

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

Thursday, June 11, 2026

Hearing Room 1545

8:00 AM
2:00-00000

Chapter

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

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

ZoomGov Instructions for all matters on today's calendar:

Meeting ID: 161 956 5651

Password: 698787

Meeting URL: <https://cacb.zoomgov.com/j/1619565651>

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

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

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

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

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

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

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

Docket 0

Tentative Ruling:

- NONE LISTED -

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8:30 AM

2:21-12046 Kelsey Smith

Chapter 13

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

Docket 82

Tentative Ruling:

Appearances required, absent either (1) an agreement with the Chapter 13 Trustee's office to further continue this matter or (2) withdrawal of the motion. There is no tentative ruling, but the parties should be prepared to address the issues raised by the Chapter 13 Trustee (dkt. 83).

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

Party Information

Debtor(s):

Kelsey Smith

Represented By
Devin Sawdayi

Movant(s):

Kelsey Smith

Represented By
Devin Sawdayi

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
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Los Angeles
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Thursday, June 11, 2026

Hearing Room 1545

8:30 AM

2:24-16877 Jeffrey Michale Serafine

Chapter 13

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

Docket 44

Tentative Ruling:

Appearances required, absent either (1) an agreement with the Chapter 13 Trustee's office to further continue this matter or (2) withdrawal of the motion. There is no tentative ruling, but the parties should be prepared to address the issues raised by the Chapter 13 Trustee (dkt. 44).

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

Party Information

Debtor(s):

Jeffrey Michale Serafine

Represented By
H. Jasmine Papian

Movant(s):

Jeffrey Michale Serafine

Represented By
H. Jasmine Papian
H. Jasmine Papian

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
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8:30 AM

2:24-20180 Rodolfo Sanchez Gonzalez

Chapter 13

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

Docket 52

Tentative Ruling:

Appearances required, absent either (1) an agreement with the Chapter 13 Trustee's office to further continue this matter or (2) withdrawal of the motion. There is no tentative ruling, but the parties should be prepared to address the issues raised by the Chapter 13 Trustee (dkt. 54).

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

Party Information

Debtor(s):

Rodolfo Sanchez Gonzalez

Represented By
Gregory M Shanfeld

Movant(s):

Rodolfo Sanchez Gonzalez

Represented By
Gregory M Shanfeld

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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2:25-19784 Diana Minerva Hernandez

Chapter 13

#4.00 Hrg re:] Motion for order determining value of collateral

Docket 37

Tentative Ruling:

Grant.

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

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

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

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

Party Information

Debtor(s):

Diana Minerva Hernandez

Represented By
Raymond Perez

Movant(s):

Diana Minerva Hernandez

Represented By
Raymond Perez

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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CONT... Diana Minerva Hernandez

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8:30 AM

2:25-19902 Sabrina Cupid

Chapter 13

#5.00 Hrg re: Motion approving sale of real property

Docket 166

Tentative Ruling:

Deny as moot, due to dismissal of this case (Order, dkt. 195), and alternatively on the merits, because there is no evidence of any feasible sale and any sale would require an infusion of cash from Debtor. *See generally* Order Denying Reconsid. (dkt. 185); Order Denying App. for OST (dkt. 186).
Proposed order(s): After the hearing *this Court will prepare the order.*

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

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

Party Information

Debtor(s):

Sabrina Cupid	Pro Se
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Movant(s):

Sabrina Cupid	Pro Se
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Trustee(s):

Kathy A Dockery (TR)	Pro Se
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2:26-12044 James Harvey Irby

Chapter 13

#6.00 Motion Debtors Motion for Order Authorizing (1) Transfer of Title to Debtors Residence into Revocable Living Trust, (2) Obtaining Reverse Mortgage Loan, and (3) Use of Proceeds Pursuant to Probate Court Order and Settlement Agreement; Declaration of James Harvey Irby in Support with Proof of Service Filed by Debtor James Harvey Irby (Lively, Peter)

Docket 23

***** VACATED *** REASON: Resolved per order (dkt. 45) entered on 5/20/26.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

James Harvey Irby

Represented By
Peter M Lively

Movant(s):

James Harvey Irby

Represented By
Peter M Lively

Trustee(s):

Kathy A Dockery (TR)

Pro Se

**United States Bankruptcy Court
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8:30 AM

2:26-15210 Trevar Allen Egans

Chapter 13

#7.00 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, 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

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Trevar Allen Egans

Chapter 13

automatic stay, and to continue/impose it as to all persons rather than just as to selected persons, because one purpose of the automatic stay is to preventing a "race to collect" that could unfairly advantage some creditors at the expense of others. (b) To prevent possible abuse, this Court provides the foregoing simple process for reconsideration. See generally *In re Rodriguez*, case no. 2:25-bk-16676-NB, docket #25. Notice of these standard procedures has been provided to all parties in interest via the "Procedures of Judge Bason," publicly posted at www.cacb.uscourts.gov.

