

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

Tuesday, October 21, 2025

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: 161 059 8132

Password: 384577

Meeting URL: <https://cacb.zoomgov.com/j/1610598132>

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, October 21, 2025

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, October 21, 2025

Hearing Room 1545

10:00 AM

2:24-20574 Alita P Bautista

Chapter 13

#1.00 Hrg re: Motion for relief from 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. 47) and Debtor'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.

Party Information

Debtor(s):

Alita P Bautista

Represented By
Axel H Richter

Movant(s):

U.S. Bank National Association

Represented By
David Coats
Sarah Arlene Dooley-Lewis

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

Tuesday, October 21, 2025

Hearing Room 1545

10:00 AM

CONT... Alita P Bautista

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, October 21, 2025

Hearing Room 1545

10:00 AM

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

Chapter 13

#2.00 Hrg re: Motion for relief from stay [RP]

THE BANK OF NEW YORK MELLON
vs
DEBTOR

Docket 53

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 Debtors' response, dkt. 62 & Trustee's response, dkt. 62).

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):

Cesar Augusto Archila

Represented By
D Justin Harelik

Joint Debtor(s):

Blanca E. Archila

Represented By
D Justin Harelik

Movant(s):

The Bank Of New York Mellon Fka

Represented By

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

Tuesday, October 21, 2025

Hearing Room 1545

10:00 AM

CONT...

Cesar Augusto Archila and Blanca E. Archila

Chapter 13

Kirsten Martinez

Mukta Suri

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, October 21, 2025

Hearing Room 1545

10:00 AM

2:25-14657 Christian Rene Carranza

Chapter 13

#3.00 Hrg re: Motion for relief from stay [RP]

TH MSR HOLDINGS LLC
vs
DEBTOR

Docket 22

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. 26) and Debtor's response (dkt. 36)).

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):

Christian Rene Carranza

Represented By
H. Jasmine Papian

Movant(s):

TH MSR Holdings LLC

Represented By
Daniel I Singer

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, October 21, 2025

Hearing Room 1545

10:00 AM

CONT... Christian Rene Carranza

Chapter 13

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

Tuesday, October 21, 2025

Hearing Room 1545

10:00 AM

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

Chapter 7

#4.00 Hrg re: Motion for relief from stay [RP]

PCD BANK MONTGOMERY EQUITY TRUST
vs
DEBTOR

Docket 346

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)).

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

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

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

Termination

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

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

Relief notwithstanding *future* bankruptcy cases

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

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

Tuesday, October 21, 2025

Hearing Room 1545

10:00 AM

CONT... FAME Housing Corporation and Oner Charles Mergerson Chapter 7

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 the following reasons.

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.

Effective date of relief

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

Co-debtor stay

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

Party Information

Debtor(s):

FAME Housing Corporation

Represented By
Gerald Edwin Rush II
Stephen L Burton

Movant(s):

FAME Housing Corporation

Represented By
Gerald Edwin Rush II
Stephen L Burton

Trustee(s):

John J Menchaca (TR)

Represented By
John N Tedford IV

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

Tuesday, October 21, 2025

Hearing Room 1545

10:00 AM

2:25-17041 Gary Edward Smith

Chapter 13

#5.00 Hrg re: Motion for relief from stay [RP]

THE BANK OF NEW YORK MELLON fka THE BANK OF NEW YORK
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 foregoing matter(s) via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)).

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

This case has been dismissed, which terminates the automatic stay. See 11 U.S.C. 349(b)(3) & 362(c).

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

Note regarding mootness: As provided in the posted "Procedures of Judge Bason" (available at www.cacb.uscourts.gov), the tentative ruling is that a motion for relief from the automatic stay is not mooted

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

Tuesday, October 21, 2025

Hearing Room 1545

10:00 AM

CONT...

Gary Edward Smith

Chapter 13

even when the tentative ruling is that the stay no longer exists, for the following reasons:

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

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

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

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

Termination

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

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

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

Tuesday, October 21, 2025

Hearing Room 1545

10:00 AM

CONT...

Gary Edward Smith

Chapter 13

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

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

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

Effective date of relief

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

Co-debtor stay

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

Party Information

Debtor(s):

Gary Edward Smith

Pro Se

Movant(s):

The Bank of New York Mellon fka

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, October 21, 2025

Hearing Room 1545

10:00 AM

2:24-19827 Jose Jesus Ortiz

Chapter 13

#6.00 Hrg re: Motion for relief from stay [RP]

DEUTSCHE BANK NATIONAL TRUST CO.
vs
DEBTOR

Docket 41

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
- (d) the issues set forth in this Court's "Order Setting Status Conference on Request of Debtor's Ex-Spouse Sonia Jimenez for an Order Authorizing Her to Market and Sell Property" (dkt. 55)

(see Trustee's response (dkt. 45), Debtor's response (dkt. 50), Ex-Spouse Sonia Jimenez's response (dkt. 52-54); and order (dkt. 55)).

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

Party Information

Debtor(s):

Jose Jesus Ortiz

Represented By
Thomas B Ure

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

Tuesday, October 21, 2025

Hearing Room 1545

10:00 AM

CONT... Jose Jesus Ortiz

Chapter 13

Movant(s):

Deutsche Bank National Trust

Represented By

David Coats

Sarah Arlene Dooley-Lewis

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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

Tuesday, October 21, 2025

Hearing Room 1545

10:00 AM

2:24-19827 Jose Jesus Ortiz

Chapter 13

#6.10 Status Conference re: Request of Debtor's Ex-Spouse Sonia Jimenez
for an Order Authorizing Her to Market and Sell Property

Docket 55

Tentative Ruling:

Appearances required. The parties are directed to address the issues set forth in this Court's "Order Setting Status Conference on Request of Debtor's Ex-Spouse Sonia Jimenez for an Order Authorizing Her to Market and Sell Property" (dkt. 55).

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

Party Information

Debtor(s):

Jose Jesus Ortiz

Represented By
Thomas B Ure

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, October 21, 2025

Hearing Room 1545

10:00 AM

2:25-16713 Kimberly Jean Garant and Robert Edward Garant

Chapter 7

#7.00 Hrg re: Motion and motion for relief stay [RP]

LOGIX FEDERAL CREDIT UNION
VS
DEBTOR

Docket 15

Tentative Ruling:

Grant as set forth below.

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

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

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

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

Termination

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

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

Effective date of relief

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

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

Tuesday, October 21, 2025

Hearing Room 1545

10:00 AM

CONT... **Kimberly Jean Garant and Robert Edward Garant**
(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.

Party Information

Debtor(s):

Kimberly Jean Garant

Represented By
H. Jasmine Papian

Joint Debtor(s):

Robert Edward Garant

Represented By
H. Jasmine Papian

Movant(s):

LOGIX FEDERAL CREDIT

Represented By
Reilly D Wilkinson

Trustee(s):

Wesley H Avery (TR)

Pro Se

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

Tuesday, October 21, 2025

Hearing Room 1545

10:00 AM

2:25-10062 Maria Dolores Juarez

Chapter 13

#8.00 Hrg re: Motion for relief from stay [RP]

DEUTSCHE BANK NATIONAL TRUST COMPANY
vs
DEBTOR

Docket 50

***** VACATED *** REASON: Resolved by stipulation (dkt. 55) and order
thereon (dkt. 58)**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Maria Dolores Juarez

Represented By
Jaime A Cuevas Jr.

Movant(s):

Deutsche Bank National Trust

Represented By
Joseph C Delmotte

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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

Tuesday, October 21, 2025

Hearing Room 1545

10:00 AM

2:24-13110 Stephen Martin Edo

Chapter 13

#9.00 Hrg re: Motion for relief from stay with [RP]

U.S BANK TRUST COMPANY
vs
DEBTOR

Docket 78

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. 81).

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

Party Information

Debtor(s):

Stephen Martin Edo

Represented By
Stephen L Burton

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, October 21, 2025

Hearing Room 1545

10:00 AM

CONT... Stephen Martin Edo

Chapter 13

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

Tuesday, October 21, 2025

Hearing Room 1545

10:00 AM

2:25-18349 Jonathan Jones

Chapter 13

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

Docket 9

Tentative Ruling:

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

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

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

The tentative ruling is that a presumption of lack of good faith as to second deed of trust holder West Coast Servicing, Inc. ("West Coast") arises under 11 U.S.C. 362(c)(3)(C)(ii) (because an order terminating the automatic stay as to West Coast was entered in Debtor's most recent prior case (dkt. 47, Case No. 2:24-bk-18075-NB, the "Prior Case")). However, the tentative ruling is that Debtor has presented sufficient evidence to rebut the presumption.

The Prior Case was dismissed at the confirmation hearing based upon Debtor's failure to make the September 2025 plan payment. 9/11/25 Confirmation Hearing Audio Record, commencing at timestamp 10:13:26 (audio on file with the Clerk of the Court). Debtor testifies that in the Prior Case, he had reached an agreement with West Coast, under which Debtor would attempt to sell his primary residence, and then pay West Coast 50% of

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

Tuesday, October 21, 2025

Hearing Room 1545

10:00 AM

CONT...

Jonathan Jones

Chapter 13

the amount it was owed from the sale proceeds. Jones Decl. (dkt. 9, PDF pp. 11–12) p. 2:9–13. However, after Debtor’s attempts to sell his residence proved unsuccessful, West Coast obtained relief from the automatic stay. Jones Decl. (dkt. 9, PDF pp. 11–12) p. 2:14–16; Prior Case dkt. 47. Debtor testifies that he could afford the plan payments in his Prior Case, see Jones Decl. (dkt. 9, PDF pp. 11–12) p. 2:9–15; therefore, it appears that Debtor’s failure to make the September 2025 plan payment was a strategic default (so that the case would be dismissed without any re-filing bar). Debtor states that he now intends to retain his residence. Jones Decl. (dkt. 9, PDF pp. 11–12) pp. 2:18–3:3.

The presumption that Debtor’s present case was not filed in good faith “may be rebutted by clear and convincing evidence to the contrary.” 11 U.S.C. 363(c)(3)(C). The tentative ruling is that Debtor’s testimony regarding the circumstances of the dismissal of the Prior Case, coupled with his testimony that he now intends to attempt to retain his residence, adds up to sufficient evidence to rebut the presumption, at least in the absence of any filed opposition.

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:

(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

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

Tuesday, October 21, 2025

Hearing Room 1545

10:00 AM

CONT...

Jonathan Jones

Chapter 13

possible abuse, this Court provides the foregoing simple process for reconsideration.

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

Party Information

Debtor(s):

Jonathan Jones

Represented By
Joshua Sternberg

Movant(s):

Jonathan Jones

Represented By
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, October 21, 2025

Hearing Room 1545

10:00 AM

2:25-16364 Keri Ann Schroeder

Chapter 7

**#10.00 Hrg re: Motion for relief from stay [UD]
[CASE DISMISSED 9/29/2025]**

SHIQUAN ZHAO
vs
DEBTOR

Docket 15

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)

The automatic stay does not apply

This case has been dismissed, which terminates the automatic stay. See 11 U.S.C. 349(b)(3) & 362(c).

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

Note regarding mootness: As provided in the posted "Procedures of

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

Tuesday, October 21, 2025

Hearing Room 1545

10:00 AM

CONT...

Keri Ann Schroeder

Chapter 7

Judge Bason" (available at www.cacb.uscourts.gov), the tentative ruling is that a motion for relief from the automatic stay is not mooted even when the tentative ruling is that the stay no longer exists, for the following reasons:

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

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

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

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

Termination

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

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

Tuesday, October 21, 2025

Hearing Room 1545

10:00 AM

CONT... Keri Ann Schroeder

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.

Party Information

Debtor(s):

Keri Ann Schroeder

Pro Se

Movant(s):

Shiquan Zhao

Represented By
Bruce R Menke

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, October 21, 2025

Hearing Room 1545

10:00 AM

2:24-16017 Morad Tabibian

Chapter 13

#12.00 Cont'd hrg re: Motion for relief from stay [RP]
fr. 7/8/25, 8/19/25, 9/23/25

CITIMORTGAGE, INC.
vs
DEBTOR

Docket 48

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

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Morad Tabibian

Represented By
Onyinye N Anyama

Movant(s):

CitiMortgage, Inc.

Represented By
Jennifer C Wong
Kristin A Schuler-Hintz

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, October 21, 2025

Hearing Room 1545

10:00 AM

2:24-17946 Rosa Cristina Mendoza

Chapter 13

#13.00 Cont'd hrg re: Motion for relief from stay [RP]
fr. 9/9/25

U.S. BANK NATIONAL ASSOCIATION
vs
DEBTOR

Docket 39

Tentative Ruling:

Tentative Ruling for 10/21/25:

Appearances required.

At the hearing on 9/9/25 this Court was persuaded to continue this matter to today. There is no tentative ruling but the parties should be prepared to address the current status of this matter, and whether this Court should set any briefing schedules, any hearings, or any other procedures.

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

Tentative Ruling for 9/9/25:

Grant as set forth below.

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

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

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for

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

Tuesday, October 21, 2025

Hearing Room 1545

10:00 AM

CONT... Rosa Cristina Mendoza

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.

Key documents reviewed (in addition to motion papers): N/A (no extant 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 FRBP 4001(a) (3) 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.

Party Information

Debtor(s):

Rosa Cristina Mendoza

Represented By
Tyson Takeuchi

Movant(s):

U.S. Bank National Association

Represented By
Sean C Ferry
Dane W Exnowski
Sarah Arlene Dooley-Lewis

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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

Tuesday, October 21, 2025

Hearing Room 1545

10:00 AM

2:24-16656 Sarva Moghbel

Chapter 13

#14.00 Con'td hrg re: Motion for relief from stay [RP]
fr. 9/23/25

CITIBANK, N.A.
vs
DEBTOR

Docket 57

Tentative Ruling:

Tentative Ruling for 10/21/25:

Appearances required.

At the hearing on 9/23/25 this Court was persuaded to continue this matter to today. There is no tentative ruling but the parties should be prepared to address the current status of this matter, and whether this Court should set any briefing schedules, any hearings, or any other procedures.

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

Tentative Ruling for 9/23/25:

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

- (a) whether the alleged arrears have been brought current
- (b) whether they will agree to the terms of an adequate protection order
- (c) the request of the Chapter 13 Trustee ("Trustee") to make Trustee the disbursing agent for payments to Movant (see Trustee's response, dkt. 60; Debtor's response, dkt. 63, 64).

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

Tuesday, October 21, 2025

Hearing Room 1545

10:00 AM

CONT... Sarva Moghbel

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.

Party Information

Debtor(s):

Sarva Moghbel

Represented By
Frank J Alvarado

Movant(s):

Citibank, N.A., not in its individual

Represented By
Edward A Treder
Cassandra J Richey

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, October 21, 2025

Hearing Room 1545

10:00 AM

2:23-13445 Terri Anita Payne

Chapter 13

#15.00 Cont'd hrg re: Motion for relief from stay [RP]
fr. 6/17/25, 07/15/25

LAKEVIEW LOAN SERVICING, LLC
vs
DEBTOR

Docket 40

***** VACATED *** REASON: Continued per stipulation (dkt. 61) and
order thereon.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Terri Anita Payne

Represented By
Gregory M Shanfeld

Movant(s):

Lakeview Loan Servicing, LLC

Represented By
Nathan F Smith
Christina J Khil

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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

Tuesday, October 21, 2025

Hearing Room 1545

10:00 AM

2:25-17311 Maria Gracia Ruiz

Chapter 13

#16.00 Hrg re: Motion for relief from stay [UD]

MELYU CHEN
vs
DEBTOR

Docket 21

Tentative Ruling:

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

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

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

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

The automatic stay does not apply

This case has been dismissed, which terminates the automatic stay. See 11 U.S.C. 349(b)(3) & 362(c).

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

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

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

Tuesday, October 21, 2025

Hearing Room 1545

10:00 AM

CONT...

Maria Gracia Ruiz

Chapter 13

following reasons:

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

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

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

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

Termination

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

Relief notwithstanding *future* bankruptcy cases

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

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

Tuesday, October 21, 2025

Hearing Room 1545

10:00 AM

CONT... Maria Gracia Ruiz

Chapter 13

the R/S Motion (dkt. 21) was not served upon certain of the individuals against whom Movant obtained a prepetition writ of possession – specifically, Jose Alfredo Ruiz and Antonio Benavides were not served. See R/S Motion (dkt. 21) Ex. 5 (prepetition writ of possession) and PDF p. 37 (Proof of Service listing only Debtor). In addition, those persons might have some post-foreclosure rights, so service on them is not a pointless exercise. See Writ (dkt. 21 at PDF p. 34 para. 25.a.(3) (noting post-foreclosure rights of tenants under California law).

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(l), the elements of those sections have not been established because nothing in the record indicates that there was ever a formal rental agreement between Movant and Debtor. Instead, the record indicates that Movant acquired the property at the foreclosure sale that terminated Debtor's ownership interest. See R/S Motion (dkt. 21) Ex. 1 (Trustee's Deed Upon Sale).

