

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

9:00 AM  
**2:00-000000**

**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: 160 650 6219

Password: 882269

Meeting URL: <https://cacb.zoomgov.com/j/1606506219>

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, May 12, 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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:25-20863 Billy Bruce Rubio**

**Chapter 13**

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

NEWREZ LLC AS SERVICER FOR THE BANK  
OF MELLON FKA THE BANK OF NEW YORK  
vs  
DEBTOR

Docket 47

**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. 51)).

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

Billy Bruce Rubio

Represented By  
Richard T Baum

**Movant(s):**

NewRez LLC as servicer for THE

Represented By  
Dane W Exnowski

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Billy Bruce Rubio**

**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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:25-18278 Cheryl Lynn Veal**

**Chapter 13**

**#2.00 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. 49; Debtor's response, dkt. 57).

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

Cheryl Lynn Veal

Represented By  
D Justin Harelik

**Movant(s):**

U.S. Bank National Association, as

Represented By  
Joseph C Delmotte

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Cheryl Lynn Veal**

**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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:25-19934 Gabriel Anthony Bear Bustillos**

**Chapter 13**

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

CITIBANK, N.A.  
vs  
DEBTOR

Docket 44

**\*\*\* VACATED \*\*\* REASON: Continued per stipulation (dkt. 53) and  
order thereon (dkt. 54)**

**Tentative Ruling:**

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

Gabriel Anthony Bear Bustillos

Represented By  
Michael E Clark  
Barry E Borowitz

**Movant(s):**

Citibank, N.A.

Represented By  
Darlene C Vigil  
Marisol A Nagata

**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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:24-18309 Gregory Deon Randolph**

**Chapter 13**

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

RANDY SPROUT  
vs  
DEBTOR

Docket 69

**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](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

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

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

Deny the request to waive the 14-day stay provided by Rule 4001(a)(4)

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Gregory Deon Randolph**

**Chapter 13**

(Fed. R. Bankr. P.) for lack of sufficient cause shown.

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

Gregory Deon Randolph

Represented By  
Barry E Borowitz

**Movant(s):**

Randy Sprout, his successors and/or

Represented By  
Reilly D Wilkinson  
Joshua L Scheer

**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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:24-14860 Janet Brown**

**Chapter 13**

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

THE BANK OF NEW YORK MELLON  
vs  
DEBTOR

Docket 92

**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. 95; Debtor's response, dkt. 99).

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

Janet Brown

Represented By  
Daniela P Romero

**Movant(s):**

The Bank Of New York Mellon

Represented By  
Bryan S. Fairman  
Joseph C Delmotte

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Janet Brown**

Renee M Parker

**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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:26-10144 Paul T Cha**

**Chapter 13**

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

U.S. BANK TRUST NATIONAL ASSOCIATION  
vs  
DEBTOR

Docket 45

**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](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

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

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 present record. See *In re Ervin* (Case No. 14-bk-18204-NB, docket no. 311).

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Paul T Cha**

**Chapter 13**

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](http://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 Leaffy*, 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 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

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Paul T Cha**

**Chapter 13**

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

Paul T Cha

Represented By  
Robert Bazikyan

**Movant(s):**

U.S. Bank Trust National

Represented By  
Darlene C Vigil

**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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:25-14735 Vahan Avetisyan**

**Chapter 13**

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

U.S. BANK NATIONAL ASSOCIATION  
vs  
DEBTOR

Docket 42

**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 Debtor's response (dkt. 44) and Trustee's response (dkt. 46)).

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

Vahan Avetisyan

Represented By  
Vahe Khojayan

**Movant(s):**

U.S. Bank National Association

Represented By  
Jennifer C Wong

**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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Vahan Avetisyan**

**Chapter 13**

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:26-12198    Adrianne Michelle Williams**

**Chapter 13**

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

GLOBAL LENDING SERVICES LLC  
vs  
DEBTOR

Docket      17

**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](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

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

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

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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT...**      **Adrianne Michelle Williams**  
(4) (Fed. R. Bankr. P.).

**Chapter 13**

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

Adrianne Michelle Williams

Represented By  
Raj T Wadhwani

**Movant(s):**

Global Lending Services LLC

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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:26-12238 Angel Banuelos Vergara**

**Chapter 7**

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

JOHN DEERE CONSTRUCTION & FORESTY COMPANY  
vs  
DEBTOR

Docket 9

**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](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

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

Termination

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

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT...**      **Angel Banuelos Vergara**      **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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| <b>Party Information</b> |
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**Debtor(s):**

Angel Banuelos Vergara

Represented By  
Edwin A Barnum

**Movant(s):**

John Deere Construction & Forestry

Represented By  
James MacLeod

**Trustee(s):**

Timothy Yoo (TR)

Pro Se

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:26-12687 Beile Li**

**Chapter 7**

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

WESTLAKE FINANCIAL SERVICES  
vs  
DEBTOR

Docket 8

**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](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

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

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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT...**      **Beile Li**  
(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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| <b>Party Information</b> |
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**Debtor(s):**

Beile Li

Represented By  
David H Chung

**Movant(s):**

Westlake Financial Services

Represented By  
Jennifer C Wong

**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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:26-10035 Bradford John Kelley**

**Chapter 13**

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

GAIN FEDERAL CREDIT UNION  
vs  
DEBTOR

Docket 22

**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](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

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

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

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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT...**      **Bradford John Kelley**  
(4) (Fed. R. Bankr. P.).

**Chapter 13**

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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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Bradford John Kelley

Represented By  
Anerio V Altman

**Movant(s):**

Gain Federal Credit Union, its

Represented By  
Reilly D Wilkinson

**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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:26-11192 Lisa Renee Stephenson**

**Chapter 7**

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

TOYOTA MOTOR CREDIT CORPORATION  
vs  
DEBTOR

Docket 14

**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](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

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

Termination

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

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT...**      **Lisa Renee Stephenson**      **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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| <b>Party Information</b> |
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**Debtor(s):**

Lisa Renee Stephenson

Represented By  
Krystina T Tran

**Movant(s):**

TOYOTA MOTOR CREDIT

Represented By  
Kirsten Martinez

**Trustee(s):**

Peter J Mastan (TR)

Pro Se

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:25-17876 Marcia Bautista Bracamonte**

**Chapter 13**

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

AMERICAN HONDA FINANCE CORPORATION  
vs  
DEBTOR

Docket 36

**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](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

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

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

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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT...**      **Marcia Bautista Bracamonte**  
(4) (Fed. R. Bankr. P.).

**Chapter 13**

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

Marcia Bautista Bracamonte

Represented By  
Devin Sawdayi

**Movant(s):**

American Honda Finance

Represented By  
Jennifer C Wong

**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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:24-18010 Nelson Mauricio Menendez**

**Chapter 13**

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

BMW BANK OF NORTH AMERICA  
vs  
DEBTOR

Docket 38

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

**Tentative Ruling:**

- NONE LISTED -

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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Nelson Mauricio Menendez

Represented By  
David P Farrell

**Movant(s):**

BMW Bank of North America

Represented By  
Jennifer C Wong

**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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:26-11338 Omar Gutierrez**

**Chapter 7**

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

AMERICAN HONDA FINANCE CORPORATION  
vs  
DEBTOR

Docket 16

**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](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

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

Termination

Terminate the automatic stay under 11 U.S.C. 362(d)(1) and (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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT...**      **Omar Gutierrez**  
(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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| <b>Party Information</b> |
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**Debtor(s):**

Omar Gutierrez

Represented By  
Alisa Admiral Garcia

**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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:24-14881 Peter Alexander Zuk**

**Chapter 7**

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

PUBLIC STORAGE, INC  
vs  
DEBTOR

Docket 67

**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](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

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

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

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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT...**      **Peter Alexander Zuk**  
(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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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Peter Alexander Zuk

Represented By  
Michael S Kogan

**Movant(s):**

Public Storage, Inc

Represented By  
Dennis C. Winters

**Trustee(s):**

Sam S Leslie (TR)

Represented By  
Rosendo Gonzalez

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:26-11908 Yadira Magdalena Novoa**

**Chapter 7**

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

SANTANDER BANK, N.A.  
vs  
DEBTOR

Docket 9

**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](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

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

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

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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT...**      **Yadira Magdalena Novoa**  
(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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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Yadira Magdalena Novoa

Represented By  
D Justin Harelik

**Movant(s):**

Santander Bank, N.A., as servicer

Represented By  
Sheryl K Ith

**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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:26-13812 Suzanne Marie Lee**

**Chapter 13**

**#18.00** Hrg re: Motion in Individual Case for Order Confirming Termination of Stay under 11 U.S.C. 362(j) or That No Stay is in Effect under 11 U.S.C. 362(c)(4)(A)(ii)

TY INVESTMENT 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)) 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](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

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

The automatic stay does not apply

The tentative ruling is to grant the motion under 11 U.S.C. 362(c)(4)(A)(ii) on the grounds that as of the date of this hearing there is no automatic stay because (a) Debtor's has more than 2 cases that were dismissed within

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Suzanne Marie Lee**

**Chapter 13**

one year before this case was filed on 4/20/26 as follows: (i) case no. 2:26-bk-10720-NB was dismissed on 1/27/26; (ii) case no. 2:25-bk-21501-NB was dismissed on 1/12/26; (iii) case no. 2:25-bk-20511-NB was dismissed on 12/12/25; and case no. 2:25-bk-14394-BR was dismissed on 11/7/25; (b) dismissal of the identified prior cases was not under 11 U.S.C. 707(b), and (c) no finding of good faith was timely sought and obtained. The automatic stay has terminated both as to Debtor *in personam* and as to property of Debtor. See *In re Reswick*, 446 B.R. 362 (9th Cir. BAP 2011); *In re Hernandez*, case no. 2:11-bk-53730-NB, docket #40 (Memorandum Decision).

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

Suzanne Marie Lee

Pro Se

**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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:24-13173 Wendy Michelle Reyes**

**Chapter 13**

**#19.00 Hrg re: Motion for Relief from Automatic Stay [NA]**

ALEJANDRO SEPULVEDA  
vs  
DEBTOR

Docket 46

**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](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

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

(1) Limited relief. Modify and condition the automatic stay under 11 U.S.C. 362(d)(1) such that the movant may proceed in the nonbankruptcy forum to final judgment (including any appeals) in accordance with applicable nonbankruptcy law, subject to the following limitations (Judge Bason's standard limitations), *provided that the automatic stay will not apply to partition and sale of the subject property so long as the bankruptcy*

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Wendy Michelle Reyes**

**Chapter 13**

*estate's/Debtor's share of the proceeds are distributed to, or as directed by, the Chapter 13 Trustee, or as otherwise ordered by this Court.*

(a) No enforcement against property of the bankruptcy estate. The stay remains in effect with respect to enforcement of any judgment against property of the debtor's bankruptcy estate - any such property shall be distributed when and how provided by the Bankruptcy Code. Nevertheless, the movant is permitted to enforce its final judgment by (i) collecting upon any available insurance in accordance with applicable nonbankruptcy law or (ii) proceeding against the debtor as to any property that is not property of this bankruptcy estate. See, e.g., 11 U.S.C. 362(b)(2)(B) & 541(b)(7) (collection of domestic support obligations from ERISA qualified retirement plans).

(b) Claim allowance, priority, and discharge issues. Any claims arising from the nonbankruptcy litigation are subject to this Bankruptcy Court's jurisdiction regarding claim allowance and priority, and the existence and scope of any bankruptcy discharge.

(c) No relief in *other* bankruptcy cases. 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).

(2) Additional analysis:

The Bankruptcy Court "shall grant relief from the stay" upon a showing of "cause." 11 U.S.C. 362(d)(1). Such relief need not take the form of a complete termination of the automatic stay, but instead may include "modifying or conditioning such stay." *Id.*

"Cause" is determined on a case-by-case basis." *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1166 (9th Cir.1990). In determining whether "cause" exists to grant relief from the automatic stay to allow a movant to pursue litigation in a non-bankruptcy forum, courts in the Ninth Circuit have examined the factors set forth in *In re Curtis*, 40 B.R. 795, 799–800 (Bankr. D. Utah 1984). See *In re Merriman*, 616 B.R. 381, 389 & n. 5 (9th Cir. BAP 2020); *In re Kronmeyer*, 405 B.R. 915 (9th Cir. BAP 2009); *In re Plumberex Specialty Prods., Inc.*, 311 B.R. 551, 559–60 (Bankr. C.D. Cal.2004). Those factors are: (1) Whether the relief will result in a partial or complete resolution

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Wendy Michelle Reyes**

**Chapter 13**

of the issues; (2) The lack of any connection with or interference with the bankruptcy case; (3) Whether the foreign proceeding involves the debtor as a fiduciary; (4) Whether a specialized tribunal has been established to hear the particular cause of action and whether that tribunal has the expertise to hear such cases; (5) Whether the debtor's insurance carrier has assumed full financial responsibility for defending the litigation; (6) Whether the action essentially involves third parties, and the debtor functions only as a bailee or conduit for the goods or proceeds in question; (7) Whether the litigation in another forum would prejudice the interests of other creditors, the creditors' committee and other interested parties; (8) Whether the judgment claim arising from the foreign action is subject to equitable subordination under Section 510(c); (9) Whether movant's success in the foreign proceeding would result in a judicial lien avoidable by the debtor under Section 522(f); (10) The interests of judicial economy and the expeditious and economical determination of litigation for the parties; (11) Whether the foreign proceedings have progressed to the point where the parties are prepared for trial; and (12) The impact of the stay on the parties and the "balance of hurt." *Plumberex*, 311 B.R. at 559. "[W]hile the *Curtis* factors are widely used to determine the existence of 'cause,' not all of the factors are relevant in every case, nor is a court required to give each factor equal weight." *In re Landmark Fence Co., Inc.*, 2011 WL 6826253 at \*4 (C.D. Cal. Dec. 9, 2011). *Accord Merriman*, 616 B.R. 381, 389. See also, e.g., *In re Conejo Enters., Inc.*, 96 F.3d 346, 353 (9th Cir. 1996) (discretion to deny stay relief even when faced with non-core state claims).

Based on the present record, the tentative ruling is that these factors weigh in favor of granting relief as set forth above. Most significantly: (1) Movant filed the nonbankruptcy action in May 2024, almost two years ago, and should not be required to wait another three years until Debtor's plan has been completed to pursue his claims (factors ten and twelve). (2) The claims at issue arise entirely under state law (factor four). (3) Other creditors will not be prejudiced by the litigation, because if Movant prevails and the property is partitioned and sold, Debtor's share of the net sales proceeds will most likely be fully exempt, so a sale will not diminish the funds available to other creditors (factor seven).

**(3) Retroactive relief**

Grant the request for retroactive annulment of the stay. See *In re Nat'l*

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Wendy Michelle Reyes**

**Chapter 13**

*Enviro. Waste Corp.*, 129 F.3d 1052, 1054-56 (9th Cir. 1997); *In re Fjeldsted*, 293 B.R. 12 (9th Cir. BAP 2003); *and see also In re Merriman*, 616 B.R. 381, 389-90 & n. 6 and 391-95 (9th Cir. BAP 2020) (retroactive relief is permissible, and Fjeldsted factors should not be applied mechanically); *In re Williams*, 323 B.R. 691, 697-702 (9th Cir. BAP 2005) (various issues involving annulment, and application of *Fjeldsted*), *aff'd*, 204 Fed.Appx. 582 (9th Cir. 2006), *overruled on other issues*, *In re Perl*, 811 F.3d 1120 (9th Cir. 2016) (scope of automatic stay).

(4) Effective date of relief

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

(3).

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

Wendy Michelle Reyes

Represented By  
Onyinye N Anyama

**Movant(s):**

Alejandro Sepulveda

Represented By  
Nima S Vokshori

**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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:26-13212 Keith Merritt Ferrin**

**Chapter 13**

**#20.00 Hrg re: Motion for Relief from Automatic Stay [NA]**

ANDREI NICULESCU  
vs  
DEBTOR

Docket 12

**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](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

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

(1) Limited relief. Modify and condition the automatic stay under 11 U.S.C. 362(d)(1) such that the movant may proceed in the nonbankruptcy forum to final judgment (including any appeals) in accordance with applicable nonbankruptcy law, subject to the following limitations (Judge Bason's standard limitations), *provided that the automatic stay will not apply to sale of the subject property so long as the bankruptcy estate's/Debtor's share of the*

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Keith Merritt Ferrin**

**Chapter 13**

*proceeds are distributed to, or as directed by, the Chapter 13 Trustee, or as otherwise ordered by this Court.*

(a) No enforcement against property of the bankruptcy estate. The stay remains in effect with respect to enforcement of any judgment against property of the debtor's bankruptcy estate - any such property shall be distributed when and how provided by the Bankruptcy Code. Nevertheless, the movant is permitted to enforce its final judgment by (i) collecting upon any available insurance in accordance with applicable nonbankruptcy law or (ii) proceeding against the debtor as to any property that is not property of this bankruptcy estate. See, e.g., 11 U.S.C. 362(b)(2)(B) & 541(b)(7) (collection of domestic support obligations from ERISA qualified retirement plans).

(b) Claim allowance, priority, and discharge issues. Any claims arising from the nonbankruptcy litigation are subject to this Bankruptcy Court's jurisdiction regarding claim allowance and priority, and the existence and scope of any bankruptcy discharge.

(c) No relief in *other* bankruptcy cases. 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).

(2) Additional analysis:

The Bankruptcy Court "shall grant relief from the stay" upon a showing of "cause." 11 U.S.C. 362(d)(1). Such relief need not take the form of a complete termination of the automatic stay, but instead may include "modifying or conditioning such stay." *Id.*

"Cause" is determined on a case-by-case basis." *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1166 (9th Cir.1990). In determining whether "cause" exists to grant relief from the automatic stay to allow a movant to pursue litigation in a non-bankruptcy forum, courts in the Ninth Circuit have examined the factors set forth in *In re Curtis*, 40 B.R. 795, 799–800 (Bankr. D. Utah 1984). See *In re Merriman*, 616 B.R. 381, 389 & n. 5 (9th Cir. BAP 2020); *In re Kronmeyer*, 405 B.R. 915 (9th Cir. BAP 2009); *In re Plumberex Specialty Prods., Inc.*, 311 B.R. 551, 559–60 (Bankr. C.D. Cal.2004). Those factors are: (1) Whether the relief will result in a partial or complete resolution

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Keith Merritt Ferrin**

**Chapter 13**

of the issues; (2) The lack of any connection with or interference with the bankruptcy case; (3) Whether the foreign proceeding involves the debtor as a fiduciary; (4) Whether a specialized tribunal has been established to hear the particular cause of action and whether that tribunal has the expertise to hear such cases; (5) Whether the debtor's insurance carrier has assumed full financial responsibility for defending the litigation; (6) Whether the action essentially involves third parties, and the debtor functions only as a bailee or conduit for the goods or proceeds in question; (7) Whether the litigation in another forum would prejudice the interests of other creditors, the creditors' committee and other interested parties; (8) Whether the judgment claim arising from the foreign action is subject to equitable subordination under Section 510(c); (9) Whether movant's success in the foreign proceeding would result in a judicial lien avoidable by the debtor under Section 522(f); (10) The interests of judicial economy and the expeditious and economical determination of litigation for the parties; (11) Whether the foreign proceedings have progressed to the point where the parties are prepared for trial; and (12) The impact of the stay on the parties and the "balance of hurt." *Plumberex*, 311 B.R. at 559. "[W]hile the *Curtis* factors are widely used to determine the existence of 'cause,' not all of the factors are relevant in every case, nor is a court required to give each factor equal weight." *In re Landmark Fence Co., Inc.*, 2011 WL 6826253 at \*4 (C.D. Cal. Dec. 9, 2011). *Accord Merriman*, 616 B.R. 381, 389. See also, e.g., *In re Conejo Enters., Inc.*, 96 F.3d 346, 353 (9th Cir. 1996) (discretion to deny stay relief even when faced with non-core state claims).

Based on the present record, the tentative ruling is that these factors weigh in favor of granting relief as set forth above. Most significantly: (1) Movant filed the nonbankruptcy action in May 2023, almost three years ago, and should not be required to wait another three years until Debtor's plan has been completed to pursue his claims (factors ten and twelve). (2) The claims at issue arise entirely under state law (factor four). (3) Other creditors will not be prejudiced by the litigation, because if Movant prevails and the property is sold, Debtor's share of the net sales proceeds will most likely be fully exempt, so a sale will not diminish the funds available to other creditors (factor seven).

**(3) Effective date of relief**

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

**(3).**

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Keith Merritt Ferrin**

**Chapter 13**

**(4) 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.

|                          |
|--------------------------|
| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Keith Merritt Ferrin

Represented By  
Anerio V Altman

**Movant(s):**

Andrei Niculescu

Represented By  
Alana B Anaya

**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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:25-17006 DeShawn Eric Chambers**

**Chapter 13**

**#21.00** Hrg re: Motion for Relief from Automatic Stay [NA]

DESHAWN ERIC CHAMBERS  
vs  
DEBTOR

Docket 43

**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](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

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

(1) Limited relief. Modify and condition the automatic stay under 11 U.S.C. 362(d)(1) such that the movant may proceed in the nonbankruptcy forum to final judgment (including any appeals) in accordance with applicable nonbankruptcy law, subject to the following limitations (Judge Bason's standard limitations, except for stated modifications).

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT...**

**DeShawn Eric Chambers**

**Chapter 13**

(a) [Standard limitation intentionally omitted.]

Modification: Movant may proceed to obtain a judicial determination of the dollar amount of damages allegedly caused to the residence, and any other issues regarding equalization or characterization of property as between Movant and Debtor. Movant may also obtain orders and judgments applying any equalization, including any setoffs, to adjustment any buy-out of Debtor's interest in the subject property, or to any other property division or allocation of property by the divorce court.

The tentative ruling is that Movant's request that such authorization last "at least six months after the current Bankruptcy case of Debtor is completed, discharged, and closed" (dkt. 43, p. 3) is unnecessary because after all of those things have occurred the automatic stay ceases to exist by operation of law (see 11 U.S.C. 362(c)). But, as a precaution, the tentative ruling is to grant the foregoing relief regardless of whether this bankruptcy case has been closed, Debtor has received a discharge, any payments under any chapter 13 plan have been completed, or any other milestone has or has not been reached in this bankruptcy case.

(b) Claim allowance, priority, and discharge issues. Any claims arising from the nonbankruptcy litigation are subject to this Bankruptcy Court's jurisdiction regarding claim allowance and priority, and the existence and scope of any bankruptcy discharge.

Modification: The reference to any "claims" in the immediately preceding paragraph means any claims to be collected from Debtor *in personam*, as distinguished from claims against property that is being administered by the divorce court. The former must be addressed in this bankruptcy case; the latter can be addressed in the divorce proceedings.

(c) No relief in other bankruptcy cases. 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).

(d) [Intentionally omitted]

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... DeShawn Eric Chambers**

**Chapter 13**

**(2) Additional analysis:**

The Bankruptcy Court "shall grant relief from the stay" upon a showing of "cause." 11 U.S.C. 362(d)(1). Such relief need not take the form of a complete termination of the automatic stay, but instead may include "modifying or conditioning such stay." *Id.*

"Cause" is determined on a case-by-case basis." *In re Tucson Estates, Inc.*, 912 F.2d 1162, 1166 (9th Cir.1990). In determining whether "cause" exists to grant relief from the automatic stay to allow a movant to pursue litigation in a non-bankruptcy forum, courts in the Ninth Circuit have examined the factors set forth in *In re Curtis*, 40 B.R. 795, 799–800 (Bankr. D. Utah 1984). See *In re Merriman*, 616 B.R. 381, 389 & n. 5 (9th Cir. BAP 2020); *In re Kronmeyer*, 405 B.R. 915 (9th Cir. BAP 2009); *In re Plumberex Specialty Prods., Inc.*, 311 B.R. 551, 559–60 (Bankr. C.D. Cal.2004). Those factors are: (1) Whether the relief will result in a partial or complete resolution of the issues; (2) The lack of any connection with or interference with the bankruptcy case; (3) Whether the foreign proceeding involves the debtor as a fiduciary; (4) Whether a specialized tribunal has been established to hear the particular cause of action and whether that tribunal has the expertise to hear such cases; (5) Whether the debtor's insurance carrier has assumed full financial responsibility for defending the litigation; (6) Whether the action essentially involves third parties, and the debtor functions only as a bailee or conduit for the goods or proceeds in question; (7) Whether the litigation in another forum would prejudice the interests of other creditors, the creditors' committee and other interested parties; (8) Whether the judgment claim arising from the foreign action is subject to equitable subordination under Section 510(c); (9) Whether movant's success in the foreign proceeding would result in a judicial lien avoidable by the debtor under Section 522(f); (10) The interests of judicial economy and the expeditious and economical determination of litigation for the parties; (11) Whether the foreign proceedings have progressed to the point where the parties are prepared for trial; and (12) The impact of the stay on the parties and the "balance of hurt." *Plumberex*, 311 B.R. at 559. "[W]hile the *Curtis* factors are widely used to determine the existence of 'cause,' not all of the factors are relevant in every case, nor is a court required to give each factor equal weight." *In re Landmark Fence Co., Inc.*, 2011 WL 6826253 at \*4 (C.D. Cal. Dec. 9, 2011). See also, e.g., *In re Conejo Enters.*,

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... DeShawn Eric Chambers**

**Chapter 13**

*Inc.*, 96 F.3d 346, 353 (9th Cir. 1996) (discretion to deny stay relief even when faced with non-core state claims).

