By

Ron Bender

Todd M Arnold

Robert Carrasco

Levene Neale Bender Yoo & Golubchik LLP

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

2:25-19049 Hardwood Restaurant Holdings, LLC

Chapter 11

#16.00 Cont'd Status Conference re: Chapter 11 Case
fr. 10/21/25, 11/4/25, 12/16/25, 2/10/26

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Continue the status conference to take place concurrently with the confirmation hearing, as set forth below. Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

(1) Current issues

This Court has reviewed the documents and records on file in Debtor's bankruptcy case-in-chief and has no issues to raise *sua sponte*.

(2) Dates/procedures. This case was filed on 10/10/25.

(a) Bar date: 12/19/25 per General Order 20-01 (70 days after petition date in Subchapter V cases) (DO NOT SERVE any notice: one has already been sent, dkt. 16).

(b) Procedures Order: dkt. 2 (timely served, dkt. 6).

(c) Plan/Disclosure Statement: See part "(1)(a)," above.

(d) Continued status conference: 4/7/26 at 1:00 p.m., concurrent with the confirmation hearing. No written status report required.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... Hardwood Restaurant Holdings, LLC

Chapter 11

Debtor(s):

Hardwood Restaurant Holdings,

Represented By
Michael Jay Berger

Trustee(s):

Arturo Cisneros (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

2:25-18758 Alireza Ashraf and Maryam Yeganhneh

Chapter 11

#17.00 Cont'd Status Conference re: Chapter 11 Case
fr. 11/4/25, 12/16/25, 01/20/26

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Continue as set forth below, with a strong caution to Debtors and their counsel that failure to meet the deadline set forth below and to provide full and complete disclosures will result in dismissal, conversion to chapter 7, or the appointment of a chapter 11 trustee at the next status conference. Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

(1) Current issues

(a) Monthly Operating Reports ("MORs")

Despite this Court's repeated reminders to Debtors of their obligation to provide full and complete financial disclosures, their MORs remain inadequate.

For example, Debtors' latest Bankruptcy Schedules I & J (dkt. 51, PDF pp. 20-27) disclose (x) \$12,214.76 in net income, (y) \$8,611.90 in net expenses, and (z) \$3,602.86 in net monthly income. But Debtors MORs reflect a very different financial picture with widely varying income and expenses. See OctMOR (dkt. 33); NovMOR (dkt. 43); DecMOR (dkt. 47); JanMOR (dkt. 49); FebMOR (dkt. 50) & summary of post-petition income and expenses (dkt. 53), PDF p. 14.

This Court cannot tell whether some of the income and expenses reported in the MORs includes income and expenses from Debtors' rental

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... **Alireza Ashraf and Maryam Yeganhneh**

Chapter 11

property and/or Benz N Beamers or whether Debtors are misusing estate funds because (x) the MORs do not contain any notations, footnotes or a separate statement(s) describing each transaction, and (y) Debtors have not attached separate bank statement(s) for their rental property and/or Benz N Beamers.

The MORs also appear to show regular transfers to relatives without any information about the nature of those transfers in either the MORs or Debtors' Bankruptcy Schedules I & J. See e.g., NovMOR (dkt. 43, PDF p. 16) (11/13 - \$500.00 to Mondonna Ashraf & \$500.00 to Ahryen Ashraf); DecMOR (dkt. 47, PDF p. 15) (12/15 - \$500.00 to Mondonna Ashraf & \$500.00 to Ahryen Ashraf); JanMOR (dkt. 49, PDF p. 15) (1/15 - \$500.00 to Mondonna Ashraf & \$500.00 to Ahryen Ashraf); FebMOR (dkt. 50, PDF p. 16) (2/17 - \$1,000.00 to Mondonna Ashraf).

Note: The bank statements for Nov-Feb reflect additional transfers to person(s) with the same last name as Debtor Alireza Ashraf, but the foregoing transactions are highlighted to show what appears to be a regular pattern of unexplained transfers to parties who appear to be Debtor's relative.

The tentative ruling is to set a **deadline of 3/31/26** for Debtors to file Amended MORs for November through February that **attach all bank statements, credit card statements, or other financial statements** (e.g. PayPal, Zelle, etc.) for themselves, their rental property, and Benz N Beamers and that include a **handwritten description for each line item** on each bank statement so that this Court and creditors have a complete picture of all monthly income and expenses. The descriptions can be a brief annotation for each transaction (e.g., a bank debit for a restaurant meal could say "restaurant") or include a reference to a separate spreadsheet containing such information (e.g., a bank debit for paying a credit card bill could say "see attached credit card bill" with its own annotations for each line item).

Debtors have had numerous opportunities to provide FULL and complete financial disclosures so Debtors and their counsel are cautioned that this is their FINAL opportunity to provide a comprehensive financial picture that is consistent with their sworn schedules and other papers filed in this case. In addition, they must provide equally comprehensive disclosures in all future MORs.

If they fail to do so, this Court anticipates dismissing or converting this

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT...

Alireza Ashraf and Maryam Yeganhneh

Chapter 11

case to chapter 7, or appointing a chapter 11 trustee pursuant to 11 U.S.C. 1112(b)(4)(B) (gross mismanagement of the estate), 1112(b)(4)(E) (failure to comply with an order of the court), and 1112(b)(4)(F) (unexused failure to satisfy timely any filing or reporting requirement established by this title or by any rule applicable to a case under this chapter).

After this hearing, this Court will prepare and issue an order reflecting the foregoing.

(b) Debtors' disclosure statement (dkt. 53, "D/S") and chapter 11 plan (dkt. 52, "Plan")

In view of the financial disclosure issues highlighted above, the tentative ruling is that it is premature to address various issues this Court has with Debtors' D/S and Plan.

(2) Dates/procedures. This case was filed on 10/1/25.

- (a) Amended Bar date: 2/27/26 (dkt. 35) (timely served, dkt. 37 & 38)
- (b) Procedures Order: dkt. 6 (no proof of service on file)
- (c) Plan/Disclosure Statement (dkt. 52 & 53): see Part "(1)(b)" above.
- (d) Continued status conference: 4/7/26 at 1:00 p.m. No written status report required.

Tentative Ruling for 1/20/26:

Continue as set forth below, with a caution to Debtors and their counsel to meet the deadline set forth below. Appearances are not required on 1/20/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

(1) Current issues

(a) Amended Bankruptcy Schedules I & J (dkt. 44)

This Court's Procedures Order (dkt. 6, p. 2:11-13) states: "4. Affiliates."

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... **Alireza Ashraf and Maryam Yeganhneh**

Chapter 11

For all reporting purposes – including Monthly Operating Reports (“MORs”) ... – Debtor must disclose all income [and] expenses ... of [all] affiliated businesses” (Emphasis added) This Court has repeatedly reminded Debtors of this requirement, both in prior tentative rulings (reproduced below) and in oral orders at prior hearings.

Despite those written and oral orders and reminders, Debtors continue to provide inadequate disclosures. Debtors' latest Bankruptcy Schedule I includes attached financial projections, but the projections do not attach a breakdown of Benz N Beamers' monthly expenses, despite this Court previously ordering Debtors to disclose that information. Although the projections refer to Exhibit "A-1" for such expenses, that exhibit does not actually include a list of monthly expenses.

For example, at one point an attachment to Bankruptcy Schedule I (dkt. 44 at PDF p. 9) lists the "Gross Profit" calculation as follows, but fails to disclose most expenses or calculate net profit (or loss):

Benz N Beamers, Inc. Gross Profit

Gross Sales \$57,659.49

Other Gross Income \$5,603.20

Total Gross Income \$63,262.69

Parts / Materials / Supplies -\$14,031.15

DMV Fees, Subcontractors and Other Costs -\$786.00

Total direct Costs of Goods -\$14,817.15

Gross Proffits \$48,445.54

[There are no listed deductions for labor, taxes, insurance, rent, etc., etc. to arrive at net profits]

The tentative ruling is to set a **deadline of 1/27/26** for Debtors' counsel to file further amended Bankruptcy Schedules I/J to add the missing information, clearly segregating Benz N Beamers' income and expenses from Debtors' personal income and expenses. As this Court has previously noted, that information is critical because otherwise creditors (and this Court) have no way of knowing if, for example, Benz N Beamers is paying exorbitant salaries to insiders (or, alternatively, underpaying Debtors to reduce their reported income), or paying debts that are guaranteed by the Debtors while ignoring other debts, or other things that should be disclosed.

Debtors and their counsel are cautioned that this is their **last opportunity** to provide FULL disclosure of Benz N Beamers' income and

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... **Alireza Ashraf and Maryam Yeganhneh**

Chapter 11

expenses in their Bankruptcy Schedule I. In addition, they must provide equally full disclosure in their MORs.

If they fail to do so, this Court anticipates dismissing this case, imposing sanctions, or otherwise addressing this issue with remedies that Debtors and their counsel very likely will want to avoid.

(2) Dates/procedures. This case was filed on 10/1/25.

(a) Amended Bar date: 2/27/26 (dkt. 35) (timely served, dkt. 37 & 38)

(b) Procedures Order: dkt. 6 (no proof of service on file)

(c) Plan/Disclosure Statement: file by 3/17/26 (DO NOT SERVE - except on the U.S. Trustee). See Procedures Order.

