

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

Thursday, July 11, 2024

Hearing Room 1545

8:00 AM
2:00-00000

Chapter

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

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

ZoomGov Instructions for all matters on today's calendar:

Meeting ID: 160 436 7148

Password: 933528

Meeting URL: <https://cacb.zoomgov.com/j/1604367148>

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 -

**United States Bankruptcy Court
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8:30 AM

2:24-11739 Joe Martir

Chapter 13

#1.00 Hrg re: Debtor's objection to Claim Number 3
by Claimant Huntington National Management LLC

Docket 20

Tentative Ruling:

Continue to 8/8/24 at 8:30 a.m. to address the following issues. Appearances are not required on 7/11/24. (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.

Reason(s) for continuance - Lack of cost/benefit analysis. The posted Procedures of Judge Bason (available at www.cacb.uscourts.gov) provide:

§ 502: claim objections & cost/benefit analysis. When objecting to claims, be sure to include an analysis of why the costs of preparing and litigating the claim objection (administrative expenses) do not exceed the anticipated benefits (reductions in claims). For example, if the claim at issue is a dischargeable nonpriority claim, and the anticipated dividend is not 100%, then (a) the attorney fees incurred in prosecuting an objection probably will exceed the benefit to the bankruptcy estate/creditors, (b) Debtor typically is harmed by replacing a (dischargeable) general unsecured claim with an administrative expense, and (c) only the lawyer benefits (at the expense of both creditors and Debtor). See *In re Barba* (Case No. 2:21-bk-18466-NB), dkt. 50.

No later than 7 days after the date of this hearing the movant must file either:

(1) a supplemental declaration explaining why the attorney fees for this objection are justified (including supporting evidence, such as a copy of the

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CONT... Joe Martir

Chapter 13

plan showing the projected dividend to the claimant, and a calculation comparing that projected dividend against the attorney fees related to this claim objection), or

(2) a withdrawal of the claim objection.

No fees on this matter, absent specific authorization. Counsel is directed not to charge any fees on this matter (including all past, present and future work related to this claim objection), and to return any fees received on this matter, unless and until this Court expressly finds: "Counsel has provided a cost/benefit analysis that is sufficient for purposes of the Posted Procedures of Judge Bason regarding claim objections." It is counsel's responsibility to include the quoted phrase, if warranted, in the proposed order on this claim objection.

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

Party Information

Debtor(s):

Joe Martir

Represented By
Robert T Chen

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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Hearing Room 1545

8:30 AM

2:24-11903 Marie Catherine Bartilad Padilla

Chapter 13

#2.00 Hrg re: Objection to proof of claim #6
Filed By Bankers Healthcare Group, LLC

Docket 22

Tentative Ruling:

Continue to 8/8/24 at 8:30 a.m. to address the following issues. Appearances are not required on 7/11/24. (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.

Reason(s) for continuance - Lack of cost/benefit analysis. The posted Procedures of Judge Bason (available at www.cacb.uscourts.gov) provide:

§ 502: claim objections & cost/benefit analysis. When objecting to claims, be sure to include an analysis of why the costs of preparing and litigating the claim objection (administrative expenses) do not exceed the anticipated benefits (reductions in claims). For example, if the claim at issue is a dischargeable nonpriority claim, and the anticipated dividend is not 100%, then (a) the attorney fees incurred in prosecuting an objection probably will exceed the benefit to the bankruptcy estate/creditors, (b) Debtor typically is harmed by replacing a (dischargeable) general unsecured claim with an administrative expense, and (c) only the lawyer benefits (at the expense of both creditors and Debtor). See *In re Barba* (Case No. 2:21-bk-18466-NB), dkt. 50.

No later than 7 days after the date of this hearing the movant must file either:

(1) a supplemental declaration explaining why the attorney fees for this objection are justified (including supporting evidence, such as a copy of the

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CONT... Marie Catherine Bartilad Padilla

Chapter 13

plan showing the projected dividend to the claimant, and a calculation comparing that projected dividend against the attorney fees related to this claim objection), or

(2) a withdrawal of the claim objection.

No fees on this matter, absent specific authorization. Counsel is directed not to charge any fees on this matter (including all past, present and future work related to this claim objection), and to return any fees received on this matter, unless and until this Court expressly finds: "Counsel has provided a cost/benefit analysis that is sufficient for purposes of the Posted Procedures of Judge Bason regarding claim objections." It is counsel's responsibility to include the quoted phrase, if warranted, in the proposed order on this claim objection.

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

Party Information

Debtor(s):

Marie Catherine Bartilad Padilla

Represented By
Seema N Sood

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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8:30 AM

2:22-15857 Charbel Elkhoury

Chapter 13

#3.00 Cont'd hrg re: Motion under Local Bankruptcy Rule 3015-1
(n) and (w) to modify plan or suspend plan payments
fr. 4/11/24, 5/9/24

Docket 76

***** VACATED *** REASON: Order Granting Motion Entered on 05/20/24
(dkt. 88)**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Charbel Elkhoury

Represented By
Matthew D. Resnik

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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8:30 AM

2:23-15827 Philip Dennis Gardner and Andrea Ruth Bowen-Gardner

Chapter 13

#4.00 Hrg re: Creditors Motion re Andrea Bowen Gardner
Criminal Sentencing for Embezzlement

Docket 55

Tentative Ruling:

Deny for the reasons stated in Debtors' opposition papers (dkt. 57) and also because this motion was not properly self-calendared and was set for hearing by the movants on shortened time without authority to do so. 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.")

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

Party Information

Debtor(s):

Philip Dennis Gardner

Represented By
Roksana D. Moradi-Brovia
Matthew D. Resnik

Joint Debtor(s):

Andrea Ruth Bowen-Gardner

Represented By
Roksana D. Moradi-Brovia
Matthew D. Resnik

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CONT... Philip Dennis Gardner and Andrea Ruth Bowen-Gardner

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Trustee(s):

Kathy A Dockery (TR)

Pro Se

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9:30 AM

2:00-00000

Chapter

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

Docket 0

Tentative Ruling:

- NONE LISTED -

**United States Bankruptcy Court
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11:00 AM
2:00-00000

Chapter

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

Docket 0

Tentative Ruling:

- NONE LISTED -