Based on the present record, the tentative ruling is that these factors weigh in favor of granting relief as set forth above. Of most importance, the nonbankruptcy action involves Debtor as a fiduciary to the extent that spouses owe each other fiduciary duties (factor "3"); a "specialized tribunal" has been established to hear the particular cause of action, and has the expertise to hear such cases - namely, the divorce court (factor "4"); the interests of judicial economy and the expeditious and economical determination of litigation for the parties favors the relief granted hereing (factor "10"), and the impact of the stay on the parties and the "balance of hurt" favors such relief (factor "12").

Relief notwithstanding *future* bankruptcy cases

The tentative ruling is to deny that request for lack of sufficient cause shown: there is no evidence of the type typically required for such relief, such as multiple bankruptcy filings or unauthorized transfers of property combined with a scheme to delay, hinder or defraud creditors.

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.

|                          |
|--------------------------|
| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

DeShawn Eric Chambers

Represented By

Thomas E Brownfield

**Movant(s):**

DeShawn Eric Chambers

Represented By

Thomas E Brownfield

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... DeShawn Eric Chambers**

**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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:25-17917 Cesar Barajas**

**Chapter 13**

**#22.00** Cont'd hrg re: Motion for Relief from Automatic Stay [RP]  
fr. 12/2/25, 12/16/25, 2/10/26, 4/7/26

U.S. BANK TRUST NATIONAL ASSOCIATION  
vs  
DEBTOR

Docket 21

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Appearances required.

At the hearing on 4/7/26 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 4/7/26:**

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.

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Cesar Barajas**

**Chapter 13**

**Tentative Ruling for 2/10/26:**

Appearances required. At the hearing on 12/16/25 this Court was persuaded to continue this matter to today, but also directed Movant to provide notice of this continued hearing to Debtor's ex-spouse and any other individuals claiming an interest in the property by no later than 12/19/25. No proof of service of such notice is on file, so Movant should be prepared to address whether notice was actually given.

**Note:** According to a declaration filed by Joey O'Neill, the name of Debtor's ex-spouse is "Maria Gutierrez." O'Neill Decl. (dkt. 26) p. 2:14–16 and Ex. 1 (state court judgment of dissolution for the marriage of Debtor and Maria Gutierrez). But the loan documents list Debtor's spouse as "Adriana Barajas." R/S Mtn. (dkt. 21-1) PDF p. 21 of 41 (loan modification agreement between lender and Debtor and "Adriana Barajas husband and wife"). It is unclear whether Debtor's ex-spouse changed her name, or whether there are multiple individuals aside from Debtor asserting an interest in the property.

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 Court's adopted tentative ruling for 12/2/25 continued this matter to today but directed Movant (a) to serve a copy of the motion papers and notice of the continued hearing, and the deadlines in this tentative ruling, on co-borrower/co-owner Ariana Barajas and Debtor, and (b) file a proof of service by 12/3/25. Instead, that notice was not filed and served until 12/12/25, and it does not reflect service on Ariana Barajas (or Debtor's ex-spouse, who asserts a community property interest in the subject property).

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Cesar Barajas**

**Chapter 13**

See Notice (dkt. 27).

Meanwhile, Debtor has filed a declaration of a real estate agent asserting that he is "unable to list this property in the market for sale" because Debtor's "ex-wife, Maria Gutierrez, refuses to sign off on the sale documents" and Debtor is waiting on "a court order dividing the community assets to proceed with the sale" of the subject property. Decl. (dkt. 26, p. 2:8-16). Debtor allegedly has a hearing of some sort (possibly on division of property?) scheduled in State Court for 12/23/25 at 1:30 p.m. (id., p. 2:16-18) and a trial (possibly on the same issue) scheduled for 1/7/26 at 1:30 p.m. *Id.* and Ex. 2 at PDF pp. 8-10.

On the one hand, this Court notes that Debtor's bankruptcy schedules suggest a substantial equity in the subject property, and Movant's papers do not assert a lack of equity. In addition, this Court takes judicial notice that bankruptcy sales generally maximize value (especially due to the ability to sell free and clear of liens and other encumbrances under 11 U.S.C. 363(f)), whereas foreclosure sales generally produce substantially less than market value.

On the other hand, this Court notes that Movant has provided evidence of (i) a string of missed postpetition payments in this case and (ii) a string of prior bankruptcy petitions by various persons that have greatly delayed Movant's exercise of any nonbankruptcy remedies. In addition, Debtor's response (dkt. 23) to the R/S Motion (dkt. 21) states that "Debtor's home [the subject property] has been listed for sale" (dkt. 23, Debtor Decl., p. 1:28, at PDF p. 4, emphasis added) which appears to be an outright lie, given the real estate agent's above-quoted declaration that he is "unable to list this property in the market for sale" (because of the non-consent of Debtor's ex-wife). Decl. (dkt. 26, p. 2:8-16, emphasis added). In addition, this Court questions whether Debtor's stated intent to sell the subject property is genuine, given that despite the filing of this bankruptcy case three months ago (on 9/9/25) and despite various bankruptcy tools that could have been used in this case or a prior bankruptcy case to sell property that is subject to various asserted interests, Debtor has not taken steps to do so. See, e.g., 11 U.S.C. 363(b), (f), (g) & (h).

Ultimately, 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.

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Cesar Barajas**

**Chapter 13**

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

**Tentative Ruling for 12/2/25:**

The tentative ruling is to (x) continue this hearing to 12/16/25 at 10:00 a.m. to monitor Debtor's sale efforts, (y) set a **deadline of 12/3/25 for Movant** to serve a copy of the motion papers and notice of the continued hearing, and the deadlnes in this tentative ruling, on co-borrower/co-owner Ariana Barajas and Debtor, and file a proof of service, and (z) set a **deadline of 12/11/25 at noon for any response by Ms. Baraja and for Debtor** to file a supplemental declaration from a broker or real estate agent describing all efforts that have been undertaken to market the property for sale.

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](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

Proposed order(s): Unless otherwise ordered, Movant is directed to lodge a proposed interim order on the foregoing matter 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): Debtor's opposition (dkt. 23)

Analysis

The tentative ruling is that Movant has established sufficient "cause" for relief under 11 U.S.C. 362(d)(1) based on Debtor's failure to make post-

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Cesar Barajas**

**Chapter 13**

petition mortgage payments and history of bankruptcy filings and, therefore, this Court "shall" grant some form of relief. But that relief need not be to terminate the automatic stay at this time, and instead appropriate relief is granted by mandating adequate protection in the form of a combination of (1) the equity cushion above Movant's lien, (2) Debtor's efforts to sell the property, and (3) continued hearing(s) to monitor those efforts. As for "in rem" relief under 11 U.S.C. 362(d)(4), the tentative ruling is that Movant must provide supplemental service of the motion and notice of a continued hearing as set forth herein.

Relief notwithstanding future bankruptcy cases

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: Adriana Barajas. See dkt. 21, PDF p. 33.

Effective date of relief

Grant the request to waive the 14-day stay provided by Rule 4001(a) (4) (Fed. R. Bankr. P.). In other words, Movant is not stayed in doing any pre-foreclosure activities, such as sending notices related to foreclosure, but is barred from actually foreclosing so long as Debtor shows sufficient progress towards a consensual sale of the subject property (or a satisfactory alternative such as refinancing).

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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| <b>Party Information</b> |
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**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Neil Bason, Presiding  
Courtroom 1545 Calendar**

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Cesar Barajas**

**Chapter 13**

**Debtor(s):**

Cesar Barajas

Represented By  
Onyinye N Anyama

**Movant(s):**

U.S. BANK TRUST NATIONAL

Represented By  
Sean C Ferry  
David Coats  
Shana Stark

**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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

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

**Chapter 13**

**#23.00** Cont'd hrg re: Motion for Relief from Automatic Stay [RP]  
fr. 3/24/26

NEW AMERICAN FUNDING, LLC  
vs  
DEBTOR

Docket 50

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

At the hearing on 3/24/26 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. 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.

**Tentative Ruling for 3/24/26:**

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
- (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

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

**Tuesday, May 12, 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.

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| <b>Party Information</b> |
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**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  
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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:25-13255 Martha Ochoa de Martinez**

**Chapter 13**

**#24.00** Cont'd hrg re: Motion for Relief from Automatic Stay [RP]  
fr. 3/24/26

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

Docket 51

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Appearances required.

At the hearing on 3/24/26 this Court was persuaded to continue this matter to today. On 4/30/26, this Court issued an order (dkt. 60) declining to approve a stipulation for adequate protection between Debtor and the secured creditor seeking relief from the automatic stay, because the proposed stipulation did not take into account the request of the Chapter 13 Trustee ("Trustee") that some or all future mortgage payments be disbursed by Trustee (see dkt. 54-55).

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 3/24/26:**

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

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Martha Ochoa de Martinez**

**Chapter 13**

(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.

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| <b>Party Information</b> |
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**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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:25-18319 Nancy Liliana Chavez**

**Chapter 13**

**#25.00** Cont'd hrg re: Motion for Relief from Automatic Stay [RP]  
fr. 3/24/26

U.S. BANK NATIONAL ASSOCIATION  
VS  
DEBTOR

Docket 45

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

**Tentative Ruling:**

- NONE LISTED -

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| <b>Party Information</b> |
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**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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:22-15509 Tara Carlos Lico and Shellan Yvette Lico**

**Chapter 13**

**#26.00** Cont'd hrg re: Motion for Relief from Automatic Stay [RP]  
fr. 3/10/26, 4/21/26

TransAM Holdings, LLC  
vs  
DEBTOR

Docket 94

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Appearances required.

At the hearing on 4/21/26 this Court was persuaded to continue this matter to today, to consider whether to vacate the adequate protection order ("APO") entered on 4/20/26 (dkt. 108) and direct the parties to attempt to negotiate an amended APO. (The APO did not address the request of the Chapter 13 Trustee ("Trustee") that some or all future mortgage payments be disbursed by Trustee (see dkt. 96–97).)

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 4/21/26:**

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
- (c) the request of the Chapter 13 Trustee ("Trustee") to make

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Tara Carlos Lico and Shellan Yvette Lico**

**Chapter 13**

Trustee the disbursing agent for payments to Movant  
(see Debtors' response, dkt. 101; Trustee's response, dkt. 97; Order  
continuing hearing, dkt. 104).

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

Tara Carlos Lico

Represented By  
H. Jasmine Papian

**Joint Debtor(s):**

Shellan Yvette Lico

Represented By  
H. Jasmine Papian

**Movant(s):**

TransAm Holdings, LLC

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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:24-14514 Arman Janshiyan and Taguhi Asatryan**

**Chapter 13**

**#27.00** Cont'd hrg re: Motion for Relief from Automatic Stay [RP]  
fr. 3/24/26, 4/21/26

PLANET HOME LENDING, LLC  
vs  
DEBTOR

Docket 73

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Appearances required.

At the hearing on 4/21/26 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 4/21/26:**

Appearances required.

At the hearing on 3/24/26 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.

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Arman Janshiyan and Taguhi Asatryan**

**Chapter 13**

**Tentative Ruling for 3/24/26:**

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
- (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.

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| <b>Party Information</b> |
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**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  
Jennifer C Wong

**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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:25-21229 Alexey Ott**

**Chapter 13**

**#28.00** Cont'd hrg re: Motion for Relief from Automatic Stay [PP]  
fr. 4/7/26

TOYOTA MOTOR CREDIT CORPORATION  
VS  
DEBTOR

Docket 53

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

**Tentative Ruling:**

- NONE LISTED -

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

Alexey Ott

Pro Se

**Movant(s):**

TOYOTA MOTOR CREDIT

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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:25-18969 Bridgette Uvonne Richard**

**Chapter 13**

**#29.00** Cont'd hrg re: Motion for Relief from Automatic Stay [PP]  
fr. 4/21/26

CAPITAL ONE AUTO FINANCE  
VS  
DEBTOR

Docket 30

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

**Tentative Ruling:**

- NONE LISTED -

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

Bridgette Uvonne Richard

Represented By  
Steven A Alpert

**Movant(s):**

Capital One Auto Finance, a division

Represented By  
Jennifer C Wong

**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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:26-12928 Sleep Peeps LLC**

**Chapter 7**

**#30.00** Cont'd hrg re: Motion for Relief from Automatic Stay [UD]  
fr. 4/21/26

GOLDEN HEIGHTS INVESTMENT, LLC  
vs  
DEBTOR

Docket 13

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Grant in part and deny in part as set forth below. Appearances are not required. (If you wish to contest the tentative ruling, see the "Procedures of Judge Bason," available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

The automatic stay does not apply

The movant obtained a prepetition eviction judgment (Ex. E to Motion, dkt. 13, at PDF pp. 122-24) and writ of possession (Ex. F to *id.*, at PDF pp.

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Sleep Peeps LLC**

**Chapter 7**

125-28). See *In re Perl*, 811 F.3d 1120, 1127-28 (9th Cir. 2016) ("We conclude that under California law, entry of judgment and a writ of possession following unlawful detainer proceedings extinguishes all other legal and equitable possessory interests in the real property at issue.").

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](http://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

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT...**

**Sleep Peeps LLC**

**Chapter 7**

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).

Relief notwithstanding *future* bankruptcy cases

Deny, without prejudice to any other types of relief granted herein (or previously granted).

The motion requests "*in rem*" relief (*i.e.*, relief applicable notwithstanding *future* bankruptcy cases (under 11 U.S.C. 362(d)(4) and/or *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)). The tentative ruling is to deny that request for lack of sufficient cause shown: there is no evidence of the type typically required for such relief, such as multiple bankruptcy filings or unauthorized transfers combined with a scheme to delay, hinder or defraud creditors.

That said, Debtor lacks any remaining leasehold interest in the subject property because of the judgment and writ for possession, and therefore this Court is not aware of any reason why the automatic stay would apply in any future bankruptcy case.

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.

**[PRIOR TENTATIVE RULING(S) OMITTED]**

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

Sleep Peeps LLC

Represented By  
Numeriano P Inumerable

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Sleep Peeps LLC**

**Chapter 7**

**Trustee(s):**

Sam S Leslie (TR)

Pro Se

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:25-20868 Toni M Curtis**

**Chapter 13**

**#31.00** Cont'd hrg re: Motion for Relief from Automatic Stay [UD]  
fr. 4/21/26

THE CIRCLE APARTMENTS AT LONG BEACH, LLC  
vs  
DEBTOR

Docket 40

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Grant the motion - *i.e.*, annul the automatic stay that used to apply before this bankruptcy case was dismissed, and grant "*in rem*" relief, meaning that no future bankruptcy case will affect Movant's possession of the subject rental property. 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.

Key documents reviewed: Motion for relief from automatic stay (dkt. 40, the "R/S Motion"); Opposition (dkt. 48) and supporting documents (dkt. 47, 49-56); Debtor's "Answer" (dkt. 57); Order continuing hearing (dkt. 58); Movant's Reply (dkt. 60).

**(1) Overview**

Prior to the hearing on 4/21/26 this Court posted a tentative ruling to grant the motion, except for *in rem* relief, based on the record that was then

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Toni M Curtis**

**Chapter 13**

before this Court. But at that hearing this Court was persuaded that, although Debtor should have responded to the R/S Motion sooner, it would be appropriate to continue the hearing so that Debtor could provide evidence that she had informed Movant about her bankruptcy case before Movant sought and obtained an unlawful detainer judgment.

Now, having reviewed the parties' supplemental papers, including Movant's Reply, the tentative ruling is that not only was Movant not given sufficient notice of the commencement of this bankruptcy case, but Debtor filed this bankruptcy petition as part of a calculated attempt to cause delay and to hinder her eviction after paying only one month's rent. To the clear, this Court recognizes that Debtor probably hoped to figure out some way to make some rent payments, whether through a future job, or rental assistance, or some other means. But before Debtor uses the bankruptcy system to delay or hinder Movant again she will have to demonstrate that any such future bankruptcy case has been filed in good faith as to Movant.

**(2) Movant's request for annulment**

**(a) Legal standards**

Acts in violation of the automatic stay are void, but one form of permissible relief is annulment of the stay sometimes referred to as "retroactive" relief. See *In re Nat'l Enviro. Waste Corp.*, 129 F.3d 1052, 1054-56 (9th Cir. 1997); *In re Fjeldsted*, 293 B.R. 12 (9th Cir. BAP 2003); and see also *In re Merriman*, 616 B.R. 381, 389-90 & n. 6 and 391-95 (9th Cir. BAP 2020) (retroactive relief is permissible, and *Fjeldsted* factors should not be applied mechanically); *In re Williams*, 323 B.R. 691, 697-702 (9th Cir. BAP 2005) (various issues involving annulment, and application of *Fjeldsted*), *aff'd*, 204 Fed.Appx. 582 (9th Cir. 2006), *overruled on other issues*, *In re Perl*, 811 F.3d 1120 (9th Cir. 2016) (scope of automatic stay).

"[T]he proper standard for determining 'cause' to annul the automatic stay retroactively is a 'balancing of the equities' test." *In re Fjeldsted*, 293 B.R. at 24 citing *In re Nat'l Enviro. Waste Corp.*, 129 F.3d at 1055. Courts have considered whether a creditor was on inquiry notice of a debtor's intent to file bankruptcy when assessing the creditor's good faith for purposes of whether to annul the stay. See *In re Walker*, 91 B.R. 968, 973 (Bankr. D. Utah 1988), *aff'd*, 103 B.R. 281 (D. Utah 1989); see also *In re Clayton*, 235 B.R. 801, 808 (Bankr. M.D.N.C. 1998) ("Where a creditor is in possession of [facts to put it on inquiry notice of a bankruptcy], willful blindness may be

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Toni M Curtis**

**Chapter 13**

deemed to be the equivalent of notice. It is therefore incumbent upon the creditor to verify the status of a case prior to commencing an action in violation of the automatic stay when facts indicate that the existence of a case may be likely.")

**(b) Facts**

On 10/1/25 Debtor signed a lease for the subject premises. R/S Motion (dkt. 40) Ex. 1.A (at PDF p. 31). On 11/11/25 Movant served Debtor with a notice to pay rent or quit. *Id.* Ex. 1.B (at PDF p. 91). On 12/4/25 Debtor filed her bankruptcy petition. On 12/12/25 Movant commenced its unlawful detainer action (*id.*, Ex. 1.C at PDF p. 96) and on 1/22/26 it obtained an unlawful detainer judgment (*id.*, Ex. 1.D at PDF p. 128).

Movant seeks annulment of the automatic stay on the ground that it lacked adequate notice of this bankruptcy case. Movant alleges, and Debtor does not dispute, that she "provided the incorrect address to the bankruptcy court ...." See R/S Motion (dkt. 40) p. 4 (last paragraph).

True, as Movant admits, on 11/28/25, Movant received an email from Debtor titled "Notice of Intent to file Chapter 13 bankruptcy." Debtor "Answer" (dkt. 57) at PDF p. 9; Reply (dkt. 11), at PDF p. 11, Childress Decl. at ¶ 8; Ex. 1 (emphasis added). But that is only a statement of intent, and that email itself attaches a copy of a notice from this Court that Debtor's petition was not accepted for filing because of missing items. See *id.*

It is also true that on 12/16/26, in the middle of an email about seeking rental assistance, Debtor stated that the "current status" was that she had applied for rental assistance and anticipated that she would "make the payment" and then "report to the bankruptcy court by Jan 9, 2026 this matter has been resolved." Email attached to Debtor's "Answer" (dkt. 57) at PDF p. 7 (emphasis added). That email could imply that a bankruptcy case had been commenced; but it could also imply that Debtor had some sort of extension through 1/9/26 to file the missing documents to commence her bankruptcy case, or perhaps it could mean something else - this Court takes judicial notice that Debtor's papers are confused, and that supports Movant's assertion that it did not interpret Debtor's email in any way that would have caused it to think that the automatic stay might apply.

The tentative ruling is that the balance of equities strongly favors movant, given Debtor's payment of only one month's rent before defaulting, her assertion that she could make proper use of the bankruptcy system by

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Toni M Curtis**

**Chapter 13**

curing her defaults but then not even being able to pay the filing fee for the bankruptcy petition, her failure to list in her mailing matrix the correct address for Movant, her history of bankruptcy filings, and the other facts and circumstances set forth in Movant's Reply (dkt. 60).

(2) Movant's request for "in rem" relief

The motion requests "*in rem*" relief (*i.e.*, relief applicable notwithstanding *future* bankruptcy cases. See *In re Vazquez*, 580 B.R. 526 (Bankr. C.D. Cal. 2017); *In re Choong* (case no. 2:14-bk-28378-NB, docket no. 31).

True, although one of Debtor's four prior bankruptcy cases was dismissed for (unspecified) abuse (as summarized on the docket entry for 12/5/25), those cases were all old. And although Debtor did not adequately prosecute this current bankruptcy case, that might have been due to lack of funds.

But the lack of funds shows that Debtor could not make proper use of the bankruptcy system: she filed her bankruptcy petition as part of an effort to delay or hinder her creditors after having paid just one month's rent before defaulting. The tentative ruling is that these facts and circumstances warrant "*in rem*" relief on parallel terms as the example set forth by Congress in 11 U.S.C. 362(d)(4). In other words, Debtor will not be able to cause additional delays and hindrance by filing another bankruptcy case, unless she "demonstrates that the filing of the [future] case is in good faith as to the creditors to be stayed." *Id.*

11 U.S.C. 362(b) is inapplicable

Deny the request for an order confirming that no stay is in effect under 11 U.S.C. 362(b). Movant has not established an exception to the automatic stay under 11 U.S.C. 362(b) because although the Motion references 11 U.S.C. 362(b)(22) and 11 USC 362(b)(23), the elements of those sections have not been established because Movant has not obtained a prepetition judgment for possession against Debtor.

Effective date of relief

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

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Toni M Curtis**

**Chapter 13**

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.

**[PRIOR TENTATIVE RULING(S) OMITTED]**

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

Toni M Curtis

Pro Se

**Movant(s):**

The Circle Apartments at Long

Represented By  
Agop Gary Arakelian

**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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:26-14060 Ruben Rodriguez Garcia, Sr.**

**Chapter 13**

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

Docket 8

**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](http://www.cacb.uscourts.gov), then search for "tentative rulings.").

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

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

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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT...**

**Ruben Rodriguez Garcia, Sr.**

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

Ruben Rodriguez Garcia Sr.

Represented By  
Joshua Sternberg

**Movant(s):**

Ruben Rodriguez Garcia Sr.

Represented By  
Joshua Sternberg  
Joshua Sternberg

**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, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**2:26-14073 Sylvia Baptista**

**Chapter 13**

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

Docket 5

**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.

Analysis

The tentative ruling is that a presumption of lack of good faith arises on two separate grounds: (1) under 11 U.S.C. 362(c)(3)(C)(i)(II)(cc) (failure to perform terms of confirmed plan in prior case no. 2:24-bk-20515-NB, dkt. 78) and (2) under 11 U.S.C. 362(c)(3)(C)(ii) (motion for relief from the automatic stay that was resolved by conditioning the stay) (*id.*, dkt. 72). However, the tentative ruling is that Debtor has presented sufficient evidence of a substantial change in her personal or financial affairs – she testifies that that her tenant temporarily ceased paying rent as a result of medical emergencies, but has now returned to work and will resume making rental payments, and that her ability to perform under her prior confirmed plan was disrupted by the deaths of several close family members. See Baptista Decl. (dkt. 5) PDF pp. 11:24–12:14.

To the extent this Court maintains this tentative ruling, this Court will prepare an order continuing the automatic stay including the following language (Judge Bason's standard terms and conditions):

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

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT...**

**Sylvia Baptista**

**Chapter 13**

(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 preventing a "race to collect" that could unfairly advantage some creditors at the expense of others. (b) To prevent possible abuse, this Court provides the foregoing simple process for reconsideration.

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

Debtor's counsel may not charge attorney fees for appearing at this hearing if there is no opposition

Under the "Procedures of Judge Bason" (available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), the "Procedures"), a motion to continue or impose the automatic stay may be self-calendared on at least 14 days' notice without prior approval. Debtor's counsel ("Counsel") filed the motion only 13 days prior to the hearing. If Counsel had filed the motion timely and if no opposition had been filed, it would not have been necessary for Counsel to appear at the hearing. (This Court routinely waives appearances for motions under 11 U.S.C. 362(c)(3) or (c)(4) if an opposition is not filed five days prior to the hearing.) Therefore, the tentative ruling is that if no opposition is presented at the hearing, Counsel will not be permitted to charge any fees for time spent appearing at the hearing (since her appearance would not have been necessary had she followed the Procedures).