(d) Continued status conference: 3/24/26 at 1:00 p.m. No written status report required.

Tentative Ruling for 12/16/25:

Appearances required *in person (not via video or telephone)* by counsel for Debtors.

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.

(1) Current issues

(a) Amended budget motion (dkt. 26), Opposition papers of Poppy Bank ("Secured Creditor") (dkt. 27-29), no reply on file

There is no tentative ruling. Debtor's counsel is directed to appear in person to address the issues raised by Secured Creditor and why no reply papers were filed by the 12/9/25 deadline.

(b) Lack of service of order setting bar date

This Court's order (dkt. 20) setting a claims bar date in this case directed Debtors to serve a copy of the order on all creditors and file a proof of service by 11/10/25 but, as of the preparation of this tentative ruling, no proof of service is on file. Why not?

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT...

Alireza Ashraf and Maryam Yeganhneh

Chapter 11

The tentative ruling is to (x) set a new bar date (see Part "(2)(a)" below) and a new deadline to file a plan and disclosure statement (see Part "(2)(c)", and (z) this Court will issue an amended order after the status conference to reflect the new bar date.

The tentative ruling is also that Debtors and their counsel are cautioned not to miss the deadline to serve the amended bar date order, or any other deadlines ordered by this Court, in future or this Court may impose sanctions or other adverse consequences.

(c) Lack of attention to detail and failure to comply with Court orders

The tentative ruling is also to direct Debtors' counsel to appear *in person* to address why this Court should not impose a \$500.00 sanction against her or other adverse consequences in view of counsel's failure to timely serve the procedures order or bar date order by the deadlines initially set by this Court, and general lack of attention to detail in this case.

In addition to the issues detailed in this Court's adopted tentative ruling for 11/4/25 (reproduced below), the following is a brief list of examples of counsel's apparent lack of attention to detail that raise concerns that papers filed in this case are incomplete and/or inaccurate. Those examples include:

(i) Service of procedures order

This Court's adopted tentative ruling for 11/4/25 (see Part (1)(d), reproduced below) directed Debtors to serve a copy of the procedures order on all creditors and to inform all parties in interest that -

Debtors failed to serve the Procedures Order on all parties in interest as directed by the Bankruptcy Court, which may have prejudiced some parties. The Bankruptcy Court has directed Debtors to serve this Notice, with a copy of the Procedures Order, on all parties in interest, both to inform all parties of the procedures in the Procedures Order and so that any party who was prejudiced by the lack of earlier service has an opportunity to seek any appropriate relief.

Notwithstanding this Court's clear instructions, the language set forth in the notice of this status conference (which attaches the Procedures Order) changes the second sentence of to say "If you are a party who was prejudiced by the lack of earlier service, has [sic] an opportunity to seek any appropriate relief." Dkt. 21, p. 2:1-4.

(ii) Amended Bankruptcy Schedules I & J (dkt. 25)

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT...

Alireza Ashraf and Maryam Yeganhneh

Chapter 11

Amended Bankruptcy Schedule I still does not include an attached statement for each rental property and business showing gross receipts, ordinary and necessary business expenses, and the total monthly net income (as required by that form and previously ordered by this Court). Dkt. 25, PDF p. 5. True, that information is attached to Debtor's amended budget (dkt. 26, PDF pp. 9-10), but why is it not also attached to Amended Bankruptcy Schedule I?

Additionally, Bankruptcy Schedule I, line 8a, should reflect Debtors' net income from their rental property and Benz N Beamers, rather than their gross income (dkt. 25, PDF pp. 5-6), which would eliminate the need to list gross expenses for the rental property and Benz N Beamers on Bankruptcy Schedule J. *Id.*, PDF p. 8. True, Debtors included an attachment to Bankruptcy Schedule I (*id.*, PDF p. 6) that includes gross income and expenses for Debtors' rental property and Benz N Beamers', but that requires creditors and this Court to "do the math" rather than Debtors just following the instructions in the form.

(iii) Conclusion

This Court recognizes that none of the foregoing examples are particularly problematic in isolation. But, the cumulative effect of these things is that creditors and this Court cannot know whether Debtors' disclosures are complete and reliable and raises concerns about whether Debtors can be relied upon to act as fiduciaries for the benefit of creditors.

(2) Dates/procedures. This case was filed on 10/1/25.

- (a) Amended Bar date: 2/27/26 (DO NOT SERVE notice yet - court will prepare an order after the status conference).
- (b) Procedures Order: dkt. 6 (no proof of service on file)
- (c) Plan/Disclosure Statement: file by 3/17/26 (DO NOT SERVE - except on the U.S. Trustee). See Procedures Order.
- (d) Continued status conference: 1/20/26 at 1:00 p.m. No written status report required.

Tentative Ruling for 11/4/25:

Appearances required by counsel for Debtor and by Debtors themselves. The tentative ruling is to grant the cash collateral motion, set a **deadline of 11/14/25** for Debtors to cure several issues as set forth below, and continue the hearing on the budget motion and the status conference, all as set forth

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... **Alireza Ashraf and Maryam Yeganhneh**
below.

Chapter 11

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.

(1) Current issues

(a) Cash collateral motion (dkt. 12), no opposition on file

Grant subject to the conditions set forth in the tentative ruling for calendar no. 1 on today's calendar (11/4/25 at 1:00 p.m.).

(b) Budget motion (dkt. 13)

The tentative ruling is that, no later than the deadline set forth at the start of this tentative ruling, Debtors must file and serve an amended budget motion, together with whatever briefing and declaration(s) are necessary or appropriate to address the following issues.

Debtors disclose a 100% ownership interest in Benz N Beamers, Inc., (dkt. 1, PDF p. 23) but Debtors' budget motion does not disclose any income or expenses for that company, apart from Debtors' employment income, despite the requirement in the "Procedures of Judge Bason" (available at www.cacb.uscourts.gov) (the "Procedures") that debtors provide a breakdown of the income and expenses for any business(es).

The tentative ruling is that Debtors' counsel should amend the budget motion to add the missing information. That is critical because otherwise creditors (and this Court) have no way of knowing if, for example, Benz N Beamers is paying exorbitant salaries to insiders (or, alternatively, underpaying Debtors to reduce their reported income), or paying debts that are guaranteed by the Debtors while ignoring other debts, or other things that should be disclosed.

The lack of disclosure is heightened because Debtors disclose that Benz N Beamers leases a portion of their rental property (see dkt. 16, p. 8) so it is unclear whether, for example, Debtors are unintentionally or intentionally charging below market rate rent as a way of reducing their reported income.

To be clear, this Court makes no presumption that Debtors are actually engaging in any improper transactions. The point is only that, without

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... **Alireza Ashraf and Maryam Yeganhneh**
disclosure, there is no way to know.

Chapter 11

(c) Inaccurate and/or incomplete Bankruptcy Schedule I (dkt. 1, PDF pp. 49-50) and Statement of Financial Affairs ("SOFA") (id., PDF pp. 54 & 59)

Similarly, (x) Debtors' Bankruptcy Schedule I ignores the instruction to "[a]ttach a statement for each property or business showing gross receipts, ordinary and necessary business expenses, and the total monthly net income" (dkt. 1, PDF p. 50) (emphasis added), and (y) Debtors' SOFA omits any income from operating Benz N Beamers (*id.*, PDF p. 54) and fails to disclose Debtors' ownership interest in Benz N Beamers in Part 27 (*id.*, PDF p. 59).

The tentative ruling is to that, no later than the deadline set forth at the start of this tentative ruling, Debtors must to file amended Bankruptcy Schedules and an amended SOFA to correct the foregoing, and any other, inaccuracies and/or omissions.

(d) Service of order setting principal status conference

This Court's order setting principal status conference (dkt. 6) required Debtors to serve this order on all parties in interest and file a proof of service at least 14 days before the principal status conference. As of the drafting of this tentative ruling, the docket does not reflect such service. Was the order served?

If not, the tentative ruling is that, no later than the deadline set forth at the start of this tentative ruling, Debtors must file and serve a Notice, with a copy of the Procedures Order attached as an exhibit, informing all parties in interest that "Debtors failed to serve the Procedures Order on all parties in interest as directed by the Bankruptcy Court, which may have prejudiced some parties. The Bankruptcy Court has directed Debtors to serve this Notice, with a copy of the Procedures Order, on all parties in interest, both to inform all parties of the procedures in the Procedures Order and so that any party who was prejudiced by the lack of earlier service has an opportunity to seek any appropriate relief."

In addition, Debtors are cautioned that failure to comply with this Court's orders may result in adverse consequences.

(e) Government shutdown issues

Please see the tentative ruling at the start of this calendar (the entry for

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... Alireza Ashraf and Maryam Yeganhneh
9:00 a.m.).

Chapter 11

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

(2) Dates/procedures. This case was filed on 10/1/25.

- (a) Bar date: 1/29/26 (DO NOT SERVE notice yet - court will prepare an order after the status conference).
- (b) Procedures Order: dkt. 6 (no proof of service on file)
- (c) Plan/Disclosure Statement: file by 2/24/26 (DO NOT SERVE - except on the U.S. Trustee). See Procedures Order.
- (d) Continued status conference: 12/16/25 at 1:00 p.m. No written status report required.