Effective date of relief

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

Co-debtor stay

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

Party Information

Debtor(s):

Maria Gracia Ruiz

Pro Se

Movant(s):

Melyu Chen

Represented By
Larry Rothman

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

Tuesday, October 21, 2025

Hearing Room 1545

10:00 AM

CONT... Maria Gracia Ruiz

Chapter 13

Trustee(s):

Kathy A Dockery (TR)

Pro Se

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

2:17-19548 Layfield & Barrett, APC

Chapter 7

#1.00 Hrg re: Trustee's final report and account;
Application for fees and expenses
[Richard M. Pachulski, Chapter 7 Trustee]

Docket 719

Tentative Ruling:

Approve the final report and allow \$2,803.10 in fees and \$0 in expenses, for a total award of \$2,803.10, and authorize and direct payment of the full amounts allowed. 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: Unless otherwise ordered, Applicant is directed to lodge a proposed order on the foregoing matter via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)).

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

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

Party Information

Debtor(s):

Layfield & Barrett, APC

Pro Se

Trustee(s):

Richard M. Pachulski (TR)

Represented By
Malhar S Pagay
James KT Hunter

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

2:17-19548 Layfield & Barrett, APC

Chapter 7

#2.00 Hrg re: Final Approval of First & Second Interim Fee Applications of Pachulski Stang Ziehl & Jones LLP For Approval And Payment Of Compensation And Reimbursement Of Expenses for [Pachulski Stang Ziehl & Jones LLP, Trustee's Attorney]

Docket 643

Tentative Ruling:

Approve all previously approved interim fees and expenses (dkt. 278 & 522) on a final basis and authorize payment in the reduced amount proposed by the Trustee (dkt. 718, PDF p. 38) - *i.e.*, a total final award of \$1,805,117.50 in fees plus \$84,451.99 for a total award of \$1,889,569.49, but with an authorized payment of \$4,743.84. Appearances are not required on 10/21/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

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

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

Party Information

Debtor(s):

Layfield & Barrett, APC

Pro Se

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Layfield & Barrett, APC

Chapter 7

Movant(s):

Pachulski Stang Ziehl & Jones LLP

Represented By
Malhar S Pagay

Trustee(s):

Richard M. Pachulski (TR)

Represented By
Malhar S Pagay
James KT Hunter

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

2:17-19548 Layfield & Barrett, APC

Chapter 7

#3.00 Hrg re: Application for Final Fees and/or Expenses
[Havkin and Shrago, Former Counsel for Debtor]

Docket 655

Tentative Ruling:

Approve \$10,444.50 in fees and \$159.78 in expenses, for a total award of \$10,604.28 but, because the estate is administratively insolvent, Trustee is authorized to make no payment on account of the approved fees and expenses, as proposed by the Trustee (dkt. 718, PDF p. 38). Appearances are not required on 10/21/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

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

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

Party Information

Debtor(s):

Layfield & Barrett, APC

Pro Se

Movant(s):

Stella Havkin

Pro Se

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Layfield & Barrett, APC

Chapter 7

Trustee(s):

Richard M. Pachulski (TR)

Represented By
Malhar S Pagay
James KT Hunter

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

2:25-13927 Shuchi Tsai

Chapter 7

#4.00 Hrg re: Motion to Avoid Lien under 11 USC section 522(f)

Docket 19

Tentative Ruling:

Grant.

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

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

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

Key documents reviewed (in addition to motion papers): opposition (dkt. 23, amended by dkt. 25); Debtor's supplement (dkt. 27).

Analysis:

The tentative ruling is that even if the property value is as high as suggested by creditor STC Gardenwalk, LLC ("Gardenwalk"), that would not make any difference because Debtor could amend her claim of exemptions to assert at least the minimum exemption of \$300,000.00, leaving \$-0- of equity to which the judgment lien could attach. The specifics are further explained below.

Debtor's motion asserts that the subject real estate is worth \$768,000 and, after deducting the alleged \$568,480 balance of the first lien as of the bankruptcy petition date, that leaves under \$200,000 of value, which is

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Shuchi Tsai

Chapter 7

entirely covered by Debtor's existing homestead exemption of \$214,000. True, as Gardenwalk rightly points out, Debtor's initial valuation was solely a personal opinion as the owner of the property, without any supporting analysis or data. But, first, Debtor's supplement provides an appraisal of a licensed real estate appraiser valuing the property at \$769,000 as of 9/15/25; and, second, Gardenwalk asserts that the value could be as much as \$811,400 or more.

The tentative ruling is that, even using Gardenwalk's higher valuation, Debtor can freely amend the exemptions at any time, and under CCP 704.730 the homestead exemption is "the greater of" \$300,000 or a formula up to \$600,000, which would result in \$-0- of equity as shown in the following table:

<i>Debtor</i>	<i>Gardenwalk</i>
\$769,000	\$811,400
(\$568,480)	(\$568,480)
<u>(\$214,000)</u>	<u>(\$300,000) (CCP 704.730 min.)</u>
\$-0-	\$-0-

In sum, although Debtor's motion is supported by only weak evidence, it is still some evidence; and although Gardenwalk suggests that it could overcome Debtor's evidence if this Court were to hold an evidentiary hearing, the tentative ruling is that this would make no difference because Debtor could simply amend the claimed exemption to exempt all of the equity in the property. Accordingly, the tentative ruling is to overrule the opposition and grant the motion.

Party Information

Debtor(s):

Shuchi Tsai

Represented By
Christopher J. Langley
Michael Smith

Movant(s):

Shuchi Tsai

Represented By
Christopher J. Langley
Christopher J. Langley

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Shuchi Tsai

Chapter 7

Michael Smith
Michael Smith

Trustee(s):

Elissa Miller (TR)

Pro Se

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

2:22-12904 626 Hospice, Inc.

Chapter 7

Adv#: 2:24-01124 Ehrenberg, Chapter 7 Trustee v. BANK OF AMERICA, NATIONAL

#5.00 Cont'd status conference re: Complaint for Aiding and Abetting Fraud
fr. 10/22/24, 12/10/24, 1/7/25, 2/11/25, 2/25/25, 4/8/25, 5/6/25, 6/24/25,
7/8/25, 8/19/25, 9/23/25

Docket 1

Tentative Ruling:

Tentative Ruling for 10/21/25:

Continue this status conference and order mediation, as set forth below.

Appearances are not required on 10/21/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

(1) Current issues

This Court has reviewed the filed documents and records in this adversary proceeding, including the latest status report (adv. dkt. 46).

(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]

(b) Mediation

Set a **deadline of 11/4/25** for the parties to lodge a proposed order for

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... 626 Hospice, Inc.

Chapter 7

mediation before one of the volunteer mediators (*not* a Bankruptcy Judge). (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 this Court will choose among them, or issue its own order.)

(c) Deadlines

This adversary proceeding has been pending since 5/10/24. On 7/25/25, this Court issued an order (adv. dkt. 41) granting in part and denying in part Plaintiff/Trustee's motion for leave to file an amended complaint. Plaintiff/Trustee filed an amended complaint on 8/1/25 (adv. dkt. 43), and Defendant filed an answer on 9/16/25 (adv. dkt. 44).

Pursuant to the Status Report (adv. dkt. 46, Para. G) at this time this Court is not setting deadlines for the completion of discovery etc.

Joint Status Report: 1/6/26.

Continued status conference: 1/20/26 at 11:00 a.m.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

626 Hospice, Inc.

Represented By
Yeznik O Kazandjian

Defendant(s):

BANK OF AMERICA, NATIONAL

Represented By
Adam N Barasch
Benjamin J. Howard

Plaintiff(s):

Howard Ehrenberg, Chapter 7

Represented By
Steven Werth
Steve Burnell

Trustee(s):

Howard M Ehrenberg (TR)

Represented By

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... 626 Hospice, Inc.

Chapter 7

Steven Werth
Steve Burnell
Shantal Malmed

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

Tuesday, October 21, 2025

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

#6.00 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

Docket 1

Tentative Ruling:

Tentative Ruling for 10/21/25:

Set certain deadlines and continue this status conference as set forth below.
Appearances are not required on 10/21/25. (If you wish to contest the
tentative ruling, see the Posted Procedures of Judge Bason, available at
www.cacb.uscourts.gov, then search for "tentative rulings.")

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

(1) Current issues

This Court has reviewed the parties' latest status report (adv. dkt. 49),
and the other filed documents and records in this matter.

(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

Undisputed. See Status Report (adv. dkt. 49) p. 4.

(b) Mediation

A mediation session was conducted before J. Scott Bovitz on 12/2/24,

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Alan Tri Luu

Chapter 7

but no settlement was reached. 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.

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: 12/2/25.

Discovery cutoff (for completion of discovery): 12/15/25.

Expert(s) - deadline for reports: 1/16/26, if any expert testimony will be presented.

Expert(s) - discovery cutoff: 1/30/26, if any expert testimony will be presented.

Dispositive motions to be heard no later than: 1/20/26.

Joint Status Report: 1/6/26.

Continued status conference: 1/20/26 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) 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]

Party Information

Debtor(s):

Alan Tri Luu

Represented By
Rex Tran

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Alan Tri Luu

Chapter 7

Defendant(s):

Alan Tri Luu

Pro Se

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, October 21, 2025

Hearing Room 1545

11:00 AM

2:21-19480 Howard Chorng Jeng Wu

Chapter 7

#7.00 Cont'd hrg re: To Determine Whether to Issue Order to Show Cause Regarding Alleged Violation of the Discharge Injunction fr. 2/25/25, 4/8/25, 5/20/25, 07/15/25, 8/19/25

Docket 127

Tentative Ruling:

Tentative Ruling for 10/21/25:

Continue as set forth below. Appearances are not required on 10/21/25.

This status conference was set by this Court's order (adv. dkt. 147) approving the parties' stipulated continuance. That order provides, in part:

The deadline for the Parties to file an optional status conference statement shall be continued to **October 14, 2025**. [Order (adv. dkt. 147) p. 2:3-4 (boldface in original, underlining added).]

Notwithstanding the 10/14/25 deadline, Debtor filed papers on 10/15/25. Moreover, notwithstanding this Court's prior order (adv. dkt. 127, p. 2:6-9) directing "[n]o further briefing" from the parties (emphasis omitted), instead of a status report Debtor filed further briefing: a "supplement" (dkt. 149) to his motion for issuance of an order to show cause ("OSC") why respondents should not be held in contempt and sanctioned for violation of the discharge injunction. On 10/17/25 respondents filed their response (adv. dkt. 151).

On the one hand, Debtor's "supplement" arguably could be interpreted as a (slightly late) status report, and this Court has encouraged the parties to file substantive (but brief) status reports. See Tr. 2/25/25 (adv. dkt. 134) p. 18:14-22. On the other hand, the tentative ruling is that this is stretching the definition of "status report" too far, and in future Debtor must be more careful to file only status reports (unless and until briefs are permitted by this Court) and must keep them brief. The point of status reports is to give enough information for this Court to assess whether to order a briefing schedule (or other orders), not to file actual briefs.

Turning to that issue (whether to order further briefs, or issue other orders), this Court notes that the parties dispute how much or how little discovery Debtor has produced in the nonbankruptcy litigation. The tentative ruling is that the discovery in the nonbankruptcy action does not appear to be

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Howard Chorng Jeng Wu

Chapter 7

sufficiently complete to issue the OSC, nor does it appear to be efficient and practical for the parties to proceed with any parallel discovery at this time in this adversary proceeding.

This Court notes that the outstanding discovery disputes appear to involve key issues that have yet to be decided by the nonbankruptcy forum. See Order (adv. dkt. 127) p. 2:11-12 (addressing best forum for discovery); Response (adv. dkt. 151) pp. 2:18-3:4 (Debtor's alleged failure to produce SEC metadata); *and* Tr. 2/25/25 (adv. dkt. 134) p. 10:9-19 ("I would also say that the SEC discovery is particularly important here because Mr. Wu deleted all of his emails during the relevant time period, and that's the subject of discovery ... [so] this SEC discovery is particularly important.") *and id.* p. 9:13-25 ("if the discovery that Mr. Wu will get from the SEC ... is produced, we can then present to the Court the extent of the fraud and the extent that Mr. Wu went through to conceal that fraud. Again, notice of fraud ... with respect to a trust does not put you fairly on notice that you were the pawn in a well orchestrated fraud scheme that was actively being concealed from you"); .

Based on all of the foregoing, the tentative ruling is to continue this status conference to **2/10/26 at 11:00 a.m.** with a **deadline of 1/27/26** for status reports (not briefs) focused on whether matters in the nonbankruptcy forum have progressed to the point where it is efficient and appropriate to order further briefing in this adversary proceeding, or for this Court to issue other orders.

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

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Howard Chorng Jeng Wu

Represented By

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Howard Chorng Jeng Wu

Eric Bensamochan

Chapter 7

Trustee(s):

Heide Kurtz (TR)

Pro Se

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

2:24-16947 Oxford Gold Group Inc.

Chapter 7

#8.00 Cont'd hrg re: Trustee's Motion for Order Approving Compromise
with Equity Trust Company Pursuant to Bankruptcy Rule 9019
fr. 10/7/25

Docket 130

Tentative Ruling:

Please see the tentative ruling for the Status Conference (calendar no. 9, on
10/21/25 at 11:00 a.m.).

Party Information

Debtor(s):

Oxford Gold Group Inc.

Pro Se

Movant(s):

Carolyn A Dye (TR)

Represented By
James A Dumas Jr
Christian T Kim
Maria Severson

Trustee(s):

Carolyn A Dye (TR)

Represented By
James A Dumas Jr
Christian T Kim
Maria Severson

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

2:24-16947 Oxford Gold Group Inc.

Chapter 7

#9.00 Cont'd status conference re: Involuntary Petition
fr. 10/8/24, 11/19/24, 1/21/25, 2/5/25, 2/11/25,
3/4/25, 4/8/25, 6/17/25, 8/19/25

Docket 1

Tentative Ruling:

Tentative Ruling for 10/21/25:

Continue the status conference as set forth below, with yet another caution to Trustee's counsel to file status reports when directed to do so. Appearances required for calendars no. 8-9 (on 10/21/25 at 11:00 a.m.).

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

(1) Current issues

(a) Motion of Trustee to approve settlement with Equity Trust Company ("Equity Trust") (dkt. 130); Joinder of Equity Trust (dkt. 133); Opposition by Petitioning Creditors (dkt. 142); Trustee's Reply (dkt. 150)

Deny any present relief and continue to the same date and time as the continued status conference (see part "(2)(a)" of this Tentative Ruling, below) for the reasons to be explained either in an oral tentative ruling at the start of the hearing on that matter (Calendar No. 8, 10/21/25 at 11:00 a.m.) or in a written tentative ruling issued before the hearing.

(b) Status conference (in bankruptcy case in chief)

As shown in parts "(1)(b)" and "(2)(a)" of the (adopted) Tentative Rule for 8/19/25 (reproduced below), counsel for Trustee has been cautioned before about not filing status reports, and he was directed to file a status report for today's hearing no later than 10/7/25. He has, yet again, failed to do so. The tentative ruling is that any future failure to file status reports will result in a **sanction of \$100.00** for the first such failure, and increasing

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.
sanctions thereafter.

Chapter 7

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

The tentative ruling is

- (i) to deny Defendant Laura Adler's motion for release of \$125,000.00, unless she and Defendant Johnathan Adler immediately agree to the conditions proposed by Plaintiff/Trustee, as slightly modified by this Court;
 - (ii) to deny Johnathan Adler's motion to declare writs of attachment void etc.;
 - (iii) to grant Trustee's motion to compel Laura Adler to appear for her deposition, and impose \$5,000.00 in sanctions; and
 - (iv) to continue the Adversary Proceeding Status Conference to the same date and time as the continued status conference in the bankruptcy case in chief (see part "(2)(a)" of this Tentative Ruling, below),
- all as set forth in greater detail in the Tentative Rulings for Cal. Nos. 10-13 (10/21/25 at 11:00 a.m.).

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

(a) Continued status conference: 11/4/25 at 11:00 a.m. *Brief* written status report due by 10/28/25.

Tentative Ruling for 8/19/25:

Continue the status conference as set forth below, with a caution to Trustee's counsel to file status reports when directed to do so. Appearances are not required on 8/19/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

(1) Current issues

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

Please see the tentative rulings for Cal. Nos. 2–3 (8/19/25 at 11:00 a.m.).

(b) **Missing status report** [emphasis added] in bankruptcy case in chief

At the prior status conference, this Court directed Trustee to submit a brief written status report by no later than 8/5/25. As of the preparation of this tentative ruling, no status report is on file. Although the papers on file (both in the adversary proceeding and in the bankruptcy case in chief) have provided this Court with substantial information regarding the status of this case, that may not always be the situation in future. Therefore, Trustee is reminded of the importance of filing (brief) status reports as directed by this Court.

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

(a) Continued status conference: 10/21/25 at 11:00 a.m. Brief written status report due by 10/7/25. [Emphasis added.]

[PRIOR TENTATIVE RULINGS OMITTED]

Party Information

Debtor(s):

Oxford Gold Group Inc.

Pro Se

Trustee(s):

Carolyn A Dye (TR)

Represented By
James A Dumas Jr
Christian T Kim
Maria Severson

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

2:24-16947 Oxford Gold Group Inc.