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

10:00 AM

**CONT... Sylvia Baptista**

**Chapter 13**

**Debtor(s):**

Sylvia Baptista

Represented By  
Onyinye N Anyama

**Movant(s):**

Sylvia Baptista

Represented By  
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, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**2:25-20573 Marilyn Rene Nicholas**

**Chapter 13**

Adv#: 2:26-01048 Rayet v. Nicholas

- #1.00** Status Conference re: Complaint for determination of nondischargeability 11 U.S.C. Section 523; and for conversion; fraudulent transfer; and constructive trust and determination that certain monies and property are not property of the estate  
***[First Amended Complaint filed 4/8/26]***

Docket 1

**Tentative Ruling:**

Continue as set forth below. Appearances are not required on 5/12/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

(1) Current issues

(a) Answer by Defendant/Debtor (adv. dkt. 3, 4) and Answer by non-Defendant daughter of Debtor (adv. dkt. 8, 9)

Shaqwita Rodriguez, who was not named as a defendant in the Complaint (adv. dkt. 1), has filed an Answer (adv. dkt. 8, 9). The tentative ruling is to strike her Answer as a legal nullity, because she was not named as a Defendant.

Proposed order(s): Unless otherwise ordered, Plaintiff 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, May 12, 2026**

**Hearing Room 1545**

11:00 AM

CONT...

**Marilyn Rene Nicholas**

**Chapter 13**

(b) Plaintiff's Contemplated Motion for Relief from the Automatic Stay

The tentative ruling is to continue this status conference as set forth in part "(2)(c)" of this tentative ruling, below, to provide Plaintiff an opportunity to file and serve a motion for relief from the automatic stay. The tentative ruling is to direct Plaintiff to give written notice of the continuance to Defendant via U.S. mail by a **deadline of 5/15/26**.

(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 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).

(b) Mediation

The tentative ruling is that it would be premature to direct the parties to attend formal mediation at this time.

(c) Deadlines

This adversary proceeding has been pending since 3/9/26.

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**CONT...**

**Marilyn Rene Nicholas**

**Chapter 13**

The tentative ruling is that in view of Plaintiff's intent to seek relief from the automatic stay in order to attempt to liquidate the alleged indebtedness in state court, it would be premature to set litigation deadlines other than the date of a continued status conference (see below).

Joint Status Report: Not required.

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

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

Marilyn Rene Nicholas

Represented By  
Sanaz Sarah Bereliani

**Defendant(s):**

Marilyn Rene Nicholas

Pro Se

**Plaintiff(s):**

Azita Rayet

Represented By  
Alexandre I Cornelius

**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, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**2:24-16947 Oxford Gold Group Inc.**

**Chapter 7**

Adv#: 2:26-01055 Dye v. Equity Trust Company, Inc., a South Dakota Corpora

**#2.00** Status Conference re: Complaint for aiding and abetting  
breaches of fiduciary duty

Docket 1

**Tentative Ruling:**

Appearances required.

The tentative ruling is to continue this Adversary Proceeding Status Conference to 6/2/26 at 11:00 a.m., with no written status report required (but with leave to file optional status report(s) no later than 5/26/26).

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.

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

Oxford Gold Group Inc.

Pro Se

**Defendant(s):**

Equity Trust Company, Inc., a South

Represented By  
Robert S Marticello

**Plaintiff(s):**

Carolyn A Dye

Represented By  
Christian T. Kim  
James A Dumas Jr  
Christian T Kim I

**Trustee(s):**

Carolyn A Dye (TR)

Represented By

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

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

**Chapter 7**

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, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**2:25-21046 Peter J. Glaeser**

**Chapter 7**

Adv#: 2:26-01059 Coastland Investments, Inc. v. Glaeser

**#3.00** Status Conference re: Complaint to determine nondischargeability of debt pursuant to 11 U.S.C. Section 523

Docket 1

**Tentative Ruling:**

Continue to 6/9/26 at 11:00 a.m. for Plaintiff to file a motion for a default judgment, to be self-calendared for that date or a later date. Appearances are not required on 5/12/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

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

Peter J. Glaeser

Represented By  
Thomas B Ure

**Defendant(s):**

Peter J. Glaeser

Pro Se

**Plaintiff(s):**

Coastland Investments, Inc.

Represented By  
Michael A Wallin

**Trustee(s):**

Sam S Leslie (TR)

Represented By  
Nancy H Zamora

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**CONT...**

**Peter J. Glaeser**

Zamora & Hoffmeier APC

**Chapter 7**

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**2:25-21174 Raul Acevedo**

**Chapter 7**

Adv#: 2:26-01058 Nava v. Acevedo et al

**#4.00** Status Conference re: Complaint to determine  
discharge pursuant to 11 U.S.C. Section 727

Docket 1

**Tentative Ruling:**

Continue to 7/14/26 at 11:00 a.m., with an anticipated further continuance based on Plaintiff's projected timeline for a default prove-up hearing, and, if no motion for a default judgment has been filed by that time, with a Status Report due 6/30/26. See Status Rpt. (adv. dkt. 11) p. 2 (item B.1.).  
Appearances are not required on 5/12/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

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

|              |        |
|--------------|--------|
| Raul Acevedo | Pro Se |
|--------------|--------|

**Defendant(s):**

|              |        |
|--------------|--------|
| Raul Acevedo | Pro Se |
|--------------|--------|

|                         |        |
|-------------------------|--------|
| Deysy Beltran Archuleta | Pro Se |
|-------------------------|--------|

**Joint Debtor(s):**

|                         |        |
|-------------------------|--------|
| Deysy Beltran Archuleta | Pro Se |
|-------------------------|--------|

**Plaintiff(s):**

|               |                |
|---------------|----------------|
| Estrella Nava | Represented By |
|---------------|----------------|

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**CONT...**

**Raul Acevedo**

Andrew D. Weiss

**Chapter 7**

**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, May 12, 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

**#5.00** Hrg re: Plaintiff's Motion Seeking Leave of Court to File  
First Amended Complaint Pursuant to F.R.B.P. Rule 7015

Docket 40

**Tentative Ruling:**

Deny, without leave to amend, for the reasons stated in the Opposition papers (adv. dkt. 45). Appearances are not required. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

Proposed order(s): Unless otherwise ordered, Defendant 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): Opposition (adv. dkt. 45); Reply (adv. dkt. 46).

Note: To be clear, this Court does not expect any trustee for a bankruptcy estate to know all relevant facts without discovery; but in the view of this Court any such discovery should have been conducted under Rule 2004 (Fed. R. Bankr. P.) or other appropriate means (including informal discovery) before presenting any complaint or proposed complaint.

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| <b>Party Information</b> |
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**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Neil Bason, Presiding  
Courtroom 1545 Calendar**

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**CONT... Vista Studios, LLC**

**Chapter 7**

**Debtor(s):**

Vista Studios, LLC

Represented By  
David B Golubchik

**Defendant(s):**

Tech. Finance Co., LLC

Represented By  
Alex Darcy

**Movant(s):**

Rosendo Gonzalez

Represented By  
Rosendo Gonzalez

Rosendo Gonzalez (TR)

Represented By  
Rosendo Gonzalez

**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, May 12, 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

**#6.00**      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, 3/24/26, 4/21/26

Docket      1

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Conclude this Status Conference (no continuances). Appearances are not 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

See tentative ruling on Plaintiff/Trustee's motion for leave to file amended complaint (calendar no. 5, on 5/12/26 at 11:00 a.m.).

(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. 34).

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**CONT...**

**Vista Studios, LLC**

**Chapter 7**

(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: N/A

**[PRIOR TENTATIVE RULING(S) OMITTED]**

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| <b>Party Information</b> |
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**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, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**2:23-11397 Michael R Totaro**

**Chapter 7**

Adv#: 2:26-01051      Shanahan Totaro et al v. City Of Los Angeles et al

**#7.00**      Status Conference re: 1. Inverse condemnation 2. Negligence  
3. Dangerous condition of public property 4. Public nuisance

Docket      1

**Tentative Ruling:**

Appearances required.

(1) Current issues

This Court has reviewed the parties' joint status report (adv. dkt. 13) and the other filed documents and records in this adversary proceeding. Defendants' rights are reserved regarding jurisdiction, this Court's limited authority, and the other issues they raise. See *id.*, p. 7.

The tentative ruling is to continue this matter as set forth below, with all rights reserved, without setting a deadline for Defendants' contemplated motion to dismiss or other deadlines. Meanwhile Plaintiffs are directed to meet and confer with the Chapter 7 Trustee and with Defendants regarding issues of standing, abstention, consolidation with the *Grigsby* proceedings (see Stat. Rpt., adv. dkt. 13, p. 7), the other preliminary issues raised by Defendants, and how to handle this matter most efficiently and appropriately.

(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 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

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**CONT...**

**Michael R Totaro**

**Chapter 7**

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 not to order mediation at this time.

(c) Deadlines

This adversary proceeding has been pending since 3/9/26.

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: n/a

Discovery cutoff (for completion of discovery): n/a

Expert(s) - deadline for reports: n/a

Expert(s) - discovery cutoff (if different from above): n/a

Dispositive motions to be heard no later than: n/a

Joint Status Report: n/a

Continued status conference: 8/4/26 at 11:00 a.m.

Lodge Joint Proposed Pretrial Order: TBD

Pretrial conference: TBD (if this matter remains pending in this Court)

Deliver trial exhibits to other parties and chambers, including direct testimony by declaration unless excused: TBD (for the format of exhibits and other trial procedures, please see the Procedures of Judge Bason (posted at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)) then search for "Trial Practice" BUT, at least during the COVID-19 shut down of the courtroom, also see the forms of order regarding video trials, posted on Judge Bason's portion of the Court's above-referenced web page)

Trial commencement: TBD at 9:00 a.m.

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**CONT... Michael R Totaro**

**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.

|                          |
|--------------------------|
| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

|                  |        |
|------------------|--------|
| Michael R Totaro | Pro Se |
|------------------|--------|

**Defendant(s):**

|                     |        |
|---------------------|--------|
| City Of Los Angeles | Pro Se |
|---------------------|--------|

|       |        |
|-------|--------|
| LADWP | Pro Se |
|-------|--------|

|                    |        |
|--------------------|--------|
| Los Angeles County | Pro Se |
|--------------------|--------|

|                       |                                                                |
|-----------------------|----------------------------------------------------------------|
| County of Los Angeles | Represented By<br>Jennifer Mira Hashmall<br>Claire-Lise Kutlay |
|-----------------------|----------------------------------------------------------------|

**Plaintiff(s):**

|                           |                                      |
|---------------------------|--------------------------------------|
| Maureen J Shanahan Totaro | Represented By<br>Maureen J Shanahan |
|---------------------------|--------------------------------------|

|                  |                                      |
|------------------|--------------------------------------|
| Michael R Totaro | Represented By<br>Maureen J Shanahan |
|------------------|--------------------------------------|

**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, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**2:23-11397 Michael R Totaro**

**Chapter 7**

Adv#: 2:26-01038 Shanahan et al v. LNL Investments LLC et al

**#8.00** Hrg re: Motion by Defendants to Dismiss Plaintiff's First Amended Complaint

Docket 5

**\*\*\* VACATED \*\*\* REASON: Cont'd to 6/30/26 at 11:00 AM (dkt.17)**

**Tentative Ruling:**

- NONE LISTED -

|                          |
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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Michael R Totaro

Pro Se

**Defendant(s):**

LNL Investments LLC

Represented By  
Michael W Stoltzman

Sivio Nardoni

Represented By  
Michael W Stoltzman

**Movant(s):**

LNL Investments LLC

Represented By  
Michael W Stoltzman

Sivio Nardoni

Represented By  
Michael W Stoltzman

**Plaintiff(s):**

Maureen J Shanahan

Represented By  
Maureen J Shanahan

Michael R Totaro

Represented By  
Maureen J Shanahan

**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, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**2:23-11397 Michael R Totaro**

**Chapter 7**

Adv#: 2:26-01038 Shanahan et al v. LNL Investments LLC et al

**#9.00** Status Conference re: Complaint for 1. Fraud and Fraudulent Concealment;  
2. Concealment of Unlicensed Lending; 3. Concealment of Securities Violations,  
4. Usury; 5. Unfair Competition; 6. Quiet title; 7. Wrongful Foreclosure

Docket 1

**\*\*\* VACATED \*\*\* REASON: Cont'd to 6/30/26 at 11:00 AM (dkt.17)**

**Tentative Ruling:**

- NONE LISTED -

|                          |
|--------------------------|
| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Michael R Totaro

Pro Se

**Defendant(s):**

LNL Investments LLC

Represented By  
Michael W Stoltzman

Sivio Nardoni

Represented By  
Michael W Stoltzman

**Plaintiff(s):**

Maureen J Shanahan

Represented By  
Maureen J Shanahan

Michael R Totaro

Represented By  
Maureen J Shanahan

**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, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**2:25-18219 Matthew Johnathan Eandi**

**Chapter 7**

**#10.00** Hrg re: Debtor's amended motion to avoid lien under 11 U.S.C. section 522(f)

Docket 49

**Tentative Ruling:**

Please see the tentative ruling for the status conference in *Levine v. Eandi* (Calendar No. 13, 5/12/26 at 11:00 a.m.).

|                          |
|--------------------------|
| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Matthew Johnathan Eandi

Represented By  
Shirlee L Bliss  
Matthew J Eandi

**Movant(s):**

Matthew Johnathan Eandi

Represented By  
Shirlee L Bliss  
Matthew J Eandi

**Trustee(s):**

Rosendo Gonzalez (TR)

Pro Se

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**2:25-18219 Matthew Johnathan Eandi**

**Chapter 7**

**#11.00** Cont'd hrg re: Objection to Debtor's Homestead Exemption  
fr. 3/24/26

Docket 41

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Please see the tentative ruling for the status conference in *Levine v. Eandi* (Calendar No. 13, 5/12/26 at 11:00 a.m.).

**Tentative Ruling for 3/24/26:**

(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](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

**(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

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**CONT... Matthew Johnathan Eandi**

**Chapter 7**

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 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

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**CONT...**

**Matthew Johnathan Eandi**

**Chapter 7**

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 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

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**CONT...**

**Matthew Johnathan Eandi**

**Chapter 7**

- 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. 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.

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| <b>Party Information</b> |
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**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Neil Bason, Presiding  
Courtroom 1545 Calendar**

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**CONT... Matthew Johnathan Eandi**

**Chapter 7**

**Debtor(s):**

Matthew Johnathan Eandi

Represented By  
Shirlee L Bliss  
Matthew J Eandi

**Trustee(s):**

Rosendo Gonzalez (TR)

Pro Se

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**2:25-18219 Matthew Johnathan Eandi**

**Chapter 7**

Adv#: 2:25-01415 Levine v. Eandi

**#12.00** Cont'd Hrg re: Motion to Dismiss Plaintiff's First Amended Complaint  
fr. 2/24/26

Docket 16

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Please see the tentative ruling for the status conference (Calendar No. 13,  
5/12/26 at 11:00 a.m.).

**[PRIOR TENTATIVE RULING(S) OMITTED]**

|                          |
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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Matthew Johnathan Eandi

Represented By  
Shirlee L Bliss  
Matthew J Eandi

**Defendant(s):**

Matthew Johnathan Eandi

Represented By  
Matthew J Eandi

**Movant(s):**

Matthew Johnathan Eandi

Represented By  
Matthew J Eandi

**Plaintiff(s):**

Michael Levine

Represented By  
Michael F Chekian

**Trustee(s):**

Rosendo Gonzalez (TR)

Pro Se

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**CONT... Matthew Johnathan Eandi**

**Chapter 7**

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**2:25-18219 Matthew Johnathan Eandi**

**Chapter 7**

Adv#: 2:25-01415 Levine v. Eandi

**#13.00** Cont'd Status Conference re: (1) Non-dischargeability of debt pursuant to 11 USC section 523(a)(2)(A) (2) Non-dischargeability of debtor pursuant 11 USC section 523(a)(4) (2) Non-dischargeability of debt pursuant to 11 USC §523(a)(6)  
fr. 2/24/26

Docket 1

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Convert Defendant/Debtor's Motion to Dismiss to a Motion for Summary Judgment and set associated deadlines; continue the status conference in the non-dischargeability action; and continue the hearings on Creditor Levine's objection to Debtor's homestead exemption and Debtor's section 522(f) motion, all as set forth below. Appearances are not required on 5/12/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

**(1) Current issues**

**(a) Plaintiff/Creditor's First Amended Complaint (adv. dkt. 15), Defendant/Debtor's Motion to Dismiss (adv. dkt. 16), Plaintiff/Creditor's Opposition (adv. dkt. 21), No reply on file**

Defendant/Debtor's Motion to Dismiss (adv. dkt. 16) relies extensively on factual assertions that are not set forth in the First Amended Complaint (adv. dkt. 15). The tentative ruling is that this Court cannot take judicial notice of these matters outside the four corners of the First Amended Complaint without converting the Motion to Dismiss to a Motion for Summary Judgment,

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**CONT...**

**Matthew Johnathan Eandi**

**Chapter 7**

because Defendant/Debtor presents the materials for the purpose of establishing the truth of various facts contained therein.

The tentative ruling is that it is appropriate to convert the Motion to Dismiss to a Motion for Summary Judgment, as requested by Plaintiff/Creditor. Opp. (adv. dkt. 21) p. 2:20–3:12. The tentative ruling is to anticipate a hearing on the Motion for Summary Judgment (“MSJ”) on **10/20/26 at 11:00 a.m.**, with the following associated schedule:

**5/19/26 deadline** for Defendant/Debtor to lodge a proposed order setting the MSJ Hearing and associated deadlines (the "Hearing Order");

**8/14/26 anticipated deadline** (in the Hearing Order) for discovery to be completed;

**9/8/26 anticipated deadline** (in the Hearing Order) for any Defendant/Debtor to file the MSJ;

**9/29/26 anticipated deadline** (in the Hearing Order) for any Plaintiff/Creditor’s opposition; and

**10/6/26 anticipated deadline** (in the Hearing Order) for Defendant/Debtor’s reply.

For purposes of monitoring this matter, the tentative ruling is to continue the status conference to 7/14/26 at 11:00 a.m. (a written status report is not required).

Proposed order(s): Unless otherwise ordered, Creditor Levine is directed to lodge the Hearing Order via Lou within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)).

(b) Exemption Objection (bankr. dkt. 41) and Request for Judicial Notice (bankr. dkt. 42), Opposition (bankr. dkt. 46), Reply (bankr. dkt. 48), Order Procedurally Consolidating Matters (bankr. dkt. 53), Amended 522(f) Motion (bankr. dkt. 49)

This Court has procedurally consolidated the litigation of (A) Creditor Levine’s exemption objection, (B) Debtor’s motion to avoid Creditor Levine’s lien (11 U.S.C. 522(f), and (C) Creditor Levine’s nondischargeability First Amended Complaint (see part “(1)(a),” above). See bankr. dkt. 53 & adv. dkt. 19 (the “Consolidation Order”).

The Consolidation Order explains the relationship between these

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**CONT... Matthew Johnathan Eandi**

**Chapter 7**

matters as follows:

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).

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)). [Consolidation Order (bankr. dkt. 53) PDF p. 4.]

The tentative ruling is that the interests of judicial efficiency are best served by delaying further proceedings on the exemption objection and section 522(f) motion until after the "fiduciary capacity" allegations under 11 U.S.C. 523(a)(4) in the non-dischargeability complaint have been resolved. However, for purposes of monitoring the status of these matters, the tentative ruling is to continue the hearings on both matters to the date and time of the continued status conference in the non-dischargeability action (see part "(1) (a)," above).

(2) Standard requirements

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**CONT...**

**Matthew Johnathan Eandi**

**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

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

(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 12/22/25. See part "(1)(a)," above, for information regarding deadlines.

**[PRIOR TENTATIVE RULING(S) OMITTED]**

|                          |
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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Matthew Johnathan Eandi

Represented By  
Shirlee L Bliss  
Matthew J Eandi

**Defendant(s):**

Matthew Johnathan Eandi

Represented By  
Matthew J Eandi

**Plaintiff(s):**

Michael Levine

Represented By  
Michael F Chekian

**Trustee(s):**

Rosendo Gonzalez (TR)

Pro Se

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**2:25-13048 RD William Whittington**

**Chapter 7**

Adv#: 2:25-01319 Porsche Financial Services, Inc. dba Lamborghini F v. Whittington

**#14.00** Cont'd Status Conference re: Complaint to Determine NonDischargeability of Debt Pursuant to 11 USC 523(a)(2)(A), (a)(2)(B), and (a)(6) fr. 9/23/25, 10/21/25, 12/2/25, 2/10/26, 2/24/26, 4/7/26

Docket 1

**\*\*\* VACATED \*\*\* REASON: Cont'd to 7/14/26 at 11:00 AM per (dkt.39)**

**Tentative Ruling:**

- NONE LISTED -

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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

|                        |        |
|------------------------|--------|
| RD William Whittington | Pro Se |
|------------------------|--------|

**Defendant(s):**

|                        |        |
|------------------------|--------|
| RD William Whittington | Pro Se |
|------------------------|--------|

**Plaintiff(s):**

|                                      |                                   |
|--------------------------------------|-----------------------------------|
| Porsche Financial Services, Inc. dba | Represented By<br>Stacey A Miller |
| Porsche Leasing Ltd.                 | Represented By<br>Stacey A Miller |

**Trustee(s):**

|                     |                                  |
|---------------------|----------------------------------|
| John P Pringle (TR) | Represented By<br>Todd A. Frealy |
|---------------------|----------------------------------|

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**2:24-11121 Alan Tri Luu**

**Chapter 7**

Adv#: 2:24-01127 Runway Fash Inc., a California corporation, doing v. Luu

**#15.00** Cont'd Status Conference re: Complaint Excepting Discharge of Debt Pursuant to 11 U.S.C. Section 523(A)(6) fr. 4/8/25, 6/12/25, 07/15/25, 8/12/25, 9/23/25, 10/21/25, 1/6/26, 2/24/26

Docket 1

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Continue the status conference as set forth below. Appearances are not required on 5/12/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

**(1) Current issues**

This Court has reviewed the parties' joint status report (adv. dkt. 69) and the other filed documents and records in this adversary proceeding, and has no issues to raise *sua sponte*, except to advise the parties that this Court anticipates setting the date of the trial at the continued status conference (see part "(2)(c)" of this tentative ruling, 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.)

**(a) Venue/jurisdiction/authority**

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**CONT...**

**Alan Tri Luu**

**Chapter 7**

Undisputed. See 10/7/25 Status Report (adv. dkt. 49) p. 4.

**(b) Mediation**

A mediation session was conducted before J. Scott Bovitz on 12/2/24, but no settlement was reached. See 3/25/25 Status Report (adv. dkt. 35) ¶ E (p. 3). The tentative ruling is to decline to order further mediation at this time.

**(c) Deadlines**

This adversary proceeding has been pending since 5/13/24. The Hon. Sandra Klein presided over this matter from 5/13/24 until 3/3/25, when the matter was reassigned to Judge Bason pursuant to Administrative Order 25-03 dated 2/4/25. The scheduled deadlines and/or hearing/trial date(s) have been memorialized in this Court's written order (adv. dkt. 67) except as modified/supplemented below.

Joint Status Report: 6/30/26

Continued status conference: 7/14/26 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 (for the format of exhibits and other trial procedures, please see the Procedures of Judge Bason (posted at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)) then search for "Trial Practice"; and compare the forms of order regarding video trials, posted on Judge Bason's portion of the Court's above-referenced web page).

Trial commencement: TBD at 9:00 a.m.

**[PRIOR TENTATIVE RULING(S) OMITTED]**

|                          |
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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Alan Tri Luu

Represented By  
Rex Tran

**Defendant(s):**

Alan Tri Luu

Pro Se

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**CONT... Alan Tri Luu**

**Chapter 7**

**Plaintiff(s):**

Runway Fash Inc., a California

Represented By  
Daniel H Wu

**Trustee(s):**

Sam S Leslie (TR)

Pro Se

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**2:25-20461 Farideh Bagheri**

**Chapter 7**

**#16.00** Cont'd hrg re: Motion to Avoid Lien under 11 U.S.C. § 522(f) (Real Property)  
Creditor: Baker, Kenner & Nahra, LLP  
fr. 3/24/26

Docket 18

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Continue as set forth below, with a deadline to lodge proposed scheduling order(s). Appearances are not required on 5/12/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

Key documents reviewed (in addition to motion papers): Creditor's Opposition (dkt. 24), Debtor's Reply (dkt. 28) and Evidentiary Objections (dkt. 29), Order Continuing Hearing (dkt. 32), Order Following Discovery Conference (dkt. 37)

Analysis

At the 3/24/26 hearing, this Court set a deadline of 3/31/26 for Baker, Keener & Nahra LLP ("Creditor") to meet and confer with Debtor and to then lodge a proposed scheduling order with respect to Debtor's section 522(f) motion. As of the preparation of this tentative ruling, no such scheduling order is on file.