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| Party Information |
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Debtor(s):

Alireza Ashraf

Represented By
Onyinye N Anyama

Joint Debtor(s):

Maryam Yeganhneh

Represented By
Onyinye N Anyama

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

2:25-14931 Forrest Kent Balmain

Chapter 11

#18.00 Cont'd Status Conference re: Chapter 11 Case
fr. 7/8/25, 8/12/25, 8/19/25, 9/9/25, 10/21/25, 10/30/25,
11/18/25, 12/16/25, 01/06/26, 2/10/26

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Continue as set forth below. Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

(1) Current issues

(a) Evidentiary hearing on valuation of Debtor's property (dkt. 56, 61, 64-73, 85, & 89-90)

This Court anticipates shortly issuing a Memorandum Decision valuing Debtor's property.

(b) Debtor's deadline to file a Plan

This Court has previously determined that it would be a waste of time and resources to require Debtor to file a Plan until the valuation dispute is resolved, and that the delays associated with the valuation dispute qualify as "circumstances for which debtor should not justly be held accountable," 11 U.S.C. 1189(b), thereby warranting a further extension of Debtor's deadline to file a Plan. The tentative ruling is to further extend the Plan filing deadline from 4/14/26 to **5/15/26**. This Court will prepare an appropriate order.

(2) Dates/procedures. This case was filed on 6/12/25.

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT...

Forrest Kent Balmain

Chapter 11

- (a) Bar date: 8/21/25 per General Order 20-01 (70 days after petition date in Subchapter V cases) (DO NOT SERVE any notice: one will be sent).
- (b) Procedures Order: dkt. 6 (timely served, dkt. 11).
- (c) Plan/Disclosure Statement: see part "(1)(b)," above (DO NOT SERVE - except on the U.S. Trustee). See Procedures Order.
- (d) Continued status conference: 4/21/26 at 1:00 p.m. No written status report required.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Forrest Kent Balmain

Represented By
Lawrence R Fieselman
Julie J Villalobos

Trustee(s):

Gregory Kent Jones (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

2:25-11042 Kingsman Real Estate Corporation

Chapter 11

#19.00 Cont'd Status Conference re: Chapter 11 Case
fr. 3/4/25, 3/18/25, 4/8/25, 5/20/25, 6/24/25, 8/5/25,
9/9/25, 10/7/25, 11/4/25, 11/18/25, 01/20/26, 2/24/26

Docket 1

***** VACATED *** REASON: Off calendar per (dkt. 238) and order
thereon**

Tentative Ruling:

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Kingsman Real Estate Corporation

Represented By
Frank J Alvarado
Patrick J D'Arcy

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

2:24-19904 Georgia K Bode

Chapter 11

#20.00 Cont'd status conference re: Chapter 11 case
fr. 1/7/25, 2/25/25, 4/8/25, 5/6/25, 6/24/25, 8/5/25,
9/23/25, 10/7/25, 11/4/25, 11/18/25, 12/16/25,
1/6/26, 2/10/26, 2/24/26, 3/10/26,

Docket 1

Tentative Ruling:

**Tentative Ruling for 3/24/26:
Appearances required.**

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.

(1) Current issues

(a) Settlement efforts & related dates/deadlines

Counsel for Debtor and Mr. Leon are directed to appear to address (x) whether the parties will participate in a further mediation session before Judge Jury (or another mediator) or if this Court should set a date for this Court to conduct a settlement conference or take some other action, and (y) whether this Court should adopt the following amended deadlines in connection with the related turnover action (*Bode v. Luna et al.*, Adv. No. 2:24-ap-01273-NB): (1) 3/30/26 to file witness and exhibit lists; 4/6/26 to file expert reports, and (z) continue the trial to commence on 5/5/25 at 9:00 a.m. (or set a status conference for a different date/time).

(b) Deadline for Debtor to file disclosure statement and amended plan

At a status conference held on 1/6/26 this Court was persuaded to vacate the existing deadlines for Debtor to file a disclosure statement and amended plan. The parties are directed to address what deadline this Court

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... Georgia K Bode

Chapter 11

should set for Debtor to file (NOT SERVE - except the U.S. Trustee) those documents.

(2) Dates/procedures. This case was filed on 12/4/24.

(a) Bar date: 4/11/25 (dkt. 33) (timely served, dkt. 36).

(b) Procedures Order: dkt. 6 (not timely served, but served soon after deadline, which gives notice of matters therein, dkt. 10)

(c) Plan (dkt. 140)/Disclosure Statement: See part "(1)(b)" above.

(d) Continued status conference: contemporaneous with any continued trial date (see above) OR alternatively, if sooner, 5/12/26 at 1:00 p.m. *Brief* status report due 4/28/26.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Georgia K Bode

Represented By
David B Zolkin

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

2:23-12863 Energy Plus Solar Inc.

Chapter 11

#21.00 Cont'd Status Conference re: Post Confirmation
fr. 6/13/23, 7/11/23, 8/15/23, 9/12/23, 10/3/23,
11/14/23, 12/19/23, 2/6/24, 3/12/24, 4/2/24, 4/30/24,
5/7/24, 07/30/24, 9/24/24, 10/8/24, 11/19/24, 1/21/25,
4/22/25, 9/23/25, 12/16/25

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Continue the post-confirmation status conference as set forth below.
Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

(1) Current issues

This Court has reviewed the post-confirmation status report (dkt. 451) filed on 3/11/26 and the other documents on file in Debtor's bankruptcy case-in-chief, and has no issues to raise *sua sponte*.

(2) Dates/procedures. This Subchapter V case was filed on 5/9/23.

(a) Bar date: 7/18/23 per General Order 20-01 and notice (dkt. 16).

(b) Procedures Order: dkt. 5 (timely served, dkt. 12)

(c) Plan/Disclosure Statement (dkt. 90): Plan confirmed on 8/13/24.
See Order (dkt. 374).

(d) Continued post-confirmation status conference: 7/14/26 at 1:00 p.m. Written status report updating Debtor's performance under the Plan due by 6/30/26.

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... Energy Plus Solar Inc.

Chapter 11

[PRIOR TENTATIVE RULINGS OMITTED (for some key issues, see Orders re sanctions (dkt. 226, 268); Order denying Ms. Klausen's motion for attorney fees (dkt. 325, 330); Plan (dkt. 90) and Confirmation Order (dkt. 374); order re attorney fees (dkt. 370)]

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| Party Information |
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Debtor(s):

Energy Plus Solar Inc.

Represented By
Michael Jay Berger

Trustee(s):

John-Patrick McGinnis Fritz (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

2:22-13069 George Gordon Strong, III

Chapter 7

Adv#: 2:24-01189 Vosicher v. Strong, III

#22.00 Cont'd Status Conference re: Complaint to Determine Non-Dischargeability of Debt Pursuant to 11 U.S.C. §§ 523(a)(4) and 523(a)(6) fr. 9/9/25, 9/24/25, 9/25/25, 10/21/25, 12/2/25, 12/16/25 2/10/26

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Conclude this status conference (no continuance) in view of the entry of judgment on 2/6/26 (adv. dkt. 39), the absence of an appeal, and the absence of any requests for post-judgment relief. Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

George Gordon Strong III

Represented By
Alan W Forsley

Defendant(s):

George Gordon Strong III

Represented By
Alan W Forsley

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... George Gordon Strong, III

Chapter 7

Plaintiff(s):

David Vosicher

Represented By
Stella A Havkin

Trustee(s):

John J Menchaca (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

2:24-18171 Hays Tabernacle CME Church

Chapter 11

#23.00 Cont'd hrg re: Objection to Claim #4 by The Evergreen Advantage, LLC
fr. 2/10/26, 2/24/26, 3/10/26

Docket 205

Tentative Ruling:

Please see the tentative ruling for the status conference (Calendar No. 25,
3/24/26 at 1:00 p.m.).

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| Party Information |
|--------------------------|

Debtor(s):

Hays Tabernacle CME Church

Represented By
Lewis R Landau

Movant(s):

Hays Tabernacle CME Church

Represented By
Lewis R Landau

Trustee(s):

Mark M Sharf (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

2:24-18171 Hays Tabernacle CME Church

Chapter 11

#24.00 Cont'd Combined hrg re: Final Approval of Disclosures and Plan Confirmation
fr. 07/17/25, 8/19/25, 9/23/25, 10/7/25, 11/4/25, 12/2/25,
1/6/26, 2/10/26, 2/24/26, 3/10/26

Docket 1

Tentative Ruling:

Please see the tentative ruling for the status conference (Calendar No. 25, 3/24/26 at 1:00 p.m.).

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Hays Tabernacle CME Church

Represented By
Lewis R Landau

Trustee(s):

Mark M Sharf (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

2:24-18171 Hays Tabernacle CME Church

Chapter 11

#25.00 Cont'd Status Conference re: Chapter 11 Case
fr. 4/8/25, 4/22/25, 6/24/25, 07/17/25, 8/19/25, 9/23/25,
10/7/25, 11/4/25, 12/2/25, 1/6/26, 2/10/26, 2/24/26,
3/10/26

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Appearances required.

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.