Chapter 7

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

#10.00 Cont'd hrg re: Motion of Defendant Laura Adler for an Order to:
(1) Release the Sum of \$125,000 from the Sales Proceeds
of the Larrabee Street Property; and (2) An Order Modifying
the Injunctive Relief Order to Allow the Sale of the Wrightwood
Property Subject to the Adlers' Homestead Exemption
fr. 10/7/25

Docket 151

Tentative Ruling:

Tentative Ruling for 10/21/25:

The tentative ruling is to deny the motion to release \$125,000 from the sales proceeds of the Larrabee Street Property etc. (adv. dkt. 151, the "Motion to Release Funds"), unless the Adlers both agree by 3:00 p.m. today (or by any extended deadline agreed to by Plaintiff/Trustee) to the conditions proposed by Plaintiff/Trustee, as slightly modified by this Court below. Appearances are not required. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

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

Key documents reviewed: Motion to Release Funds (adv. dkt. 151); Chapter 7 Trustee's Opposition (adv. dkt. 169, the "Opp.") and supporting declaration of

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

James Dumas (adv. dkt. 170); Laura's Reply (adv. dkt. 180), supporting declaration of Laura Adler (adv. dkt. 179), and evidentiary objections to Dumas Decl. (adv. dkt. 181); Trustee's reply to Laura Adler's evidentiary objections (adv. dkt. 185).

(1) Introduction

On 12/30/24, the Chapter 7 Trustee ("Trustee") filed a complaint (adv. dkt. 1, the "Original Complaint") against Jonathan Adler (also referenced in the body of the Complaint and/or other documents as "Johnathan" Adler, emphasis added, or "John Adler," hereinafter "Johnathan"), Pedram Granfar, and Patrick Granfar, seeking among other things to avoid fraudulent transfers alleged to be in excess of \$6 million. Original Complaint (adv. dkt. 1) at pp. 5:8–6:22 & 8:1–4. On 3/11/25, this Court approved a settlement with Patrick Granfar (see adv. dkt. 96), and on 4/15/25, this Court approved a settlement with Pedram Granfar (see adv. dkt. 107).

On 4/10/25, over the opposition of Johnathan, this Court granted Trustee's motion for leave to file a first amended complaint that named Laura Adler, Johnathan's spouse, as a defendant. See adv. dkt. 101. (Given names are used to distinguish parties with the same surname; no disrespect is intended.) On June 20, 2025, upon the motion of Laura, this Court dismissed the first amended complaint with leave to amend. See Adv. dkt. 131. Trustee filed a second amended complaint on 6/24/25, and on 8/25/25, this Court issued an order dismissing certain of the claims in that complaint, but again with leave to amend. See adv. dkt. 139. Trustee filed the operative third amended complaint on 8/26/25 (adv. dkt. 140, the "Complaint"), which Laura and Johnathan answered on 9/9/25 (see adv. dkt. 152–53).

Meanwhile, on 2/7/25, this Court "preliminarily enjoined [Johnathan] from spending his funds or transferring or encumbering any of his assets, except that he can spend \$25,000 per month on his ordinary and necessary personal expenses." Preliminary Injunction (adv. dkt. 53) at 2:12–15. The monthly dollar amount was set that high partially to give Johnathan some funds with which the family could pay attorney fees. See Order (adv. dkt. 83) pp. 3:26–4:3

On 3/7/25, this Court issued an order determining that Trustee "is entitled to a prejudgment attachment of assets of defendant Johnathan Adler, subject to any valid claim of exemption by defendant, to secure a claim in the sum of \$1,250,000.00." Right to Attach Order (adv. dkt. 79) p. 2:4–5. That

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

order authorized the issuance of writs of attachment against two parcels of real property owned by Johnathan and Laura, located at (A) 1201 Larrabee Street, Unit 107, West Hollywood, CA 90069 (the "Larrabee Property") and (B) 10832 Wrightwood Lane, Studio City, CA 91604 (the "Wrightwood Property"). Right to Attach Order (adv. dkt. 79) p. 2:7–8. The Clerk of the Court issued a writ of attachment on 3/12/25. See adv. dkt. 85.

On 3/11/25, this Court denied Trustee's motion to modify the Preliminary Injunction to reduce Johnathan's monthly living allowance from \$25,000.00 to \$10,000.00. See adv. dkt. 83. Again, part of this Court's reasoning was to give the Adlers sufficient funds to allocate, in their discretion, toward attorney fees. That order states:

On 1/10/25, this Court entered an order temporarily restraining each defendant from transferring their funds or assets, except that during the effective period of the temporary restraining order, each defendant [Johnathan, Pedram Granfar, and Patrick Granfar] was authorized to spend up to \$25,000.00 per month on ordinary and necessary personal expenses, including attorney fees. Temporary Restraining Order (adv. dkt. 20) at 2:9–15.

* * *

[A]ny monthly living allowance must also [in addition to paying the mortgages on the Adlers' properties, for the benefit of both the bankruptcy estate and themselves,] be sufficient to enable Mr. Adler [- Laura was not yet a defendant at this time -] to pay for food and other ordinary and necessary expenses, as well as a reasonable dollar amount toward legal expenses incurred defending himself [*i.e.*, as representative of his family, including Laura, because she was not at that time a named Defendant] both in this action and in other criminal and civil matters that are proceeding outside this Bankruptcy Court. Of course, after deducting the mortgage payments and other expenses, even \$25,000.00 per month might be insufficient to pay for all of the legal representation that Mr. Adler might want [*i.e.*, for him and his family, including Laura]. But the tentative ruling is that, in balancing the hardships of the parties, and also taking into account likelihood of success on the merits, irreparable inju[r]y, and public interest, the existing \$25,000.00 per month is a reasonable dollar amount for

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT...

Oxford Gold Group Inc.

Chapter 7

the moment. Of course, future discovery or developments might change the analysis.

This Court recognizes that there is an inherent tension in the applicable legal standards. On the one hand, in order to issue the Preliminary Injunction (adv. dkt. 53), this Court was required to determine that Plaintiff/Trustee is *likely to prevail* on his claims against Mr. Adler. On the other hand, this Court must take into account that attachment is a very drastic remedy to apply and, by definition, occurs before any final adjudication on the merits, and there are *due process concerns* about any procedure that would deprive Mr. Adler of his ability to defend himself and pay his ordinary and necessary monthly expenses. *See generally* Official Comment #2 to Section 7 of Uniform Voidable Transactions Act (Nat. Conf. of Comm'rs on Uniform State Laws, 2014).

The tentative ruling is that this tension in the law is necessary and appropriate, and that this Court must engage in a balancing of the facts and circumstances weighing both in favor and against setting any particular dollar amount in this dispute. The tentative ruling is that cutting off Mr. Adler's ability to pay reasonable, ordinary, and necessary monthly expenses, and also spend a reasonable but modest dollar amount to defend himself at this early stage in the litigation, would not be appropriate and would raise due process concerns. [Order (adv. dkt. 83) pp. 3:26-4:3 and p. 9:7-22 (underlining added, italics in original).]

On 8/28/25, this Court approved a stipulation between Trustee, on the one hand, and Laura and Johnathan Adler, on the other hand, authorizing the Adlers to close a pending sale of the Larrabee Property, provided that the sale proceeds would be paid to Trustee directly from escrow. *See* adv. dkt. 145 (stipulation) and adv. dkt. 147 (order thereon). Upon closing, the escrow company wired \$279,680.55 to Trustee's account. Motion to Release Funds (adv. dkt. 151) p. 4:22-23. These are the funds from which Laura seeks a distribution of \$125,000.00.

(2) Positions of the parties

Laura moves for issuance of an order (A) releasing to the Adlers \$125,000.00 from the sale proceeds of the Larrabee Property (consisting of

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

\$25,000.00 to prepare the Wrightwood Property for sale, to pay arrearages, and to have a cushion for emergencies, plus \$100,000.00 or possibly \$125,000.00 for legal fees) (see Motion, adv. dkt. 151, p. 5:13-16, 6:9-10, *and compare* p. 6:16-17); (B) modifying the Preliminary Injunction (adv. dkt. 53) to allow the Adlers to sell the Wrightwood Property, subject to the Adlers' homestead exemption; and (C) authorizing the payment of delinquent income taxes (and possibly other delinquent taxes) from the sale proceeds of the Wrightwood Property. See Motion to Release Funds (adv. dkt. 151) p. 3:6-10.

Plaintiff/Trustee notes that the Adlers' take-home pay has actually increased significantly since the time this Court set the \$25,000 per month limit (and, in this chapter 7 case, any take-home pay from arms-length third parties is not property of the bankruptcy estate, so the \$25,000 cap does not apply to these extra funds). In addition, Plaintiff/Trustee notes that the Adlers apparently have stopped paying their remaining mortgage obligations. Therefore, the \$25,000.00 per month allowance should now cover far more attorney fees (or, if they choose, other expenses). See Opp. (adv. dkt. 169) p. 1:13-18. In addition, Plaintiff/Trustee notes that because the Adlers are selling the Wrightwood Property, and because their daughter is "away at college," they can replace their large mortgage payments with "rent on just one modest residence," for substantial monthly savings. *Id.* p. 21:3-7. In other words, Plaintiff/Trustee points out several reasons to believe that \$25,000 per month is actually fully adequate to pay modest expenses plus attorney fees.

Note: Trustee also asserts that Laura is seeking a determination from this Court *now* (as opposed to the time when the Wrightwood Lane property is actually sold) that the Adlers will be entitled their homestead exemption, although this Court cannot find any such request in Laura's motion papers. *Compare* Opp. (adv. dkt. 169) p. 1:21-25 ("She [Laura] is further asking for the right to sell the residence on Wrightwood Lane and to rule now (as opposed to when the property would actually be sold) that she and Johnathan are entitled to take from the sales proceeds their \$722,000 homestead *and* a further \$160,000 for allegedly owed back taxes, in spite of the pendency of a [contrary] claim by the Trustee") (emphasis in original) *and compare* Motion to Release Funds (adv. dkt. 151) *passim* (no such arguments, per this Court's review).

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT...

Oxford Gold Group Inc.

Chapter 7

Trustee's counsel appears to be misstating the facts.

Notwithstanding the foregoing concerns raised by Trustee, she states that she is willing to release \$125,000.00 of proceeds from the sale of the Larrabee Property to the Adlers on certain terms and conditions. As this Court interprets Trustee's conditions, they are essentially as follows:

- (x) that in exchange for an advance from the bankruptcy estate against any future homestead exemption, the Adlers agree to repay those funds out of their homestead exemption (or other non-estate property), unless the Adlers fully prevail in their litigation with Trustee (*i.e.*, unless they establish that they are entitled to that \$125,000.00, over and above any homestead exemption, from the bankruptcy estate); and
- (y) that the Adlers cooperate in certain respects in moving this bankruptcy case forward.

Trustee's specific proposed terms and conditions are:

- (1) that the Adlers vacate the Wrightwood property within three weeks of receiving the \$125,000 after which point they would have no liability for the mortgage payment (but before which they will have to reimburse the estate for any arrearages from the sales proceeds); (2) that the trustee would be given the legal authority to market and sell the Wrightwood property, with the sale to be subject to bankruptcy court approval; [3] that the disposition of net proceeds from the sale of the Wrightwood property be determined by this Court (on either a temporary or final basis, depending on where things stand in the adversary proceeding), if and when there is a sale, except that the \$125,000 and reimbursement for any mortgage payments would be returned to the estate and held by the trustee unless and until there is a final determination that the defendants have no liability to the estate whatever; [4] if it is determined that the Adlers are entitled to their homestead exemption, but one or both of the Adlers are liable for a money judgment, the \$125,000 and the reimbursement of the unpaid mortgage payments will be repaid to the trustee from the homestead; [5] Laura will explain under oath why \$431,632 was wired to Fidelity National Title and, if the answer is that there is a previously unknown asset owned by them, she will cooperate with its attachment. [Opp. (adv. dkt. 169) pp. 23:23-24:10 (emphasis

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... **Oxford Gold Group Inc.**
added).]

Chapter 7

(3) Legal standards

Laura has only briefly summarized some legal standards. Trustee's opposition papers - disappointingly - do not cite a single case, or elucidate the legal standards at all.

Nevertheless, the parties do not appear to dispute the following. In broad terms, this Court must exercise its discretion to balance the equities about whether to release frozen assets to pay defense counsel and taxes. In doing so, this Court should consider all of the facts and circumstances, including (x) the likelihood of success - recognizing that at this stage of the litigation the production of evidence and determination of legal issues are far from complete, and that this Court has yet to decide whether the Adlers have liability or, if so, the dollar amount - and (y) the balance of harms - including, on the one hand, whether there are adequate funds to redress alleged harm to victims, and, on the other hand, the importance of the Adlers being able to pay for capable legal counsel. See *generally* Motion to Release Funds (dkt. 151) p. 8:19-20 (citing *FTC v. World Wide Factors, Ltd.*, 882 F.2d 344, 347 (9th Cir. 1989)) and p. 9:4-20 (citing *Johnson v. Couturier*, 572 F.3d 1067 (9th Cir. 2009); *FTC v. Affordable Media*, 179 F.3d 1228, 1236 (9th Cir. 1999); *Republic of the Philippines v. Marcos*, 862 F.2d 1355, 1358 (9th Cir. 1988)).

True, most of the above-cited cases involve criminal forfeiture, not civil. This Court also notes that in criminal cases there is a right to legal counsel paid for by the government, whereas there is no such right in civil matters, and therefore denial of funds might equate to denial of any legal counsel at all.

In addition, this Court notes that the principal case cited by Laura, *World Wide Factors*, was decided under the authority of a civil statutory provision that is not applicable in this case. See 15 U.S.C. 15(b) (cited in *World Wide Factors*, 882 F.2d 344, 346). Therefore, the authority cited by Laura theoretically might be inapplicable to this case.

Nevertheless, the tentative ruling is that the general standards set forth in *World Wide Factors* are binding in this case, or alternatively that decision is at least highly informative of how this lower court should exercise its discretion. The statutory provision in that case does not specifically authorize limiting or denying the ability to use frozen assets to pay attorney fees. Rather, it broadly authorizes preliminary injunctive relief, under standards that

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

appears very similar, if not identical, to the usual standards for preliminary injunctive relief.

Specifically, that statute states only that preliminary injunctive relief must be based on "a proper showing" after (x) "weighing the equities" (15 U.S.C. 15(b)), which has been held to include the "public interest" (*World Wide Factors*, 882 F.2d 344, 347), and (y) considering the "likelihood of ultimate success" (15 U.S.C. 15(b)), which has been held to include "concern for preserving funds for ultimate distribution to defrauded customers" (*World Wide Factors*, 882 F.2d 344, 348) - i.e., considering hardships, including whether harms would be irreparable (i.e., if there are inadequate funds to compensate defrauded customers then using the available funds to pay defendants' attorney fees would irreparably harm those customers).

Again, this is very similar if not identical to the usual elements for preliminary injunctive relief, which apply in this case under 11 U.S.C. 105 and Rule 7065 (Fed. R. Bankr. P.):

The moving party must show:

(1) a strong likelihood of success on the merits, (2) the possibility of irreparable injury to plaintiff if preliminary relief is not granted, (3) a balance of hardships favoring the plaintiff, and (4) advancement of the public interest (in certain cases). Alternatively, a court may grant the injunction if the plaintiff demonstrates either a combination of probable success on the merits and the possibility of irreparable injury or that serious questions are raised and the balance of hardships tips sharply in his favor.

As we have said many times regarding the two alternative formulations of the preliminary injunction test: These two formulations represent two points on a sliding scale in which the required degree of irreparable harm increases as the probability of success decreases. They are not separate tests but rather outer reaches of a single continuum. [*In re Excel Innovations, Inc.*, 502 F.3d 1086, 1093-1100 (9th Cir. 2007) (citation omitted) (addressing, in analogous context, how to apply standards for preliminary injunctive relief in bankruptcy situation).]

In sum, the tentative ruling is that the usual standards for preliminary injunctive relief apply to this Court's decision whether to release funds from

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

the bankruptcy estate for Laura (and Jonathan) to use to pay their legal expenses. In applying those standards, this Court is bound by, or alternatively instructed by, authority decided under statutory authority that is not different in any meaningful aspect from the injunctive relief available under Bankruptcy Code. See generally *World Wide Factors, Ltd.*, 882 F.2d 344. See also *Commodity Futures Trading v. Noble Metals Intern.*, 67 F.3d 766, 775 (9th Cir. 1995) and dissent, *id.* at 775-779 (leading case regarding use of frozen funds to pay attorney fees, with helpful citations on both sides of issue).

One additional ground for concluding that this Bankruptcy Court has discretion is the following statement by the Court of Appeals for the Ninth Circuit:

Courts regularly have frozen assets and denied attorney fees or limited the amount for attorney fees. ... Any doubt as to the constitutionality of freezing assets and precluding entirely their use for payment of attorney fees ... have now been resolved by the Supreme Court's ... decision[s]. [*World Wide Factors*, 882 F.2d 344, 347 (citations omitted, emphasis added).]