The tentative ruling is (A) to **set a renewed deadline of 5/19/26** for Creditor to lodge an agreed proposed order setting a briefing schedule on the outstanding issue (the "principal residence" issue) or, if the parties cannot agree on the form of that order, for both parties to lodge competing orders; and (B) to continue the hearing on the section 522(f) motion to **7/14/26 at**

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**CONT... Farideh Bagheri  
11:00 a.m.**

**Chapter 7**

**[PRIOR TENTATIVE RULING(S) OMITTED]**

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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Farideh Bagheri

Represented By  
Craig G Margulies  
Samuel Mushegh Boyamian

**Movant(s):**

Farideh Bagheri

Represented By  
Craig G Margulies  
Craig G Margulies  
Craig G Margulies  
Craig G Margulies  
Craig G Margulies  
Samuel Mushegh Boyamian  
Samuel Mushegh Boyamian  
Samuel Mushegh Boyamian  
Samuel Mushegh Boyamian  
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, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**2:22-13069 George Gordon Strong, III**

**Chapter 7**

Adv#: 2:23-01359 Michael Horner and Thomas Horner as Co-Trustees of v. Strong, III

**#17.00** Cont'd status conference re: Complaint for determination of nondischargeability of debt pursuant to 11 U.S.C. section 523 fr. 9/19/23, 10/17/23, 12/19/23, 2/6/24, 2/12/24, 4/9/24, 6/11/24, 7/16/24, 8/27/24, 2/18/25, 3/4/25, 6/24/25, 11/18/25

Docket 1

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Maintain the stay of this dischargeability action pending resolution of the underlying state court action and continue the status conference, all as set forth below. Appearances are not required on 5/12/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

**(1) Current issues**

This Court has reviewed the parties' joint status report (adv. dkt. 49) and the other filed documents and records in this adversary proceeding. The tentative ruling is to maintain the stay of this adversary proceeding pending resolution of the underlying state court action and to continue the status conference as set forth in part "(2)(c)" of this tentative ruling, 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, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**CONT...**

**George Gordon Strong, III**

**Chapter 7**

(a) Venue/jurisdiction/authority

Defendant contests this Court's authority to enter final judgment on Plaintiffs' claim under 11 U.S.C. 523(a)(19) (Defendant consents to entry of final judgment on Plaintiffs' claims under 11 U.S.C. 523(a)(4) and (a)(6)). See Status Report (adv. dkt. 47) at ¶ F (p. 4); Answer (adv. dkt. 37) at ¶ 5 (p. 2:12–17). The tentative ruling is that, in view of the stay of this dischargeability action, it would be premature for this Court to determine whether it has constitutional authority to enter final judgment on Plaintiffs' 523(a)(19) claim.

(b) Mediation

The parties attended a mediation session with David Meadows on 12/17/24, but the matter did not settle. Status Report (adv. dkt. 46) at ¶ E(1) (p. 3). The tentative ruling is decline to require any further formal mediation at this time.

(c) Deadlines/dates

This adversary proceeding has been pending since 7/17/23. The tentative ruling is to continue the status conference as set forth below.

Joint Status Report: 11/3/26

Continued Status Conference: 11/17/26 at 11:00 a.m.

**[PRIOR TENTATIVE RULING(S) OMITTED.]**

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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

George Gordon Strong III

Represented By  
Alan W Forsley

**Defendant(s):**

George Gordon Strong III

Represented By  
Alan W Forsley

**Plaintiff(s):**

Michael Horner and Thomas Horner

Represented By  
Byron Z Moldo  
Sonia Singh

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**CONT... George Gordon Strong, III**

**Chapter 7**

**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, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**2:25-12278 Justin Thomas Jackson**

**Chapter 13**

Adv#: 2:25-01217 Walker v. Jackson

**#18.00** Cont'd Status Conference re: Complaint requesting exception of debt from discharge pursuant to 11 U.S.C. section 523 fr. 9/9/25, 12/16/25, 3/10/26

Docket 1

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Continue as set forth below. Appearances are not required on 5/12/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

**(1) Current issues**

This Court has reviewed the parties' joint status report (adv. dkt. 20) 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**

Matters of venue, jurisdiction, and authority have been determined and/or waived or forfeited (adv. dkt. 5, p. 4, para. f)

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**CONT...**

**Justin Thomas Jackson**

**Chapter 13**

(b) Mediation [N/A]

(c) Deadlines

This adversary proceeding has been pending since 6/23/25.  
The scheduled deadlines and/or hearing/trial date(s) have been  
memorialized in this Court's written order (adv. dkt. 13) except as  
modified/supplemented below.

Joint status report: 6/30/26

Continued status conference: 7/14/26 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]**

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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Justin Thomas Jackson

Represented By  
Robert J Spitz

**Defendant(s):**

Justin Thomas Jackson

Represented By  
Robert J Spitz

**Plaintiff(s):**

Jennifer Walker

Represented By  
Daniel Medioni  
Stella A Havkin

**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, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**2:24-14131 KS Bennett Enterprises**

**Chapter 7**

**#19.00** Cont'd hrg re: Chapter 7 Trustee's Motion for Order Authorizing Substantive Consolidation of (i) Mac Bennett Enterprises dba International Realty & Investments; (ii) 11215 South Western Ave LLC; (iii) 5200 Saint Andrews LLC; (iv) 142 West 94th St., LLC and (v) 9620 S. Figueroa St. LLC with Debtor's Estate  
fr. 7/8/25, 8/5/25, 9/23/25, 11/4/25, 12/16/25, 01/20/26, 3/10/26,

Docket 42

**\*\*\* VACATED \*\*\* REASON: Cont'd to 6/30/26 at 11:00 a.m. per stipulation (dkt. 62) and order thereon**

**Tentative Ruling:**

- NONE LISTED -

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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

KS Bennett Enterprises

Represented By  
Jeffrey Lee Costell

**Movant(s):**

Sam S Leslie (TR)

Represented By  
Toan B Chung

**Trustee(s):**

Sam S Leslie (TR)

Represented By  
Toan B Chung

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

**Tuesday, May 12, 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.

**#20.00** 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, 03/24/26

Docket 1

**\*\*\* VACATED \*\*\* REASON: Cont'd by stipulation (dkt. 21) and order  
thereon (dkt. 22)**

**Tentative Ruling:**

- NONE LISTED -

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|--------------------------|
| <b>Party Information</b> |
|--------------------------|

**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, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**2:21-12517 Law Offices of Brian D. Witzer**

**Chapter 7**

**#21.00** Cont'd hrg re: Motion For Order Disallowing Claim  
fr. 9/12/23, 10/5/23, 10/31/23, 11/14/23, 02/06/24,  
5/7/24, 8/27/24, 10/8/24, 11/5/24, 12/10/24, 1/21/25,  
3/18/25, 6/24/25, 10/21/25, 2/10/26

Docket 655

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Please see the tentative ruling for the status conference (Calendar No. 23,  
5/12/26 at 11:00 a.m.).

**[INTERIM TENTATIVE RULINGS OMITTED]**

**Tentative Ruling for 5/7/24:**

Direct Chapter 7 Trustee, no later than seven days after this hearing, to  
submit a proposed order denying his motion to disallow the claim of Nathaniel  
Howard (dkt. 655) as moot in view of this Court's approval of a settlement  
agreement (dkt. 783). Appearances are not required. (If you wish to contest  
the tentative ruling, see the Posted Procedures of Judge Bason, available at  
[www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

**[PRIOR TENTATIVE RULING(S) OMITTED]**

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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Law Offices of Brian D. Witzer

Represented By  
Michael S Kogan

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**CONT... Law Offices of Brian D. Witzer**

**Chapter 7**

**Movant(s):**

Timothy Yoo (TR)

Represented By  
Monica Y Kim  
Carmela Pagay  
Timothy J Yoo

**Trustee(s):**

Timothy Yoo (TR)

Represented By  
Monica Y Kim  
Carmela Pagay  
Timothy J Yoo

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**2:21-12517 Law Offices of Brian D. Witzer**

**Chapter 7**

**#22.00** Cont'd hrg re: Motion for Summary Judgment/Partial Summary Judgment as to the Purported Lien Claim of Law Offices of Brian D. Witzer fr. 10/31/23, 11/14/23, 02/06/24, 5/7/24, 8/27/24, 10/8/24, 11/5/24 12/10/24, 1/21/25, 3/18/25, 6/24/25, 10/21/25, 2/10/26

Docket 675

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Please see the tentative ruling for the status conference (Calendar No. 23, 5/12/26 at 11:00 a.m.).

**[INTERIM TENTATIVE RULINGS OMITTED]**

**Tentative Ruling for 5/7/24:**

Direct Debtor, no later than seven days after this hearing, to submit a proposed order denying Nathaniel Howard's Motion for Summary Judgment (dkt. 675) as moot in view of this Court's approval of the parties' settlement agreement (dkt. 783). Appearances are not required on 5/7/24, and the tentative ruling is not to set any continued hearings on this matter (but, if Debtor fails to lodge the proposed order, this Court may re-set this hearing and/or address that failure at a future status conference). (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

**[PRIOR TENTATIVE RULING(S) OMITTED]**

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| <b>Party Information</b> |
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**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Neil Bason, Presiding  
Courtroom 1545 Calendar**

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**CONT... Law Offices of Brian D. Witzer**

**Chapter 7**

**Debtor(s):**

Law Offices of Brian D. Witzer

Represented By  
Michael S Kogan

**Movant(s):**

NATHANIEL HOWARD

Represented By  
Timothy Lee

**Trustee(s):**

Timothy Yoo (TR)

Represented By  
Monica Y Kim  
Carmela Pagay  
Timothy J Yoo

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**2:21-12517 Law Offices of Brian D. Witzer**

**Chapter 7**

**#23.00** Cont'd Status Conference re: Chapter 7 Case  
fr. 3/31/21, 4/27/21, 5/11/21, 6/15/21, 6/29/21,  
7/6/21, 07/20/21, 07/22/21, 8/17/21, 09/14/21,  
9/22/21, 10/26/21, 11/16/21, 11/30/21, 1/18/22,  
2/15/22, 2/24/22, 3/15/22, 3/29/22, 4/12/22,  
5/10/22, 5/31/22, 6/14/22, 7/8/22, 7/26/22, 8/23/22,  
9/6/22, 11/15/22, 12/20/22, 2/21/23, 4/25/23, 6/13/23,  
7/19/23, 8/8/23, 9/19/23, 10/17/23, 11/14/23, 1/09/24,  
2/6/24, 3/12/24, 4/9/24, 7/9/24, 8/6/24, 8/27/24, 10/8/24,  
11/5/24, 12/10/24, 1/21/25, 3/18/25, 6/24/25, 10/21/25,  
2/10/26

Docket 1

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Continue as set forth below, with a deadline for a status report that includes a summary regarding consummation of the Settlement Agreement with Mr. Howard. Appearance are not required on 5/12/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

**(1) Current issues**

Background information is set forth in the tentative ruling for the 8/27/24 status conference (reproduced in full below) (capitalized terms have

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**CONT... Law Offices of Brian D. Witzer**

**Chapter 7**

the meaning set forth in the 8/27/24 tentative ruling). Based on Trustee's status report (dkt. 900) the tentative ruling is to continue this matter as set forth in part "(2)(a)" of this tentative ruling, below.

(2) Dates/procedures. This case was filed on 3/29/21 and converted from chapter 11 to chapter 7 on 12/19/22 (dkt. 576).

(a) Continued status conference: 8/11/26 at 11:00 a.m. *Brief* written  
Status report due 7/28/26.

**[INTERIM TENTATIVE RULINGS (just continuing this matter) OMITTED]**

**Tentative Ruling for 8/27/24:**

Continue the status conference and the other matters on calendar for today as set forth below. Appearances are not required on 8/27/24. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

(1) Current issues

(a) Settlement of dispute between Chapter 7 Trustee and Nathaniel Howard

On 3/14/24, this Court entered an order approving a settlement agreement (the "Settlement Agreement") that, among other things, resolves (A) a motion for summary judgment filed by Mr. Howard (dkt. 675, the "Howard MSJ") and (B) a motion filed by the Chapter 7 Trustee (the "Trustee") to disallow a claim asserted by Mr. Howard (dkt. 655, the "Claims Disallowance Motion"). See dkt. 783 (order approving Settlement Agreement).

At a hearing on 5/7/24, the Trustee advised this Court that payment under the Settlement Agreement from an insurance company had not yet been received because issues pertaining to various liens were still being resolved. The Trustee further advised that the Howard MSJ could not be

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**CONT... Law Offices of Brian D. Witzer**

**Chapter 7**

voluntarily dismissed until the Settlement Agreement had been consummated.

As of the preparation of this tentative ruling, no voluntary dismissal of the Howard MSJ has been filed, so it appears that the lien issues preventing receipt of payment from the insurance company are still being resolved. The tentative ruling is to continue the hearings on the Howard MSJ and the Claims Disallowance Motion to the date of the continued status conference (see part "(2)(a)," below), to provide additional time for consummation of the Settlement Agreement.

(2) Dates/procedures. This case was filed on 3/29/21 and converted from chapter 11 to chapter 7 on 12/19/22 (dkt. 576).

(a) Continued status conference: 10/8/24 at 1:00 p.m. concurrent with other matters in Mr. Witzer's individual bankruptcy case. No status report required.

**[PRIOR TENTATIVE RULINGS OMITTED]**

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

Law Offices of Brian D. Witzer

Represented By  
Michael S Kogan

**Trustee(s):**

Timothy Yoo (TR)

Represented By  
Monica Y Kim  
Carmela Pagay  
Timothy J Yoo

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

11:00 AM

**2:26-14326 Rachel Castillo**

**Chapter 7**

**#24.00** Hrg re: Order to show cause why this court should not dismiss this case, or impose other remedies

Docket 8

**Tentative Ruling:**

Dismiss this case for the reasons set forth in this Court's Order to Show Cause (dkt. 8) because (a) the docket does not reflect any response by Debtor (due 5/11/26 at 11:00 a.m.) and (b) this Court is not aware of any basis on which Debtor can proceed in forma pauperis without meeting the criteria mandated by Congress and the applicable rules. After the hearing this Court will prepare the order. Appearances are not 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): \_\_ **[OR]** N/A (no opposition on file as of the preparation of this tentative ruling)

Analysis: \_\_ **[OR INSERT OTHER MACROS AS APPROPRIATE]**

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

Rachel Castillo

Pro Se

**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, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:26-13192 Icon Valley LLC**

**Chapter 11**

**#1.00 Status conference re: Chapter 11 case**

Docket 1

**\*\*\* VACATED \*\*\* REASON: Case dismissed effective April 21, 2026 per  
dkt. 27.**

**Tentative Ruling:**

- NONE LISTED -

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

Icon Valley LLC

Represented By  
Victor B Meyen

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:26-13400 Sonora Holdings, LLC**

**Chapter 11**

**#2.00 Status Conference re: Chapter 11 case**

Docket 1

**Tentative Ruling:**

Appearances required by Debtor and Debtor's principal.

The tentative ruling is to issue an order to show cause ("OSC") why this Court should not convert this case to chapter 7, appoint a chapter 11 trustee, or dismiss this case - with or without a bar - due to Debtor's failure to appear in proper prosecution of this case, and continue this Status Conference to be concurrent with the hearing on the OSC, all as described 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**

**(a) Debtor's failure to comply with the Procedures Order (dkt. 3)**

On 4/10/26, this Court issued a Procedures Order (dkt. 3) imposing various requirements upon Debtor. There is no indication that Debtor has fulfilled either of the requirements set forth in the Procedures Order (dkt. 3).

First, Debtor has not filed a proof of service establishing that it served the Procedures Order (dkt. 3) upon creditors, as required by ¶ 1 of that order. Second, Debtor has not filed a case status report, as required by ¶ 3 of the Procedures Order (dkt. 3).

The tentative ruling is (x) to issue an Amended Procedures Order and to direct Debtor to serve that order upon creditors and (y) to conduct a continued Principal Status Conference, at which Debtor's principal must appear again, at the date and time set forth in part "(2)(d)" of this tentative ruling, below. In addition, the tentative ruling is to issue the OSC described at the start of this tentative ruling.

Proposed order(s): Unless otherwise ordered, after the hearing this

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT...**

**Sonora Holdings, LLC**

**Chapter 11**

*Court will prepare and issue (i) an Amended Procedures Order and  
(ii) the OSC.*

- 2) Dates/procedures. This case was filed on 4/8/26.
- (a) Bar date: 6/17/26 per General Order 20-01 (70 days after the petition date in Subchapter V cases) (DO NOT SERVE any notice: one has already been sent, see dkt. 14)
  - (b) Procedures Order: See part "(1)(a)," above.
  - (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: 6/9/26 at 1:00 p.m. Case Status Report on Local Form F 2015-3.1.SUBV.STATUS.RPT due by 5/26/26.

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

Sonora Holdings, LLC

Represented By  
Leonard Pena

**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, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:26-13477 Bobby Dee Presents Inc**

**Chapter 11**

**#3.00 Status Conference re: Chapter 11 case**

Docket 1

**Tentative Ruling:**

Appearances required by counsel for Debtor and Debtor's principal.

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. 16–17), Cash Collateral Stipulation (dkt. 22), Order Approving Cash Collateral Stipulation on an Interim Basis (dkt. 24)**

For the reasons set forth in the May 5, 2026 order approving the use of cash collateral on an interim basis (dkt. 24), the tentative ruling is to conduct a final hearing on the Cash Collateral Motion concurrent with the continued status conference (see part "(2)(d)," below). (As a reminder, that Order sets the following deadlines/dates: 5/8/26 notice of final hearing and any supplement; 5/19/26 oppositions; 5/26/26 replies; hearing 6/2/26 at 1:00 p.m.)

**(b) Debtor's Application to Employ General Bankruptcy Counsel (dkt. 14, the "Employment Application"), Order Setting Hearing on Employment Application (dkt. 26); Proof of Service (dkt. 29)**

The tentative ruling is to excuse the fact that service (dkt. 29) was made one day after the deadline in the Order (dkt. 26 p. 7:1-3). Debtor is directed to address, on a preliminary basis, the issues set forth in this Court's order setting the hearing on the Employment Application. The tentative ruling is to set a **deadline of 5/13/26** for Debtor to file a proof of service of a notice of the following deadlines: a **5/19/26 deadline** for Debtor and/or Proposed Counsel to file and serve a supplement to the Employment Application, a 5/26/26 deadline for any oppositions, and a 5/29/26 deadline at noon for any

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT... Bobby Dee Presents Inc**

**Chapter 11**

reply, with a continued hearing concurrent with the continued Status Conference (see part "(2)(d)" of this Tentative Ruling, below).

(2) Dates/procedures. This case was filed on 4/10/26.

(a) Bar date: 7/10/26 (DO NOT SERVE notice yet - court will prepare an order after the status conference).

(b) Procedures Order: dkt. 4 (timely served, dkt. 10).

(c) Plan/Disclosure Statement: File by 10/10/26 (DO NOT SERVE - except on the U.S. Trustee). See Procedures Order.

(d) Continued status conference: 6/2/26 at 1:00 p.m., concurrent with other matters.

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

Bobby Dee Presents Inc

Represented By  
Marc A Goldbach

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:26-13477 Bobby Dee Presents Inc**

**Chapter 11**

**#3.10** Hrg re: Debtor's in possession's motion for authority to use cash collateral

Docket 16

**Tentative Ruling:**

Please see the tentative ruling for the status conference (Calendar No. 3, 5/12/26 at 1:00 p.m.).

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

Bobby Dee Presents Inc

Represented By  
Marc A Goldbach

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:26-13477 Bobby Dee Presents Inc**

**Chapter 11**

**#3.20** Hrg re: Application to employ general bankruptcy counsel

Docket 0

**Tentative Ruling:**

Please see the tentative ruling for the status conference (Calendar No. 3, 5/12/26 at 1:00 p.m.).

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

Bobby Dee Presents Inc

Represented By  
Marc A Goldbach

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:26-13660 Unified Protective Services**

**Chapter 11**

**#4.00** Cont'd hrg re: Motion in Individual Ch 11 Case for Order Approving a Budget for the Use of the Debtor's Cash and Postpetition Income fr. 4/23/26

Docket 12

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Please see the tentative ruling for the Status Conference (calendar no. 4.1, on 5/12/26 at 10:00 a.m.).

**Tentative Ruling for 4/23/26:**

Please see the tentative ruling for the Status Conference (calendar no. 3, on 4/23/26 at 10:00 a.m.).

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

Unified Protective Services

Represented By  
Michael Jay Berger

**Movant(s):**

Unified Protective Services

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, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:26-13660 Unified Protective Services**

**Chapter 11**

**#4.10** Cont'd Status Conference re: Chapter 11 Case  
fr. 4/23/26

Docket 1

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Appearances required by counsel for Debtor and by Debtor's principal.

Grant the budget motion and continue the status conference, all as set forth below. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

**(1) Current issues**

(a) Budget Motion (dkt. 41); Order Granting Budget Motion on an Interim Basis (dkt. 25); Notice of Hearing (dkt. 23); No opposition on file  
Grant the budget motion on a final basis.

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 4/15/26.**

(a) Bar date: 6/24/26 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. 3 (timely served, dkt. 17).

(c) Plan/Disclosure Statement: file by 90 days after the petition date

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT...**

**Unified Protective Services**

**Chapter 11**

(per 11 U.S.C. 1189(b)) (DO NOT SERVE - except on the U.S. Trustee). See Procedures Order.

(d) Continued status conference: 6/9/26 at 1:00 p.m. No written status report required.

**[PRIOR TENTATIVE RULING(S) OMITTED]**

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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Unified Protective Services

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, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:23-13307 Seyed Mustafa Maghloubi**

**Chapter 11**

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

EXETER FINANCE LLC  
vs  
DEBTOR

Docket 322

**\*\*\* VACATED \*\*\* REASON: Matter to be heard at 2pm**

**Tentative Ruling:**

- NONE LISTED -

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

Seyed Mustafa Maghloubi

Represented By  
Darius Shahrouzi

**Movant(s):**

Exeter Finance LLC

Represented By  
Randall P Mroczynski

**Trustee(s):**

Todd A. Frealy (TR)

Represented By  
David Wood  
Bradford Barnhardt

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:23-13307 Seyed Mustafa Maghloubi**

**Chapter 11**

**#6.00** Cont'd Status Conference re: Chapter 11 Case  
fr. 11/14/23, 11/28/23, 1/23/24, 2/20/24, 3/12/24,  
4/2/24, 4/9/24, 4/23/24, 6/12/24, 8/8/24, 8/23/24,  
9/11/24, 10/10/24, 10/22/24, 10/29/24, 12/3/24,  
12/10/24, 1/21/25, 2/25/25, 4/8/25, 6/3/25, 8/5/25,  
10/7/25, 11/18/25, 01/20/26, 4/21/26

Docket 1

**\*\*\* VACATED \*\*\* REASON: Matter to be heard at 2pm**

**Tentative Ruling:**

|                          |
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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Seyed Mustafa Maghloubi

Represented By  
Darius Shahrouzi

**Trustee(s):**

Todd A. Frealy (TR)

Represented By  
David Wood  
Bradford Barnhardt

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:26-11879 Allstate Lending Group, Inc.**

**Chapter 11**

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

IPFS CORPORATION  
vs  
DEBTOR

Docket 88

**Tentative Ruling:**

Please see the tentative ruling for the status conference (Calendar No. 7, 5/12/26 at 1:00 p.m.).

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

Allstate Lending Group, Inc.

Represented By  
Kyra E Andrassy  
Stephen M. Mott  
Steven Blake

**Movant(s):**

IPFS Corporation

Represented By  
Evelina Gentry

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:26-11879 Allstate Lending Group, Inc.**

**Chapter 11**

**#8.00** Cont'd Status Conference re: Chapter 11 case  
fr. 3/31/26, 4/7/26, 4/21/26

Docket 1

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Grant relief from the automatic stay and continue the status conference as set forth below. Appearances are not required on 5/12/26. (If you wish to contest the tentative ruling, see the "Procedures of Judge Bason," available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

(1) Current issues

(a) Motion for relief from the automatic stay (dkt. 88, "R/S Motion"), Committee's Opposition (dkt. 97) and Joinder by Debtor Allstate Lending Group, Inc. ("Debtor") (dkt. 102), Reply (dkt. 105)

(i) Overview

The tentative ruling is that, because all notices of the cancellation of the insurance policies were given prepetition, the postpetition occurrence of the effective date of cancellation (simply by the passage of time) was not an "act" that was prohibited by the automatic stay of 11 U.S.C. 362(a). Accordingly, it is appropriate to issue an order granting declaratory relief that the automatic stay does not apply to the cancellation of the insurance. *Cf.* Rule 7001(i) (Fed. R. Bankr. P.) (declaratory relief only requires adversary proceeding if it relates to other matters for which adversary proceeding is required).

In addition, the tentative ruling is that, although the bankruptcy estate has a residual interest in the premium refunds, the premium financier has a security interest in those refunds and has shown sufficient grounds under 11

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT... Allstate Lending Group, Inc.**

**Chapter 11**

U.S.C. 362(d)(1) and (d)(2) for relief from the automatic stay to apply those refunds to its claim against Debtor. The Official Committee of Unsecured Creditors ("Committee") and Debtor have not overcome that showing, so it is appropriate to grant relief from the automatic stay to apply those premium refunds as requested.