(1) Current issues

(a) Debtor's objection to Claim No. 4, Asserted by the Evergreen Advantage LLC (the "Evergreen Claim") (dkt. 205, the "Claim Objection"), Amended notice (dkt. 207); Evergreen opposition (dkt. 214), Zuckerman Decl. (dkt. 215) and supporting exhibits (dkt. 218), Hilbert Decl. (dkt. 216); Debtor's reply (dkt. 219); Supplement to Zuckerman Decl. and request to authorize untimely filing of supplement (dkt. 220), Debtor's objection to Supp. Zuckerman Decl. (dkt. 221), Continuance stip. (dkt. 222) and order thereon (dkt. 224), Status report (dkt. 237)

To the extent the parties' dispute regarding the timing of discovery and the scheduling of the evidentiary hearing remains unresolved (*see generally* Status Report (dkt. 237)), the parties are directed to address these issues.

(b) Debtor's proposed first amended Plan (dkt. 238) [Cf. prior Plan (dkt. 98); Objections by Evergreen Advantage, LLC ("Evergreen") (dkt. 138, 139); Ballot Summary (dkt. 143); Debtor's response (dkt. 144-45)]; Debtor's status report w/ blackline of Plan (dkt. 239),

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... **Hays Tabernacle CME Church**

Chapter 11

The parties are directed to address whether the first amended Plan - which now calls for a disputed claims reserve - can proceed toward a confirmation hearing without waiting on resolution of the Claim Objection (see part "(1)(a)," above), and what discovery (if any) should be completed prior to any confirmation hearing.

(2) Dates/procedures. This case was filed on 10/6/24 and reassigned to Judge Bason on 3/3/25 (dkt. 65).

(a) Bar date: 3/14/25 (Bar Date Order (dkt. 60) timely served, dkt. 59)

(b) Procedures Order: dkt. 67 (served on 3/11/25, dkt. 79 pp. 15–16)

(c) Plan/Disclosure Statement: first amended Plan filed on 3/23/26 (dkt. 238).

(d) Status conference: 5/12/26 at 1:00 p.m. No written status report required.

* * *

[EXCERPTS FROM:] Tentative Ruling for 8/19/25:

* * *

(1) Current issues

* * *

(e) Debtor's proposed Plan (dkt. 98); Objections by Evergreen Advantage, LLC ("Evergreen") (dkt. 138, 139); Ballot Summary (dkt. 143); Debtor's response (dkt. 144-45); Debtor's status report re: Plan confirmation (dkt. 163)

The tentative ruling is not to set any briefing schedule at this time, and instead to direct the parties to continue their efforts to conclude discovery and continue to meet and confer about scheduling and procedures. Meanwhile, the tentative ruling is to continue the confirmation hearing to be concurrent with the continued Status Conference (see part "(2)(d)" of this Tentative Ruling, below).

* * *

[EXCERPTS FROM:] Tentative Ruling for 7/17/25:

Appearances required.

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... Hays Tabernacle CME Church

Chapter 11

* * *

(1) Current issues

(a) Background

Debtor, a church with historic roots that is located in the Watts neighborhood of Los Angeles, seeks confirmation of its Subchapter V Plan of Reorganization (dkt. 98, the "Plan"). A key component of the Plan is the sale of property located at 1407 E. Kramer Drive, Carson, CA 90746 (the "Kramer Property"), which Debtor previously used as a parsonage. The hearing to confirm Debtor's Plan (the "Confirmation Hearing") has been scheduled to take place concurrently with the hearing on Debtor's motion to approve the sale of the Kramer Property (dkt. 131–32, 134, & 136–37, the "Sale Motion").

In addition to the Kramer Property, Debtor also owns several adjacent parcels of real property – located at 10121 S. Central Ave., 10207 S. Central Ave., 10203 S. Central Ave., and 1143/1149 E. 102d St., Los Angeles, CA – which Debtor operates as a church (the "Church Property"). (The Church Property consists of a commercial building that Debtor uses to conduct worship services and an adjacent parking lot.)

Evergreen Advantage, LLC ("Evergreen") asserts a secured claim against the Church Property, in the amount of approximately \$2,587,622.91, plus attorney fees, costs of collection, and interest (the "Evergreen Claim"). Evergreen Opp. (dkt. 138) p. 4:13–17. Debtor has commenced an action against Evergreen in the Superior Court of the State of California for the County of Los Angeles (the "State Court") challenging the validity of the Evergreen claim. Plan (dkt. 98) Ex. E (the "State Court Litigation").

Debtor's plan hinges upon a sale of the Kramer Property [which has been authorized and has now closed, with net proceeds of \$575,643.53: see dkt. 161]. * * * [See *also*] Issa Decl. (dkt. 144) ¶ 6 (p. 15:7–14) [projecting \$587,179.00 net proceeds available to fund the Plan]. Debtor also represents that it has received "a Plan funding commitment from the Christian Methodist Church for up to \$125,000.00 to fund any operating or Plan requirements over the Plan term" Plan (dkt. 98) art. 7, ¶ 2 (p. 5).

Pending resolution of Debtor's challenge to the validity of the Evergreen Claim, Debtor's Plan proposes to make interest-only payments to Evergreen of \$12,500.00 per month for 36 months (calculated by paying 6.2% interest on the \$2,445,201.54 amount set forth in Evergreen's proof of claim). Issa Decl. (dkt. 144) ¶¶ 11 & 14 (p. 16:15–16 & 17:13–16); Plan (dkt. 98) art. 7 ¶ 8 (p. 5); Reply (dkt. 144) p. 5:19–25. J. Michael Issa, Debtor's valuation

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... **Hays Tabernacle CME Church**

Chapter 11

expert, testifies that the contemplated interest payments are "consistent with the current market terms for church real estate loans." Issa Decl. (dkt. 144) ¶ 14 (p. 17:13–18). These interest-only payments would be funded from the net proceeds of the sale of the Kramer Property and the contribution from Christian Methodist Church. Issa Decl. (dkt. 144) ¶ 18(a) (p. 19:4–7). The Plan provides that any amount remaining on the Evergreen Claim after the 36 months of interest-only payments will be satisfied through a balloon payment funded "from additional contributions" or "refinancing or sale" of the Church Property. Plan (dkt. 98) art. 7 ¶ 8 (p. 5).

* * *

(b) Sale motion ...

* * *

(c) Debtor's proposed Plan (dkt. 98); Objections by Evergreen Advantage, LLC ("Evergreen") (dkt. 138, 139); Ballot Summary (dkt. 143); Debtor's response (dkt. 144-45)

(i) Cramdown standards

The requirements for confirmation of a Subchapter V plan are set forth in 11 U.S.C. 1191, which generally incorporates with modifications 11 U.S.C. 1129(a)-(b). A nonconsensual plan nevertheless may be confirmed if "the plan does not discriminate unfairly, and is fair and equitable, with respect to each class of claims or interests that is impaired under, and has not accepted, the plan." 11 U.S.C. 1191(b).

(A) Unfair discrimination

A plan unfairly discriminates if similar claims are treated differently without a reasonable basis for the disparate treatment. *See, e.g., In re Acequia, Inc.*, 787 F.2d 1352, 1364 (9th Cir. 1986) ("The Collier treatise states that this provision requires that a plan 'allocate[] value to the class in a manner consistent with the treatment afforded to other classes with similar legal claims against the debtor'" (citation omitted)).

(B) Fair and equitable

"[T]he condition that a plan be fair and equitable with respect ... to a class of secured claims" includes the requirement that "the plan meets the requirements of section 1129(b)(2)(A)." 11 U.S.C. 1191(c)(1). Under 11 U.S.C. 1129(b)(2)(A), the "fair and equitable" requirement includes the following requirement:

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT...

Hays Tabernacle CME Church

Chapter 11

(i)

(I) that the holders of such claims retain the liens securing such claims, whether the property subject to such liens is retained by the debtor or transferred to another entity, to the extent of the allowed amount of such claims; and

(II) that each holder of a claim of such class receive on account of such claim deferred cash payments totaling at least the allowed amount of such claim, of a value, as of the effective date of the plan, of at least the value of such holder's interest in the estate's interest in such property;

(ii) for the sale, subject to section 363(k) of this title, of any property that is subject to the liens securing such claims, free and clear of such liens, with such liens to attach to the proceeds of such sale, and the treatment of such liens on proceeds under clause (i) or (iii) of this subparagraph; or

(iii) for the realization by such holders of the indubitable equivalent of such claims. [11 U.S.C. 1129(b)(2)(A).]

Section 1191(b) specifies additional requirements that are necessary, but not sufficient, to satisfy the "fair and equitable" test. (As one court explained in, the statute uses the term "includes" to make clear that the specific requirements delineated therein are only the "minimal standards [that] plans must meet," and that the statute "is not to be interpreted as requiring that every plan not prohibited be approved." *Matter of D & F Const. Inc.*, 865 F.2d 673, 675 (5th Cir. 1989).) Those additional requirements are as follows:

(2) As of the effective date of the plan--

(A) the plan provides that all of the projected disposable income of the debtor to be received in the 3-year period, or such longer period not to exceed 5 years as the court may fix, beginning on the date that the first payment is due under the plan will be applied to make payments under the plan; or

(B) the value of the property to be distributed under the plan in the 3-year period, or such longer period not to exceed 5 years as the court may fix, beginning on the

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT...

Hays Tabernacle CME Church

Chapter 11

date on which the first distribution is due under the plan is not less than the projected disposable income of the debtor.