(4) Evidentiary issues

Laura objects to Trustee's introduction of evidence regarding charges that the Adlers incurred on their American Express Platinum Card between 2021 and 2024, prior to the issuance of the Preliminary Injunction (adv. dkt. 53). See *generally* Laura Evidentiary Objections (adv. dkt. 181). Laura asserts that the pre-injunction expenditures are irrelevant and prejudicial.

Laura also objects to testimony of Trustee's counsel that a 2021 Quickbooks balance sheet of Debtor "seriously understates [Debtor's] liabilities since there is no entry for unsettled gold purchases." Dumas Decl. (adv. dkt. 170) p. 3:14–17; Laura Evidentiary Objections (adv. dkt. 181) p. 5:23–6:10. Laura objects based on Trustee's counsel's alleged lack of personal knowledge, lack of foundation, and improper opinion testimony (and other objections along the same lines).

The tentative ruling is to overrule these objections. As for Trustee's observation about Debtor's QuickBooks data (that there is no line item for unsettled purchases of precious metals), the tentative ruling is that this observation does not require any special expertise beyond what bankruptcy professionals already have, and Trustee has provided sufficient foundation

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

simply by noting that the sample QuickBooks balance sheet that lacks any such line item is from Debtor's own records. True, it is conceivable that Laura could explain that the unsettled purchases are included within another line item in QuickBooks; but she has not offered any such explanation, and in any event that would go to the weight of the evidence not its admissibility.

As for pre-injunction expenditures, it is true that for some purposes any expenditures made by the Adlers before entry of the Preliminary Injunction (adv. dkt. 53) have less relevance than post-injunction expenditures. Nevertheless, pre-injunction expenditures are relevant in several ways, and cannot be excluded as being prejudicial, for the following reasons.

(a) The credit card statements showing *past* expenditures are relevant to the Adlers' estimate of their *current* needs, and those statements cannot be excluded as being prejudicial. One primary issue in this contested matter is whether the \$25,000.00 monthly living allowance previously fixed by this Court is still sufficient to pay ordinary and necessary personal expenses, given Laura's and Johnathan's need to spend funds on legal counsel. On that issue past expenses are certainly relevant to assess whether the Adlers have accurately estimated the appropriate level of current expenditures, including whether \$25,000.00 per month would leave sufficient remaining funds for legal counsel.

True, Trustee has highlighted the Adlers' expenditures on *luxury* goods and services, and if a jury were deciding the factual issues then it might be possible to assert that this focus could be unduly influence the jury relative to the probative value of the evidence. But this Court is experienced at assessing financial evidence and will not be prejudiced.

For example, this Court recognizes that entrepreneurs who honestly believe that they are generating substantial wealth (both for their customers and for themselves) might legitimately believe that they are entitled to reward themselves with luxury items. After all, that is one of the reasons why people become entrepreneurs.

(Of course, this Court is not pre-judging any factual or legal issues, and recognizes that the Adlers and Trustee can present different evidence, and present different views of the evidence.

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT...

Oxford Gold Group Inc.

Chapter 7

All rights are reserved on such issues.)

- (b) Luxury expenditures - out of Debtor's transfers to the Adlers - are relevant when weighing the harm to Debtor's customers as against the harm to the Adlers. As noted above, the parties do not appear to dispute that the legal standards include the balance of hardships and all other facts and circumstances, such as whether harms are irreparable and whether any harms are self-imposed. It appears to be undisputed that many of Debtor's customers invested their retirement savings with Debtor, and they have lost very large percentages of those savings. This Court takes judicial notice that the loss of retirement funds typically is devastating. In addition, on the record presently before this Court, it appears very unlikely that Debtor's customers will be made whole or even recover a substantial percentage of their losses.

Meanwhile, during the years leading up to this situation, Debtor made very substantial transfers to Johnathan, and the Adlers could have chosen to save and invest those funds, but instead apparently spent very large sums on luxury goods and services, and they now allege that, despite an allowance of \$25,000.00 per month they lack the resources to afford legal counsel.

In this context, the tentative ruling is that Plaintiff/Trustee is entitled to introduce evidence of years of the Adlers' spending on luxury goods and services, such as the credit card statements.

- (c) Credit card statements are relevant to the fraudulent transfer claims. As noted above, the likelihood of success on the merits is relevant. That involves whether Trustee is likely to establish claims for (x) constructively fraudulent transfers - one element of which is insolvency and another element of which is whether Debtor received "reasonably equivalent value" - or (y) actual fraud, based on circumstantial evidence including some of the typical badges of fraud. For each of those two types of fraudulent transfer claims, the credit card statements are relevant, and cannot be excluded as prejudicial, for the following reasons.

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT...

Oxford Gold Group Inc.

Chapter 7

(i) The credit card statements are relevant if insolvency is measured under the balance sheet test. A sample of Debtor's internal calculations in QuickBooks, for 2021, appears to show total liabilities (just under \$8 million) far in excess of total assets (just over \$2 million). Moreover, the situation could actually be far worse because, as Plaintiff/Trustee points out, that sample QuickBooks balance sheet does not appear on its face to include any line item for unsettled purchases of precious metals, which, at least theoretically, could be an enormous dollar amount at relevant times. See Dumas Decl. (adv. dkt. 170), p. 3:14-16 & Ex. J (at PDF pp. 3 & 132-33) (sample QuickBooks Balance sheet, for 12/31/21). In addition, this Court takes judicial notice that the values of precious metals can fluctuate dramatically, so even a positive balance sheet at one date could quickly turn into a negative balance sheet as of a different date.

The tentative ruling is that Plaintiff/Trustee has made a sufficient *prima facie* showing of possible "balance sheet" insolvency for the following purpose. Plaintiff/Trustee can attempt to show that Debtor's transfers of salary and distributions to equity owners, including Johnathan, were not used for any purposes that benefitted Debtor (*i.e.*, not used to provide "reasonably equivalent value"), but instead were used for goods and services that solely benefitted the Adlers. (This is subject, of course, to the Adlers' right to introduce evidence to the contrary.)

The credit card statements support Trustee's allegations on this issue, and therefore they are relevant.

(ii) The credit card statements are relevant if insolvency is measured under the "cash flow" test. Given the possible weakness in Debtor's internal calculations in QuickBooks (apparently omitting unsettled purchases of precious metals), it is unclear whether Debtor's ongoing ability to pay debts as they came due is accurately reflected in Debtor's profit and loss statements, which purport to show roughly \$1.5 to \$2.8 million in alleged profits per

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT...

Oxford Gold Group Inc.

Chapter 7

year (Laura Decl., adv. dkt. 179, Ex. B-D at PDF pp. 27-33). Of course, the situation would only be worse if, as Trustee alleges, Debtor failed to meet its own contractual deadline of 28 days to settle purchases of precious metals, because that would be direct evidence of failing to pay at least one type of debts as they came due. In addition, as noted above, there are fluctuations in the price of precious metals, which could exacerbate any cash flow problems.

Again, in that context, Plaintiff/Trustee is entitled to introduce evidence that Debtor's transfers of salary and distributions to Johnathan were not made for Debtor's benefit, but instead for the Adlers' own benefit (*i.e.*, lack of reasonably equivalent value). The credit card statements are relevant for that purpose.

(iii) The credit card statements are relevant if insolvency is measured under the "unreasonably small capital" test. Although Laura focuses on the other two tests of insolvency, Plaintiff/Trustee has also asserted a third test for insolvency: "unreasonably small capital." See, e.g., Ex. A to Laura Adler Decl. (adv. dkt. 179) at p. 7:3 (PDF p. 16) (discovery responses by Trustee, asserting unreasonably small capital). See also 11 U.S.C. 548(a)(1)(B)(ii)(II) (inadequate capital test) and Cal. Civ. C. 3934.04(2) (same).

Again, the credit card statements are relevant under this test of insolvency, to attempt to show a lack of reasonably equivalent value for the transfers to the Adlers.

(iv) The credit card statements are relevant to the badges of actual fraud. As Laura admits, one of the traditional badges of fraud is a lack of reasonably equivalent value. See Reply (adv. dkt. 180) p. 8:27. As stated above, the credit card statements are relevant for that purpose because they show purchases of goods and services for the Adlers' benefit, with no immediately apparent benefit to Debtor.

Other admitted badges of fraud are (x) whether Debtor "was

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT...

Oxford Gold Group Inc.

Chapter 7

insolvent" at the time of the transfers (*i.e.*, at the time of the salary and distributions paid to Jonathan Adler) or "became insolvent shortly after" (*id.* p. 9:1-2), and as noted above there is evidence that Debtor was insolvent under each of the three alternative tests of insolvency; (y) whether the transfers to Johnathan (which apparently were frequent and large) "occurred shortly before or shortly after a substantial debt [*e.g.*, the unsatisfied purchases of precious metals] was incurred" (*id.* p. 9:3-4), and (z) the fact that Johnathan was an insider. *Id.* p. 9:8.

Again, the credit card statements are relevant under the foregoing standards, to show at least one badge of actual fraud: lack of reasonably equivalent value.

For all of the foregoing reasons, the tentative ruling is that Trustee's characterization of Laura's objection is correct: Laura "is merely arguing the weight and significance of the evidence." Trustee Response to Laura Evidentiary Objections (adv. dkt. 185) p. 1:3-5.)

(5) Adlers' non-compliance with the Preliminary Injunction (adv. dkt. 53)

Plaintiff/Trustee asserts that during the first three months in which the Preliminary Injunction (adv. dkt. 53) was in effect, the Adlers exceeded the \$25,000.00 monthly spending limit by "almost \$18,000 per month or 72% more than what the court had allowed." Opp. (adv. dkt. 169) p. 11:4-5. She contends that for the period between 4/8/25 and 7/9/25, the Adlers exceeded the spending limit by an average of \$8,840.00 per month, or 35% in excess of the amount specified in the Preliminary Injunction (adv. dkt. 53). Opp. (adv. dkt. 169) p. 11:17-18.

Laura's position is that the Adlers spent "a cumulative amount of \$5,890.03 over a 5 month[] period in excess of our permissible living expenses limit of \$125,000 for that period, which is 4.7% more than what John was permitted to spend by the Court." Laura Decl. (adv. dkt. 179) p. 3:11-12. Laura's explanation for the substantial difference between the overages alleged by Plaintiff/Trustee and the overages which she concedes occurred is that Johnathan's legal fees to Mr. Berger were funded by Johnathan's parents; but that rather than paying Mr. Berger directly,

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

Johnathan's parents would transfer funds to the Adlers' joint bank account, after which the Adlers would transfer those funds to Mr. Berger. Laura Decl. (adv. dkt. 179) p. 3:3–9.

The tentative ruling is that Laura is correct that legal fees paid by third parties are not subject to the \$25,000.00 monthly spending limit set forth in the Preliminary Injunction (adv. dkt. 53). Nonetheless, this Court remains seriously concerned that the Adlers exceeded the spending limit imposed by the Preliminary Injunction, albeit by a much lower amount than alleged by Trustee. The \$25,000.00 limit is just that – the *maximum* amount that the Adlers were permitted to spend – and exceeding the limit by even 4.7% still constitutes a serious violation.

In addition, although Laura characterizes the expenses leading to the overages as “unanticipated” and “extra expenses,” such characterization is not persuasive: the purportedly “unanticipated” obligations are in fact ordinary expenses that could have, and should have, easily been foreseen and budgeted for. Alternatively, to the extent that the expenditures could accurately be characterized as truly unforeseeable (which this Court does not believe to be the case), a reasonable “cushion” should have been included in the budget. Laura Decl. (adv. dkt. 179) p. 5:3 & 5:12–13. Such expenses include:

- 1) “[A]n unanticipated car expense [not specified] in the amount of \$1487.35.” Laura Decl. (adv. dkt. 179) p. 4:15.
- 2) “[A]n unanticipated DMV expenditure [also not specified] in the amount of \$996.00.” Laura Decl. (adv. dkt. 179) p. 5:3.
- 3) “[E]xtra expenses related to prom, grad night and other high school senior activities” for the Adlers’ daughter. Laura Decl. (adv. dkt. 179) p. 5:12–13.
- 4) A “leak at the [Larrabee Property] which resulted in an unanticipated expenses in the amount of approximately \$1100.” Laura Decl. (adv. dkt. 179) p. 5:23–24.
- 5) An unspecified increases in costs that “can be attributed to the fact that our daughter graduated from high school.” Laura Decl. (adv. dkt. 179) p. 5:25–26.

Moreover, assuming for the sake of discussion that some expenses could not have been unanticipated in a given month (which, again, Laura has not shown), it was up to the Adlers to cut back on other expenses both in that

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

month and in future month, so as to meet the \$25,000.00 monthly cap. Instead they simply ignored this Court's order imposing the \$25,000.00 cap.

The tentative ruling is that this is among the facts and circumstances that this Court should take into consideration in deciding whether to release the \$125,000.00 requested by Laura. For one thing, if spending above the cap reduced the funds available to pay legal counsel, that is a self-imposed injury. For another thing, having abused the leeway already granted, it is inappropriate for Laura to ask for more leeway to be freely given.

Alternatively, even disregarding the Adlers' violation of the \$25,000.00 monthly cap, the tentative ruling is that this would make no difference to this Court's determination below. Plaintiff/Trustee has shown more than adequate cause to deny the Motion to Release Funds, or alternatively to grant relief only on the conditions set forth by Plaintiff/Trustee (with the modification noted below).

(6) Analysis of the remaining merits

The tentative ruling is that Plaintiff/Trustee's proposal is a reasonable resolution to the issue, because it provides a mechanism through which Laura will gain access to additional funds to defend herself (beyond the very substantial \$25,000.00 per month allowance already provided for ordinary and necessary expenses for a chapter 7 debtor's family plus whatever they choose to set aside for attorney fees out of those funds, plus their other monthly income that is not property of the bankruptcy estate). In addition, Plaintiff/Trustee's proposal facilitates the liquidation of the Wrightwood Property, and contains safeguards to protect the interests of both the estate and the Adlers, depending on this Court's ultimate decisions regarding disposition of the proceeds of that sale, including the Adlers' claim to a homestead exemption.

The only issue on which this Court believes that Plaintiff/Trustee's proposal needs a minor adjustment is Laura's testimony. The tentative ruling is to require Laura to agree to appear for her deposition (as specified in this Court's tentative ruling on the motion to compel her deposition), but not to require that she actually testify on any given topic: she can, if she elects and if that election can still be properly made, invoke her rights against self incrimination under the Fifth Amendment; or she can invoke any spousal or attorney-client or other privilege (again, if those privileges can be properly invoked). This Court expresses no opinion whether those things can be

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

invoked, or what evidentiary presumptions might flow from any such invocation. The point is only that this Court is not persuaded that it would be proper to compel Laura to give actual testimony on any specific issues.

Apart from that, the tentative ruling is to issue an order denying any relief in response to Laura's Motion to Release Funds with one exception. This Court is not persuaded that Laura has shown sufficient cause to *force* Plaintiff/Trustee to transfer \$125,000.00 to her/the Adlers on any terms. But Plaintiff/Trustee has, sensibly, committed to keeping her offer open through the conclusion of this hearing, and the tentative ruling is that in keeping with the spirit of that offer it is appropriate for this Court to order such relief with the minor modification set forth above. As for the deadline to accept that offer, appearances are not required at this hearing so there may be no specific time this afternoon by which the hearing on this particular matter will be "concluded." Therefore, this Court has set a specific time (at the start of this tentative ruling) by which the Adlers must both agree to the (slightly modified) proposal offered by Plaintiff/Trustee (absent an agreement to extend that deadline).

In sum, the tentative ruling is that if the Adlers do not both agree to the foregoing, by the deadline set forth at the start of this tentative ruling, then to pay legal counsel they will have to rely on other sources: *i.e.*, any funds that they have saved from their (generous) \$25,000.00 per month allowance, plus any monthly earnings that are non-estate property and any other sources such as loans from their parents.

This Court is not minimizing that for people used to the lifestyle that the Adlers had, and who might genuinely believe that they have meritorious defenses and whose liability is not certain on the present record, receiving "only" \$25,000.00 per month plus monthly earnings is draconian. But most chapter 7 debtors could only dream of having such funds, and the tentative ruling is that, balancing all the facts and circumstances including the likelihood of success and the likelihood of irreparable harm to creditors, this Court has no basis on which to grant any relief other than holding Plaintiff/Trustee to the (slightly modified) offer she has made.

Plaintiff/Trustee is directed to lodge a proposed order adopting this tentative ruling. If the Adlers agree to the offer by Plaintiff/Trustee by the deadline, then the parties are directed to memorialize any such agreement in writing (*e.g.*, initially by email and then immediately by executing a written stipulation within 24 hours, all subject to final approval by this Court). Once

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

they have filed their written stipulation (or other memorialization of their proposed agreement), Plaintiff/Trustee is directed to lodge a proposed order approving that stipulation/agreement.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Oxford Gold Group Inc.