The only apparent exception to all of the above would be if there is some defect in the notices of cancellation, or some right to relief from forfeiture under applicable nonbankruptcy law or the parties' contracts. But the parties' papers cite no such law or contractual provision. *Cf. In re Windmill Farms, Inc.*, 841 F.2d 1467 (9th Cir. 1988) (tenant's right to possession terminated prepetition, pursuant to three-day notice to quit and applicable California law, and any postpetition unlawful detainer judgment would merely confirm those things, unless notice was improperly sent, and subject to any right to relief from forfeiture).

(ii) More detailed analysis

The facts and more detailed analysis are as follows. IPFS Corporation (the "Premium Financier") financed Debtors' insurance premiums owed in connection with a professional liability insurance policy (the "Insurance Policy") issued by Kinsale Insurance Company ("Insurer"). The Premium Finance Agreement states, in Section 6 (entitled "Cancellation"): "Lender may cancel the scheduled policies after providing at least 10 days notice of its intent to cancel or any other required statutory notice if the insured does not pay any installment according to the terms of this Agreement ...." R/S Motion (dkt. 88) Ex. 1, at PDF p. 20 (emphasis added).

The Account History states that a Notice Of Intent To Cancel was given on 2/12/26. See *id.*, Ex. 2, at PDF p. 7. The same Account History states that fourteen days later, on 2/26/26, Premium Financier mailed a notice to Debtor, with a copy to Insurer, stating in part:

**TO THE INSURED:**

You are notified that the policies listed below [apparently the only policy issued by Insurer to Debtor is the one at issue] are cancelled for non-payment of an installment in accordance with the conditions and terms of the Premium Finance Agreement which incorporates a power of attorney. This cancellation is effective on the date indicated below [3/1/26], at the hour indicated in the policy as the effective time.

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

Tuesday, May 12, 2026

Hearing Room 1545

1:00 PM

CONT...

Allstate Lending Group, Inc.

Chapter 11

\* \* \*

**TO THE INSURER:**

The policies listed above are HEREBY CANCELLED by IPFS on behalf of the insured in accordance with the authority given us by the insured to cancel the policies upon default in his payment to IPFS. The above insured and the producer(s) listed herein have been notified by ordinary mail of this cancellation.

The gross unearned premium (including unearned commission) is to be forwarded to IPFS, at the address shown above, promptly for credit to the insured's account.

[Notice of Cancellation, Ex. 3 to R/S Motion (dkt. 88) at PDF p. 24 (boldface in original, other emphasis added).]

On 2/27/26 - the day after the date of this Notice Of Cancellation was mailed - Debtors filed their voluntary chapter 11 petitions. On 4/21/26 Premium Financier filed its R/S Motion.

The R/S Motion seeks relief from the automatic stay under 11 U.S.C. 362(d)(1) and (d)(2), as well as annulment of the automatic stay to the extent (if any) that the stay applied before Premium Financier had notice of the bankruptcy case. Committee and Debtor oppose the R/S Motion on the ground that the Insurance Policy may provide coverage for certain claims asserted against Debtors, and thus might be very valuable for the bankruptcy estate. Committee Opp. (dkt. 97) p. 3:5-13

In its Reply, Premium Financier asserts that "[u]pon learning of the bankruptcy [case] [it] was not required to withdraw its notice of cancellation." Reply (dkt. 105) p. 4: 16-22 (emphasis added). It cites *City of Chicago v. Fulton*, 592 U.S. 154 (2021), for the proposition that the automatic stay "does not require a creditor to perform an affirmative act." Reply (dkt. 105) p. 4: 16-22.

The tentative ruling is that Premium Financier slightly overstates the holding of *Fulton* but not in any material way. Specifically, this Court does not interpret *Fulton* as overruling binding authority of the Court of Appeals for the Ninth Circuit that *if* the automatic stay had been violated then Premium Financier would have had an affirmative duty to unwind that violation. See, e.g., *Sternberg v. Johnston*, 595 F.3d 937, 943-45 (9th Cir. 2010). But the tentative ruling is that, because all notices occurred prepetition, Premium Financier is correct that under *Fulton* there was no postpetition "act" involved in the cancellation of the policies, so that cancellation could have violated the

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT... Allstate Lending Group, Inc.**

**Chapter 11**

automatic stay, and therefore there was no duty to withdraw its notice of cancellation.

Nor does this Court believe it is material that, as Premium Financier concedes in its Reply, it has by now "received from the insurance agent \$5,108.13 and expects to receive an additional \$548.20, making a total of \$5,636.33." Reply (dkt. 105) p. 4:7–12. Premium Financier speculates that "the insurance company has canceled the policy and sent the amount of unearned premium to the insurance agent and the insurance agent sent \$5,108.13 to [Premium Financier]." Reply (dkt. 105) p. 4:9–12.

The tentative ruling is that none of those things establish any violation of the automatic stay by Premium Financier because, again, there was no "act" by it. True, it appears that there was an "act" by Insurer and the insurance agent - namely, issuing and delivering the refunds - but the tentative ruling is that it is appropriate to annul the automatic stay as to those things because (x) the cancellation of the Insurance Policy is separate from issuance of any refunds and (y) Committee and Debtor have not shown any way in which unwinding the refunds and holding onto any residual interest in the refunds would enable them to reinstate the Insurance Policy.

For all of these reasons, the tentative ruling is to grant the R/S Motion.

*Note:* This Court's understanding is that, technically, there is no such thing as a "joinder" in federal practice. Rather, Debtor's "joinder" (dkt. 102) must be treated as a opposition that incorporates by reference the Committee's opposition but that was filed one day late. The tentative ruling is to excuse that one day delay, because it is immaterial.

Proposed order(s): Unless otherwise ordered, Premium Financier 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.

(2) Dates/procedures. These jointly-administered cases (Allstate Lending Group, Inc. (2:26-bk-11879-NB) and Allstate Lending Group Servicing, LLC (2:26-bk-11882-NB) were filed on 2/27/26.

(a) Bar date (both Debtors): 7/1/26 (Allstate Lending dkt. 82 (Bar Date

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT...**

**Allstate Lending Group, Inc.**

**Chapter 11**

Order timely served, dkt. 94); Allstate Servicing dkt. 19 (Bar Date Order timely served, dkt. 24)).

(b) Procedures Orders: Allstate Lending dkt. 3 (timely served, dkt. 11); Allstate Servicing dkt. 3 (timely served, dkt. 11)

(c) Plan(s)/Disclosure Statement(s): The deadline for filing those document(s) is 9/1/26 (DO NOT SERVE - except on the U.S. Trustee). See Procedures Order.

(d) Continued status conference (lead case only): 6/9/26 at 1:00 p.m. (as previously ordered). No written status report required.

**[PRIOR TENTATIVE RULING(S) OMITTED]**

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

Allstate Lending Group, Inc.

Represented By  
Kyra E Andrassy

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:25-21059 Eden on Brand, Inc.**

**Chapter 11**

**#9.00** Hrg re: Combined Hearing (A) Final Approval of Disclosures and (B) Plan Confirmation

Docket 59

**Tentative Ruling:**

Please see the tentative ruling for the status conference (Calendar No. 10, 5/12/26 at 1:00 p.m.).

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| <b>Party Information</b> |
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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, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:25-21059 Eden on Brand, Inc.**

**Chapter 11**

**#10.00** Cont'd Status Conference re: Chapter 11 Case  
fr. 12/16/25, 01/06/26, 2/10/26, 3/10/26, 3/24/26

Docket 1

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Deny confirmation of Debtor's Plan; set a deadline for Debtor to file a motion to estimate the disputed tort claim of Claudia Pacheco, or for Debtor and Ms. Pacheco to agree to an alternative procedure; and continue the status conference, all as set forth below. Appearances are not required on 5/12/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

**(1) Current issues**

**(a) Debtor's Plan of Reorganization under Subchapter V of Chapter 11 (dkt. 53, the "Plan"), Order Setting Combined Hearing on Final Approval of Disclosures and Plan Confirmation (dkt. 59, the "Hearing Order"), Ballot Summary (dkt. 67), No opposition on file**

As a preliminary matter, even though this Court authorized Debtor to solicit votes, and even though there is no opposition on file, this Bankruptcy Court has an independent obligation to review the Plan and disclosures for compliance with 11 U.S.C. 1129 and 1191. Based on the review, the tentative ruling is that the Plan in its current form cannot be confirmed.

The starting point is Debtor's ballot summary (dkt. 67). The Plan does not contain a Class 1. Classes 2, 3(a), and 3(b) are impaired. Class 3(a) has voted to accept the Plan, but Class 2 did not submit a ballot and Class 3(b) voted to reject the Plan.

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT...**

**Eden on Brand, Inc.**

**Chapter 11**

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 non-consensual plan may nevertheless 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).

Class 2 consists of the secured claim of the Internal Revenue Service ("IRS"). The tentative ruling is that the IRS' claim is not subject to repayment over a five-year period in accordance with 11 U.S.C. 1129(a)(9)(D), because the claim does not arise within the time period specified in 11 U.S.C. 507(a)(8). The tentative ruling is that the Plan, which provides that the IRS' claim will be paid in full with 9.5% interest over ten years, is "fair and equitable" with respect to Class 2, as it provides that the IRS will retain its tax liens until its claim has been paid in full, consistent with 11 U.S.C. 1129(b)(2)(A)(i)(I).

Class 3(b) consists of the disputed tort claim of Claudia Pacheco. The tentative ruling is that the Plan's statement that Ms. Pacheco's claim "has not been ... allowed" is not correct. Plan (dkt. 53) p. 4. Although Debtor scheduled the claim as contingent, disputed, and unliquidated (see dkt. 11, PDF p. 19), Ms. Pacheco timely filed a proof of claim (see Proof of Claim 8-1). While Debtor represents in the Plan that it "anticipates" objecting to Ms. Pacheco's claim (see Plan (dkt. 53) para. 5.01 (p. 4) (emphasis added)), no such objection is on file, which means that as of the preparation of this tentative ruling, the claim "is deemed allowed," albeit in an unliquidated dollar amount. 11 U.S.C. 502(a).

As noted above, Class 3(b) (which contains only Ms. Pacheco's claim) has voted to reject the Plan. The tentative ruling is that the Plan – which provides that no distributions will be made on account of Ms. Pacheco's allowed claim "until the claim becomes liquidated" (Plan (dkt. 53) para. 4.01 (p. 4)) – is not "fair and equitable" with respect to Class 3(b). That means that the Plan cannot be confirmed over Ms. Pacheco's rejecting vote.

The tentative ruling is that rendering the Plan "fair and equitable" with respect to Class 3(b) requires, at a minimum, amendment of the Plan to provide for the creation of a disputed claims reserve (the mechanics of which are explained in greater detail below). The amount of Ms. Pacheco's claim is "unknown" (see Proof of Claim 8-1, para. 7 (p. 2)), which means that Debtor will be required to file either (x) a motion to establish a non-binding estimation of her claim, solely to establish how much to set aside in a disputed claims

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT... Eden on Brand, Inc.**

**Chapter 11**

reserve in anticipation of any final liquidation of the dollar amount of her claim (a "Non-Binding Estimation Motion"), or else (y) a motion to establish a binding estimation of her claim, which would not require any disputed claims reserve (because the claim will have been liquidated) but which requires that Debtor meet the statutory test of showing that any final liquidation of the true dollar amount of her claim in a non-estimation process would "unduly delay the administration of the case" within the meaning of 11 U.S.C. 503(c) (a "Binding Estimation Motion"). The tentative ruling is to leave it to Debtor's discretion which of these two types of motion to pursue (collectively, the "Claim Estimation Motion").

As to any Non-Binding Claim Estimation Motion, this Court believes that the parties are generally familiar with how a disputed claims reserve is supposed to work but to insure that there is no confusion on this issue, this Court will provide a definition and an illustration. A disputed claims reserve means a reserve sufficient to pay disputed claims of creditors the full dollar amount that they would have been receiving under the Plan if their claim had been finally allowed in its liquidated dollar amount prior to confirmation of the Plan, or such different dollar amount as this Court determines to be sufficient to protect that creditor's rights to its aliquot share of distributions.

For example, if Ms. Pacheco's claim is ultimately estimated on a non-binding basis at \$1 million, and if Debtor's Plan were to propose a 10% total dividend broken down into equal distributions over 60 months (*i.e.*,  $10\% \div 60 = 1/6$  of 1% per month), then each month Debtor would set aside  $1/6$  of 1% of \$1 million (\$16,666.67) into a disputed claims reserve account held for the benefit of Ms. Pacheco. If Ms. Pacheco's claim were to be ultimately allowed at  $1/10$ th of the asserted amount (\$100,000.00), then Ms. Pacheco would receive funds out of the disputed claims reserve up to  $1/10$ th of her initial claim (\$1,666.67) and the balance (which, if that reserve were fully funded, would be  $\$16,666.67 - \$1,666.67 = \$15,000.00$ ) would be distributed to other creditors in proportion to their allowed claims. Conversely, if Ms. Pacheco's claim were to be ultimately allowed in a greater dollar amount than originally stated (*e.g.*, if it were finally allowed at \$2 million), there would be a shortfall and not only would Ms. Pacheco be entitled to 100% of the balance of funds in the disputed claims reserve but, in addition, Ms. Pacheco would be entitled to most or all of the remaining distributions under the Plan until Ms. Pacheco had caught up (*i.e.*, other creditors would receive \$-0- each month until Ms. Pacheco had caught up).

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT...**

**Eden on Brand, Inc.**

**Chapter 11**

In the event that Debtor pursues a Non-Binding Claim Estimation Motion then the tentative ruling is that any modification of the Plan to provide for the inclusion of a disputed claims reserve will adversely affect the treatment of the claimants in Class 3(a) who have voted to accept the Plan by reducing the distributions to those claimants. The result is that Debtor will be required either (A) to obtain written acceptances of the modified Plan from the holders of claims in Class 3(a) who previously voted to accept the Plan or (B) to resolicit votes on the modified Plan. See Rule 3019(a) (Fed. R. Bankr. P.) (a modified plan is considered accepted by holders of claims who have not accepted the modified plan in writing only if “the court finds that it does not adversely change the treatment of their claims or interests”).

In any event, and in addition, the tentative ruling is that regardless which type of Claim Estimation Motion Debtor pursues, re-solicitation of votes will be necessary. True, if Debtor files a Binding Claim Estimation Motion then holders of all claims other than that of Ms. Pacheco generally will receive the same treatment they would have received under the Plan (i.e., their ultimate distribution will depend on what is ultimately distributed to her), but there will be a substantial delay in the effective date and commencement of distributions. Therefore, all creditors' votes would need to be re-solicited.

The tentative ruling is **set a deadline of 5/19/26** for Debtor to file and serve on Ms. Pacheco a Claims Estimation Motion (which, again, could be either a Non-Binding Estimation Motion in contemplation of a disputed claims reserve, or a Binding Claim Estimation Motion with no disputed claims reserve), with notice of an opposition deadline of 5/26/26, a reply deadline of 6/2/26, and a hearing at the same date and time as the continued status conference (see part “(2)(d)” of this tentative ruling, below). This Court anticipates setting additional deadlines pertaining to the filing and confirmation of a modified Plan at the hearing on the Claims Estimation Motion.

Note: It is conceivable that both Debtor and Ms. Pacheco would prefer a third option, instead of the expense and delay of any Non-Binding Claim Estimation Motion or any Binding Claim Estimation Motion. For example, they might prefer to proceed straight to their underlying litigation, without any estimation process. This Court is not precluding any such proceedings, but provides the following caution.

Regardless which of these three choices the parties seek to pursue, this Court notes that it can only extend the deadline for Debtor to file a plan

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT... Eden on Brand, Inc.**

**Chapter 11**

beyond 90 days after the petition date "if the need for the extension is attributable to circumstances for which the debtor should not justly be held accountable." 11 U.S.C. 1189(b). Therefore, whichever of the three options Debtor seeks to pursue, Debtor is cautioned that it must diligently prosecute that option and otherwise demonstrate that any delays are attributable to circumstances for which Debtor should not justly be held accountable.

Proposed order: Unless otherwise ordered, Debtor is directed to lodge a proposed order denying confirmation of the Plan 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.

- (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: See part "(1)(a)" of this tentative ruling, above. (DO NOT SERVE - except on the U.S. Trustee). See Procedures Order.
  - (d) Continued status conference: 6/9/26 at 1:00 p.m., concurrent with other matters. No written status report required.

**[PRIOR TENTATIVE RULING(S) OMITTED]**

|                          |
|--------------------------|
| <b>Party Information</b> |
|--------------------------|

**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, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:24-18171 Hays Tabernacle CME Church**

**Chapter 11**

**#11.00** Hrg re: Motion for Order Approving Payment of Southern California  
Conference Apportionment Pursuant to 11 U.S.C. Section 363(b)

Docket 252

**Tentative Ruling:**

Please see the tentative ruling for the status conference (Calendar No. 13,  
5/12/26 at 1:00 p.m.).

|                          |
|--------------------------|
| <b>Party Information</b> |
|--------------------------|

**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, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:24-18171 Hays Tabernacle CME Church**

**Chapter 11**

**#12.00** Hrg re: Debtor's motion to modify terms of employment of Liner Freedman  
Taitelman + Cooley, LLP and to allow compensation from the estate

Docket 253

**Tentative Ruling:**

Please see the tentative ruling for the status conference (Calendar No. 13,  
5/12/26 at 1:00 p.m.).

|                          |
|--------------------------|
| <b>Party Information</b> |
|--------------------------|

**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, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:24-18171 Hays Tabernacle CME Church**

**Chapter 11**

**#13.00** 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, 3/24/26, 4/7/26

Docket 1

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Grant Debtor's Apportionment Motion (dkt. 252) and Debtor's Application to Modify the Terms of Special Litigation Counsel's Employment (dkt. 253); maintain previously-set deadlines pertaining to Plan confirmation; and continue the status conference, all as set forth below. Appearances are not required on 5/12/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

**(1) Current issues**

**(a) Debtor's Motion to Approve Apportionment Payment Owed to Southern California Conference of the Christian Methodist Church (dkt. 252, the "Apportionment Motion"), Opposition filed by The Evergreen Advantage, LLC ("Evergreen") (dkt. 257), Debtor's Reply (dkt. 261)**

Grant the Apportionment Motion and overrule Evergreen's opposition for the reasons set forth in Debtor's moving and reply papers.

**(b) Debtor's Application to Modify the Terms of Special Litigation Counsel's Employment (dkt. 253), No opposition on file**  
Grant.

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT...**

**Hays Tabernacle CME Church**

**Chapter 11**

*Note:* The Application contemplates a separate fee application. If it would save costs, this Court is flexible about the format of that fee application: it could essentially be a cover sheet attaching a copy of the the current Application with its timesheets and adjustments and requesting allowance of the specified dollar amounts.

(c) Deadlines Pertaining to Plan Confirmation

As stated on the record at the 3/24/26 status conference, the tentative ruling is to anticipate a **Confirmation Hearing on 7/15/26 at 9:00 a.m.** (which will be an evidentiary hearing), with the following associated schedule:

- 5/15/26 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](http://www.cacb.uscourts.gov));
- 5/22/26 anticipated deadline** (in the Hearing Order) for Debtor to serve the voting package;
- 6/16/26 anticipated deadline** (in the Hearing Order) for the completion of any remaining plan-related discovery;
- 7/1/26 anticipated deadline** (in the Hearing Order) for any Objections to the Plan to be filed and served and for ballots to be returned;
- 7/8/26 anticipated deadline** (in the Hearing Order) for any Replies and a ballot summary.

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 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: Concurrent with the confirmation hearing (see part "(1)(c)," above). No written status report required.

**Tentative Ruling for 4/7/26:**

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT... Hays Tabernacle CME Church**

**Chapter 11**

Set deadlines pertaining to plan confirmation; approve the fee applications submitted by the estate's professionals and overrule Evergreen's request for a 20% holdback; and continue the status conference, all as set forth below. Appearances are not required on 4/7/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

**(1) Current issues**

**(a) Deadlines pertaining to plan confirmation**

This Court has reviewed the First Amended SubChapter V Plan (dkt. 238) and accompanying status report (dkt. 239), both filed by Debtor on 3/23/26.

The tentative ruling is to anticipate a **Confirmation Hearing on 6/9/26 at 1:00 p.m.**, with the following associated schedule:

**4/9/26 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](http://www.cacb.uscourts.gov));

**4/16/26 anticipated deadline** (in the Hearing Order) for Debtor to serve the voting package;

**5/15/26 anticipated deadline** (in the Hearing Order) for the completion of any remaining plan-related discovery;

**5/26/26 anticipated deadline** (in the Hearing Order) for any Objections to the Plan to be filed and served and for ballots to be returned;

**6/2/26 anticipated deadline** (in the Hearing Order) for any Replies and a ballot summary.

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)).

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT... Hays Tabernacle CME Church**

**Chapter 11**

(b) Second interim fee application of Debtor's general bankruptcy counsel Lewis R. Landau (dkt. 232), Notice (dkt. 234), Opposition filed by the Evergreen Advantage, LLC ("Evergreen") (dkt. 242), Reply (dkt. 243) and Tapley Decl. (dkt. 244)

The tentative ruling is (A) to allow \$140,621.50 in fees and \$322.00 in expenses, for a total interim award of \$140,943.50, and (B) to overrule Evergreen's request for a 20% holdback and to instead authorize and direct payment of the full amounts allowed. Evergreen asserts that absent a holdback, Debtor may lack sufficient cash on hand to fund its plan. Opp. (dkt. 242) p. 2:22–25. The tentative ruling is that Evergreen's argument fails to take into account material improvements to Debtor's financial position, including an increase in the Christian Methodist Episcopal Church's plan funding commitment from \$125,000.00 to \$650,000.00. See dkt. 239 p. 9 (redline showing differences between original plan and recently-filed First Amended Plan).

(c) Second interim fee application of Debtor's financial advisor GlassRatner Advisory Services LLC (dkt. 233), Notice (dkt. 234), Opposition filed by the Evergreen Advantage, LLC ("Evergreen") (dkt. 242), Reply (dkt. 243) and Tapley Decl. (dkt. 244)

For the same reasons as set forth in part "(1)(b)," above, the tentative ruling is (A) to allow \$38,761.50 in fees and \$21.10 in expenses, for a total interim award of \$38,782.60 and (B) to overrule Evergreen's request for a 20% holdback and to instead authorize and direct payment of the full amounts allowed.

Proposed orders: Unless otherwise ordered, Applicants are 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 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).

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT...**

**Hays Tabernacle CME Church**

**Chapter 11**

(d) Status conference: Concurrent with the confirmation hearing (see part "(1)(a)," above). No written status report required. The status conference previously scheduled for 5/12/26 at 1:00 p.m. is taken off calendar.

**[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.

\* \* \*

(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

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT... Hays Tabernacle CME Church**

**Chapter 11**

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 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 ...

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT... Hays Tabernacle CME Church**

**Chapter 11**

\* \* \*

(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:

(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

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT...**

**Hays Tabernacle CME Church**

**Chapter 11**

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 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,

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

CONT...

**Hays Tabernacle CME Church**

**Chapter 11**

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, SPNWX, 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 Code.

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

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT... Hays Tabernacle CME Church**

**Chapter 11**

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 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

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT... Hays Tabernacle CME Church**

**Chapter 11**

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 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.

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT... Hays Tabernacle CME Church**

**Chapter 11**

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.

**[OTHER TENTATIVE RULING(S) OMITTED]**

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| <b>Party Information</b> |
|--------------------------|

**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, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:25-10237 KB3 2275 Century LLC**

**Chapter 11**

**#14.00** Hrg re: Motion to Convert Chapter 11 Case To Chapter 7

Docket 149

**Tentative Ruling:**

Please see the tentative ruling for the status conference (Calendar No. 16, 5/12/26 at 1:00 p.m.).

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

KB3 2275 Century LLC

Represented By  
Onyinye N Anyama  
Sedoo Manu

**Movant(s):**

Preferred Bank

Represented By  
Michael J Gomez  
Heather J Canning

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:25-10237 KB3 2275 Century LLC**

**Chapter 11**

**#15.00** Hrg re: Motion to Proceed with Confirmation

Docket 146

**Tentative Ruling:**

Please see the tentative ruling for the status conference (Calendar No. 16, 5/12/26 at 1:00 p.m.).

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

KB3 2275 Century LLC

Represented By  
Onyinye N Anyama  
Sedoo Manu

**Movant(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, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:25-10237 KB3 2275 Century LLC**

**Chapter 11**

**#16.00** 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,  
3/24/26, 4/7/26

Docket 1

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Convert this case to chapter 7 and conclude this status conference (no continuance), as set forth below. Appearances are not required on 5/12/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

(1) Current issues

(a) Debtor's Motion to Proceed with Amended Plan (dkt. 146, "Plan Motion") and Supplemental evidence (dkt. 154), Opposition filed by Preferred Bank (dkt. 159), Third Amended Plan (dkt. 163, "Third New Plan") and Disclosure Statement (dkt. 164)

See below.