(3)

(A) The debtor will be able to make all payments under the plan; or

(B)

(i) there is a reasonable likelihood that the debtor will be able to make all payments under the plan; and

(ii) the plan provides appropriate remedies, which may include the liquidation of nonexempt assets, to protect the holders of claims or interests in the event that the payments are not made. [11 U.S.C. 1191(c)(2)–(3).]

(ii) "Good faith" and allegedly "unfair discrimination" objections: overrule in part

The tentative ruling is that the "good faith" inquiry is narrow. The authorities cited by Debtor are far more on point about the scope of the "good faith" inquiry than Evergreen's citations. As Debtor correctly notes, the Court of Appeals for the Ninth Circuit (the "Ninth Circuit") has held that the statute "directs courts to look only to the proposal of a plan, not the terms of the plan." *Garvin v. Cook Investments NW, SPNWY, LLC*, 922 F.3d 1031, 1035 (9th Cir. 2019) (emphasis added, citations omitted).

Note 3: *Garvin* also stated that "[c]ases directing courts to look to the 'totality of the circumstances' to determine whether a plan was proposed in good faith do not change the analysis here," and courts must still "determine whether the plan achieves a result consistent with the objectives and purposes of the Code." *Id.* at 1036 n. 3 (citations omitted; emphasis added). In this Court's view, *Garvin* is best understood as refining but not changing the analysis. That is, the primary focus of the "good faith" inquiry must be upon whether the plan "was lawfully proposed," *Garvin*, 922 F.3d. 1031, 1036. But in conducting that inquiry, this Court need not disregard other considerations – including, for example, whether the Plan achieves results consistent with the objectives and purposes of the

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... Hays Tabernacle CME Church
Code.

Chapter 11

The tentative ruling is that Evergreen has not made a sufficient showing that the filing of this bankruptcy case was lacking in good faith, for two reasons. (A) Debtor is a charitable/religious institution, and Evergreen has not shown any way that Debtor could have posted a bond or paid Evergreen without liquidating some of the assets that it uses for its charitable/religious activities, so Debtor had a legitimate need for bankruptcy relief. (B) Although Evergreen emphasizes that it is in the business of short term and high interest loans, it took the risk when it made the loan of a future bankruptcy case by Debtor, including the possibility that the loan repayment terms would be adjusted as permitted by the Bankruptcy Code.

Similarly, the tentative ruling is that Evergreen has not shown that it is unfair to provide for payment of (undisputed and small) claims immediately upon the effective date of the proposed Plan while deferring payments on the (much larger, disputed) claim of Evergreen until after final resolution of that claim, and thereafter for some months so that Debtor has some time to pay any such allowed claim through a refinance, a sale, or other means, without unduly disrupting Debtor's charitable/religious functions. See, e.g., *In re Barakat*, 99 F.3d 1520, 1524–25 (9th Cir. 1996) (permitting separate classification where supported by a legitimate business or economic justification).

On the other hand, Debtor has not responded to Evergreen's allegation that Debtor has allowed the State Court litigation to languish during this bankruptcy case, including that Debtor has not filed a motion for leave to file its proposed Fifth Amended Complaint. See Evergreen Obj. (dkt. 138) p. 7:10-12. Debtor is directed to address that issue at the hearing.

(iii) Feasibility and "appropriate remedies" objection: overrule

On the one hand, it is true that there are some weaknesses in Debtor's evidence of feasibility. Debtor's cash flow has not been shown to be as reliable as it might be, and Debtor provides insufficient evidence of "back stop" funding by the Ninth Episcopal District Christian Methodist Episcopal Church, Inc. because this Court does not interpret Bishop Hames' declaration as a contractual or otherwise binding and enforceable commitment to fund the full dollar amount that might be needed (up to \$125,000.00). See Decl. (dkt. 144) p. 13.

On the other hand, the tentative ruling is that Debtor's net proceeds

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... Hays Tabernacle CME Church

Chapter 11

from the sale of the Kramer Property (well over \$500,000.00) plus Debtor's ability in future to refinance or sell the collateral already pledged to Evergreen, are more than sufficient evidence of feasibility. See, e.g., Liquidation Analysis (Plan, dkt. 98, Ex. B, at Bates p. 25) (based on Debtor's sworn schedules etc.).

Because of this more than sufficient evidence that Debtor "will" be able to make all payments under the plan (11 U.S.C. 1191(c)(3)(A)), the tentative ruling is that Debtor is not required to provide specific remedies such as liquidation of its assets (11 U.S.C. 1191(c)(3)(B)). The tentative ruling is that this is particularly appropriate in view of Debtor's charitable/religious mission, and the disruption if not destruction of that mission if liquidation were to be the draconian result of any default under the Plan. In addition, the tentative ruling is that it would be inappropriate to lock Debtor into any specific remedy, such as liquidation, in view of the uncertain future of interest rates and hence Debtor's ability to refinance its debt to Evergreen (if that debt is eventually allowed), as well as the uncertain future regarding any sale of the Church Property, and all other unknowns. In sum, the tentative ruling is that Debtor will be able to make all payments under the Plan, and that even if Debtor were to default under the Plan Evergreen is adequately protected, and it would be inappropriate to lock Debtor into specific remedies in the event of such a default.

(iv) Failure to provide proper calculations for present value of lien (11 U.S.C. 1191(c)(1)): sustain in part

The Plan contemplates that Evergreen has a secured claim of roughly \$2.45 million (Plan section 2.04, dkt. 98 p. 2), and apparently contemplates an interest rate of 6.2% (see Issa Decl., dkt. 144, p. 17:14-15) (although this Court has not found that rate stated in the Plan), apparently resulting in estimated payments of \$12,500.00 per month if the claim were to be allowed in full and were to be amortized on a straight line basis. See Plan (dkt. 98) p. 5, Article 7, section 8. The parties disagree whether these provisions satisfy the "present value" requirement in 11 U.S.C. 1191(c)(1) (incorporating 11 U.S.C. 1129(b)(2)(A)).

Evergreen objects that its claim is much higher when postpetition default interest is taken into account (closer to \$2.6 million), not to mention attorney fees and any other costs and charges. See Evergreen Obj. (dkt. 138) pp. 4:28-5:7 & p. 13:8-13. Debtor counters by objecting to Evergreen's

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... **Hays Tabernacle CME Church**

Chapter 11

evidence of this dollar amount (dkt. 145) but, although the tentative ruling is to sustain that objection, the tentative ruling is also that this Court can take into account, as argument by Evergreen, that Debtor has not provided any backup for its own calculations, and that, under 11 U.S.C. 506(b) and decisions of higher courts, Evergreen's potential claim must include default interest during the pendency of this bankruptcy case prior to any new interest rate under any confirmed Plan. *See, e.g., Gen. Elec. Cap. Corp. v. Future Media Prods., Inc.*, 547 F.3d 956, 961 (9th Cir. 2008) (citing 4 *Collier on Bankruptcy*, ¶ 506.04[2][b][iii] (15th Ed.1996) ("The bankruptcy court should apply a presumption of allowability for the contracted for default rate, 'provided that the rate is not unenforceable under applicable nonbankruptcy law.'"); *Beltway One, supra*, 547 B.R. 819, 826-31.

The tentative ruling is that an evidentiary hearing will be required (absent an agreement of the parties) in order to determine (A) the proper dollar amount of Evergreen's (disputed) claim for purposes of any proposed Plan (*e.g.*, as of 7/17/25 with a daily adjustment for every day thereafter) and (B) the appropriate cramdown rate of interest. The parties are directed to address whether this Court should set any evidentiary hearing and related procedures.

Alternatively, instead of setting any deadlines and evidentiary hearing at this current hearing it might be appropriate to provide a continuance and direct the parties to meet and confer about whether they can agree on the procedures or substance related to the Evergreen claim. The tentative ruling is to adopt the latter procedure and continue the hearing on confirmation of the Plan to address any proposed amendment to it, with a continued hearing on the same date and time as the continued Status Conference set forth below (see part "(2)(d)" of this Tentative Ruling, below). Meanwhile, the tentative ruling is to direct the parties to meet and confer about a possible resolution of the Evergreen objections.

(2) Dates/procedures. This case was filed on 10/6/24 and reassigned to Judge Bason on 3/3/25 (dkt. 65).

- (a) Bar date: 3/14/25 (Bar Date Order (dkt. 60) timely served, dkt. 59)
- (b) Procedures Order: dkt. 67 (served on 3/11/25, dkt. 79 pp. 15–16)
- (c) Plan/Disclosure Statement: timely filed on 5/29/25 (dkt. 129).
- (d) Continued status conference: 8/19/25 at 1:00 p.m. No written status report is required.