Pro Se

Defendant(s):

Jonathan Adler

Represented By
Michael Jay Berger

Pedram Granfar

Represented By
Marc Weitz

Patrick Granfar

Pro Se

Laura Adler

Pro Se

Movant(s):

Laura Adler

Pro Se

Plaintiff(s):

Carolyn Dye

Represented By
James A Dumas Jr
Christian T Kim

Trustee(s):

Carolyn A Dye (TR)

Represented By
James A Dumas Jr
Christian T Kim
Maria Severson

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

2:24-16947 Oxford Gold Group Inc.

Chapter 7

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

#11.00 Cont'd hrg re: Motion of Defendant John Adler for an order:
(I) Declaring that the Writs of Attachment against The
Wrightwood Property and The Larrabee Property are
void *ab initio*: or (II) In the alternative to increase the
bond amount of trustee's Writ of Attachment to \$100,000
and (III) Require a bond in the amount of \$50,000 to be
posted by the trustee on the Preliminary Injunction
fr. 10/7/25

Docket 160

Tentative Ruling:

Tentative Ruling for 10/21/25:

Deny Defendant Johnathan Adler's motion (A) for a determination that the writ of attachment issued by the Clerk of the Court is void *ab initio*, (B) to require Trustee to post a bond of \$100,000.00 in connection with the writ of attachment, and (C) to require require Chapter 7 Trustee ("Trustee") to post a bond of \$50,000.00 in connection with the Preliminary Injunction (adv. dkt. 53). 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, Trustee is directed to lodge proposed order(s) on the matter(s) addressed here via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)) and attach a copy of this tentative ruling, thereby incorporating it as this Court's actual ruling.

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

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

Key documents reviewed (in addition to motion papers): Trustee's Opposition (adv. dkt. 171, the "Opp.") and supporting declaration (adv. dkt. 172), No reply on file.

Analysis

Background information is set forth in the tentative ruling for Cal. No. 10 (10/21/25 at 11:00 a.m.) and will not be restated here. The tentative ruling is that for the reasons set forth in *Otte v. Naviscent, LLC*, 624 B.R. 883 (N.D. Cal. 2021), a case not cited by either of the parties, under California law, a writ of attachment issued without an undertaking is voidable, not void:

Whether Naviscent's TPO and Writ are void is a question of California law. See Cal. Code Civ. P. § 481.010 *et. seq.* While federal courts should attribute some weight to lower state court rulings, those decisions are not controlling if the highest state court has spoken on the issue. *Comm'r v. Bosch's Estate*, 387 U.S. 456, 465 (1967). In *American Contractors*, California's highest court addressed the issue in this case and held that when a state court exceeds its jurisdiction, its acts are voidable, not void. *See generally American Contractors*, 33 Cal.4th [653] at 661, 16 Cal.Rptr.3d 76, 93 P.3d 1020 [2004] [summary judgment entered one day prematurely was voidable, not void]. As the bankruptcy court noted, courts have extended this holding to a variety of contexts, applying it broadly. *See* Mem. Dec. re Motion to Alter or Amend Judgment at 44–45. The holding governs here, where the state court had jurisdiction to issue both the TPO and Writ but exceeded its jurisdiction when it did so without requiring Naviscent to post an undertaking. Because the California Supreme Court spoke to this issue in *American Contractors*, *Vershow*, a lower state court, is not controlling....

The bankruptcy court correctly resolved the issue of whether Naviscent's TPO and Writ were void or voidable. Because the TPO and Writ are merely voidable, Martinez was required to successfully challenge them in order to set them aside. *See* Mem. Dec. re Motion to Alter or Amend Judgment at 41. [*Otte v. Naviscent, LLC*, 624 B.R. 883, 894–901 (N.D. Cal. 2021).]

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT...

Oxford Gold Group Inc.

Chapter 7

On 9/23/25, Trustee obtained a \$10,000.00 undertaking with respect to the writ of attachment. Dumas Decl. (adv. dkt. 172) Ex. A. As set forth in Cal. Civ. Proc. Code 489.220, the amount of the undertaking required in connection with a writ of attachment is \$10,000.00, except if “upon objection to the undertaking, the court determines that the probable recovery for wrongful attachment exceeds the amount of the undertaking” (emphasis added) in which case “it shall order the amount of the undertaking increased to the amount it determines to be the probable recovery for wrongful attachment if it is ultimately determined that the attachment was wrongful.” Cal. Civ. Proc. Code 489.220(b).

The tentative ruling is that by obtaining an undertaking in the amount of \$10,000.00, Trustee has cured the deficiency associated with the writ of attachment. Because a writ of attachment issued without an undertaking is merely voidable, not void, see *Otte*, 624 B.R. 883, 901, the tentative ruling is to deny Johnathan’s motion for a determination that the writ of attachment is void *ab initio*.

In addition, the tentative ruling is to deny the request made by Johnathan in the alternative to require Trustee to post a bond of \$100,000.00 in connection with the writ of attachment. The tentative ruling is that Johnathan has failed to sufficiently establish that it is likely that he will be entitled to recover damages in excess of \$10,000.00 (the amount of the bond that Trustee has already posted) should it ultimately be determined that the attachment was wrongful.

As to the probability of success and of damages, see the tentative ruling for Cal. No. 10 (10/21/25 at 11:00 a.m.). In addition, to the extent there could be any damages from accruing penalties and interest on nondischargeable tax debts, the tentative ruling is that, on the present record, this is largely a self-imposed injury because of the Adlers’ delays in moving this litigation forward (e.g., Laura Adler’s alleged mistake in asserting the 5th Amendment privilege against self-incrimination). The sooner they cooperate in moving this litigation forward expeditiously, the sooner Plaintiff/Trustee can make distributions including any appropriate payments on account of any priority/nondischargeable tax debts and any distributions to the Adlers that they can use to pay those debts.

The tentative ruling is also to deny Johnathan’s request that Trustee be required to post a bond in the amount of \$50,000.00 in connection with the Preliminary Injunction (adv. dkt. 53). Rule 7065 (Fed. R. Bankr. P.) provides

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

that “on application of a debtor, trustee, or debtor in possession, the court may issue a temporary restraining order or preliminary injunction without complying with subdivision (c) of this rule” [which provides that a preliminary injunction may be issued only “if the movant gives security in an amount that the court considers proper to pay the costs and damages sustained by any party found to have been wrongfully enjoined” Rule 65(c) (Fed. R. Civ. P., made applicable by Rule 7065, Fed. R. Bankr. P.)]. As Trustee points out, at no point in connection with the adjudication of her request for issuance of the Preliminary Injunction (adv. dkt. 53) did Johnathan assert that security was required. Opp. (adv. dkt. 171) p. 5:1–7.

The tentative ruling is that Johnathan has waived and forfeited his ability to assert that a bond was required by failing to raise that argument in opposition to issuance of the Preliminary Injunction (adv. dkt. 53). Alternatively, Johnathan has not presented any convincing arguments under Rule 9024 (Fed. R. Bankr. P.) or otherwise as to why this Court should reconsider its prior decision.

Alternatively, the tentative ruling is that this Court would reach the same conclusion on the merits. Under Rule 7065 (Fed. R. Bankr. P.), it was appropriate for this Court to issue the Preliminary Injunction (adv. dkt. 53) without requiring Trustee to post a bond given the likelihood of any success by the Adlers and the scope of any likely damages claims that could be awarded to them, for the same reasons as set forth above with respect to the writs of attachment.

For all of the foregoing reasons, the tentative ruling is to deny Johnathan's motion in full.

Party Information

Debtor(s):

Oxford Gold Group Inc.

Pro Se

Defendant(s):

Jonathan Adler

Represented By
Michael Jay Berger

Pedram Granfar

Represented By
Marc Weitz

Patrick Granfar

Pro Se

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

Laura Adler

Pro Se

Movant(s):

John Adler

Pro Se

Plaintiff(s):

Carolyn Dye

Represented By
James A Dumas Jr
Christian T Kim

Trustee(s):

Carolyn A Dye (TR)

Represented By
James A Dumas Jr
Christian T Kim
Maria Severson

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

2:24-16947 Oxford Gold Group Inc.

Chapter 7

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

#12.00 Cont'd hrg re: Motion to Compel Deposition Testimony of Laura Adler
and for Sanctions
fr. 10/7/25

Docket 163

Tentative Ruling:

Tentative Ruling for 10/21/25:

Grant the request of the Chapter 7 Trustee ("Trustee") to compel Laura Adler to appear for a deposition, grant Trustee's request for sanctions in the amount of \$5,000.00, and direct Laura Adler to appear for deposition on **Tuesday 11/4/25 at 10:00 a.m. at the courthouse**, in the counsel room outside of courtroom 1545, or at such other time and place as is mutually agreeable to the parties. 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, Trustee is directed to lodge proposed order(s) on the matter(s) addressed here via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)) and attach a copy of this tentative ruling, thereby incorporating it as this Court's actual ruling.

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

Key documents reviewed (in addition to motion papers): Opposition (adv. dkt. 176) and evidentiary objections to Amended Dumas Decl. (175); Trustee's reply (adv. dkt. 182), supplemental Dumas Decl. (adv. dkt. 183), and Reply to Laura's evidentiary objections (adv. dkt. 184).

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

Analysis

(1) First preliminary issue: Trustee's non-compliance with posted procedures

With respect to discovery disputes, the "Procedures of Judge Bason" (available at www.cacb.uscourts.gov, the "Procedures") provide:

Discovery disputes. Do not file written motions to compel or quash discovery. First meet and confer (per Rule 7026-1(c)). Then call the judge's law clerk to arrange a telephonic conference and related procedures (e.g., the judge may permit or require a pre-conference summary of the dispute and/or copies of relevant documents, such as discovery requests or responses). At the telephonic conference the judge will determine whether to require written motions, briefs, or other documents, or alternatively the judge may rule on oral motions and oppositions without the need for any such papers. See, e.g., *Tamari v. Bache & Co. (Lebanon)* SAL, 729 F.2d 469, 472 (7th Cir. 1984) (written discovery motion not required when party receives adequate notice); *Henry v. Sneiders*, 490 F.2d 315, 318 (9th Cir. 1974) (oral discovery order equally effective as written order); *Avionic Co. v. General Dynamics Corp.*, 957 F.2d 555, 558 (8th Cir. 1992) (same); 7-37 Moore's Federal Practice - Civil § 37.42[3] (2018) (same). See also LBR-1(d), FRBP 9006 & 9013, and FRCP 16(b)(3)(B)(v), 26(b)(2)(C), 43(c)&(e) & 52(a) (incorporated by FRBP 7052, 9014(c) & 9017); and see generally *In re Nicholson*, 435 B.R. 622, 635-36 (9th Cir. BAP 2010) (discussing when evidentiary hearing is required), *abrogated on other grounds, as stated in In re Elliott*, 523 B.R. 188 (9th Cir. BAP 2014). Any request for sanctions relating to a discovery dispute must be made by separate noticed motion. [Procedures § (I)(D) (pp. 2–3).]

Although Trustee's counsel did not comply with the Procedures (he did not telephone chambers to arrange for a discovery conference prior to filing the motion to compel Laura Adler's deposition), Laura has created additional delay and expense by, among other things, changing her position with respect to whether she would invoke her right against self-incrimination under the Fifth Amendment. (A given name is used to distinguish between Laura and Johnathan Adler; no disrespect is intended.) Therefore, as to Trustee's request to compel Laura's deposition, the tentative ruling is to excuse her

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

counsel's non-compliance with the Procedures.

(2) Second preliminary issue: meet and confer

The tentative ruling is to overrule Laura's contention that Trustee's motion to compel her deposition must be denied on the ground that Trustee failed to confer or attempt to confer with her, as required by Rule 37(a)(1) (Fed. R. Civ. P., made applicable by Rule 7037, Fed R. Bankr. P.). The tentative ruling is that Trustee is correct that attempting to comply with Rule 37(a)(1) would have been futile, given that on 9/3/25, Laura sent Trustee an e-mail stating "I will not be appearing at the deposition on the 16th [of September]. I will revisit the issue after I have funds released to me to obtain counsel." Amended Dumas Decl. (adv. dkt. 166) Ex. G.

(3) Third preliminary issue: evidentiary objections

The tentative ruling (with one exception described below) is to overrule Laura's evidentiary objections (adv. dkt. 175) to the Dumas declaration (dkt. 166), for the reasons set forth in Plaintiff/Trustee's Reply (adv. dkt. 184) (provided that, of course, the tentative ruling is to sustain the objections conceded by Plaintiff/Trustee). Alternatively and in addition, the tentative ruling is that the disputed evidence makes no difference to the outcome.

(a) Laura's first evidentiary objection

The one exception to overruling Laura's evidentiary objections is the first one. She objects to Mr. Dumas' summary of her own prior declaration. She asserts that this summary violates the "best evidence rule" as expressed in Rule 1002 (Fed. R. Evid.). This Court agrees.

Although the Dumas declaration (adv. dkt. 166, p. 2:7) cites the summarized declaration of Laura (adv. dkt. 36), and although ordinarily this Court would not be troubled by a declaration's summary of a previously filed document of which this Court can take judicial notice (Rule 201, Fed. R. Evid.), nevertheless the Dumas declaration's summary (or citation) is inaccurate. Mr. Dumas' declaration states:

In the declaration, Laura gave extensive testimony contradicting the claims of the trustee that the debtor had been insolvent at the point that it had been paying shareholder distributions to its principals. She further testified about her family's finances and protested that she and Johnathan were under serious financial pressure and were

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT...

Oxford Gold Group Inc.

Chapter 7

living on funds borrowed from family members. Docket No. 36 herein. [Dumas Decl. (adv. dkt. 166) p. 2:1-7 (emphasis added).]

This Court has carefully reviewed Laura's cited declaration (adv. dkt. 36) and in fact it says nothing at all about insolvency. (True, it does address the family's finances; but it also points out that Plaintiff/Trustee made an earlier inaccurate summary of the evidence. See Laura Decl. (adv. dkt. 36) pp. 4:9-5:7.)

This Court notes that Mr. Dumas might have meant to cite a different declaration signed by Laura (see adv. dkt. 151, pp. 13-15). But citing the wrong declaration is also sloppy. Regardless of whether Mr. Dumas cited the wrong declaration or misstated the contents of the declaration that he did cite, his errors needlessly confuse the issues and increase the time that Laura (and this Court and its staff) must spend on this matter.

Mr. Dumas is cautioned about his pattern of inaccurately summarizing the evidence, which appears to have occurred on several occasions in this adversary proceeding (see above and below). That said, Laura does not explain how any misrepresentation by Mr. Dumas about whether she opined on solvency is relevant in any way to whether she should be compelled to give testimony at a deposition.

(b) Another evidentiary objection based on a misstatement by Mr. Dumas

Similarly, in another evidentiary objection, Laura is correct that Mr. Dumas' declaration (adv. dkt. 166, p. 2:8-9) inaccurately refers to sending a "notice of deposition and document request" (emphasis added) when in fact the referenced email shows only that the latter was sent, not the former. See Dumas Decl. (adv. dkt. 166) Ex. A, at PDF p. 10. But so what?

Apart from showing more sloppiness (which, again, causes confusion and wastes everyone's time), it is irrelevant whether a notice of deposition was sent. The point that Plaintiff/Trustee is attempting to make is that his email was attempting to schedule the "Depositions of Johnathan and Laura" to "occur on the 21st [of February, 2025], beginning at 9:30 [a.m.]," Dumas Decl. (adv. dkt. 166) Ex. A, at PDF p. 10.

In other words, Plaintiff/Trustee has been attempting to depose Laura for over "five months" as of the time the current motion was filed (adv. dkt. 182, p. 9:26). Whether counsel's email was accompanied by a formal notice of deposition or not is irrelevant to the point that the email was attempting to

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

schedule the deposition months ago, and there has been a very long delay in attempting to schedule that deposition.

(c) Laura's remaining evidentiary objections

Similarly, although Laura's other evidentiary objections point out some additional sloppiness by Mr. Dumas, she fails to show how any of that is relevant to whether she should be deposed. Therefore, again, the tentative ruling is to overrule her evidentiary objections and, alternatively, to rule that even if they were sustained they would make no difference to the outcome.

Note: This Court has not kept track of all of Mr. Dumas' incorrect evidentiary assertions, but as one example this Court notes the following. In Plaintiff/Trustee's Opposition (adv. dkt. 169, p. 18:4-6) Mr. Dumas states, In [Laura's] Declaration in support of the within motion [*i.e.*, in adv. dkt. 151, p. 15:4-9], Laura states that Johnathan put \$350,000 back into the company in 2024, falsely citing the Meisnik Declaration (which says that he only put \$50,000 back – Docket No. 7). [Trustee Opp. (adv. dkt. 169) p. 18:4-6 (emphasis added).] But in fact Laura's declaration says nothing about 2024, only 2021 and 2022. She declares:

Notably, bank records subpoenaed by the Trustee from Bank of America, which I have reviewed, show Mr. Adler wiring the sum of \$500,000 to the Debtor on January 6, 2021, from Adlers personal bank account. As is admitted by the Trustee John infused approximately \$1,650,000 into the Debtor in 2021 and \$350,000 in 2022. (See Meislik 8 Dec., adv. dkt. 7, Ex. A.). [Larua Decl. (adv. dkt. 151) p. 15:4-8 (emphasis added).]