(b) Preferred Bank's Motion to Convert to Chapter 7 (dkt. 149, "Conversion Motion"), Debtor's Opposition (dkt. 158), Preferred Bank's Reply (dkt. 160) and Evidentiary Objections to Ghasseminejad Decl. (dkt. 161) and Perez Decl. (dkt. 162)

See below.

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT... KB3 2275 Century LLC**

**Chapter 11**

(c) Combined analysis of Plan Motion and Conversion Motion

The tentative ruling is to grant the Conversion Motion and deny the Plan Motion (which seeks to proceed with the superseded Second Amended Plan) as moot in view of the filing of the Third New Plan and alternatively in view of the tentative ruling to convert this case to chapter 7. In reaching this conclusion the tentative ruling is to sustain all of Preferred Bank's evidentiary objections; and alternatively to reach the same conclusions even if those objections were not sustained.

Debtor's evidence of income is weak. In a declaration dated 4/6/26, Debtor's principal, Benham Ghasseminejad, authenticates a lease agreement between Debtor and Wilson Daniel Sagastume Salazar (dkt. 146, Ex. B). That lease commences on 1/1/26 and terminates on 12/31/26, and requires Mr. Salazar to pay \$10,200.00 per month in rent.

But in a declaration dated 4/21/26 Mr. Ghasseminejad authenticates a second lease agreement, which apparently supersedes the lease agreement between Debtor and Mr. Salazar. Under this second lease agreement, Mr. Salazar remains a tenant, but the lease provides for an additional tenant, Juan Gutierrez, and increases the monthly rent from \$10,200.00 to \$13,300.00. The term of this second lease is from 5/1/26 to 4/30/28.

Debtor does not explain why Mr. Salazar would apparently forfeit his rights under the first lease and execute a second lease that not only increased rental payments but also required Mr. Salazar to share the Property with an additional tenant, Mr. Gutierrez. That substantially undermines the weight of this evidence. In addition, as pointed out by Preferred Bank, there is no evidence to support the substantial alleged increase in income purportedly from property management services. In other words, there is scant evidence to support Debtor's alleged income.

Meanwhile Debtor's third amended plan (dkt. 163, the "3d Plan") still contemplates a very large balloon payment to Preferred Bank (*id.*, Ex. A, Class 2A), even at the interest rate contemplated by Debtor. In addition, that 3d Plan contemplates paying the junior lienholder over 360 months, which is a very long time for any proposed plan, and ongoing litigation with that junior lienholder without any apparent budgeting for the expense of that litigation.

This case has been pending since 1/13/25, without meaningful progress. In addition, as explained in detail by Preferred Bank, this case has been plagued with problems from the start (which this Court will not repeat

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT... KB3 2275 Century LLC**

**Chapter 11**

here, given that the adopted tentative rulings, presented by Preferred Bank, lay them out in detail).

The tentative ruling is that all of the foregoing constitutes "cause" for conversion, including but not limited to gross mismanagement; failure to comply with court orders (in the form of oral rulings adopting tentative rulings directing Debtor to correct various defects as described by Preferred Bank); and unexcused failure to timely meet filing or reporting requirements (same). See 11 U.S.C. § 1112(b)(4).

Proposed order(s): Unless otherwise ordered, Preferred Bank 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.

(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: n/a (the tentative ruling is to conclude this status conference - *i.e.*, no continuance).

**Tentative Ruling for 4/7/26:**

Debtor is directed to address why this Court should not convert this case to Chapter 7 for all the reasons stated by Preferred Bank (dkt. 142).

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) Order denying confirmation of First Amended Chapter 11 Plan Dated January 27, 2026 (dkt. 141), Preferred Bank's Status Report (dkt. 142), Second Amended Plan (dkt. 143) and Second Amended Disclosure

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT... KB3 2275 Century LLC**

**Chapter 11**

Statement (dkt. 144)

On 3/30/26, this Court issued an order denying confirmation of Debtor's First Amended Plan (dkt. 141) for "the reasons set forth in the objections of Preferred Bank, including but not limited to lack of feasibility and lack of disclosure." Order Denying Confirmation (dkt. 141) p. 2:9–11. On 3/31/26, Preferred Bank filed a status report requesting conversion of this case to chapter 7, based upon allegations that "Debtor has never satisfactorily explained the source and sustainability of insider cash infusions used to cover operational shortfalls and administrative expenses" and that Preferred Bank's "loan has also matured and the Debtor has no ability to service the existing debt." Preferred Bank Status Report (dkt. 142) p. 2:23–24.

In response to these developments, on 4/1/26 Debtor filed a Second Amended Plan (dkt. 143) and accompanying Second Amended Disclosure Statement(dkt. 144). Debtor's Second Amended Plan is substantially identical to the First Amended Plan which this Court declined to confirm. As of the preparation of this tentative ruling, Debtor has failed to file any papers responding to Preferred Bank's objections to its First Amended Plan. Preferred Bank's objections apply with equal force to the Second Amended Plan because, as noted, that plan is substantially identical to the First Amended Plan. Nor has Debtor filed any papers explaining how the Second Amended Plan can be confirmed given that confirmation of the nearly identical First Amended Plan was denied.

All parties in interest including the United States Trustee are invited to address whether additional notice to creditors and/or Debtor is warranted or necessary before any case-dispositive action. The tentative ruling is that there has been sufficient notice; that the filing of the Second Amended Plan is "too little too late"; and that conversion of this case to chapter 7, as requested by Preferred Bank, is warranted.

Proposed order: Unless otherwise ordered, Preferred Bank 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.

(2) Dates/procedures. This case was filed on 1/13/25.

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT...**

**KB3 2275 Century LLC**

**Chapter 11**

- (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: Not applicable.

**[PRIOR TENTATIVE RULING(S) OMITTED]**

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| <b>Party Information</b> |
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**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, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:25-19576 Supra National Express, Inc.**

**Chapter 11**

**#17.00** Hrg re Motion for Relief from Automatic Stay [PP]

WELLS FARGO BANK, N.A.  
vs  
DEBTOR

Docket 126

**\*\*\* VACATED \*\*\* REASON: Resolved by stipulation (dkt. 137) and order thereon (dkt. 140).**

**Tentative Ruling:**

- NONE LISTED -

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| <b>Party Information</b> |
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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

**Movant(s):**

Wells Fargo Bank, N.A. and Wells

Represented By  
Michael J Gomez

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:25-19576 Supra National Express, Inc.**

**Chapter 11**

**#19.00** 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  
3/24/26

Docket 1

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Continue the status conference as set forth below. Appearances are not required on 5/12/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

(1) Current issues

(a) [Intentionally omitted]

(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: 5/17/26 (dkt. 120) (DO NOT SERVE - except on the U.S. Trustee). See Procedures Order.

(d) Continued status conference: 6/9/26 at 1:00 p.m., concurrent with other matters. No written status report required.

**[PRIOR TENTATIVE RULING(S) OMITTED]**

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

Supra National Express, Inc.

Represented By

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT... Supra National Express, Inc.**

**Chapter 11**

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, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:25-19576 Supra National Express, Inc.**

**Chapter 11**

Adv#: 2:26-01007 Sandoval v. Supra National Express Inc.

**#18.00** Status Conference re: Complaint objecting to entry of discharge pursuant to: (1) Determination of nondischargability of debt. (2) Determination of validity, priority, and extent of lien. (3) Denial of discharge or, in the alternative, exclusive of plaintiff's claim from discharge; and (4) Declaratory and equitable relief.  
***[Case Dismissed 3/26/26]***

Docket 1

**\*\*\* VACATED \*\*\* REASON: Adversary Proceeding was dismissed with prejudice by order entered on 3/26/26 (dkt. 16).**

**Tentative Ruling:**

- NONE LISTED -

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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Supra National Express, Inc.

Represented By

Ron Bender

Todd M Arnold

Robert Carrasco

Levene Neale Bender Yoo & Golubchik LLP

**Defendant(s):**

Supra National Express Inc.

Represented By

Robert Carrasco

**Plaintiff(s):**

Alex Sandoval

Represented By

Luis Guardado

Daniel J Friedman

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:25-19576 Supra National Express, Inc.**

**Chapter 11**

**#19.10** Hrg re: Motion to Compel Assumption or Rejection of Unexpired Lease  
and Seeking Full Lease Payments Prior to Assumption or Rejection

Docket 124

**\*\*\* VACATED \*\*\* REASON: Resolved by stipulation (dkt. 137) and order  
thereon (dkt. 140).**

**Tentative Ruling:**

- NONE LISTED -

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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Supra National Express, Inc.

Represented By

Ron Bender

Todd M Arnold

Robert Carrasco

Levene Neale Bender Yoo & Golubchik LLP

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Central District of California  
Los Angeles  
Neil Bason, Presiding  
Courtroom 1545 Calendar**

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:26-10067 Alpine Corporation**

**Chapter 11**

**#20.00** Hrg re: Application for authority to employ  
Azadegan Law Group as Special Counsel

Docket 223

**Tentative Ruling:**

Please see the tentative ruling for the status conference (Calendar No. 22,  
5/12/26 at 1:00 p.m.).

|                          |
|--------------------------|
| <b>Party Information</b> |
|--------------------------|

**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, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:26-10067 Alpine Corporation**

**Chapter 11**

**#21.00** 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, 3/24/26, 4/7/26, 4/21/26

Docket 15

**Tentative Ruling:**

Please see the tentative ruling for the status conference (Calendar No. 22, 5/12/26 at 1:00 p.m.).

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| <b>Party Information</b> |
|--------------------------|

**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, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:26-10067 Alpine Corporation**

**Chapter 11**

**#22.00** 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, 3/24/26, 4/7/26, 4/21/26

Docket 1

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Approve Debtor's application to employ special counsel; grant Debtor's application to approve a compromise with Transcend Logistics; and continue all remaining matters set for hearing pursuant to the request of Debtor and Israel Discount Bank, all as set forth below. Appearances are not required on 5/12/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

(1) Current issues

(a) Debtor's Application to Employ Azadegan Law Group as Special Counsel (dkt. 223–24, the "Employment Application"), Order Setting Hearing on Employment Application (dkt. 266), Proof of Service of Notice of Hearing (dkt. 270), Soofer Decl. Supporting Employment Application (dkt. 280), No opposition on file

The tentative ruling is that Mr. Soofer's declaration (dkt. 280) has sufficiently addressed the concerns raised by this Court in its order setting this hearing on Debtor's application to employ special counsel (dkt. 266). Accordingly, the tentative ruling is to approve the Employment Application (dkt. 223–24).

(b) Debtor's Motion to Approve Settlement with Transcend Logistics

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

Tuesday, May 12, 2026

Hearing Room 1545

1:00 PM

CONT... **Alpine Corporation**

Chapter 11

(dkt. 236–37, the “Rule 9019 Motion”), Soofer Decl. (dkt. 280), No opposition on file

Grant.

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)).

(c) Cash Collateral Motion (dkt. 15); Rule 4001 Statements (dkt. 16 & 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, 233, 261); Bank’s Supplements and Status Reports (dkt. 66, 100, 123, 132, 135, 175, 200, 207, 242, 298); Debtor’s Supplements (dkt. 121, 128, 131, 176, 203, 238); Bank’s Supplemental Opposition (dkt. 276); Debtor’s Supplemental Reply (dkt. 297, amending dkt. 291); Bank’s Status Report (dkt. 298)

Continue to the date of the continued status conference (see part “(2)(d)” of this tentative ruling, below) per the request of Debtor and Bank.

(d) Debtor’s Financing Motion (dkt. 241) and Rule 4001 Statement (dkt. 244), Notice (dkt. 243), Opposition filed by Israel Discount Bank (dkt. 249), Debtor’s Reply (dkt. 291)

Continue to the date of the continued status conference (see part “(2)(d)” of this tentative ruling, below) per the request of Debtor and Bank.

(e) Adversary Proceeding status conference (Adv. No. 2:26-ap-01042-NB)

Continue the adversary proceeding status conference and the hearing on Plaintiff/Debtor’s motion for a preliminary injunction to the date of the continued status conference in Debtor’s bankruptcy case-in-chief (see part “(2)(d)” of this tentative ruling, below) per the request of Debtor and Bank. No written status report required.

(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 claims bar date has been set*).

(b) Procedures Order: dkt. 7 (served slightly late, but sufficient to give adequate notice, dkt. 42).

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT...**

**Alpine Corporation**

**Chapter 11**

(c) Plan/Disclosure Statement: TBD (DO NOT SERVE - except on the U.S. Trustee). See Procedures Order.

(d) Continued status conference: 5/20/26 at 10:00 a.m. No written status report required.

**[PRIOR TENTATIVE RULING(S) OMITTED]**

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| <b>Party Information</b> |
|--------------------------|

**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, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:26-10067 Alpine Corporation**

**Chapter 11**

**#23.00** Cont'd hrg re: Motion for Order Approving Financing as Unsecured  
Credit Allowable as an Administrative Expense  
fr. 4/21/26

Docket 241

**Tentative Ruling:**

Please see the tentative ruling for the status conference (Calendar No. 22,  
5/12/26 at 1:00 p.m.).

|                          |
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| <b>Party Information</b> |
|--------------------------|

**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, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:26-10067 Alpine Corporation**

**Chapter 11**

**#24.00** Cont'd hrg re: Motion for Approval of Settlement Agreement re:  
Transcend Logistics, LLC  
fr. 4/21/26

Docket 236

**Tentative Ruling:**

Please see the tentative ruling for the status conference (Calendar No. 22,  
5/12/26 at 1:00 p.m.).

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| <b>Party Information</b> |
|--------------------------|

**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, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:26-10067 Alpine Corporation**

**Chapter 11**

Adv#: 2:26-01042 Alpine Corporation v. Israel Discount Bank of New York

**#25.00** Hrg re: Motion to Dismiss Pursuant to Federal  
Rule of Bankruptcy Procedure 7012(B)

Docket 8

**\*\*\* VACATED \*\*\* REASON: Cont'd per stipulation (dkt.17) and order  
thereon (dkt.19)**

**Tentative Ruling:**

- NONE LISTED -

|                          |
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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Alpine Corporation

Represented By  
Michael S Kogan

**Defendant(s):**

Israel Discount Bank of New York

Represented By  
Christopher Crowell  
Michael J Gomez  
Gerrick Warrington

**Movant(s):**

Israel Discount Bank of New York

Represented By  
Christopher Crowell  
Michael J Gomez  
Gerrick Warrington

**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, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:26-10067 Alpine Corporation**

**Chapter 11**

Adv#: 2:26-01042 Alpine Corporation v. Israel Discount Bank of New York

**#26.00** Cont'd hrg re: Motion for Preliminary Injunction against  
Israel Discount Bank of New York  
fr. 4/21/26

Docket 5

**Tentative Ruling:**

Please see the tentative ruling for the status conference in Plaintiff/Debtor's  
bankruptcy case-in-chief (Calendar No. 22, 5/12/26 at 1:00 p.m.).

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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Alpine Corporation

Represented By  
Michael S Kogan

**Defendant(s):**

Israel Discount Bank of New York

Represented By  
Christopher Crowell

**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, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:26-10067 Alpine Corporation**

**Chapter 11**

Adv#: 2:26-01042 Alpine Corporation v. Israel Discount Bank of New York

**#27.00** Status Conference re: Complaint for: (1) Declaratory Relief;  
(2) Injunctive Relief; (3) Amount of IDB Claim; (4) Offset  
Against IDB Claim; and (5) Subordination

Docket 1

**Tentative Ruling:**

Please see the tentative ruling for the status conference in Plaintiff/Debtor's  
bankruptcy case-in-chief (Calendar No. 22, 5/12/26 at 1:00 p.m.).

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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Alpine Corporation

Represented By  
Michael S Kogan

**Defendant(s):**

Israel Discount Bank of New York

Represented By  
Christopher Crowell  
Michael J Gomez  
Gerrick Warrington

**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, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:26-11202 Chico's Investments, LLC**

**Chapter 11**

**#28.00** Cont'd Status Conference re: Chapter 11 Case  
fr. 3/10/26

Docket 1

**\*\*\* VACATED \*\*\* REASON: Case was dismissed by order entered on  
4/24/26 (dkt. 42).**

**Tentative Ruling:**

|                          |
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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Chico's Investments, LLC

Represented By  
Michael R Totaro

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:25-11164 Guillermo Roditi Dominguez**

**Chapter 11**

**#29.00** Cont'd status conference re: Chapter 11 case  
fr. 4/8/25, 4/22/25, 6/17/25, 6/24/25, 8/5/25,  
8/19/25, 9/23/25, 12/2/25, 2/24/26, 3/10/26

Docket 1

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Continue the status conference as set forth below. Appearances are not required on 5/12/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

(1) Current issues

(a) Monthly Operating Reports ("MORs")

Debtor's February MOR was filed 10 days late. Dkt. 140. Debtor is reminded to timely file future MORs or this Court may impose adverse consequences.

(2) Dates/procedures. This case was filed on 2/14/25.

(a) Bar date: 6/17/25 (dkt. 32) (timely served, dkt. 35)

(b) Procedures Order: dkt. 19 (served 1 day late, dkt. 28)

(c) AmPlan/AmDisclosure Statement: TBD

(d) Continued status conference: 6/30/26 at 11:00 a.m., concurrent with status conference in adversary proceeding (2:25-ap-01196-NB) 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, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT... Guillermo Roditi Dominguez**

**Chapter 11**

**Debtor(s):**

Guillermo Roditi Dominguez

Represented By  
Michael Jay Berger

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:25-13881 Dedication & Everlasting Love To Animals**

**Chapter 11**

**#30.00** 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, 4/7/26

Docket 1

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Continue the status conference as set forth below. Appearances are not required on 5/12/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

**(1) Current issues**

This Court has reviewed the status report filed by the Chapter 11 Trustee on 5/5/26 (dkt. 239) and has no issues to raise *sua sponte*.

**(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 -

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT...**

**Dedication & Everlasting Love To Animals**

**Chapter 11**

except on the U.S. Trustee).

(d) Continued status conference: 6/2/26 at 1:00 p.m., concurrent with other matters. No written status report required.

**[PRIOR TENTATIVE RULING(S) OMITTED]**

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| <b>Party Information</b> |
|--------------------------|

**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, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:24-19131 Kyung Jik Lee**

**Chapter 11**

Adv#: 2:26-01020 Lee v. SPARTAN BUSINESS SOLUTIONS, LLC, dba Spartan Capit

**#31.00** Cont'd Status Conference re: Complaint (1) Avoidance and Recovery of Preferential Transfers; (2) Disallowance of Claim; (3) Turnover of Property; (4) Avoidance of Lien; and (5) Declaratory Relief  
fr. 4/7/26

Docket 1

**Tentative Ruling:**

Appearances required, except by Defendant Wells Fargo Bank, N.A.

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. 20) and the other filed documents and records in this adversary proceeding, and has no issues to raise *sua sponte*.

**(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 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

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

CONT...

**Kyung Jik Lee**

**Chapter 11**

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**

Is there any reason why this Court should not 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 5/26/26** 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).

The tentative ruling is to excuse Defendant Wells Fargo from participating in mediation, based upon Wells Fargo's representation that it "has agreed to abide by any agreement or ruling and release the funds it is holding based upon said Order." Status Report (adv. dkt. 20) p. 5.

**(c) Deadlines**

This adversary proceeding has been pending since 1/28/26. 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: 11/20/26.

Discovery cutoff (for *completion* of discovery): 12/4/26.

Expert(s) - deadline for reports: 12/11/26 if any expert testimony will be presented.

Expert(s) - discovery cutoff (if different from above): 12/18/26 if any expert testimony will be presented.

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT...**

**Kyung Jik Lee**

**Chapter 11**

Dispositive motions to be heard no later than: 2/2/27.

Joint Status Report: 9/1/26.

Continued status conference: 9/15/26 at 1:00 p.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 (for the format of exhibits and other trial procedures, please see the Procedures of Judge Bason (posted at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)) then search for "Trial Practice" BUT, at least during the COVID-19 shut down of the courtroom, also see the forms of order regarding video trials, posted on Judge Bason's portion of the Court's above-referenced web page)

Trial commencement: TBD at 9:00 a.m.

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

Kyung Jik Lee

Represented By

Matthew D. Resnik

Roksana D. Moradi-Brovia

**Defendant(s):**

SPARTAN BUSINESS

Represented By

Samuel Mushegh Boyamian

Jeremy Faith

SPARTAN BUSINESS

Represented By

Jeremy Faith

WELLS FARGO BANK, N.A.

Represented By

Adam N Barasch

Andrew S Elliott

**Plaintiff(s):**

Kyung Jik Lee

Represented By

Roksana D. Moradi-Brovia

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT... Kyung Jik Lee**

**Chapter 11**

**Trustee(s):**

Moriah Douglas Flahaut (TR)

Pro Se

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:26-11888 ME Development Company, LLC**

**Chapter 11**

**#32.00** Cont'd Status conference re: Chapter 11 case  
fr. 4/7/26, 4/21/26

Docket 1

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

The tentative ruling is to set a **deadline of 5/21/26** for Debtor to file supplemental papers addressing defects in the filed papers, and to continue all the matters in this case that are on today's calendar, as set forth below, with any response by creditor or the United States Trustee ("UST") permitted orally at the continued hearing. Appearances are not required on 5/12/26. (If you wish to contest the tentative ruling, see the "Procedures of Judge Bason," available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

**(1) Current issues**

**(a) Order to Show Cause (dkt. 27, "OSC"); Response to OSC (dkt. 36); Second Amended Status Report (dkt. 33 & 34); Amended Budget Motion (dkt. 32); Amended Schedules and SOFA (dkt. 35 and 37)**

Debtor's amended papers are voluminous but defective. True, Debtor has (very belatedly) provided better disclosure of its relationship with its subsidiary ("Milagro"); this Court now understands that (i) Debtor is only a "holding company" with no assets except its ownership of Milagro and no income except tiny contributions from its principal; (ii) Debtor is the primary tenant of the movie theater space assigned to Milagro; (iii) Debtor is a guarantor of a loan from FFB Bank, guaranteed by the U.S. Small Business Administration ("SBA"), to renovate the theater space; and (iv) Debtor has (very belatedly) disclosed what it claims are Milagro's actual and projected monthly profits and losses. See Stat. Rpt. (dkt. 34) p. 2; Am. Budget Mot.

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

Tuesday, May 12, 2026

Hearing Room 1545

1:00 PM

CONT...

**ME Development Company, LLC**

**Chapter 11**

(dkt. 32). But Debtor's disclosures are internally inconsistent or simply wrong.

First, Milagro reports Net Income for January, 2026 of negative \$48,226.77 (dkt. 32 at PDF p. 14 of 103); but Debtor also reports Net Income for the same month of negative \$68,572.10. *Id.* at PDF p. 27 of 103. Which is it? The same discrepancies appear for other months. Can creditors, the United States Trustee ("UST"), or this Court rely on Debtor's figures if they are so inconsistent?

Second, Milagro provides adjustments to its Net Income that are almost impossible to follow and that lack any clear written explanation. But the upshot appears to be that Milagro will continue to suffer very substantial monthly losses unless FFB/SBA and Landlord agree to major adjustments outside of any bankruptcy petition by Milagro.

\* From Milagro's alleged Net Income of negative \$48,226.77 (dkt. 32 at PDF pp. 14 *et seq.* of 103) - which, on closer inspection, appears to include interest-only payments on the FFB/SBA debt (see *id.*, PDF p. 27 of 103) - Debtor subtracts an additional \$36,169.94 for a monthly payment of principal (*id.* at PDF p. 14 of 103). But then in later months Debtor includes line items to "Add Back" (A) monthly FFB SBA principal payments ranging from just over \$14,000.00 to just over \$31,000.00; (B) thousands of dollars for lower interest rates; (C) an "FFB Two month moratorium"; and (D) "Lower Rent" - all of which results in an "Adjusted Cash Balance" at the end of each month ranging from just over negative \$28,000.00 to just over positive \$70,000.00, for a yearly adjusted net cash flow of positive \$195,246 (or, on a monthly basis,  $\$195,246/12 = \$16,270.50$  net income on almost \$4 million of business per year). *Id.* at PDF pp. 14 *et seq.* of 103.

\* In other words, Debtor confusingly adds and deducts interest, adds and deducts principal, and assumes substantial rent reductions. All of this results in figures showing wild swings between monthly profits and losses, arriving at a year end projection of barely making any average monthly profits.

\* Meanwhile, Milagro appears to be contemplating payments of \$5,000 to creditors, described in the budget as "A/P reduction" (dkt. 32, at PDF p. 14 of 103). But instead of reducing income to account for those payments Milagro's calculations apparently

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT...**

**ME Development Company, LLC**

**Chapter 11**

increase income in that dollar amount, resulting in a net error of \$10,000 (if this Court correctly understands Debtor's confusing and unexplained accounting).

In sum, Debtor has essentially no income, assets, or operations, and Debtor's bankruptcy petition appears to be a shell to obtain some possible protections of the automatic stay for Milagro, and to provide a platform for a Subchapter V plan, while Debtor's subsidiary Milagro does the actual financial reorganization without the normal supervision, disclosures, and other protections of the bankruptcy system.