(3) Very limited ruling. This Court's tentative ruling to grant the foregoing relief is solely for purposes of this motion, and is not intended to have any binding effect with respect to any future assertions by any party in interest regarding the existence or lack of existence of good faith in any other context. In addition, nothing in this order continuing the automatic stay in general should be deemed to affect any separate orders issued by this Court that grant relief from the automatic stay as to specific creditors.

Party Information

Debtor(s):

Trevar Allen Egans

Represented By
Onyinye N Anyama

Movant(s):

Trevar Allen Egans

Represented By
Onyinye N Anyama

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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8:30 AM

2:25-15777 Ulysses S. Taylor, IV and Doina O. Cioaca Taylor

Chapter 13

#8.00 Cont'd hrg re: Objection to Claim Number 27 (27-1) by Claimant IRS
fr. 3/12/26

Docket 50

***** VACATED *** REASON: Voluntary dismissal of motion filed 5/25/26**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ulysses S. Taylor IV

Represented By

R Grace Rodriguez - SUSPENDED BK -
Michael D Kwasigroch

Joint Debtor(s):

Doina O. Cioaca Taylor

Represented By

R Grace Rodriguez - SUSPENDED BK -
Michael D Kwasigroch

Movant(s):

Doina O. Cioaca Taylor

Represented By

R Grace Rodriguez - SUSPENDED BK -
Michael D Kwasigroch

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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2:25-21238 Daniel Rutherford

Chapter 13

#9.00 Cont'd hrg re: Objection to Claim #6 by Claimant Certified Federal Credit Union
fr. 5/7/26

Docket 40

Tentative Ruling:

Tentative Ruling for 6/11/26:

Grant, despite only partial compliance by Debtor with this Court's directions.

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

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

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

Key documents reviewed (in addition to motion papers): Supplemental proof of service (dkt. 47) and Notice (dkt. 49) (reproducing part, but *not all*, of the Tentative Ruling for 5/7/26, reproduced below) ("Analysis" portion is missing). The tentative ruling is that even the incomplete notice is sufficient to put Claimant on inquiry notice.

No opposition on file as of the preparation of this tentative ruling.

Tentative Ruling for 5/7/26:

Continue to 6/11/26 at 8:30 a.m., with a **deadline of 5/12/26** for Movant to file a proof of service of the motion papers and a notice (i) that the continued hearing date is as set forth above, (ii) that the continuance is being ordered for the reasons set forth in this tentative ruling (a copy of which must be attached to the Notice), (iii) that the deadline to file and serve any Opposition

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is 5/28/26, and (iv) that the Reply is deadline is 6/4/26. Appearances are not required on 5/7/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

Analysis:

The tentative ruling is that a continuance is necessary because the proof of service of the objection (dkt. 40) is deficient as described below.

(a) Service

Debtor's proof of service (dkt. 40, PDF p. 32) states that the Claim Objection was served on "Certified Federal Credit Union," but the tentative ruling is that does not appear to technically comply with the requirements of Rules 2002(g)(1) and/or 3007(a)(2)(A) (Fed. R. Bankr. P.) which require that notice must be mailed to the creditor or its agent at the most recently filed proof of claim (or, perhaps, at any other more recently designated address). Based on this Court's review of the docket and claims register, it appears that Certified Federal Credit Union's ("Claimant") "last request filed in this case" was filing Proof of Claim 6-1 ("Claim 6"). See *also* Rule 3007-1(b)(2) (Local Bankruptcy Rule) (requiring service on address disclosed in proof of claim). Claim 6 provides that notices should be sent to "Certified Federal Credit Union, P.O. Box 8023, El Monte, CA 91734," which is different from the addresses listed on Debtor's proof of service.

Party Information

Debtor(s):

Daniel Rutherford

Represented By
Barry E Borowitz

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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2:25-21238 Daniel Rutherford

Chapter 13

#10.00 Cont'd hrg re: Objection to Claim Number 7 by Claimant Certified Federal Credit Union
fr. 5/7/26

Docket 41

Tentative Ruling:

Tentative Ruling for 6/11/26:

Grant, despite only partial compliance by Debtor with this Court's directions.

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

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

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

Key documents reviewed (in addition to motion papers): Supplemental proof of service (dkt. 48) and Notice (dkt. 50) (reproducing part, but *not all*, of the Tentative Ruling for 5/7/26, reproduced below) ("Analysis" portion is missing). The tentative ruling is that even the incomplete notice is sufficient to put Claimant on inquiry notice.