Of course, this Court recognizes that all of us make mistakes. In fact, perhaps this Court itself has misconstrued one or more of the above examples. This Court also recognizes that Plaintiff/Trustee is under pressure to produce results with limited resources, and the Adlers are making that difficult and expensive with their vigorous litigation tactics.

But Mr. Dumas' pattern of misstating evidence has reached a level that places an undue burden on other parties (and this Court and its staff). He is cautioned to take more care in future.

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

(4) Compelling the deposition, and scheduling

At this point, Laura's principal argument against attending her deposition appears to be that she needs more money and time to hire counsel. The tentative ruling is that Trustee's offer to provide her with an advance against her homestead exemption, as modified by this Court in the tentative ruling on that matter, is more than adequate to compel her to act quickly - after months of delay - to retain counsel and attend her deposition. See Tentative Ruling for motion to release funds (calendar no. 10, on 10/21/25 at 11:00 a.m.).

As for scheduling, the tentative ruling is to set the deposition for the date, time, and location set forth at the start of this tentative ruling. That way it will be concurrent with hearings before this Court, so it will be easy for the parties, if they need this Court to rule on objections during the deposition, to come into the courtroom and obtain immediate rulings (unless this Court determines that briefing is required). That will help to avoid further delays and wasting of time and resources.

Alternatively, the parties may agree on a different date, time, and location. They remain free to call chambers in the middle of the deposition to arrange for an immediate hearing on any discovery disputes.

Despite the foregoing accommodations, this Court hopes that all parties will act professionally and will resolve most or all discovery disputes consensually. In other cases this Court has always offered immediate hearings on discovery disputes whenever this Court is available; but in fact parties almost never call on this Court to resolve such disputes. Presumably that is because they recognize that most disputes can and should be resolved without this Court's intervention (or that, like the parties' evidentiary disputes described above, the disputes should not have been raised in the first place, because they are irrelevant or immaterial to the issues at hand).

In any event, the tentative ruling is to compel Laura's attendance at her deposition at the date, time, and place set forth at the start of this tentative ruling. She remains free, of course, to assert whatever privileges or rights she may have to decline to testify.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

Debtor(s):

Oxford Gold Group Inc.

Pro Se

Defendant(s):

Jonathan Adler

Represented By
Michael Jay Berger

Pedram Granfar

Represented By
Marc Weitz

Patrick Granfar

Pro Se

Laura Adler

Pro Se

Movant(s):

Carolyn Dye

Represented By
James A Dumas Jr
Christian T Kim

Plaintiff(s):

Carolyn Dye

Represented By
James A Dumas Jr
Christian T Kim

Trustee(s):

Carolyn A Dye (TR)

Represented By
James A Dumas Jr
Christian T Kim
Maria Severson

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

2:24-16947 Oxford Gold Group Inc.

Chapter 7

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

#13.00 Cont'd status conference re: Amended Complaint for: 1. Actual fraudulent transfer [bankruptcy code section 548(1)(a); CAL. CIV.Code section 3439.04 (A)(1)]; 2. Constructive fraudulent transfer [bankruptcy code section 548 (1)(b); CAL. CIV. CODE sections 3439.04(B)(2) and 3439.05]; 3 To recover shareholder loans; 4. For money had and received fr. 3/4/25, 4/8/25, 6/17/25, 8/19/25, 9/23/25, 10/7/25

Docket 103

Tentative Ruling:

Tentative Ruling for 10/21/25:

Continue as set forth below. Appearances are not required on 10/7/25.

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 the tentative ruling for the Status Conference in the bankruptcy case in chief (see Calendar No. 9, on 10/21/25 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

The tentative ruling is that issues of venue, jurisdiction, and authority have been determined and/or waived or forfeited in the parties' filed papers, or at prior status conferences.

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

(b) Mediation

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

(c) Deadlines

This adversary proceeding has been pending since 12/30/24. The tentative ruling is to direct Plaintiff/Trustee to lodge a proposed order vacating the existing scheduling order (adv. dkt. 82) and setting a continued status conference as set forth below, within 7 days after this status conference, per LBR 9021-1(b)(1)(B).

Joinder of parties/amendment of pleadings-deadline: TBD

Discovery cutoff (for completion of discovery): TBD

Expert(s) - deadline for reports: TBD (if any expert testimony will be presented).

Expert(s) - discovery cutoff (if different from above): TBD (if any expert testimony will be presented).

Dispositive motions to be heard no later than: TBD

Joint Status Report: N/A

Continued status conference: concurrent with the Status Conference in the bankruptcy case in chief (see Calendar No. 9, on 10/21/25 at 11:00 a.m.).

Lodge Joint Proposed Pretrial Order: TBD

Pretrial conference: TBD

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

Trial commencement: TBD

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Oxford Gold Group Inc.

Pro Se

Defendant(s):

Jonathan Adler

Represented By
Michael Jay Berger

Pedram Granfar

Represented By

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Oxford Gold Group Inc.

Chapter 7

Marc Weitz

Patrick Granfar

Pro Se

Laura Adler

Pro Se

Plaintiff(s):

Carolyn Dye

Represented By
James A Dumas Jr
Christian T Kim

Trustee(s):

Carolyn A Dye (TR)

Represented By
James A Dumas Jr
Christian T Kim
Maria Severson

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

2:25-13048 RD William Whittington

Chapter 7

Adv#: 2:25-01318 HFC Acceptance, LLC d/b/a Midway HFCA, LLC v. Whittington

#14.00 Cont'd status conference re: Complaint by HFC Acceptance, LLC d/b/a Midway HFCA, LLC to determine dischargeability pursuant to 11 usc section 523(c)(1) fr. 9/23/25

Docket 1

Tentative Ruling:

Set deadlines and continue this status conference as set forth below.
Appearances are not required on 10/21/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

(1) Current issues

This Court has reviewed the parties' joint status report (adv. dkt. 13) and the other filed documents and records in this adversary proceeding and has no issues to raise *sua sponte* at this time.

(2) Standard requirements

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

(a) Venue/jurisdiction/authority

The tentative ruling is that there are no outstanding matters of (a) venue, (b) jurisdiction, or (c) this Bankruptcy Court's authority to enter final orders or judgment(s) in this nondischargeability proceeding. See *generally Stern v. Marshall*, 131 S.Ct. 2594 (2011); *Wellness Int'l Network, Ltd. v.*

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... RD William Whittington

Chapter 7

Sharif, 135 S.Ct. 1932 (2015); *In re Deitz*, 760 F.3d 1038 (9th Cir. 2014) (authority to adjudicate nondischargeability encompasses authority to liquidate debt and enter final judgment). See generally *In re AWTR Liquidation, Inc.*, 548 B.R. 300 (Bankr. C.D. Cal. 2016).

(b) Mediation

Neither party seeks mediation at this time (adv. dkt. 13, p. 3). The tentative ruling is not to order mediation on this Court's own motion.

(c) Deadlines

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

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

Joinder of parties/amendment of pleadings-deadline: 6/9/26

Discovery cutoff (for *completion* of discovery): 6/23/26

Expert(s) - deadline for reports: 6/30/26 if any expert testimony will be presented.

Expert(s) - discovery cutoff (if different from above): 7/7/26 if any expert testimony will be presented.

Dispositive motions to be heard no later than: 9/1/26

Joint Status Report: 2/10/26

Continued status conference: 2/24/26 at 11:00 a.m.

Lodge Joint Proposed Pretrial Order: TBD

Pretrial conference: TBD

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

Trial commencement: TBD

Party Information

Debtor(s):

RD William Whittington

Represented By
Matthew D. Resnik

Defendant(s):

RD William Whittington

Represented By
Matthew D. Resnik

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... RD William Whittington

Chapter 7

Plaintiff(s):

HFC Acceptance, LLC d/b/a

Represented By
Brian J. Hembd

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, October 21, 2025

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

#15.00 Cont'd status conference re: Complaint to determine non-dischargeability of debt pursuant to 11 usc 523(a)(2)(A), (a)(2)(B), and (a)(6) fr. 9/23/25

Docket 1

Tentative Ruling:

Set deadlines and continue this status conference as set forth below.
Appearances are not required on 10/21/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

(1) Current issues

This Court has reviewed the parties' joint status report (adv. dkt. 11) and the other filed documents and records in this adversary proceeding.

(a) Discovery

Defendant/Debtor asserts that he will not be ready for trial until July of 2026 due to "[v]olume of discovery" (Stat. Rpt., adv. dkt. 11, p. 2, parts B.1 & B.2), but the only discovery listed by either party is a deposition of Defendant/Debtor (*id.* part B.3 & B.4). The tentative ruling is that Defendant/Debtor has not shown adequate reasons for the proposed delay in completing discovery, and accordingly the deadlines set forth below (in part "(2)(c)" of this tentative ruling) are closer to the dates proposed by Plaintiff/Creditor than those proposed by Defendant/Debtor.

(2) Standard requirements

The following are Judge Bason's standard requirements for status

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... RD William Whittington

Chapter 7

conferences. (To the extent that the parties have already addressed these issues in their status report, they need not repeat their positions at the status conference.)

(a) Venue/jurisdiction/authority

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

(b) Mediation

The tentative ruling is to order the parties to mediation before one of the volunteer mediators (*not* a Bankruptcy Judge), and set a **deadline of 11/4/25** for the parties to lodge a proposed mediation order (the parties are directed to use the time between now and that deadline to find a mutually agreeable mediator whose schedule can accommodate the needs of this matter; and if the parties cannot even agree on a mediator they may lodge separate orders and Judge Bason will choose among them, or issue his own order).

(c) Deadlines

This adversary proceeding has been pending since 7/21/25. The tentative ruling is to set the following deadlines, to run concurrent with and regardless of any attempted mediation.

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: 1/28/26.

Discovery cutoff (for *completion* of discovery): 2/11/26.

Expert(s) - deadline for reports: 2/25/26, if any expert testimony will be presented.

Expert(s) - discovery cutoff: 3/11/26, if any expert testimony will be presented.

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT...

RD William Whittington

Chapter 7

Dispositive motions to be heard no later than: 5/12/25

Joint Status Report: 11/18/25.

Continued status conference: 12/2/25 at 11:00 a.m.

Lodge Joint Proposed Pretrial Order: TBD

Pretrial conference: TBD

Deliver trial exhibits to other parties and chambers, including direct testimony by declaration unless excused: TBD (for the format of exhibits and other trial procedures, please see the Procedures of Judge Bason (posted at 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.

Party Information

Debtor(s):

RD William Whittington

Represented By
Matthew D. Resnik

Defendant(s):

RD William Whittington

Represented By
Matthew D. Resnik

Plaintiff(s):

Porsche Financial Services, Inc. dba

Represented By
Stacey A Miller

Porsche Leasing Ltd.

Represented By
Stacey A Miller

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, October 21, 2025

Hearing Room 1545

11:00 AM

2:25-13048 RD William Whittington

Chapter 7

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

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

Docket 1

Tentative Ruling:

Continue as set forth below, in view of the fact that no Answer or other responsive pleading has yet been filed to the First Amended Complaint. Appearances are not required on 10/21/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

(1) Current issues

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

(2) Standard requirements

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

(a) Venue/jurisdiction/authority

The tentative ruling is that there are no outstanding matters of (a) venue, (b) jurisdiction, or (c) this Bankruptcy Court's authority to enter final

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... RD William Whittington

Chapter 7

orders or judgment(s) in this nondischargeability/denial of discharge proceeding. See *generally Stern v. Marshall*, 131 S.Ct. 2594 (2011); *Wellness Int'l Network, Ltd. v. Sharif*, 135 S.Ct. 1932 (2015); *In re Deitz*, 760 F.3d 1038 (9th Cir. 2014) (authority to adjudicate nondischargeability encompasses authority to liquidate debt and enter final judgment). See *generally In re AWTR Liquidation, Inc.*, 548 B.R. 300 (Bankr. C.D. Cal. 2016).

(b) Mediation

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

(c) Deadlines

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

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

Joinder of parties/amendment of pleadings-deadline: TBD

Discovery cutoff (for completion of discovery): TBD

Expert(s) - deadline for reports: TBD

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

Dispositive motions to be heard no later than: TBD

Joint Status Report: 12/2/25

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

Lodge Joint Proposed Pretrial Order: TBD

Pretrial conference: TBD

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

Trial commencement: TBD

Party Information

Debtor(s):

RD William Whittington

Represented By
Matthew D. Resnik

Defendant(s):

RD William Whittington

Represented By
Matthew D. Resnik
M. Jonathan Hayes

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... RD William Whittington

Chapter 7

Plaintiff(s):

Adin Ross

Represented By
Michael F Chekian

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, October 21, 2025

Hearing Room 1545

11:00 AM

2:23-12556 Richard B Scott

Chapter 7

Adv#: 2:23-01370 JRM Construction West LLC v. Scott

#17.00 Cont'd hrg re: Motion of defendant Richard Bryan Scott
for relief from default for failure to timely respond to
request for admissions
fr. 11/5/24, 12/3/24, 12/3/24, 2/11/25, 3/18/25, 5/6/25,
6/17/25, 8/19/25

Docket 40

***** VACATED *** REASON: Proceeding dismissed (see Order, adv. dkt.
74).**

Tentative Ruling:

Party Information

Debtor(s):

Richard B Scott

Represented By
Stephen R Wade

Defendant(s):

Richard B Scott

Represented By
Stephen R Wade

Movant(s):

Richard B Scott

Represented By
Stephen R Wade

Plaintiff(s):

JRM Construction West LLC

Represented By
Robert P Goe
Charity J Manee

Trustee(s):

Jason M Rund (TR)

Pro Se

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

2:23-12556 Richard B Scott

Chapter 7

Adv#: 2:23-01370 JRM Construction West LLC v. Scott

#18.00 Cont'd hrg re: Plaintiff's Motion for Summary Judgment or
Partial Summary Adjudication Under FRCP 56
(as Incorporated By FRBP 7056)
fr. 11/5/24, 12/3/24, 2/11/25, 3/18/25, 5/6/25, 6/17/25,
8/19/25

Docket 28

***** VACATED *** REASON: Proceeding dismissed (see Order, adv. dkt.
74).**

Tentative Ruling:

Party Information

Debtor(s):

Richard B Scott

Represented By
Stephen R Wade

Defendant(s):

Richard B Scott

Represented By
Stephen R Wade

Movant(s):

JRM Construction West LLC

Represented By
Robert P Goe
Charity J Manee

Plaintiff(s):

JRM Construction West LLC

Represented By
Robert P Goe
Charity J Manee

Trustee(s):

Jason M Rund (TR)

Pro Se

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

2:23-12556 Richard B Scott

Chapter 7

Adv#: 2:23-01370 JRM Construction West LLC v. Scott

#19.00 Cont'd Status Conference re: Complaint for Denial of Discharge Pursuant to 11 U.S.C. Section 727(a)(4)(A) fr. 10/17/23, 1/23/24, 4/2/24, 7/9/24, 7/16/24, 8/27/24, 11/19/24, 12/3/24, 2/11/25, 3/18/25, 5/6/25, 6/17/25, 8/19/25

Docket 1

***** VACATED *** REASON: Proceeding dismissed (see Order, adv. dkt. 74).**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Richard B Scott

Represented By
Stephen R Wade

Defendant(s):

Richard B Scott

Represented By
Stephen R Wade

Plaintiff(s):

JRM Construction West LLC

Represented By
Robert P Goe
Charity J Manee

Trustee(s):

Jason M Rund (TR)

Pro Se

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

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

Chapter 7

#20.00 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

Docket 655

Tentative Ruling:

Tentative Ruling for 6/24/25:

Please see the tentative ruling for the status conference (Calendar No. 11,
6/24/25 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, then search for "tentative rulings.")

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

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

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, October 21, 2025

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, October 21, 2025

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 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

Docket 675

Tentative Ruling:

Tentative Ruling for 6/24/25:

Please see the tentative ruling for the status conference (Calendar No. 11, 6/24/25 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, then search for "tentative rulings.")

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

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

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

Tuesday, October 21, 2025

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, October 21, 2025

Hearing Room 1545

11:00 AM

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

Chapter 7

#22.00 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

Docket 1

Tentative Ruling:

Tentative Ruling for 10/21/25:

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 10/21/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

(1) Current issues

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

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Law Offices of Brian D. Witzer

Chapter 7

(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: 2/10/26 at 11:00 a.m. *Brief* written Status report due 1/27/26.

[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, 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 voluntarily dismissed until the Settlement Agreement had been consummated.

As of the preparation of this tentative ruling, no voluntary dismissal of

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Law Offices of Brian D. Witzer

Chapter 7

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]

Party Information

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, October 21, 2025

Hearing Room 1545

11:00 AM

1:12-10986 Allana Baroni

Chapter 7

Adv#: 2:25-01326 Baroni et al v. Seror et al

#23.00 Cont'd hrg re: Motion for Monetary Sanctions
fr.10/7/25

Docket 223

Tentative Ruling:

Tentative Ruling for 10/21/25:

Grant the sanctions motion (adv. dkt. 223) for the reasons set forth therein, and in the Reply (adv. dkt. 236) to Respondents' Opposition papers (adv. dkt. 232, 233), and award \$147,540.00 in fees and \$12,418.67 in expenses, for a total award of \$159,958.67 in favor of the Defendants and against (w) Allana Baroni, (x) James Baroni, (y) Richard Antognini, Esq., and (z) Anthony Mordente, Esq. (collectively, "Respondents"), jointly and severally. 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.")