[PRIOR TENTATIVE RULING(S) OMITTED]

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

Tuesday, March 24, 2026

Hearing Room 1545

1:00 PM

CONT... Hays Tabernacle CME Church

Chapter 11

Party Information

Debtor(s):

Hays Tabernacle CME Church

Represented By
Lewis R Landau

Trustee(s):

Mark M Sharf (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

2:23-10990 Leslie Klein

Chapter 11

#1.00 Hrg re: Motion for Order Approving Surcharge Against Proceeds
of the Sale of 143 S. Highland Ave, Los Angeles, California

Docket 1320

***** VACATED *** REASON: Cont'd to 4/21/26 at 2:00 PM per (dkt.1325)**

Tentative Ruling:

- NONE LISTED -

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Leslie Klein

Pro Se

Movant(s):

Bradley D. Sharp (TR)

Represented By

Jeffrey W Dulberg

Jeffrey N Pomerantz

John W Lucas

Jeffrey P Nolan

Pachulski Stang Ziehl & Jones LLP

Trustee(s):

Bradley D. Sharp (TR)

Represented By

Jeffrey W Dulberg

Jeffrey N Pomerantz

John W Lucas

Jeffrey P Nolan

Pachulski Stang Ziehl & Jones LLP

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

2:23-10990 Leslie Klein

Chapter 11

#2.00 Cont'd Status Conference re: Chapter 11 Case
fr. 4/8/25, 4/22/25, 05/01/25, 5/6/25, 5/20/25, 6/3/25,
6/17/25, 6/24/25, 07/15/25, 8/5/25, 8/12/25, 9/9/25,
9/23/25, 10/7/25, 10/21/25, 11/18/25, 12/2/25, 12/16/25,
01/20/26, 2/24/26, 3/10/26

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Continue this status conference in the bankruptcy case in chief, and conclude the status conference in the related adversary proceeding, all as set forth below. Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

(1) Current issues

(a) Berger dischargeability action (Adv. No. 2:23-ap-01169-NB)

Conclude the status conference (no further continuances) as set forth in the tentative ruling for Calendar No. 3 on today's 2:00 p.m. calendar (3/24/26 at 2:00 p.m.).

(2) Dates/procedures. This case was filed on 2/22/23 as a Subchapter V

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

CONT...

Leslie Klein

Chapter 11

case. The petition was amended to remove the Subchapter V election and proceed as a chapter 11 case on 3/8/23. See dkt. 33, 37 & 43. On 5/17/23 this Court directed the appointment of a chapter 11 trustee (dkt. 142) and on 5/24/23 Bradley D. Sharp was appointed as trustee. Dkt. 151, 154, 155 & 156.

- (a) Bar date: 5/3/23 (see dkt. 10, 12 & 18)
- (b) Procedures Order: dkt. 950 (timely served, dkt. 953)
- (c) Plan (dkt. 1311)/Disclosure Statement (dkt. 1312): Disclosure statement approved on 2/24/26 & confirmation hearing scheduled for 4/21/26 at 2:00 p.m. See dkt. 1316.
- (d) Continued status conference: 4/21/26 at 2:00 p.m. (concurrent with other matters). No written status report required.

[PRIOR TENTATIVE RULING(S) OMITTED]

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| Party Information |
|--------------------------|

Debtor(s):

Leslie Klein

Pro Se

Trustee(s):

Bradley D. Sharp (TR)

Represented By

Jeffrey W Dulberg

Jeffrey N Pomerantz

John W Lucas

Jeffrey P Nolan

Pachulski Stang Ziehl & Jones LLP

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

2:23-10990 Leslie Klein

Chapter 11

Adv#: 2:23-01169 Berger v. Klein

- #3.00** Cont'd Status Conference re: Complaint for Nondischargeability of Debt Pursuant to 11 U.S.C. Section 523(a)(2)(A), U.S.C. Section 523(a)(4), & 11 U.S.C. Section 523(a)(6); & for Denial of Discharge Pursuant to 11 U.S.C. Section 727(a)(2)(A); 11 U.S.C. Section 727(a)(2)(B); 11 U.S.C. Section 727(a)(3); 11 U.S.C. Section 727(a)(4); 11 U.S.C. Section 727(a)(5) fr. 4/8/25, 07/15/25, 12/16/25

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Conclude the status conference (no further continuances) because the District Court has affirmed (adv. dkt. 106) this Court's entry of a nondischargeable judgment in Plaintiff's favor (adv. dkt. 66) and there is nothing on the docket reflecting any timely appeal of that order so the judgment is final and this Court is not aware of any post-judgment issues for this Court to resolve. Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

[PRIOR TENTATIVE RULINGS OMITTED]

| |
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| Party Information |
|--------------------------|

Debtor(s):

Leslie Klein

Pro Se

Defendant(s):

Leslie Klein

Represented By

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

CONT... Leslie Klein

Chapter 11

Eric J Olson

Plaintiff(s):

David Berger

Represented By
Baruch C Cohen

Trustee(s):

Bradley D. Sharp (TR)

Represented By
Jeffrey W Dulberg
Jeffrey N Pomerantz
John W Lucas
Jeffrey P Nolan
Pachulski Stang Ziehl & Jones LLP

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

2:24-10037 Orlando F. Cabanday, Jr.

Chapter 11

#4.00 Cont'd Status conference re: Chapter 11 Post Confirmation
fr. 2/6/24, 2/20/24, 4/2/24, 5/7/24, 5/14/24, 6/25/24, 8/27/24,
9/24/24, 10/22/24, 11/19/24, 1/28/25, 3/18/25, 6/17/25, 8/19/25,
10/21/25, 01/20/26

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Appearances required by counsel to Debtor, to provide an update regarding payment of the secured claim owed to the plan trustee of the Catherine Trinh Plan Trust (the "Trinh Claim").

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.

(1) Current issues

This Court has reviewed the post-confirmation status report filed by Reorganized Debtor on 1/6/26 (dkt. 140) and the other documents and records on file in this bankruptcy case.

(a) Payment of Trinh Claim

The Trinh Claim is the largest claim under Reorganized Debtor's confirmed plan. In Reorganized Debtor's 3/16/26 status report, he reports that he made a payment of \$370,000.00 on account of the Trinh Claim on 2/24/26, but that a balance of \$284,000.00 plus interest remains due. Status Report (dkt. 140) p. 3:10–19. Reorganized Debtor is directed to provide an update regarding his ability to satisfy the Trinh Claim, including any accommodations that may have been extended by the plan trustee of the Catherine Trinh Plan Trust.

(2) Dates/procedures. This subchapter V case was filed on 1/3/24.

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

CONT...

Orlando F. Cabanday, Jr.

Chapter 11

- (a) Bar date: 3/13/24 per General Order 20-01 (70 days after petition date in Subchapter V cases) (DO NOT SERVE any notice: one has already been sent, see dkt. 12)
- (b) Procedures Order: dkt. 8 (timely served, dkt. 14)
- (c) Amended Plan (dkt. 92): Plan confirmed on 2/6/25 (dkt. 109).
- (d) Post-confirmation status conference: 5/12/26 at 2:00 p.m. No written status report required.

[PRIOR TENTATIVE RULING(S) OMITTED]

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| Party Information |
|--------------------------|

Debtor(s):

Orlando F. Cabanday, Jr.

Represented By

Matthew D. Resnik

Roksana D. Moradi-Brovia

Trustee(s):

Mark M Sharf (TR)

Pro Se

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

2:22-11471 Cherry Man Industries, Inc.

Chapter 7

Adv#: 2:23-01415 Bankruptcy Estate Of Cherry Man Industries, Inc. B v. Barraza

- #5.00** Cont'd Pre-Trial Conference re: Complaint for (1) Avoidance of Preferential Transfers (2) Avoidance of Actual Fraudulent Transfers (3) Avoidance of Constructive Fraudulent Transfers (4) Recovery of Avoided Transfers (5) Disallowance of Claims
fr. 08/27/24, 12/03/24, 1/28/25, 3/18/25, 4/22/25, 6/3/25, 9/9/25, 12/16/25

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Continue to 6/9/26 at 2:00 p.m., with a deadline of 4/7/26 for Chapter 7 Trustee to meet and confer with opposing counsel regarding his decision not to pursue the settlement agreement arranged by prior trustee/counsel and a deadline of 5/26/26 for the parties to file a joint status report. See Status Report (adv. dkt. 46) ¶ G (p. 4). Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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 12/16/25:

Continue to 3/24/26 at 2:00 p.m., to provide time for the Chapter 7 Trustee ("Trustee") to document the settlement and file a Rule 9019 motion. See Status Report (adv. dkt. 45) ¶ G (p. 4). If the Rule 9019 motion is on file, no status report is necessary; otherwise, a status report is due no later than 3/10/26. Appearances are not required on 12/16/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

CONT... Cherry Man Industries, Inc.

Chapter 7

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Cherry Man Industries, Inc.

Represented By
David S Kupetz
Asa S Hami
Victor A Sahn
Hamid R Rafatjoo
David B Golubchik

Defendant(s):

Patricia Barraza

Represented By
Derrick Talerico

Plaintiff(s):

Jeffrey I. Golden

Represented By
Anerio V Altman

Bankruptcy Estate Of Cherry Man

Represented By
David B Golubchik
Krikor J Meshefejian
Robert Carrasco

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Anerio V Altman

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

2:22-11471 Cherry Man Industries, Inc.