Third, Debtor continues to list what it refers to as the "FFB SBA" claims at \$-0- in its bankruptcy schedules (dkt. 35 at PDF p. 18 of 31), on the theory that "as of the Petition Date, Milagro had not defaulted, and, therefore, this Debtor's liability was \$0.00 at that moment .... *Matter of Cortland Corp.*, 967 F.2d 1069, 1078 (5th Cir. 1992)." Stat. Rpt. (dkt. 34) pp. 13-14. Not only is this a complete misreading of the meaning of a "contingent claim," but a careful reading of *Cortland* would show as much.

- \* The whole point of *Cortland* is that when a guarantor signed the guaranty he "immediately" incurred a contingent liability for the entire dollar amount of the debt, and therefore the guarantor's claim against the debtor "arose" prepetition in its full dollar amount, so there was no postpetition "transfer" for purposes of the setoff analysis under 11 U.S.C. 553. See *id.*
- \* To illustrate, the "contingent" liability on a \$1 million guaranty is \$1 million, not \$-0-. It is only the *non*-contingent, present liability that is \$-0- as of the petition date.
- \* Counsel's failure to correctly analyze this basic issue, and advise his client accordingly, calls into question what other misunderstandings or incorrect reporting is included in any of the papers filed in this Court.

The tentative ruling for the continued status conference is that Debtor's supplemental papers have only reinforced that this case should be dismissed or converted, or other remedies should be imposed, possibly including a bar against being a debtor in any future bankruptcy case, for cause. As a reminder, the bases for such relief, as listed in the OSC, include this Court's authority "pursuant to 11 U.S.C. §§ 105(a), 1112(b)(4)(E) (failure to comply

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT... ME Development Company, LLC Chapter 11**

with an order of the court), 1112(b)(4)(F) (unexcused failure to timely satisfy any filing or reporting requirements), and the Procedures Order (dkt. 3)."  
OSC (dkt. 27) p. 2:5-7.

(2) Dates/procedures. This case was filed on 2/27/26.

- (a) Bar date: 5/8/26 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. 10).
- (b) Procedures Order: dkt. 3 (timely served, dkt. 9)
- (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: 6/2/26 at 2:00 p.m. No written status report required.

**[PRIOR TENTATIVE RULING(S) OMITTED. For key issues, see Order to Show Cause (dkt. 27).]**

|                          |
|--------------------------|
| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

ME Development Company, LLC

Represented By  
Giovanni Orantes

**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, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:26-11888 ME Development Company, LLC**

**Chapter 11**

**#32.10** Order (1) Directing debtor to appear and show cause why this court should not  
(W) Remove debtor as debtor-in-possession and appoint a Chapter 11 Trustee,  
(X) Dismiss this case, (Y) Convert this case to Chapter 7, or impose other  
remedies, and (2) Setting related deadlines

Docket 0

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Please see the tentative ruling for the Status Conference (calendar no. 32, on  
5/12/26 at 1:00 p.m.).

|                          |
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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

ME Development Company, LLC

Represented By  
Giovanni Orantes

**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, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:25-11744 Milton Leonel Sznaider**

**Chapter 11**

**#33.00** Cont'd Status Conference re: Chapter 11 Case  
fr. 4/21/26

Docket 1

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Continue as set forth below, with a **deadline of 5/19/26** for a second supplement to his budget motion. Appearances are not required on 5/12/26.

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**

**(a) Budget motion (dkt. 128); Supplement (dkt. 146, "Budget Supplement")**

Under the adopted tentative ruling for the status conference on 4/21/26 (reproduced below) Debtor was required to file and serve a supplement to the Budget Motion by a deadline of 4/28/26, so as to comply (belatedly) with this Court's Procedures Order. See Procedures Order (dkt. 104) p. 2:11-18. On 5/7/26 Debtor (even more belatedly) filed that Budget Supplement (dkt. 146), but it is vague and incomplete.

Future rental income is projected at "between \$3,500 and \$3,800 per unit" (dkt. 146 at PDF p. 5 of 9), but there is no indication of a projected time for completion of repairs, the costs of doing so, how many units are at issue, whether the dollar range is based on characteristics of each unit or a general average of what the market might bear, the expenses associated with renting out these units, or anything else. In other words, this is not a budget: it is a vague reference to an idea of future rental income.

The same defects apply to the "budget" for ABC Home Remodeling, LLC. Instead of the type of monthly projection over several months that any business normally would use - including all expenses such as any taxes,

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT...**

**Milton Leonel Sznaider**

**Chapter 11**

insurance, corporate registration, accounting, etc. - it lists only a few items, consisting of average rough estimates in round dollar amounts. In addition, what is disclosed raises more questions than answers.

It lists "Gross income (est.) \$49,000.00" (dkt. 146 at PDF p. 6), but there is no indication whether that estimate is based on a dozen projects or one, whether it is based on the last 12 months or the last two months, whether the estimates are Debtor's speculation about future growth of the business (see Schedule J, line 13, requiring explanation of any expected increase or decrease), or anything else. Nor is there any information about the type of projects that might be involved.

It lists "Home Depot and Lowes (supplies, materials) (est.) \$3,000.00." Budget Supp. (dkt. 146) at PDF p. 6 of 9. But this Court's recollection is that Debtor previously reported that he did not operate the business as a general contractor, and instead only arranged for other persons to perform contracting services. These purchases make it appear that Debtor, or Debtor's entity, might be acting as general contractors.

The Budget Supplement lists "misc. business expenses" of \$1,000.00 per month. Budget Supp. (dkt. 146) at PDF p. 6. Does that "misc." item mean taking prospective customers out for drinks, paying for office supplies, or something else?

The Budget Supplement lists "Vendors (sometimes reimbursed by homeowners and sometimes baked into the contract between the business and the homeowner) (est.) \$2,000.00." Budget Supp. (dkt. 146) at PDF p. 6. Not only is the very vague, but it calls into question what Debtor's business is doing for a net profit of \$43,000.00 per month (*id.*) if that business is not a contractor and all that Debtor is doing is picking up a few supplies and materials and paying very small dollar amounts to vendors. Is a business like this sustainable?

In sum, creditors, the United States Trustee ("UST"), and this Court are left with almost no information about any current or projected cash flow. Of course, over a long enough period Debtor's Monthly Operating Reports ("MORs") might start to give a picture of the actual cash flow, but (i) if the MORs are as vague and incomplete as this Budget Supplement they will not provide meaningful information and (ii) by then it will be too late to prevent monthly expenditures that Debtor might characterize as "ordinary course" (requiring no disclosure or approval) but that others might see differently. See 11 U.S.C. 363(b) & (c). In other words, Debtor is evading the whole point

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT...**      **Milton Leonel Sznaider**  
of a budget motion.

**Chapter 11**

(b) Monthly Operating Reports ("MORs")

Debtor's March MOR was due 4/21/26 and has not been filed as of the preparation of this tentative ruling. The tentative ruling is to set a **deadline of 5/19/26** for Debtor to file his March MOR with disclosure of Contractor's finances included in the March MOR. Debtor is reminded to timely file future MORs or this Court may impose adverse consequences.

(2) Dates/procedures. This case was converted from chapter 13 to chapter 11 on 3/23/26.

(a) Bar date: 6/22/26 (new claims only) (dkt. 140) (timely served, dkt. 145)

(b) Procedures Order: dkt. 104 (timely served, dkt. 112)

(c) Plan/Disclosure Statement: TBD (DO NOT SERVE - except on the U.S. Trustee). See Procedures Order.

(d) Continued status conference: 6/9/26 at 1:00 p.m., concurrent with other matters. No written status report required.

**Tentative Ruling for 4/21/26:**

Appearances required by Debtor and counsel for Debtor.

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) Transactions out of the ordinary course (11 U.S.C. 363(b))?

Debtor states that postpetition he formed and is operating an entity - ABC Home Renovations LLC ("Contractor") that "provides home remodeling and home improvement services" and that he oversees all aspects of construction projects. Debtor Decl. (dkt. 124) p. 6:7-12 (PDF p. 18 of 23). Debtor declares that he operated a "similar" business as a "personal DBA" before this entity was formed. *Id.* (emphasis added). Debtor alleges that he has been earning "significant and steady income" from Renovations, which he

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT...**

**Milton Leonel Sznaider**

**Chapter 11**

will use to fund a chapter 11 plan. *Id.* p. 7:9-11 (PDF p. 19 of 23).

Debtor is directed to provide more information at this status conference about the nature and finances of the allegedly "similar" business that preceded the formation of Contractor. Was that "similar" business doing exactly the same type of work or something different? Was it a long-standing, thriving business, with similar types of projects and similar revenues and expenses? Was it licensed (and is Contractor licensed)? Was it, in all other ways, sufficiently identical to the current business that the formation and operation of Contractor can fairly be characterized as a continued use, sale, or lease of property of the estate in the "ordinary course" of Debtor's prior business (within the meaning of 11 U.S.C. 363(b) and (c)(1))?

Or, conversely, has Debtor commenced a new enterprise - with all of the attendant possible gains but also possible losses. Has Debtor done so without notice to creditors, an opportunity to object, and review and approval by this Court?

(b) Budget motion, Bankruptcy Schedule I, etc.

Debtor's status report states that Debtor will file a budget motion by the time of this status conference. Dkt. 124, p. 3. Debtor is reminded that the budget motion, the Monthly Operating Reports ("MORs"), and other documents must disclose the finances of Contractor, not just Debtor individually. See Procedures Order (dkt. 104) p. 2:11-18.

In addition, the tentative ruling is to set a **deadline of 4/28/26** for Debtor to file an Amended Bankruptcy Schedule I (cf. dkt. 119, at PDF p. 23 of 35) that complies with the instructions on line 8a to attach a statement of gross receipts, expenses, and monthly net income for Contractor.

(c) Bar date, and date to file proposed chapter 11 Plan

Debtor's status report proposes a bar date of 6/22/26 and a deadline to file a proposed plan ("Plan") and disclosure statement ("DS") of 7/10/26. See Stat.Rpt. (dkt. 124) p. 3. The tentative ruling is that a bar date should apply only to claims arising postpetition/pre-conversion (*i.e.*, between 3/5/25 and 3/18/26). See *In re Lara* (Case No. 2:19-bk-14078-NB, dkt. 66). The tentative ruling is to direct Debtor not to serve any notice of bar date - instead this Court will prepare an order that will direct Debtor to serve copies of that order on all potential new creditors.

As for the proposed Plan/DS, Debtor is directed to address whether

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT...**

**Milton Leonel Sznaider**

**Chapter 11**

the date to file those things might be too soon based on (i) how long or short a time Renovations and its predecessor business have been generating income (*i.e.*, is there a long enough track record for feasibility analysis) and (ii) Debtor's anticipated recovery of insurance proceeds on the rental property that was destroyed by fire, and whether those proceeds (capped at the \$325,000.00 policy limit per dkt. 119 at PDF p. 30 of 35) will be used (in conjunction with borrowing or other sources) for reconstruction and re-leasing of that property or if instead that property will be sold without investing those funds in it (*i.e.*, should any proposed Plan wait until there is a better basis to project future expenses and income related to the rental property)?

(d) Objection to wage & hour proof of claim no. 11 (creditor Garcia et al.) (dkt. 69, 70); Opposition (dkt. 80); Reply (dkt. 83/85)

This matter is currently scheduled for hearing on 6/11/26 at 8:30 a.m. (with the parties meanwhile attempting to mediate a resolution), but that is a chapter 13 date. Given the conversion of this case to chapter 11 the tentative ruling is to reschedule that hearing to 6/9/26 at 1:00 p.m., with a **deadline of 4/23/26** for Debtor to file and serve written notice of the new hearing date and time (all subject to rescheduling for the convenience of one or both parties by lodging a proposed rescheduling order or, if they cannot agree, telephoning chambers).

(2) Dates/procedures. This case was converted from chapter 13 to chapter 11 on 3/23/26.

- (a) Bar date: 6/22/26 (new claims only - see part "(1)(c)" of this tentative ruling, above) (DO NOT SERVE notice yet - court will prepare an order after the status conference).
- (b) Procedures Order: dkt. 104 (timely served, dkt. 112)
- (c) Plan/Disclosure Statement: TBD (see part "(1)(c)" of this tentative ruling, 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. No written status report required.

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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Milton Leonel Sznaider

Represented By

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT...**

**Milton Leonel Sznaider**

**Chapter 11**

Matthew D. Resnik  
Roksana D. Moradi-Brovia

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:25-14484 Geoffrey Gunnar Goebel**

**Chapter 11**

**#34.00** Cont'd hrg re: Motion for order determining value of collateral  
[11 U.S.C. Section 506(a); FRBP 3012]  
fr. 11/4/25, 1/6/26, 2/24/26, 4/7/26

Docket 41

**Tentative Ruling:**

**Tentative Ruling 5/12/26:**

Please see the tentative ruling for the status conference (Calendar No. 35,  
5/12/26 at 1:00 p.m.).

**[PRIOR TENTATIVE RULING(S) OMITTED]**

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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Geoffrey Gunnar Goebel

Represented By  
Derrick Talerico

**Movant(s):**

Geoffrey Gunnar Goebel

Represented By  
Derrick Talerico  
Derrick Talerico  
Derrick Talerico

**Trustee(s):**

Moriah Douglas Flahaut (TR)

Pro Se

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:25-14484 Geoffrey Gunnar Goebel**

**Chapter 11**

**#35.00** Cont'd status conference re: Chapter 11 case  
fr. 6/24/25, 8/5/25, 9/23/25, 11/4/25, 1/6/26,  
2/24/26, 4/7/26

Docket 1

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

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 motion to value 2183 Argyle Avenue property (dkt. 41, "Motion to Value"), Proof of service (dkt. 42), Oppositions of Real Time Resolutions, Inc. as agent for RRA CP Opportunity Trust 1 ("2nd Lienholder") (dkt. 45 & 46) and Julie McCoy ("3rd Lienholder") (dkt. 48); Lienholder's appraisal (dkt. 53), Stipulations/Orders to continue hearing (dkt. 49, 55, 56, 60, 62.)

The parties stipulated to continue this matter to today to engage in settlement negotiations. There is no tentative ruling but the parties should be prepared to address the current status of this matter, and how they propose to resolve their disputes - e.g., (i) with an evidentiary hearing; (ii) with a court ruling based solely on the written record (to save costs, if all parties consent), (iii) through mediation, or (iv) through appointment of an appraiser (jointly selected by the parties/their appraisers) as the court's own expert under FRE 706.

(b) Missing status report

This court's adopted tentative ruling for 2/24/26 set a deadline of 3/24/26 for Debtor to file a brief status report but Debtor has not complied.

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT... Geoffrey Gunnar Goebel**

**Chapter 11**

Debtor is cautioned not to miss deadlines set by this Court in future or this Court might impose sanctions or other adverse consequences.

(c) Deadline for Debtor to file amended plan

At a status conference held on 11/4/25 this Court was persuaded not to set a deadline for Debtor to file an amended plan until after the hearing on Debtor's valuation motion has been resolved. The tentative ruling is to again defer setting a deadline for an amended plan until that motion has been resolved.

(2) Dates/procedures. This Subchapter V case was filed on 5/28/25.

(a) Bar date: 8/6/25 per General Order 20-01 (70 days after petition date in Subchapter V cases) (DO NOT SERVE any notice: one has already been sent, see dkt. 14).

(b) Procedures Order: dkt. 6 (timely served, dkt. 8)

(c) AmendedSubchapter V Plan/Disclosures: TBD

(d) Continued status conference: 6/9/26 at 1:00 p.m. *Brief* status report due 5/26/26.

**[PRIOR TENTATIVE RULING(S) OMITTED]**

|                          |
|--------------------------|
| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Geoffrey Gunnar Goebel

Represented By  
Derrick Talerico

**Trustee(s):**

Moriah Douglas Flahaut (TR)

Pro Se

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:26-10379 Jason Mowatt**

**Chapter 11**

**#36.00** Cont'd hrg re: Objection to debtor's designation and election  
under Subchapter V of Chapter 11  
fr. 4/7/26

Docket 44

**Tentative Ruling:**

Please see the tentative ruling for the status conference (Calendar No. 37,  
5/6/26 at 1:00 p.m.).

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

Jason Mowatt

Represented By  
David B Shemano  
Shemanolaw  
Tamar Terzian

**Movant(s):**

Dela Yador

Represented By  
Tamar Terzian

**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, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:26-10379 Jason Mowatt**

**Chapter 11**

**#37.00** Cont'd Status conference re: Chapter 11 case  
fr. 2/24/26, 4/7/26

Docket 1

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

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) Dela Yador's Objection to Debtor's SubChapter V Designation (dkt. 44), Debtor's Opposition (dkt. 52), Reply (dkt. 53)

This matter has been resolved. On 5/11/26, this Court issued a Memorandum Decision (dkt. 67) overruling the objection and allowing this case to continue to proceed under Subchapter V prior to the hearing.

(b) Application for Rule 2004 Examination filed by Dela Yador ("Creditor") (dkt. 63, the "Rule 2004 Application"), Debtor's Opposition (dkt. 66)

The parties are directed to address the issues set forth in Debtor's opposition to the Rule 2004 Application.

(2) Dates/procedures. This case was filed on 1/15/26.

(a) Bar date: TBD

(b) Procedures Order: dkt. 8 (timely served, dkt. 13)

(c) Plan/Disclosure Statement: Filing deadline TBD (DO NOT  
SERVE – except on the U.S. Trustee). See Procedures Order.

(d) Continued status conference: 6/9/26 at 1:00 p.m. *Brief* written

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT...**

**Jason Mowatt**

**Chapter 11**

status report due 5/26/26.

**[PRIOR TENTATIVE RULING(S) OMITTED.]**

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

**Debtor(s):**

Jason Mowatt

Represented By  
David B Shemano  
Shemanolaw  
Tamar Terzian

**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, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:25-19049 Hardwood Restaurant Holdings, LLC**

**Chapter 11**

**#38.00** Cont'd hrg re: Motion for Allowance and Payment of Administrative Rent Claim  
fr. 4/21/26

Docket 86

**Tentative Ruling:**

Please see the tentative ruling for the status conference (Calendar No. 39,  
5/12/26 at 1:00 p.m.).

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

Hardwood Restaurant Holdings,

Represented By  
Michael Jay Berger

**Movant(s):**

GCS Emerald LLC

Represented By  
Michael I. Gottfried

GCS Palms LLC

Represented By  
Michael I. Gottfried

GCS Equity LLC

Represented By  
Michael I. Gottfried

**Trustee(s):**

Arturo Cisneros (TR)

Pro Se

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**2:25-19049 Hardwood Restaurant Holdings, LLC**

**Chapter 11**

**#39.00** Cont'd Status Conference re: Chapter 11 Case  
fr. 10/21/25, 11/4/25, 12/16/25, 2/10/26, 3/24/26,  
4/7/26, 4/21/26

Docket 1

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Continue as set forth below. Appearances are not required on 5/12/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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(1) Current issues

(a) Motion for Allowance of Administrative Claim filed by GCS Equity LLC, GCS Palms, LLC, and GCS Emerald LLC ("Lessor") (dkt. 86), Debtor's Response (dkt. 97), Stipulation Continuing Hearing (dkt. 100) and Order Thereon (dkt. 102), Lessor's Reply (dkt. 105)

Lessor reports that it has reached an agreement in principle with Debtor. Reply (dkt. 105) p. 2:3–9. The tentative ruling is to continue this matter for the parties to document their agreement and obtain this Court's approval.

(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: Order denying confirmation of Plan (dkt.

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

1:00 PM

**CONT...**

**Hardwood Restaurant Holdings, LLC**

**Chapter 11**

59) issued 4/9/26 (dkt. 98). Deadline for filing of First Amended Plan to be determined.

(d) Continued status conference: 6/9/26 at 1:00 p.m. No written status report required.

**[PRIOR TENTATIVE RULING(S) OMITTED]**

|                          |
|--------------------------|
| <b>Party Information</b> |
|--------------------------|

**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, May 12, 2026**

**Hearing Room 1545**

2:00 PM

**2:23-10990 Leslie Klein**

**Chapter 11**

**#1.00 Hrg re: Motion for Relief from Automatic Stay [PP]  
[THE EUGENE KOHN IRREVOCABLE LIFE INSURANCE TRUST AGNES  
ROTH IRREVOCABLE LIFE INSURANCE TRUST; AND LEWIS GOODKIN  
IRREVOCABLE LIFE INSURANCE TRUST]**

LESLIE KLEIN & ASSOCIATES

vs.  
DEBTOR

Docket 1340

**Tentative Ruling:**

Please see the tentative ruling for the Status Conference (calendar no. 5, on 5/12/26 at 2:00 p.m.).

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

Leslie Klein

Pro Se

**Movant(s):**

Les Klein & Associates

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, May 12, 2026**

**Hearing Room 1545**

2:00 PM

**2:23-10990 Leslie Klein**

**Chapter 11**

**#2.00 Hrg re: Motion for Relief from Automatic Stay [PP]]  
[EUGENE KOHN IRREVOCABLE LIFE INSURANCE; AGNES ROTH  
IRREVOCABLE LIFE INSURANCE TRUST; THE LEWIS GOODKIN  
IRREVOCABLE LIFE INSURANCE TRUST]**

LESLIE KLEIN & ASSOCIATES  
vs  
DEBTOR

Docket 1341

**Tentative Ruling:**

Please see the tentative ruling for the Status Conference (calendar no. 5, on 5/12/26 at 2:00 p.m.).

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

|              |        |
|--------------|--------|
| Leslie Klein | Pro Se |
|--------------|--------|

**Movant(s):**

|                        |        |
|------------------------|--------|
| Les Klein & Associates | Pro Se |
|------------------------|--------|

**Trustee(s):**

|                       |                                                                                                                                    |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------|
| Bradley D. Sharp (TR) | Represented By<br>Jeffrey W Dulberg<br>Jeffrey N Pomerantz<br>John W Lucas<br>Jeffrey P Nolan<br>Pachulski Stang Ziehl & Jones LLP |
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**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Neil Bason, Presiding  
Courtroom 1545 Calendar**

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

**2:23-10990 Leslie Klein**

**Chapter 11**

**#3.00 Hrg re: Motion for Relief from Automatic Stay [PP]  
[ROZY P. ZIMMERMAN IRREVOCABLE LIFE LINSURANCE TRUST]**

LESLIE KLEIN & ASSOCIATES  
vs  
DEBTOR

Docket 1342

**Tentative Ruling:**

Please see the tentative ruling for the Status Conference (calendar no. 5, on 5/12/26 at 2:00 p.m.).

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

|              |        |
|--------------|--------|
| Leslie Klein | Pro Se |
|--------------|--------|

**Movant(s):**

|                        |        |
|------------------------|--------|
| Les Klein & Associates | Pro Se |
|------------------------|--------|

**Trustee(s):**

|                       |                                                                                                                                    |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------|
| Bradley D. Sharp (TR) | Represented By<br>Jeffrey W Dulberg<br>Jeffrey N Pomerantz<br>John W Lucas<br>Jeffrey P Nolan<br>Pachulski Stang Ziehl & Jones LLP |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------|

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

**2:23-10990 Leslie Klein**

**Chapter 11**

Adv#: 2:23-01152 Menlo, co-trustee of the Franklin Menlo Irrevocabl v. Klein

**#4.00** Cont'd Status Conference re: Complaint for Nondischargeability of Debt, and Denial of Discharge Under Bankruptcy Code sections 523, 727  
fr. 4/8/25, 5/6/25, 9/23/25, 12/2/25, 3/10/26

Docket 1

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Continue this Adversary Proceeding status conference as set forth below.  
Appearances are not required on 5/12/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

**(1) Current issues**

This Court has reviewed the status reports/declarations filed by Plaintiff (adv. dkt. 91, 92) and (belatedly) by Defendant (adv. dkt. 93, 94), and the other filed documents and records in this adversary proceeding and has no issues to raise *sua sponte* at this time. The tentative ruling is to continue this Adversary Proceeding Status Conference to the same date and time as the continued Status Conference in the bankruptcy case in chief (see Calendar No. 5, on 5/12/26 at 2:00 p.m.), provided that if Plaintiff self-calendars his forthcoming motion for entry of a default judgment for any different date or time, the continued status conference in this Adversary Proceeding will be automatically rescheduled to occur concurrently with the hearing on that motion.

**(2) Standard requirements**

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

**CONT...**

**Leslie Klein**

**Chapter 11**

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. 45, p. 4 & adv. dkt. 65, p. 4)

(b) Mediation

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

(c) Deadlines

This adversary proceeding has been pending since 5/11/23.  
The scheduled deadlines and/or hearing/trial date(s) have been memorialized in this Court's written order (adv. dkt. 85) except as modified/supplemented below.

Status Report(s): N/A

Continued status conference: see above.