This Court expressly finds, by clear and convincing evidence, that by filing the complaint - and alternatively and additionally by all of their subsequent acts in this adversary proceeding noted by Defendants, at every stage this adversary proceeding - Respondents willfully asserted only frivolous arguments and acted in bad faith, vexatiously, wantonly, and for oppressive reasons, including the improper purpose of making collateral attacks on orders that were final. This forced Defendants to expend legal fees relitigating matters that have already been finally determined. All of the foregoing is carefully and thoroughly detailed in the Motion and Reply papers. Put simply, Respondents have intentionally wasted enormous amounts of the parties' time and resources (and this Court's time and resources) and must reimburse Defendants for their attorney fees and expenses.

This award of compensatory damages is without prejudice to any additional awards, sanctions, or other relief that Defendants or any other parties in interest may seek, or that may be imposed by this Court or any other forum or authority, including the California Bar.

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

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT...

Allana Baroni

Chapter 7

lodge proposed order(s) on the matter(s) addressed here via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)) 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. 232), Antognini Declaration (adv. dkt. 233), Reply (adv. dkt. 236)

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Allana Baroni

Represented By
Michael S Riley
Richard L Antognini
Matthew D. Resnik
M. Jonathan Hayes
Kathleen P March

Defendant(s):

David Seror

Represented By
Jason B Komorsky

Brutzkus Gubner

Represented By
Jason B Komorsky

BG LAW LLP

Represented By
Jason B Komorsky

LIBERTY MUTUAL INSURANCE

Represented By
Jason B Komorsky

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Allana Baroni

Chapter 7

WELLS FARGO BANK N.A

Represented By
Justin D Balser

United States Fire Insurance

Represented By
Jason B Komorsky

Severson & Werson, PC

Represented By
Adam N Barasch

Movant(s):

David Seror

Represented By
Jason B Komorsky

Brutzkus Gubner

Represented By
Jason B Komorsky

BG LAW LLP

Represented By
Jason B Komorsky

LIBERTY MUTUAL INSURANCE

Represented By
Jason B Komorsky

United States Fire Insurance

Represented By
Jason B Komorsky

Plaintiff(s):

Allana Baroni

Represented By
Richard L Antognini
Anthony R Mordente

James Baroni

Represented By
Richard L Antognini

Trustee(s):

David Seror (TR)

Represented By
Susan K Seflin
Jessica L Bagdanov
Ryan Coy
Jason B Komorsky
Steven T Gubner

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Allana Baroni

Chapter 7

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

1:12-10986 Allana Baroni

Chapter 7

Adv#: 2:25-01326 Baroni et al v. Seror et al

#24.00 Cont'd Status conference re: Complaint for: (1) Contempt for violations of confirmed chapter 11 plan and of Chapter 11 plan confirmation order; (2) Breach of fiduciary duty; (3) Aiding and abetting breach of fiduciary duty; (4) Gross negligence; (5) Tortious interference; (6) Elder abuse; (7) intentional infliction of emotional distress; (8) Declaratory relief (9) Recovery on bond and demand for jury trial fr. 8/5/25, 9/9/2025, 10/7/25

Docket 1

Tentative Ruling:

Tentative Ruling for 10/21/25:

Continue as set forth below. Appearances are not required on 10/21/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

(1) Current issues

(a) Motion for monetary sanctions (adv. dkt. 223, "Sanctions Motion"), Opposition (adv. dkt. 232), Antognini Decl. (adv. dkt. 233), Reply (adv. dkt. 236)

Grant for the reasons set forth in the tentative ruling for Cal. No. 23 (10/21/25 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

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Allana Baroni

Chapter 7

issues in their status report, they need not repeat their positions at the status conference.)

(a) Venue/jurisdiction/authority

The parties have stated their positions (see adv. dkt. 155) and, to the extent necessary, this Court has ruled on these issues.

(b) Mediation

[Intentionally omitted.]

(c) Deadlines/dates

This adversary proceeding has been pending since 11/4/24.

Joint Status Report: No status report required.

Continued status conference: 1/20/26 at 11:00 a.m.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Allana Baroni

Represented By

Michael S Riley

Richard L Antognini

Matthew D. Resnik

M. Jonathan Hayes

Kathleen P March

Defendant(s):

David Seror

Represented By

Jason B Komorsky

Brutzkus Gubner

Represented By

Jason B Komorsky

BG LAW LLP

Represented By

Jason B Komorsky

LIBERTY MUTUAL INSURANCE

Represented By

Jason B Komorsky

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

Tuesday, October 21, 2025

Hearing Room 1545

11:00 AM

CONT... Allana Baroni

Chapter 7

WELLS FARGO BANK N.A

Represented By
Justin D Balser

United States Fire Insurance

Represented By
Jason B Komorsky

Severson & Werson, PC

Represented By
Adam N Barasch

Plaintiff(s):

Allana Baroni

Represented By
Richard L Antognini
Anthony R Mordente

James Baroni

Represented By
Richard L Antognini

Trustee(s):

David Seror (TR)

Represented By
Susan K Seflin
Jessica L Bagdanov
Ryan Coy
Jason B Komorsky
Steven T Gubner

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

2:24-19238 Karla Enid Ramirez

Chapter 11

#1.00 Hrg re: Application for payment of Interim Fees and/ Expenses
for Onyinye N Anyama, Debtor's Attorney

Docket 127

Tentative Ruling:

Please see the tentative ruling for the status conference (Calendar No. 1.1,
10/21/25 at 1:00 p.m.).

Party Information

Debtor(s):

Karla Enid Ramirez

Represented By
Onyinye N Anyama

Movant(s):

Karla Enid Ramirez

Represented By
Onyinye N Anyama

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

2:24-19238 Karla Enid Ramirez

Chapter 11

#1.10 Cont'd status conference re: Chapter 11 case
fr. 4/8/25, 5/20/25, 8/5/25, 9/9/25

Docket 41

Tentative Ruling:

Tentative Ruling for 10/21/25:

Grant the fee application and continue the status conference as set forth below. Appearances are not required on 10/21/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

(1) Current issues

(a) Fee application of Anyama Law Firm, APC (dkt. 127), no opposition on file

Allow \$18,210.00 in fees and \$466.50 in expenses, for a total award of \$18,676.50, and authorize and direct payment of the full amounts allowed.

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

(2) Dates/procedures. This case was filed on 11/12/24 and converted from chapter 13 on 3/11/25. Dkt. 41.

(a) Bar date: 6/17/25 (dkt. 77) (timely served, dkt. 79)

(b) Procedures Order: dkt. 43 (timely served, dkt. 55)

(c) AmPlan (dkt. 113)/Disclosure Statement (dkt. 114): Plan confirmation hearing set for 11/18/25 at 1:00 p.m. See dkt. 122.

(d) Continued status conference: 11/18/25 at 1:00 p.m. No written

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

CONT... **Karla Enid Ramirez**
status report required.

Chapter 11

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Karla Enid Ramirez

Represented By
Onyinye N Anyama

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

2:25-13052 Raymond Martin Camarillo

Chapter 11

#2.00 Hrg re: Application for payment of Interim Fees and/or Expenses
by Onyinye N Anyama, Debtor's Attorney

Docket 96

Tentative Ruling:

Please see the tentative ruling for the status conference (Calendar No. 2.1,
10/21/25 at 1:00 p.m.).

Party Information

Debtor(s):

Raymond Martin Camarillo

Represented By
Onyinye N Anyama

Movant(s):

Onyinya Anyama

Represented By
Onyinye N Anyama

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

2:25-13052 Raymond Martin Camarillo

Chapter 11

#2.10 Cont'd Status conference re: Chapter 11 case
fr. 5/20/25, 6/3/25, 6/24/25, 8/19/25, 10/7/25

Docket 1

Tentative Ruling:

Tentative Ruling for 10/21/25:

Approve fees and set deadlines for Debtor to file a Second Amended Plan and Second Amended Disclosure Statement and lodge a proposed order setting a combined hearing on approving both, and continue the status conference, all as set forth below. Appearances are not required on 10/21/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

(1) Current issues

(a) Fee application of Debtor's general bankruptcy counsel Anyama Law Firm, APC (dkt. 96), Notice of fee application (dkt. 97), No opposition on file

Allow \$19,890.00 in fees and \$769.82 in expenses, on an interim basis, for a total award of \$20,659.82, and authorize and direct payment of the full amounts allowed.

Proposed order: Unless otherwise ordered, Applicant is directed to lodge a proposed order on the matter addressed here 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, October 21, 2025

Hearing Room 1545

1:00 PM

CONT... Raymond Martin Camarillo

Chapter 11

(b) First amended chapter 11 plan of reorganization (dkt. 100, the "Amended Plan") and First amended disclosure statement (dkt. 101, the "Amended Disclosure Statement")

At a status conference held on 10/7/25, this Court identified various issues with Debtor's original plan (dkt. 93) and disclosure statement (dkt. 94) requiring correction. The tentative ruling is that the Amended Plan (dkt. 100) and Amended Disclosure Statement (dkt. 101) have sufficiently addressed all the issues identified by this Court, except for one minor issue regarding the secured claim of NewRez c/o PHH Mortgage Services ("NewRez") (see part "(1)(b)(i)" of this tentative ruling below). The tentative ruling is to **set a deadline of 10/28/25** for Debtor (x) to file (but NOT SERVE on anyone except for the United States Trustee) a Second Amended Plan and Second Amended Disclosure Statement addressing the issue with respect to NewRez and (y) to lodge a proposed order (substantially in the form posted on Judge Bason's portion of this Court's website, at www.cacb.uscourts.gov) setting a combined hearing on whether to confirm the Plan and whether to grant final approval of the Disclosure Statement.

(i) Secured claim of NewRez

Exhibit A, "Treatment of Claims / Interests" (Amended Plan (dkt. 100) PDF p. 8)) lists NewRez's \$399,888.36 secured claim, but does not specify the interest rate or monthly payment amount associated with that claim. Endnote 1A clarifies that with respect to NewRez's claim, "Debtor will continue making regular mortgage payments" in accordance with the "original contractual terms" – but again does specify either the amount of those monthly mortgage payments or the applicable interest rate. Amended Disclosure Statement Ex. H (dkt. 101) PDF p. 16.

The tentative ruling is that, because NewRez's claim is secured by Debtor's principal residence, both the Plan and Disclosure Statement must clearly detail the treatment of NewRez's claim, by specifying both the interest rate and monthly payment amounts on Exhibit A to the Plan as well as on Exhibit H to the Disclosure Statement. The inclusion of this specific information is necessary to provide creditors and parties in interest sufficient information to make an informed judgment when voting on the Plan. (Debtor should disclose if any interest rate is variable, and the nature of that variance - e.g., if it is due to have a fixed step up in future, or if it is tied to a floating rate).

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

CONT... Raymond Martin Camarillo

Chapter 11

- (2) Dates/procedures. This case was filed on 4/14/25.
- (a) Bar date: 8/18/25 (dkt. 53) (timely served, dkt. 54)
 - (b) Procedures Order: dkt. 6 (timely served, dkt. 9)
 - (c) Plan/Disclosure Statement (dkt. 93 & 94): See part "(1)(b)," above.
 - (d) Continued status conference: 11/4/25 at 1:00 p.m. No written status report required.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Raymond Martin Camarillo

Represented By
Onyinye N Anyama

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

2:23-16758 Clark Edward Parker

Chapter 11

#3.00 Hrg re: Motion to Appoint Trustee and Enforce Settlement Agreement

Docket 168

***** VACATED *** REASON: Cont'd to 11/4/2025 at 1:00 pm**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Clark Edward Parker

Represented By
Leslie A Cohen

Movant(s):

California Department of Education

Represented By
Matthew C. Heyn
Hutchison B Meltzer

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

2:23-16758 Clark Edward Parker

Chapter 11

#4.00 Cont'd Status Conference re: Chapter 11 Case
fr. 11/14/23, 11/28/23, 12/5/23, 12/19/23, 3/5/24,
3/12/24, 4/30/24, 6/4/24, 7/16/24, 8/27/24, 10/22/24,
11/19/24, 12/10/24, 1/21/25, 8/12/25, 10/7/25

Docket 1

***** VACATED *** REASON: Cont'd to 11/4/2025 at 1:00 pm**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Clark Edward Parker

Represented By
Leslie A Cohen

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

2:25-14931 Forrest Kent Balmain

Chapter 11

#5.00 Hrg re: Motion in Individual Ch 11 Case for Order Approving a Budget
for the use of the Debtor's Cash and Postpetition Income

Docket 62

Tentative Ruling:

Please see the tentative ruling for the status conference (Calendar No. 7,
10/21/25 at 1:00 p.m.).

Party Information

Debtor(s):

Forrest Kent Balmain

Represented By
Lawrence R Fieselman
Julie J Villalobos

Movant(s):

Forrest Kent Balmain

Represented By
Lawrence R Fieselman
Julie J Villalobos

Trustee(s):

Gregory Kent Jones (TR)

Pro Se

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

2:25-14931 Forrest Kent Balmain

Chapter 11

#6.00 Cont'd hrg re: Motion in Individual Ch 11 Case for Order
Pursuant to 11 U.S.C. Sec. 363 Setting Budget for
Interim Use of Estate Property as Defined in
11 U.S.C. Sec. 1115
fr. 9/9/25

Docket 41

Tentative Ruling:

Please see the tentative ruling for the status conference (Calendar No. 7,
10/21/25 at 1:00 p.m.).

Party Information

Debtor(s):

Forrest Kent Balmain

Represented By
Lawrence R Fieselman
Julie J Villalobos

Movant(s):

Forrest Kent Balmain

Represented By
Lawrence R Fieselman
Julie J Villalobos

Trustee(s):

Gregory Kent Jones (TR)

Pro Se

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

2:25-14931 Forrest Kent Balmain

Chapter 11

#7.00 Cont'd status conference re: Chapter 11 case
fr. 7/8/25, 8/12/25, 8/19/25, 9/9/25

Docket 1

Tentative Ruling:

Tentative Ruling for 10/21/25:

Grant the budget motion (as amended), maintain the previously ordered date for the evidentiary hearing on the value of Debtor's property, and continue the status conference to take place concurrently with the evidentiary hearing, all as set forth below. Appearances are not required on 10/21/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

(1) Current issues

(a) Budget Motion (dkt. 41) and Amended Budget Motion (dkt. 62); No opposition on file

Grant the amended motion (which supersedes and moots the original motion, which was erroneously included on today's calendar as Calendar No. 6).

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)).

(b) Evidentiary hearing on valuation of Debtor's property (dkt. 56, 61, & 64-73)

This Court has reviewed the materials submitted by the parties in connection with the evidentiary hearing on the valuation of Debtor's property.

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

CONT...

Forrest Kent Balmain

Chapter 11

The tentative ruling is to maintain the previously scheduled date for the evidentiary hearing (see part “(2)(d)” of this tentative ruling, below).

The parties timely submitted a proposed stipulated order establishing procedures governing the evidentiary hearing (dkt. 61), but that proposed order was filed on the CM/ECF docket, not lodged via LOU. The tentative ruling is that no material changes to the stipulated proposed order (dkt. 61) are required; but to facilitate issuance of an order signed by this Court, the tentative ruling is to **set a deadline of 10/22/25** for objecting creditor Teachers Federal Credit Union to lodge the stipulated proposed order via LOU.

(2) Dates/procedures. This case was filed on 6/12/25.

- (a) Bar date: 8/21/25 per General Order 20-01 (70 days after petition date in Subchapter V cases) (DO NOT SERVE any notice: one will be sent).
- (b) Procedures Order: dkt. 6 (timely served, dkt. 11).
- (c) Plan/Disclosure Statement: file by 11/14/25 (this deadline is subject to additional extensions depending on how long it takes to resolve the valuation dispute) (DO NOT SERVE - except on the U.S. Trustee). See Procedures Order.
- (d) Continued status conference and valuation evidentiary hearing: 10/30/25 at 9:00 a.m., as previously ordered. No written status report required.

Tentative Ruling for 9/9/25:

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 valuation motion (dkt. 27), Creditor's opposition (dkt. 38–39), Debtor's reply (dkt. 40), Creditor's supplemental opposition (dkt. 46), Debtor's supplemental reply (dkt. 49)

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

CONT...

Forrest Kent Balmain

Chapter 11

The tentative ruling is that an evidentiary hearing will be required to resolve the dispute between Debtor and Creditor regarding the cost of repairing the property. The parties should be prepared to address the procedures for an evidentiary hearing, including who will provide direct testimony as to the cost of repairs. For example, the supplemental declaration (dkt. 49, PDF pp. 8–9) of Steven Mark McCullough, who appraised the property on Debtor's behalf, opines as to repair costs, but is there a general contractor that Debtor has consulted who has submitted a bid?