No opposition on file as of the preparation of this tentative ruling.

Tentative Ruling for 5/7/26:

Continue to 6/11/26 at 8:30 a.m., with a **deadline of 5/12/26** for Movant to file a proof of service of the motion papers and a notice (i) that the continued hearing date is as set forth above, (ii) that the continuance is being ordered for the reasons set forth in this tentative ruling (a copy of which must be

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Daniel Rutherford

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attached to the Notice), (iii) that the deadline to file and serve any Opposition is 5/28/26, and (iv) that the Reply is deadline is 6/4/26. Appearances are not required on 5/7/26. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

Analysis:

The tentative ruling is that a continuance is necessary because the proof of service of the objection (dkt. 41) is deficient as described below.

(a) Service

Debtor's proof of service (dkt. 41, PDF p. 39) states that the Claim Objection was served on "Certified Federal Credit Union," but the tentative ruling is that does not appear to technically comply with the requirements of Rules 2002(g)(1) and/or 3007(a)(2)(A) (Fed. R. Bankr. P.) which require that notice must be mailed to the creditor or its agent at the most recently filed proof of claim (or, perhaps, at any other more recently designated address). Based on this Court's review of the docket and claims register, it appears that Certified Federal Credit Union's ("Claimant") "last request filed in this case" was filing Proof of Claim 6-1 ("Claim 6"). See *also* Rule 3007-1(b)(2) (Local Bankruptcy Rule) (requiring service on address disclosed in proof of claim). Claim 6 provides that notices should be sent to "Certified Federal Credit Union, P.O. Box 8023, El Monte, CA 91734," which is different from the addresses listed on Debtor's proof of service.

Party Information

Debtor(s):

Daniel Rutherford

Represented By
Barry E Borowitz

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Trustee(s):

Kathy A Dockery (TR)

Pro Se

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2:00-00000

Chapter

#0.00 The 9:30 a.m. and 11:00 a.m. Chapter 13 calendars are managed by the Chapter 13 Trustee, not this Court. In the afternoon before the hearing please visit the Chapter 13 Trustee's website (www.latrustee.com) under "Trustee Recommendations" to see if your case is scheduled for hearing and what the Chapter 13 Trustee recommends. Note: Because the Trustee and other parties frequently revise their positions based on new information, the Trustee Recommendations will not be uploaded until the afternoon before the hearing.

Docket 0

Tentative Ruling:

- NONE LISTED -

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Thursday, June 11, 2026

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11:00 AM
2:00-00000

Chapter

#0.00 The 9:30 a.m. and 11:00 a.m. Chapter 13 calendars are managed by the Chapter 13 Trustee, not this Court. In the afternoon before the hearing please visit the Chapter 13 Trustee's website (www.latrustee.com) under "Trustee Recommendations" to see if your case is scheduled for hearing and what the Chapter 13 Trustee recommends. Note: Because the Trustee and other parties frequently revise their positions based on new information, the Trustee Recommendations will not be uploaded until the afternoon before the hearing.

Docket 0

Tentative Ruling:

- NONE LISTED -

**United States Bankruptcy Court
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11:30 AM

2:26-11879 Allstate Lending Group, Inc.

Chapter 11

#1.00 Cont'd hrg re: Motion for Relief from Automatic Stay [PP]
fr. 5/12/26

IPFS CORPORATION
vs
DEBTOR

Docket 88

Tentative Ruling:

Please see the tentative ruling for the status conference (Calendar No. 2,
6/11/26 at 11:30 a.m.).

Party Information

Debtor(s):

Allstate Lending Group, Inc.

Represented By
Kyra E Andrassy
Stephen M. Mott
Steven Blake

Movant(s):

IPFS Corporation

Represented By
Evelina Gentry

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2:26-11879 Allstate Lending Group, Inc.

Chapter 11

#2.00 Cont'd Status Conference re: Chapter 11 case
fr. 3/31/26, 4/7/26, 4/21/26, 5/12/26

Docket 1

Tentative Ruling:

Tentative Ruling for 6/11/26:

Appearances required. At the hearing on 5/12/26 this Court was persuaded to continue this matter to today.

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)

See part "(1)(a)" of the Tentative Ruling for 5/12/26 (reproduced below).

(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 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): 6/30/26 at 1:00 p.m.

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Allstate Lending Group, Inc.

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(concurrent with other matters). No written status report required.

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, 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 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.

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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.

* * *

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

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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 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

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\$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 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

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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]

Party Information

Debtor(s):

Allstate Lending Group, Inc.

Represented By
Kyra E Andrassy