**[PRIOR TENTATIVE RULING(S) OMITTED]**

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|--------------------------|
| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Leslie Klein

Pro Se

**Defendant(s):**

Leslie Klein

Pro Se

**Plaintiff(s):**

Franklin Menlo, co-trustee of the

Represented By  
Paul P Young  
Nikko Salvatore Stevens  
Armen Manasserian

**Trustee(s):**

Bradley D. Sharp (TR)

Represented By

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

**CONT...**

**Leslie Klein**

**Chapter 11**

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, May 12, 2026**

**Hearing Room 1545**

2:00 PM

**2:23-10990 Leslie Klein**

**Chapter 11**

**#5.00** 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, 3/24/26, 4/21/26

Docket 1

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Deny the motions for relief from the automatic stay, continue the status conference in *Menlo v. Klein* (Adv. No. 2:23-ap-01152-NB) (see the tentative ruling for Calendar No. 4, on 5/12/26 at 2:00 p.m.), and continue this Status Conference in the bankruptcy case in chief (see below). Appearances are not required on 5/12/26.

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**

(a) Three notices and motions for relief from the automatic stay filed by Les Klein & Associates, Inc. ("LK Assoc's") (dkt. 1340 & 1352, the "R/S Motion 1"; dkt. 1341 & 1353, the "R/S Motion 2"; and dkt. 1342 & 1354, the "R/S Motion 3") (collectively, the "R/S Motions"); Ominibus Oppositions of Life Capital Group, LLC (dkt. 1364) and Trustee (dkt. 1365); no reply on file as of the preparation of this tentative ruling

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

**CONT...**

**Leslie Klein**

**Chapter 11**

The tentative ruling is to deny all three R/S Motions for each of the following alternative reasons.

(i) Defective service

The tentative ruling is that the proofs of service of all three R/S Motions are deficient. For one thing, the proofs of service are signed with only a typed "/s/" signature, and the tentative ruling is that this does not comply with the local bankruptcy rules. See LBR 9011-1. For another thing, LK Assoc's asserts that, in connection with R/S Motion 1, Jonathan Polter and/or Life Capital LLC and Shlomo and Tamar Rechnitz obtained interests in and then assigned 100% of the Agnes Roth and Lewis Goodkin Policies ultimately to Hebrew Day Schools; but there is no proof of service on any of these persons or anyone else who might (if they disagree with Debtor's allegations) assert an interest in or rights under the policies or their proceeds. The same issue applies to R/S Motions 2 and 3 (which were not served on persons who might claim interests in or rights under the policies or their proceeds).

(ii) Lack of standing

Movant has not sufficiently established that it has standing. All three of the R/S Motions purport to be filed on behalf LK Assoc, and Debtor has signed the motions on its behalf and has signed the supporting declarations "as Trustee" of the life insurance trusts. But if, as Debtor alleges, the life insurance policies have been assigned to other persons (e.g., Hebrew Day Schools) then it is those assignees who would have the primary interest in the policies. True, Movant might be asserting a perfected security interest in the policies, but there is no evidence of that, and therefore no evidence of Movant's standing.

(iii) Lack of legal counsel

Any organization, such as LK Assoc's, can only appear through legal counsel in good standing with this Court. See LBR 9011-2(a). This Court's recollection is that although Debtor is an attorney he is not practicing as such, and this Court takes judicial notice that the caption of each of the R/S Motions does not list any State Bar Number for Debtor.

(iv) Opposition papers are persuasive

The tentative ruling is to deny the R/S Motions for each of the additional reasons stated in the Opposition papers (dkt. 1364, 1365). Among other things, LK Assoc's has not supported its motions with any admissible evidence, any citations to applicable legal authority, or any analysis, and LK Assoc's/Debtor appear to be trying to relitigate ownership interests that have

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

**CONT...**

**Leslie Klein**

**Chapter 11**

already been determined by final orders of this Bankruptcy Court.

(v) The automatic stay applies

The tentative ruling is to deny the R/S Motions' requests for a determination that the automatic stay does not apply. To the contrary, it very much does apply.

Even supposing for the sake of discussion that LK Assoc's and/or Debtor ultimately could establish that the bankruptcy estate had no interest in the subject insurance policies (a supposition for which there is no evidence or legal support), that would not mean that the automatic stay is inapplicable. It is well established that property of the bankruptcy estate includes legal claims - not just tangible property - and therefore at the very least the automatic stay of 11 U.S.C. 362(a)(3) bars any acts that would attempt to exercise control over or attempt to obtain the underlying insurance policies or their proceeds. More broadly, to the extent that the bankruptcy estate does actually have any interests at stake, the tentative ruling is that the other provisions of section 362(a) also apply.

Proposed order(s): Unless otherwise ordered, Trustee is directed to lodge, via LOU within 7 days after the hearing date, orders on the R/S Motions, and attach a copy of this tentative ruling to each order, thereby incorporating it as this Court's actual ruling.

(2) Dates/procedures. On 2/22/23 this case was filed, and on 3/8/23 the petition was amended to proceed as a non-Subchapter V chapter 11 case. See dkt. 33, 37 & 43. On 5/24/23 Bradley D. Sharp ("Trustee") was appointed as chapter 11 trustee. Dkt. 142, 151, 154, 155 & 156.

(a) Bar date: 5/3/23 (see dkts. 10, 12 & 18)

(b) Procedures order: dkt. 950 (timely served, dkt. 953)

(c) Plan: On 4/28/26 this Court issued its order (dkt. 1366) confirming Trustee's proposed chapter 11 plan (dkt. 1350).

(d) Continued (post-confirmation) status conference: 6/9/26 at 2:00 p.m. No written status report required.

**[PRIOR TENTATIVE RULINGS OMITTED]**

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| <b>Party Information</b> |
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**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Neil Bason, Presiding  
Courtroom 1545 Calendar**

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

**CONT... Leslie Klein**

**Chapter 11**

**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, May 12, 2026**

**Hearing Room 1545**

2:00 PM

**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

**#6.00** Cont'd 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)) fr. 3/24/26, 4/10/26

Docket 1

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Continue this Adversary Proceeding status conference as set forth below. Appearances are not required on 5/12/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

**(1) Current issues**

This Court has reviewed the OBM PDG, LLC Trustee's notice of tiling of a settlement motion (adv. dkt. 25), the other filed documents and records this adversary proceeding, and this Court has noted settlement motions in related cases. See *In re Pac. Consol. Hldgs. Grp., Inc.* (Case No. 2:25-bk-19834-NB) dkt. 33, and *In re Via Real Group, LLC* (Case No. 2:25-bk-19833-NB) dkt. 23-26.

This Court 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.)

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

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

**Chapter 7**

(a) Venue/jurisdiction/authority

[Omitted in view of proposed settlements.]

(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 than a continued status conference (see below).

Joint Status Report: Not required.

Continued status conference: 6/2/26 at 11:00 a.m., concurrent with other matters.

**Tentative Ruling for 4/10/26:**

The parties are directed to address any unresolved issues regarding the schedule and procedures for Debtors' contemplated objections to Creditors/Plaintiffs' claims, including whether to defer some or all such matters pending approval of any negotiated settlements. The tentative ruling is also to continue this Adversary Proceeding status conference to 4/21/26 at 2:00 p.m. (no written status report required). 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 (this Court's review of the docket does not reflect any relevant developments regarding the matters that are on for hearing today).

**Tentative Ruling for Adversary Proceeding Status Conference, 3/24/11:**  
Appearances required.

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, May 12, 2026**

**Hearing Room 1545**

2:00 PM

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

**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.

(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.

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

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

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

**Chapter 7**

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 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

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

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

**Chapter 7**

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 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

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

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

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, 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

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

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

**Chapter 7**

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 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

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

**CONT...**

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

**Chapter 7**

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 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

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

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

**Chapter 7**

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**

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*

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

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

*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 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.

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| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

OBM PDG, LLC a California

Represented By  
Zev Shechtman

**Defendant(s):**

Meridian Via Real, LLC

Represented By

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

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

Richard Lee Wynne

JOHN J MENCHACA

Represented By  
Wesley H Avery

OBM Holdings LLC

Represented By  
Richard Lee Wynne

Via Real Group, LLC

Pro Se

The Inception Companies, LLC

Represented By  
Richard Lee Wynne

DOES 1 - 10

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

Pacific Consolidated Holdings

Pro Se

OBM PDG, LLC

Pro Se

**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)

Represented By

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

**CONT...**

**OBM PDG, LLC a California limited liability compan**  
Alan I Nahmias

**Chapter 7**

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

**2:23-13307 Seyed Mustafa Maghloubi**

**Chapter 11**

**#7.00** Cont'd hrg re: Motion to Reconsider Order Directing Debtor  
to Surrender for Incarceration  
fr. 4/21/26

Docket 309

**Tentative Ruling:**

Please see the tentative ruling for the status conference (Calendar No. 8,  
5/12/26 at 2:00 p.m.).

**[PRIOR TENTATIVE RULING(S) OMITTED]**

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

Seyed Mustafa Maghloubi

Represented By  
Darius Shahrouzi

**Movant(s):**

Nelly Salamanca

Pro Se

**Trustee(s):**

Todd A. Frealy (TR)

Represented By  
David Wood  
Bradford Barnhardt

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

**2:23-13307 Seyed Mustafa Maghloubi**

**Chapter 11**

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

EXETER FINANCE LLC  
vs  
DEBTOR

Docket 322

**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)) 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](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

Key documents reviewed (in addition to motion papers): Order (dkt. 326) (rescheduling hearing and directing Movant to serve supplemental notices); Movant's Supp. Notice (dkt. 329); no opposition on file as of the preparation of this tentative ruling.

Analysis:

(1) Service

The tentative ruling is that service of the Motion is more than sufficient. Movant has served Debtor's attorney of record (Mr. Shahrouzi, who has filed

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

**CONT... Seyed Mustafa Maghloubi**

**Chapter 11**

a motion to withdraw) and Debtor himself, at his address of record in this bankruptcy case. See R/S Motion (dkt. 322). In addition, Movant has served Debtor in care of his daughter at the address she has provided, and Debtor's spouse, at the same address, as directed by this Court. See Order (dkt. 326), p. 2 (para. "3") and POS (dkt. 329). That is plenty of notice.

Note: Although Movant has not *also* served Debtor at the Los Angeles Metropolitan Detention Center (as directed by this Court, dkt. 326, pp. 2-3, para. "4") the tentative ruling is that Movant's omission must be excused because this additional service was predicated of Debtor's attorney, Mr. Shahrouzi, complying with this Court's order to him to file a declaration with that address no later than 4/30/26 (see Order, dkt. 324, p. 3:4-8) and Mr. Shahrouzi has failed to do so.

**(2) Merits**

The tentative ruling is to grant the following relief.

**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) (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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|--------------------------|
| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Seyed Mustafa Maghloubi

Represented By  
Darius Shahrouzi

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

**CONT... Seyed Mustafa Maghloubi**

**Chapter 11**

**Movant(s):**

Exeter Finance LLC

Represented By  
Randall P Mroczynski

**Trustee(s):**

Todd A. Frealy (TR)

Represented By  
David Wood  
Bradford Barnhardt

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

**2:23-13307 Seyed Mustafa Maghloubi**

**Chapter 11**

**#8.00** Cont'd Status Conference re: Chapter 11 Case  
fr. 11/14/23, 11/28/23, 1/23/24, 2/20/24, 3/12/24,  
4/2/24, 4/9/24, 4/23/24, 6/12/24, 8/8/24, 8/23/24,  
9/11/24, 10/10/24, 10/22/24, 10/29/24, 12/3/24,  
12/10/24, 1/21/25, 2/25/25, 4/8/25, 6/3/25, 8/5/25,  
10/7/25, 11/18/25, 01/20/26, 4/21/26

Docket 1

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

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) Background

Debtor is being held in custody as coercive contempt for his failure to disclose and turn over his income, assets, records and information, including historical records and information. Debtor has claimed repeatedly that he has complied with this Court's orders, but so far he has failed to provide any evidence, let alone sufficiently persuasive evidence. *See generally* Order (dkt. 317) (summarizing history of this case, and citing prior orders).

This Court has reviewed Trustee's status report (dkt. 331). Trustee reports that Debtor's sole disclosed business (involving car repairs) "shut down shortly after his incarceration" and that Trustee does not believe that business can be operated in Debtor's absence. *Id.* p. 2:15-17. Trustee does not address the other (undisclosed) businesses that Trustee previously discovered evidence about, or the undisclosed property (such as hidden bank

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

**CONT... Seyed Mustafa Maghloubi**

**Chapter 11**

accounts that he discovered), and this Court questions whether anyone can know whether Debtor is operating any businesses or rental properties, and/or whether Debtor is receiving income from any undisclosed sources, or is holding any assets, records, and information, given Debtor's history of blatant lies, hiding assets, and mysterious ability to come up with substantial funds when it suits his purposes.

In any event, regardless of what might or might not be suspected or believed (by Trustee, other parties in interest, or this Court), the tentative ruling is that even supposing that Debtor lacked the ability to disclose and turn over his income, assets, records and information (which this Court does not believe) Debtor has never even attempted to provide anything approaching the very thorough disclosures that this Court has repeatedly directed him to give. Therefore, the tentative ruling is that, so far, Debtor has not purged his contempt and must remain in coercive incarceration.

(b) Ms. Salamanca's Motion for Reconsideration of Order Subjecting Mr. Maghloubi to Coercive Incarceration (dkt. 309, the "Motion for Reconsideration"), Order Setting Hearing on Motion for Reconsideration (dkt. 317, the "Hearing Order")

At the hearing on 4/21/26 this Court provided a lengthy and detailed summary of the history of this case and Debtor's non-compliance with this Court's prior orders. This Court provided that summary to all persons who were present: (i) Debtor's counsel of record (Mr. Daryoush (aka Darius) Shahrouzi, Esq.), (ii) Debtor's wife Ms. Salamanca, and (iii) her and Debtor's daughter, Ms. Bianca Maghloubi.

This Court encouraged them (x) to attempt to locate and retain replacement counsel in lieu of Mr. Shahrouzi and (y) to encourage Debtor to "come clean" and provide very, very thorough disclosures and turnover of any assets. This Court also stated that it would address at this continued hearing whether to set a schedule for further briefing on the Motion for Reconsideration.

There is no tentative ruling on the latter issue. But the parties should be prepared to address the current status of this matter and whether it makes sense to set any schedule for further briefing, or continue this matter, or deny the Motion for Reconsideration either with or without leave to amend.

(c) Trustee's contemplated request for conversion to chapter 7

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

**CONT...**

**Seyed Mustafa Maghloubi**

**Chapter 11**

Trustee "intends to file a motion to convert this case to chapter 7."

Trustee Rpt. (dkt. 331) p. 3:4-5. The tentative ruling - in view of the expense of filing and serving any motion and the lack of any significant participation by creditors in this case to date (except Mr. Totaro) - is to entertain an oral motion, with any opposition and reply permitted orally.

The parties should be prepared to address whether - in view of the expense of converting this case to chapter 7 (for a chapter 7 trustee to "get up to speed," to re-investigate any assets, to "object to the Debtor's discharge under Section 727" (id. p. 3:6), etc. - it might make more sense to dismiss this case, while keeping this case file open and retaining jurisdiction regarding the coercive contempt issues. Any such dismissal would be without prejudice to any party in interest seeking to vacate the dismissal when and if Debtor ever provides full disclosure and turnover of all assets that might warrant administration by Trustee (including turnover of any hidden bank accounts and other assets out of which to pay Trustee, creditor Mr. Totaro, and other creditors).

(d) Motion of Exeter Finance LLC ("Exeter") for relief from the automatic stay (dkt. 322); Order rescheduling/directing notice (dkt. 326); Supplemental POS (dkt. 329); no opposition on file

Grant, as set forth in the tentative ruling for Calendar No. 7.1 (on 5/12/26 at 2:00 p.m.).

(e) Mr. Shahrouzi's violations of this Court's order (dkt. 324)

This Court's order (dkt. 324) directed Mr. Shahrouzi, no later than 4/30/26, (a) to file a proof of service ("POS") of that order on Debtor at the Los Angeles Metropolitan Detention Center and (b) to "file a declaration setting forth Mr. Maghloubi's official Bureau of Prisons Register Number and a complete mailing address for him." Order (dkt. 324) p. 3:1-8. As of the preparation of this tentative ruling the docket does not reflect any such POS or declaration.

The tentative ruling is to **fine Mr. Shahrouzi \$50.00 per day after 4/30/26** until he has done those things.

Orders. Unless otherwise ordered, Trustee is directed to lodge an appropriate order for dismissal or conversion of this bankruptcy case, and Exeter is directed to lodge an order on its R/S Motion, each within

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

**CONT...**

**Seyed Mustafa Maghloubi**

**Chapter 11**

seven days after this hearing. *This Court will prepare* appropriate orders regarding (A) Ms. Salamanca's Motion for Reconsideration and (B) Mr. Shahrouzi's daily fines until he complies with this Court's order (dkt. 324).

(2) Dates/procedures. The involuntary petition commencing this case was filed on 5/30/23. An Order for Relief was entered on 6/27/23, dkt. 11. The case was converted from Chapter 7 to Chapter 11 on 10/12/23, dkt. 29.

(a) Bar date: TBD

(b) Procedures Order: dkt. 88 (not timely served, but eventually served which gives notice of matters therein, dkt. 133–134)

(c) Plan/Disclosure Statement: N/A

(d) Continued status conference: Same date and time as the Status Conference in Mr. Totaro's bankruptcy case (see Calendar No. 10, on 5/12/26 at 2:00 p.m.). No written status report required.

**Tentative Ruling for 4/21/26:**

Deny Ms. Salamanca's motion for reconsideration of the order subjecting Mr. Maghloubi to coercive incarceration, and continue all other matters on calendar in Mr. Maghloubi's chapter 11 case, all as set forth below.

Appearances are not required on 4/21/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

**(1) Current issues**

(a) Order Directing Daryoush (aka Darius) Shahrouzi to Appear and Show Cause Why He Should Not be Subject to Sanctions for Abandoning Client (Without Court Authorization) (dkt. 306, the "OSC"), Mr. Shahrouzi's Response to OSC (dkt. 314), Mr. Shahrouzi's Motion to Withdraw (dkt. 312), Mr. Shahrouzi's Request for Authorization to Appear Remotely at OSC Hearing (dkt. 316), Order Authorizing Mr. Shahrouzi to Appear Remotely (dkt.

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

CONT... **Seyed Mustafa Maghloubi**  
320)

**Chapter 11**

Mr. Shahrouzi filed a notice purporting to set a hearing on his motion to withdraw from representing Mr. Maghloubi (dkt. 312, the "Motion to Withdraw") on 4/28/26 at 2:00 p.m. Mr. Shahrouzi apparently neglected to consult the "Available Self-Calendaring Hearing Dates" on this Court's website ([www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)); had he done so, he would have known that the date he selected is not available for self-calendaring.

The tentative ruling is to set the Motion to Withdraw for hearing on **6/9/26 at 2:00 p.m.**, with a **deadline of 5/5/26** for Mr. Shahrouzi to refile the motion. The refiled Motion to Withdraw must (A) provide clear notice of the foregoing hearing date, as well as notice that 5/26/26 is the deadline for parties to oppose the motion and that 6/2/26 is the deadline for any reply and (B) be served upon Mr. Maghloubi, Ms. Salamanca, Mr. Totaro, the Chapter 11 Trustee, the United States Trustee, and any other parties in interest. To the extent the refiled Motion to Withdraw does not meet these requirements, it may be denied or continued.

The tentative ruling is to continue the chapter 11 status conference and the hearing on the OSC to the **same date and time** as the continued hearing on the Motion to Withdraw.

(b) Ms. Salamanca's Motion for Reconsideration of Order Subjecting Mr. Maghloubi to Coercive Incarceration (dkt. 309, the "Motion for Reconsideration"), Order Setting Hearing on Motion for Reconsideration (dkt. 317, the "Hearing Order")

Deny the Motion for Reconsideration for the reasons set forth in the Hearing Order.

After the hearing, this Court will prepare an order denying the Motion for Reconsideration.

(2) Dates/procedures. The involuntary petition commencing this case was filed on 5/30/23. An Order for Relief was entered on 6/27/23, dkt. 11. The case was converted from Chapter 7 to Chapter 11 on 10/12/23, dkt. 29.

(a) Bar date: TBD

(b) Procedures Order: dkt. 88 (not timely served, but eventually served which gives notice of matters therein, dkt. 133–134)

(c) Plan/Disclosure Statement: TBD

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

**CONT...**

**Seyed Mustafa Maghloubi**

**Chapter 11**

(d) Continued status conference: See part "(1)(a)," above. No written status report required.

**[PRIOR TENTATIVE RULINGS OMITTED (see dkt. 181, 186, 224 Ex. A, 263, 270, 272, 277, 279-80, and 302 for a summary of these proceedings)]**

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

Seyed Mustafa Maghloubi

Represented By

Darius Shahrouzi

**Trustee(s):**

Todd A. Frealy (TR)

Represented By

David Wood

Bradford Barnhardt

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

**2:23-11397 Michael R Totaro**

**Chapter 7**

Adv#: 2:24-01271 Maghloubi et al v. Totaro et al

**#9.00** Cont'd Status Conference re: Removal Of Case Pending in  
the Los Angeles Superior Court, West Judicial District  
as Case No. 22SMCV02069  
fr. 2/25/25, 10/7/25, 01/20/26, 4/21/26

Docket 1

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

Maintain the stay and continue the status conference, all as set forth below.  
Appearances are not required on 4/21/26. (If you wish to contest the  
tentative ruling, see the Posted Procedures of Judge Bason, available at  
[www.cacb.uscourts.gov](http://www.cacb.uscourts.gov), then search for "tentative rulings.")

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

**(1) Current issues**

This adversary proceeding has been stayed pending further order of  
this Court. See Stay Order (adv. dkt. 5). The tentative ruling is to maintain  
the stay, and to conduct a continued status as set forth in part "(2)(d)" of this  
tentative ruling, 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.)

**(a) Venue/jurisdiction/authority**  
[Intentionally omitted.]

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

**CONT...**

**Michael R Totaro**

**Chapter 7**

(b) Mediation  
[Intentionally omitted.]

(c) Deadlines

This adversary proceeding has been pending since 12/10/24. In view of the stay (see part "(1)," above), the tentative ruling is to decline to set any litigation deadlines at this time (other than the date of a continue status conference, as set forth below).

Joint Status Report: Not required.

Continued status conference: same as continued Status Conference in the bankruptcy case in chief (see Calendar No. 10, on 5/12/26 at 2:00 p.m.).

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

Michael R Totaro

Pro Se

**Defendant(s):**

Maureen J Totaro

Represented By  
Maureen J Shanahan

Michael R Totaro

Pro Se

**Plaintiff(s):**

Seyed Mustafa Maghloubi

Pro Se

Nelly Maghloubi

Pro Se

**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, May 12, 2026**

**Hearing Room 1545**

2:00 PM

**2:23-11397 Michael R Totaro**

**Chapter 7**

**#10.00** Cont'd Status Conference re: Chapter 11 case  
fr. 3/21/23, 4/4/23, 4/28/23, 5/16/23, 6/13/23,  
7/18/23, 8/15/23, 10/17/23, 11/14/23, 11/28/23,  
1/23/24, 2/6/24, 2/20/24, 3/5/24, 3/12/24, 4/9/24,  
4/23/24, 5/7/24, 6/4/24, 6/12/24, 8/8/24, 9/10/24,  
9/11/24, 10/10/24, 10/22/24, 10/29/24, 12/10/24,  
1/21/25, 2/25/25, 4/8/25, 6/3/25, 7/8/25, 8/5/25,  
8/12/25, 10/7/25, 11/18/25, 1/20/26, 2/24/26,  
4/21/26

Docket 1

**Tentative Ruling:**

**Tentative Ruling for 5/12/26:**

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

Trustee is directed to address on a preliminary basis whether this Court should implement any procedures to "secure the just, speedy, and inexpensive determination" of matters in this case and related Adversary Proceedings involving (a) the Palisades fire (2:26-ap-01051-NB), (b) a lender (2:26-ap-01038-NB), and (c) Mr. Maghloubi (2:24-ap-01271-NB; 2:23-ap-01155-NB).

(b) Maghloubi v. Totaro (2:24-ap-01271-NB)

As set for in Calendar No. 9 (5/12/26 at 2:00 p.m.), the tentative ruling is to continue the status conference in this Adversary Proceeding to the same time as the status conference in this Bankruptcy Case in chief (see part "(2)

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

**Tuesday, May 12, 2026**

**Hearing Room 1545**

2:00 PM

**CONT... Michael R Totaro**

**Chapter 7**

(d)" of this tentative ruling, below).

(2) Dates/procedures. This case was filed on 3/8/23 and was converted from Chapter 11 to Chapter 7 on 2/26/26 (dkt. 375).

(a) Bar date: 6/15/23 (dkt. 73, 90); Proof of Service (dkt. 91)

(b) Procedures order: dkt. 30 (timely served, dkt. 41).

(c) Plan/Disclosure Statement: Not applicable

(d) Continued status conference: 6/9/26 at 2:00 p.m. No written status report required.

**[PRIOR TENTATIVE RULINGS OMITTED]**

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|--------------------------|
| <b>Party Information</b> |
|--------------------------|

**Debtor(s):**

Michael R Totaro

Pro Se

**Trustee(s):**

Carolyn A Dye (TR)

Pro Se