Chapter 7

Adv#: 2:24-01065 HAMID R. RAFATJOO IN HIS CAPACITY AS CHAPTER 11 TR v. APEX

- #6.00** Cont'd Status conference re: Complaint For: (1) Avoidance Of Preferential Transfers [11 U.S.C. § 547]; (2) Avoidance Of Unauthorized Post-Petition Transfers [11 U.S.C. § 549]; (3) Recovery Of Avoided Transfers [11 U.S.C. § 550]; And (4) Disallowance Of Claims [11 U.S.C. §502]]
fr. 6/4/24, 9/24/24, 11/19/24, 2/11/25, 6/3/25, 9/9/25, 12/16/25

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Continue to 6/9/26 at 2:00 p.m., with a status report due by 5/26/26, to provide additional time for the Chapter 7 Trustee to investigate the feasibility of serving the summons and complaint upon defendant under the Hague Convention or whatever other procedures might be applicable. See Status Report (adv. dkt. 24) ¶ G (p. 4). Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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 12/16/25:

Continue to 3/24/26 at 2:00 p.m., with a status report due by 3/10/26, to provide additional time for the Chapter 7 Trustee to investigate the feasibility of serving the summons and complaint upon defendant under the Hague Convention or whatever other procedures might be applicable. See Status Report (adv. dkt. 23) ¶ G (p. 4). Appearances are not required on 12/16/25. (If you wish to contest the tentative ruling, see the Posted Procedures of

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

CONT... Cherry Man Industries, Inc.

Chapter 7

Judge Bason, available at 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.

[PRIOR TENTATIVE RULING(S) OMITTED]

| |
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| Party Information |
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Debtor(s):

Cherry Man Industries, Inc.

Represented By
David S Kupetz
Asa S Hami
Victor A Sahn
Hamid R Rafatjoo
David B Golubchik

Defendant(s):

APEX MARITIME CO. (LAX),

Represented By
Ronald L Richman

K APEX LOGISTICS CO LTD

Pro Se

Plaintiff(s):

Jeffrey I. Golden

Represented By
Anerio V Altman

HAMID R. RAFATJOO IN HIS

Represented By
David B Golubchik
Robert Carrasco

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Anerio V Altman

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

CONT... Cherry Man Industries, Inc.

Chapter 7

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

2:22-11471 Cherry Man Industries, Inc.

Chapter 7

Adv#: 2:24-01067 HAMID R. RAFATJOO IN HIS CAPACITY AS CHAPTER 11 TR v.

- #7.00** Cont'd Status Conference re: Complaint for: (1) Avoidance of Preferential Transfers [11 U.S.C. § 547]; (2) Avoidance of Actual Fraudulent Transfers [11 U.S.C. § 548(A)(1)(A)]; (3) Avoidance of Constructive Fraudulent Transfers [11 U.S.C. §548(A)(1)(B)]; (4) Recovery of Avoided Transfers [11 U.S.C. § 550]; and (5) Disallowance of Claims [11U.S.C. §502] fr. 06/04/24, 07/30/24, 08/27/24, 9/24/24, 12/17/24, 2/18/25, 3/18/25, 5/20/25, 6/3/25, 9/9/25, 12/16/25

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Continue to 4/21/26 at 2:00 p.m., to enable the parties to file a fully-executed stipulation of dismissal. This Court notes that Plaintiff/Trustee previously filed a "Notice of Voluntary Dismissal" (adv. dkt. 38). However, pursuant to Rule 41(a)(1)(A)(i) (Fed. R. Civ. P., made applicable by Rule 7041, Fed. R. Bankr. P.), a "plaintiff may dismiss an action without a court order by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment" (emphasis added). If the parties wish to dismiss an action after Defendant has filed an answer or a motion for summary judgment, the appropriate procedure is to file "a stipulation of dismissal signed by all parties who have appeared." Rule 41(a)(1)(A)(ii). The continued status conference will be taken off calendar if such a stipulated dismissal is filed. Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

CONT... Cherry Man Industries, Inc.

Chapter 7

Tentative Ruling for 12/16/25:

Continue to 3/24/26 at 2:00 p.m. as requested by Plaintiff/Trustee (adv. dkt. 39, ¶ G (p. 4)) for any appropriate post-dismissal matters. See Notice of Dismissal (adv. dkt. 38). No status report is required prior to the continued status conference. Appearances are not required on 12/16/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Cherry Man Industries, Inc.

Represented By
David S Kupetz
Asa S Hami
Victor A Sahn
Hamid R Rafatjoo
David B Golubchik

Defendant(s):

AMERICAN EXPRESS

Represented By
Sweeney Kelly

Plaintiff(s):

Jeffrey I. Golden

Represented By
Anerio V Altman

HAMID R. RAFATJOO IN HIS

Represented By
David B Golubchik
Robert Carrasco

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

CONT... Cherry Man Industries, Inc.

Chapter 7

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Anerio V Altman

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

2:22-11471 Cherry Man Industries, Inc.

Chapter 7

Adv#: 2:24-01068 HAMID R. RAFATJOO IN HIS CAPACITY AS CHAPTER 11 TR v. ANJI

#8.00 Cont'd Status conference re: Complaint For: (1) Avoidance Of Preferential Transfers [11 U.S.C. § 547]; (2) Recovery Of Avoided Transfers [11 U.S.C. § 550]; And (3) Disallowance Of Claims [11U.S.C. §502] fr. 6/4/24, 8/6/24, 10/22/24, 12/17/24, 3/18/25, 4/22/25, 6/3/25, 9/9/25, 12/16/25

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Continue to 6/9/26 at 2:00 p.m., with a status report due by 5/26/26, to provide additional time for the Chapter 7 Trustee to investigate the feasibility of serving the summons and complaint upon defendant under the Hague Convention or whatever other procedures might be applicable. See Status Report (adv. dkt. 15) ¶ G (p. 4). Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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 12/16/25:

Continue to 3/24/26 at 2:00 p.m., with a status report due by 3/10/26, to provide additional time for the Chapter 7 Trustee to investigate the feasibility of serving the summons and complaint upon defendant under the Hague Convention or whatever other procedures might be applicable. See Status Report (adv. dkt. 14) ¶ G (p. 4). Appearances are not required on 12/16/25.

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

CONT... **Cherry Man Industries, Inc.**

Chapter 7

(If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

[PRIOR TENTATIVE RULING(S) OMITTED]

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| Party Information |
|--------------------------|

Debtor(s):

Cherry Man Industries, Inc.

Represented By
David S Kupetz
Asa S Hami
Victor A Sahn
Hamid R Rafatjoo
David B Golubchik

Defendant(s):

ANJI DEKA OFFICE SYSTEM CO

Pro Se

Plaintiff(s):

Jeffrey I. Golden

Represented By
Anerio V Altman

HAMID R. RAFATJOO IN HIS

Represented By
David B Golubchik
Robert Carrasco

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Anerio V Altman

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

2:22-11471 Cherry Man Industries, Inc.

Chapter 7

Adv#: 2:24-01069 HAMID R. RAFATJOO IN HIS CAPACITY AS CHAPTER 11 TR v. QX-

- #9.00** Cont'd Status conference re: Complaint For: (1) Avoidance Of Preferential Transfers [11 U.S.C. § 547]; (2) Recovery Of Avoided Transfers [11 U.S.C. § 550]; And (3) Disallowance Of Claims [11U.S.C. §502] fr. 6/4/24, 8/6/24, 10/22/24, 12/17/24, 3/18/25, 4/22/25, 6/3/25, 9/9/25, 12/16/25

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Continue to 6/9/26 at 2:00 p.m., with a status report due by 5/26/26, to provide additional time for the Chapter 7 Trustee to investigate the feasibility of serving the summons and complaint upon defendant under the Hague Convention or whatever other procedures might be applicable. See Status Report (adv. dkt. 16) ¶ G (p. 4). Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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 12/16/25:

Continue to 3/24/26 at 2:00 p.m., with a status report due by 3/10/26, to provide additional time for the Chapter 7 Trustee to investigate the feasibility of serving the summons and complaint upon defendant under the Hague Convention or whatever other procedures might be applicable. See Status Report (adv. dkt. 15) ¶ G (p. 4). Appearances are not required on 12/16/25.

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

CONT... **Cherry Man Industries, Inc.**

Chapter 7

(If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

[PRIOR TENTATIVE RULING(S) OMITTED]

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Cherry Man Industries, Inc.

Represented By
David S Kupetz
Asa S Hami
Victor A Sahn
Hamid R Rafatjoo
David B Golubchik

Defendant(s):

QX-ORIENTAL INTERNATIONAL

Pro Se

Plaintiff(s):

Jeffrey I. Golden

Represented By
Anerio V Altman

HAMID R. RAFATJOO IN HIS

Represented By
David B Golubchik
Robert Carrasco

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Anerio V Altman

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

2:22-11471 Cherry Man Industries, Inc.

Chapter 7

Adv#: 2:24-01070 HAMID R. RAFATJOO IN HIS CAPACITY AS CHAPTER 11 TR v.

- #10.00** Cont'd Status conference re: Complaint For: (1) Avoidance Of Preferential Transfers [11 U.S.C. § 547]; (2) Recovery Of Avoided Transfers [11 U.S.C. § 550]; And (3) Disallowance Of Claims [11U.S.C. §502] fr. 6/4/24, 8/6/24, 10/22/24, 12/17/24, 3/18/25, 4/22/25, 6/3/25, 9/9/25, 12/16/25

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Continue to 6/9/26 at 2:00 p.m., with a status report due by 5/26/26, to provide additional time for the Chapter 7 Trustee to investigate the feasibility of serving the summons and complaint upon defendant under the Hague Convention or whatever other procedures might be applicable. See Status Report (adv. dkt. 13) ¶ G (p. 4). Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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 12/16/25:

Continue to 3/24/26 at 2:00 p.m., with a status report due by 3/10/26, to provide additional time for the Chapter 7 Trustee to investigate the feasibility of serving the summons and complaint upon defendant under the Hague Convention or whatever other procedures might be applicable. See Status Report (adv. dkt. 12) ¶ G (p. 4). Appearances are not required on 12/16/25.

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

CONT... Cherry Man Industries, Inc.

Chapter 7

(If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Cherry Man Industries, Inc.

Represented By
David S Kupetz
Asa S Hami
Victor A Sahn
Hamid R Rafatjoo
David B Golubchik

Defendant(s):

ZHEJIANG WALSN FURNITURE

Pro Se

Plaintiff(s):

HAMID R. RAFATJOO IN HIS

Represented By
David B Golubchik
Robert Carrasco

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Anerio V Altman

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

2:22-11471 **Cherry Man Industries, Inc.**

Chapter 7

Adv#: 2:24-01071 HAMID R. RAFATJOO IN HIS CAPACITY AS CHAPTER 11 TR v.

- #11.00** Cont'd Status conference re: Complaint for: (1) Avoidance of preferential transfer [11 U.S.C. section 547]; (2) Avoidance of actual fraudulent transfers [11 U.S.C. section 548(a)(1)(A)]; (3) Avoidance of constructive fraudulent transfers [11 U.S.C. section 548(a)(1)(B)]; (4) Recovery of avoided transfers [11 U.S.C. section 550]; and (5) Disallowance of claims [11 U.S.C. section 502]
fr. 6/25/24, 8/6/24, 10/22/24, 2/11/25, 5/6/25, 6/3/25, 9/9/25, 12/16/25

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Pursuant to the request of Plaintiff/Trustee, continue to 4/21/26 at 2:00 p.m., with a deadline of 4/7/26 for the parties to file a fully-executed stipulation of dismissal. See Trustee's Status Report (adv. dkt. 36) ¶ G (p. 4) and Defendant's Status Report (adv. dkt. 35) at p. 2:14–10. The continued status conference will be taken off calendar if the fully-executed stipulation of dismissal is timely filed. Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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 12/16/25:

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

CONT... **Cherry Man Industries, Inc.**

Chapter 7

Pursuant to the request of Plaintiff/Trustee, continue to 3/24/26 at 2:00 p.m., with a status report due by 3/10/26, to provide additional time for the parties to fulfill their obligations under the settlement agreement approved by this Court on 10/28/25 (bankr. dkt. 851). If the parties file a fully-executed stipulation of dismissal upon consummation of the settlement, the continued status conference will be taken off calendar. Appearances are not required on 12/16/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

[PRIOR TENTATIVE RULING(S) OMITTED]

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Cherry Man Industries, Inc.

Represented By
David S Kupetz
Asa S Hami
Victor A Sahn
Hamid R Rafatjoo
David B Golubchik

Defendant(s):

VERIZON COMMUNICATIONS,

Represented By
Lawrence J Hilton

XO Communications Services, LLC

Represented By
Lawrence J Hilton

Plaintiff(s):

Jeffrey I. Golden

Represented By
Anerio V Altman

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

CONT... Cherry Man Industries, Inc.
HAMID R. RAFATJOO IN HIS

Chapter 7

Represented By
David B Golubchik
Robert Carrasco

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Anerio V Altman

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

2:22-11471 Cherry Man Industries, Inc.

Chapter 7

Adv#: 2:24-01072 HAMID R. RAFATJOO IN HIS CAPACITY AS CHAPTER 11 TR v.

- #12.00** Cont'd Status conference re: Complaint For: (1) Avoidance Of Preferential Transfers [11 U.S.C. § 547]; (2) Recovery Of Avoided Transfers [11 U.S.C. § 550]; And (3) Disallowance Of Claims [11U.S.C. §502] fr. 6/4/24, 8/6/24, 10/22/24, 12/17/24, 3/18/25, 4/22/25, 6/3/25, 9/9/25, 12/16/25

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Continue to 6/9/26 at 2:00 p.m., with a status report due by 5/26/26, to provide additional time for the Chapter 7 Trustee to investigate the feasibility of serving the summons and complaint upon defendant under the Hague Convention or whatever other procedures might be applicable. See Status Report (adv. dkt. 16) ¶ G (p. 4). Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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 12/16/25:

Continue to 3/24/26 at 2:00 p.m., with a status report due by 3/10/26, to provide additional time for the Chapter 7 Trustee to investigate the feasibility of serving the summons and complaint upon defendant under the Hague Convention or whatever other procedures might be applicable. See Status Report (adv. dkt. 15) ¶ G (p. 4). Appearances are not required on 12/16/25.

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

CONT... Cherry Man Industries, Inc.

Chapter 7

(If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

[PRIOR TENTATIVE RULING(S) OMITTED]

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|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Cherry Man Industries, Inc.

Represented By
David S Kupetz
Asa S Hami
Victor A Sahn
Hamid R Rafatjoo
David B Golubchik

Defendant(s):

SHANGHAI REALHONG

Pro Se

Plaintiff(s):

Jeffrey I. Golden

Represented By
Anerio V Altman

HAMID R. RAFATJOO IN HIS

Represented By
David B Golubchik
Robert Carrasco

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Anerio V Altman

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

2:22-11471 Cherry Man Industries, Inc.

Chapter 7

Adv#: 2:24-01073 HAMID R. RAFATJOO IN HIS CAPACITY AS CHAPTER 11 TR v.

- #13.00** Cont'd status conference re: Complaint For: (1) Avoidance Of Preferential Transfers [11 U.S.C. § 547]; (2) Recovery Of Avoided Transfers [11 U.S.C. § 550]; And (3) Disallowance Of Claims [11 U.S.C. §502] fr. 6/4/24, 8/6/24, 10/22/24, 12/17/24, 3/18/25, 4/22/25, 6/3/25, 9/9/25, 12/16/25

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Continue to 6/9/26 at 2:00 p.m., with a status report due by 5/26/26, to provide additional time for the Chapter 7 Trustee to investigate the feasibility of serving the summons and complaint upon defendant under the Hague Convention or whatever other procedures might be applicable. See Status Report (adv. dkt. 16) ¶ G (p. 4). Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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 12/16/25:

Continue to 3/24/26 at 2:00 p.m., with a status report due by 3/10/26, to provide additional time for the Chapter 7 Trustee to investigate the feasibility of serving the summons and complaint upon defendant under the Hague Convention or whatever other procedures might be applicable. See Status

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

CONT... Cherry Man Industries, Inc.

Chapter 7

Report (adv. dkt. 15) ¶¶ G (p. 4). Appearances are not required on 12/16/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Cherry Man Industries, Inc.

Represented By
David S Kupetz
Asa S Hami
Victor A Sahn
Hamid R Rafatjoo
David B Golubchik

Defendant(s):

SHANGHAI LIANYING IMPORT

Pro Se

Plaintiff(s):

Jeffrey I. Golden

Represented By
Anerio V Altman

HAMID R. RAFATJOO IN HIS

Represented By
David B Golubchik
Robert Carrasco

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Anerio V Altman

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

2:22-11471 Cherry Man Industries, Inc.

Chapter 7

Adv#: 2:24-01074 HAMID R. RAFATJOO IN HIS CAPACITY AS CHAPTER 11 TR v.

- #14.00** Cont'd Status conference re: Complaint For: (1) Avoidance Of Preferential Transfers [11 U.S.C. § 547]; (2) Avoidance Of Actual Fraudulent Transfers [11 U.S.C. § 548(A)(1)(A)]; (3) Avoidance Of Constructive Fraudulent Transfers [11 U.S.C. §548(A)(1)(B)]; (4) Recovery Of Avoided Transfers [11 U.S.C. § 550]; And (5) Disallowance Of Claims [11U.S.C. §502] fr. 6/4/24, 8/6/24, 10/22/24, 12/17/24, 2/18/25, 3/18/25, 4/22/25, 6/3/25, 9/9/25, 12/16/25

Docket 1

Tentative Ruling:

Tentative Ruling for 3/24/26:

Pursuant to the request of Plaintiff/Trustee, continue to 4/21/26 at 2:00 p.m., to enable the parties to file a fully-executed stipulation of dismissal upon consummation of the settlement. See Status Report (adv. dkt. 25) ¶ G (p. 4). The continued status conference will be taken off calendar if such a stipulation is filed. Appearances are not required on 3/24/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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 12/16/25:

Continue to 3/24/26 at 2:00 p.m. as requested by Plaintiff/Trustee (adv. dkt. 22, p. 4) for any appropriate post-dismissal matters. See Notice of Dismissal (adv. dkt. 21). No status report is required prior to the continued status conference. Appearances are not required on 12/16/25. (If you wish to

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

Tuesday, March 24, 2026

Hearing Room 1545

2:00 PM

CONT... **Cherry Man Industries, Inc.**

Chapter 7

contest the tentative ruling, see the Posted Procedures of Judge Bason, available at 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.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Cherry Man Industries, Inc.

Represented By
David S Kupetz
Asa S Hami
Victor A Sahn
Hamid R Rafatjoo
David B Golubchik

Defendant(s):

FEDERAL EXPRESS

Pro Se

Plaintiff(s):

Jeffrey I. Golden

Represented By
Anerio V Altman

HAMID R. RAFATJOO IN HIS

Represented By
David B Golubchik
Robert Carrasco

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Anerio V Altman