The tentative ruling is to set an evidentiary hearing for **10/30/25 starting at 9:00 a.m.**, with direct testimony via declaration subject to live cross-examination, and to direct the parties to meet and confer about any other trial-related procedures (e.g., whether any testimony will be permitted via Zoomgov), with a direction to the parties to review the trial-related portion of the "Procedures of Judge Bason" (available at www.cacb.uscourts.gov) and a direction to Debtor to lodge an agreed form of pretrial order by a **deadline of 9/23/25** (or, if the parties cannot agree on the form of such an order, both parties may lodge competing forms of order, with a blackline or other method of showing the differences).

Proposed order(s): Unless otherwise ordered, Debtor is directed to lodge proposed order(s) on the matter(s) addressed here via LOU by the above-referenced deadline (per LBR 9021-1(b)(1)(B)).

(b) Debtor's deadline to file a Plan

At the 8/19/25 status conference, this Court extended Debtor's deadline to file its SubChapter V Plan from 9/10/25 to 9/23/25. The tentative ruling is that it would be a waste of time and resources to require Debtor to file a Plan until the valuation dispute is resolved, and that the delays associated with the valuation dispute qualify as "circumstances for which debtor should not justly be held accountable," 11 U.S.C. 1189(b), thereby warranting a further extension of Debtor's deadline to file a Plan. The tentative ruling is to further extend such deadline to **11/14/25**, subject to additional extensions depending upon how long it takes to resolve the valuation dispute.

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

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

CONT...

Forrest Kent Balmain

Chapter 11

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

(c) Budget Motion (dkt. 41), No opposition on file

As set forth in an adopted tentative ruling issued on 8/12/25 (intentionally omitted below), Debtor failed to serve the initial version of the Budget Motion (dkt. 28) on “all creditors,” consistent with Rule 2002(a)(3) (Fed. R. Bankr. P.) (requiring service upon all creditors of any request to use property of the estate outside the ordinary course of business). Although the proof of service attached to the most recent version of the Budget Motion (dkt. 41) reflects that it has been served on all creditors, the tentative ruling is that the motion contains a number of errors that must be corrected.

First, the Schedule I attached to the Budget Motion (dkt. 41, PDF p. 7) is incomplete – only the first page of the two-page schedule is included. Second, the incomplete Schedule I attached to the Budget Motion is **not** a “true and correct” copy of the Schedule I that Debtor filed with this Court. Debtor’s Schedule I – which has **not** been amended – states that his monthly gross income is \$6,500.00. Schedule I (dkt. 1) at Part 2, Question 4 (PDF p. 41). But the Schedule I attached to the Budget Motion states that Debtor’s monthly gross income is \$2,166.67. Budget Motion (dkt. 41) at Part 2, Question 4 (PDF p. 7). Which figure is correct? What is the explanation (supported by a declaration under penalty of perjury) for the change?

Third, even if the complete version of Schedule I had been attached to the Budget Motion (it was not), Debtor failed to properly respond to question 8a on Schedule I, which inquires about “net income from rental property and from operating a business, profession, or farm.” A proper response to question 8a requires Debtor to “[a]ttach a statement for each property and business showing gross receipts, ordinary and necessary business expenses, and the total monthly net income.” No such statement is attached. See Schedule I (dkt. 1) at Part 2, Question 8a (PDF p. 42).

The tentative ruling is (A) to **set a deadline of 9/23/25** for Debtor to file and serve an Amended Budget Motion that corrects the foregoing deficiencies, together with a notice of hearing with the following dates; and (B) to set a hearing on the Amended Budget Motion on **10/21/25 at 1:00 p.m.**, with deadlines of **10/7/25** for any opposition and **10/14/25** for any reply.

Finally, the tentative ruling is that counsel for Debtor is directed not to charge any fees for time spent on the current version of the Budget Motion

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

CONT...

Forrest Kent Balmain

Chapter 11

(dkt. 41) in view of the deficiencies discussed above. But, unless otherwise ordered, counsel may charge for time spent preparing the Amended Budget Motion.

(2) Dates/procedures. This case was filed on 6/12/25.

- (a) Bar date: 8/21/25 per General Order 20-01 (70 days after petition date in Subchapter V cases) (DO NOT SERVE any notice: one will be sent).
- (b) Procedures Order: dkt. 6 (timely served, dkt. 11).
- (c) Plan/Disclosure Statement: see part "(1)(b)," above (DO NOT SERVE - except on the U.S. Trustee). See Procedures Order.
- (d) Continued status conference: Concurrent with continued hearing on the Amended Budget Motion (see part "(1)(a)," above). No written status report required.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Forrest Kent Balmain

Represented By

Lawrence R Fieselman

Julie J Villalobos

Trustee(s):

Gregory Kent Jones (TR)

Pro Se

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

2:25-13881 Dedication & Everlasting Love To Animals

Chapter 11

#8.00 Hrg re: Chapter 11 Trustees Motion For Entry Of An Order Authorizing Trustee To Abandon Real Property Located At 3007 Durfee Avenue, El Monte, Ca (APN 8106-009-012) Pursuant To 11 U.S.C. § 554(A)

Docket 147

Tentative Ruling:

Please see the tentative ruling for the status conference (Calendar No. 9, 10/21/25 at 1:00 p.m.).

Party Information

Debtor(s):

Dedication & Everlasting Love To

Represented By
William R Hess
Krikor J Meshefejian

Movant(s):

Todd A. Frealy (TR)

Represented By
Krikor J Meshefejian

Trustee(s):

Todd A. Frealy (TR)

Represented By
Krikor J Meshefejian

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

2:25-13881 Dedication & Everlasting Love To Animals

Chapter 11

#9.00 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

Docket 1

Tentative Ruling:

Tentative Ruling for 10/21/25:

Grant the Motion to Abandon, with a caveat, and continue the status conference, all as set forth below. Appearances are not required on 10/21/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

(1) Current issues

(a) Motion to abandon real property filed by Chapter 11 Trustee (dkt. 147, the "Motion to Abandon"), Notice of Motion to Abandon (dkt. 148), Opposition filed by City of El Monte (dkt. 152), Reply (dkt. 157)

Overrule the opposition of the City of El Monte ("City"), and authorize the Chapter 11 Trustee ("Trustee") to abandon real property located at 3007 Durfee Avenue, El Monte, CA for the reasons set forth in the Trustee's motion and reply papers.

Caveat: Parties sometimes misunderstand what "abandonment" means. It means that property leaves the bankruptcy estate and ownership is returned "to the debtor." 11 U.S.C. 554(c) (emphasis added).

This means that the debtor in any bankruptcy case remains responsible for any ongoing obligations to comply with applicable nonbankruptcy law that are not discharged. For example, on the

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

CONT...

Dedication & Everlasting Love To Animals

Chapter 11

one hand a claim for money or that can be reduced to money, and that is rooted in the pre-bankruptcy past, likely will be discharged if a chapter 11 plan is confirmed. On the other hand, if some tragedy were to happen now, and a person were to be injured or killed on the property due to some unsafe condition that Debtor and/or the City should have addressed, then, for example, liability might be imposed on Debtor (not the bankruptcy estate), meaning that Debtor (not the estate) might have to pay that liability if this ends up being a surplus estate or if Debtor continues to exist as an entity and has funds in future that are not required to be used to pay creditors.

Of course, this Court cannot give, and is not giving, legal advice. The foregoing hypothetical example is only supposed to be illustrative of the type of consequences that might (or might not) flow from abandonment.

This Court also takes no position on whether Debtor (which probably lacks any access to funds) can or should be forced to undertake any remedial acts, or whether Debtor's principal(s) might have any personal liability for not engaging in remediation, or whether City might be fully or partially responsible, or whether Debtor or City might need to seek relief from the automatic stay of 11 U.S.C. 362(a) to litigate any disputes. *See generally* 11 U.S.C. 362(b)(4) & (d). The point is only that neither Debtor nor its principal(s) should assume that abandonment exonerates them from any and all responsibility with respect to the property; nor should City assume that it can freely take legal or administrative action against Debtor without possibly violating the automatic stay.

All parties might be well advised to consult experienced bankruptcy counsel, and to meet and confer to determine how best to address the situation for the protection of any persons living on or visiting (or trespassing on) the property, the neighbors, the City, Debtor, and Debtor's principal(s). In addition or in the alternative, one of the volunteer bankruptcy mediators available through this Court's website (www.cacb.uscourts.gov) might be able to help.

Proposed orders: Unless otherwise ordered, Chapter 11 Trustee is directed to lodge proposed orders on the matter(s) addressed here

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

CONT...

Dedication & Everlasting Love To Animals

Chapter 11

via LOU within 7 days after the hearing date, and attach a copy of this tentative ruling, thereby incorporating it as this Court's actual ruling. See LBR 9021-1(b)(1)(B).

(2) Dates/procedures. This 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

(d) Continued status conference: 12/2/25 at 1:00 p.m., concurrent with other matters. No written status report required.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Dedication & Everlasting Love To

Represented By
William R Hess
Krikor J Meshefejian

Trustee(s):

Todd A. Frealy (TR)

Represented By
Krikor J Meshefejian

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

2:23-12137 Vistam, Inc.

Chapter 11

#10.00 [CASE DISMISSED ON 6/14/2023]

Cont'd Status Conference re: Chapter 11 Case
fr. 5/2/23, 5/10/23, 5/23/23, 5/30/23, 6/13/23,
7/18/23, 8/8/23, 10/31/23, 11/14/23, 2/6/24,
2/20/24, 4/2/24, 4/9/24, 5/7/24, 6/25/24, 8/27/24,
11/19/24, 1/21/25, 4/22/25, 07/15/25

Docket 1

Tentative Ruling:

Tentative Ruling for 10/21/25:

Continue the status conference as set forth below. Appearances are not required on 10/21/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

(1) Current issues

(a) Appeal on sanctions matters

On 9/24/25, the United States District Court for the Central District of California (the "District Court") affirmed this Bankruptcy Court's order imposing sanctions upon Ms. Whitehead and Mr. Tamayo. Dkt. 211. The record does not reflect whether Ms. Whitehead and Mr. Tamayo appealed the District Court's affirmance to the Court of Appeals for the Ninth Circuit, or whether they have filed tolling motions or any other relevant matters. Therefore, the tentative ruling is to continue this status conference as set forth in part "(2)(a)," below, with directions to file a status report so that this Bankruptcy Court can determine what action, if any, may be appropriate.

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

CONT... Vistam, Inc.

Chapter 11

(2) Dates/deadlines. This case was dismissed on 6/14/23 with a 180-day bar to being a debtor in bankruptcy. Dkt. 93. A Memorandum Decision holding Appellants in contempt was issued on 5/7/24 (dkt. 160); the Sanctions Order (dkt. 163) implementing that Memorandum Decision was issued on 5/13/24; and an order imposing additional sanctions (compensatory attorney fees) was entered on 6/27/24 (dkt. 182).

(a) Continued status conference: 12/2/25 at 1:00 p.m. *Brief* joint status report (or, if the parties cannot agree, separate status reports) due 11/18/25.

[PRIOR TENTATIVE RULINGS OMITTED (for principal issues see dkt. 160, 182, 185, 211)]

Party Information

Debtor(s):

Vistam, Inc.

Represented By
Selwyn Whitehead

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, October 21, 2025

Hearing Room 1545

1:00 PM

2:25-18579 Nadia Masoudi

Chapter 11

#11.00 Status conference re: Chapter 11 case

Docket 0

***** VACATED *** REASON: Per order entered 10/2/2025 pending
transfer of the case to Judge Kaufman**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Nadia Masoudi

Represented By
Stella A Havkin

Trustee(s):

John-Patrick McGinnis Fritz (TR)

Pro Se

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

2:25-11395 Frisco Baking Company, Inc.

Chapter 11

#12.00 Cont'd Status Conference re: Chapter 11 Case
fr. 02/28/25, 3/18/25, 4/22/25, 6/17/25, 7/30/25,
8/19/25, 9/9/25

Docket 1

Tentative Ruling:

Tentative Ruling for 10/21/25:

Continue the status conference as set forth below, based on Debtor's status report (dkt. 108) and this Court's review of the filed documents and records in this case. Appearances are not required on 10/21/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

(1) Current issues

(a) Plan (dkt. 72) and Disclosure Statement (dkt. 71)

This Court has reviewed the status report (dkt. 108) filed by Debtor on 10/7/25. The tentative ruling is that it would be premature to conduct further proceedings on the initial drafts of Debtor's Plan (dkt. 72) and Disclosure Statement (dkt. 71) at this time, because Debtor is in the process of marketing its business (Status Report (dkt. 108) p. 2:12–14)), and the sale of the business is a significant component of the Plan.

(2) Dates/procedures. This case was filed on 2/24/25.

(a) Bar date: 5/16/25 (Bar Date Order (dkt. 51) timely served, dkt. 62)

(b) Procedures Order: dkt. 13 (timely served, dkt. 17)

(c) Plan/Disclosure Statement: timely filed on 6/24/25 (dkt. 71–72) (DO NOT SERVE - except on the U.S. Trustee). See Procedures Order.

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

CONT...

Frisco Baking Company, Inc.

Chapter 11

(d) Continued status conference: 12/2/25 at 1:00 p.m. *Brief* written
status report due by 11/25/25.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Frisco Baking Company, Inc.

Represented By
Jeffrey S Shinbrot

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

2:24-20369 Cinema Management Group, LLC

Chapter 11

#13.00 Cont'd Status Conference re: Chapter 11 Case
fr. 2/21/25, 3/4/25, 3/18/25, 4/8/25, 4/22/25, 5/20/25,
6/17/25, 07/15/25, 8/19/25, 9/23/25

Docket 1

Tentative Ruling:

Tentative Ruling for 10/21/25:

Continue as set forth below. Appearances are not required on 10/21/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

(1) Current issues

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

(2) Dates/procedures. This case was filed on 12/20/24, and was converted from Chapter 7 to Chapter 11 on 2/6/25 (dkt. 40).

- (a) Bar date: 4/18/25 (Bar Date Order (dkt. 93) timely served, dkt. 102)
- (b) Procedures Order: dkt. 60 (timely served, dkt. 64)
- (c) Plan/Disclosure Statement: TBD
- (d) Continued status conference: 12/2/25 at 1:00 p.m. No written status report required.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

CONT... Cinema Management Group, LLC

Chapter 11

Debtor(s):

Cinema Management Group, LLC

Represented By
John D Monte

Trustee(s):

John P Pringle (TR)

Represented By
Jeffrey S Kwong
Juliet Y. Oh
David L. Neale
Todd A. Frealy

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

2:22-15540 Emilio Ferrari

Chapter 11

#14.00 Cont'd Status conference re: Post confirmation
fr. 12/19/23, 1/09/24, 5/7/24, 9/10/24, 2/25/25,
6/24/25

Docket 114

Tentative Ruling:

Tentative Ruling for 10/21/25:

Continue as set forth below based on this Court's review of Debtor's latest status report (dkt. 125). Appearances are not required on 10/21/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

(1) Current issues

This Court has no issues to raise *sua sponte* at this time.

(2) Deadlines/dates

This case was filed on 10/11/22, and Debtor's plan was confirmed on 5/10/23 (dkt. 85). The tentative ruling is to set a further continued Post-Confirmation Status Conference for 2/24/26 at 1:00 p.m., with a deadline of 2/10/26 to file a post-confirmation status report.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

CONT... Emilio Ferrari

Chapter 11

Debtor(s):

Emilio Ferrari

Represented By
Sheila Esmaili

Trustee(s):

Susan K Seflin (TR)

Pro Se

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

2:25-10181 Jamie Mazur

Chapter 11

#15.00 Hrg re: Motion for relief from stay [RP]

U.S. BANK TRUST NATIONAL ASSOCIATION
vs
DEBTOR

Docket 113

Tentative Ruling:

Please see the tentative ruling for the status conference (Calendar No. 17,
10/21/25 at 1:00 p.m.).

Party Information

Debtor(s):

Jamie Mazur

Represented By
Michael Jay Berger

Movant(s):

U.S. Bank Trust National

Represented By
Shannon A Doyle

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

2:25-10181 Jamie Mazur

Chapter 11

#16.00 Hrg re: Motion for relief from stay [RP]

FINANCE CALIFORNIA
vs
DEBTOR

Docket 115

Tentative Ruling:

Please see the tentative ruling for the status conference (Calendar No. 17, 10/21/25 at 1:00 p.m.).

Party Information

Debtor(s):

Jamie Mazur

Represented By
Michael Jay Berger

Movant(s):

Finance California

Represented By
Bruce G Landau

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

2:25-10181 Jamie Mazur

Chapter 11

#17.00 Cont'd Status Conference re: Chapter 11 Case
fr. 2/11/25, 3/18/25, 4/8/25, 5/6/25, 6/3/25, 6/17/25,
07/15/25, 8/19/25, 9/9/25, 9/23/25

Docket 1

Tentative Ruling:

Tentative Ruling for 10/21/25:

Grant in part and deny in part the Motions filed by U.S. Bank and Finance California for relief from the automatic stay ("R/S Motions"), by conditioning continuance of the automatic stay upon issuance of stricter Adequate Protection Orders ("APOs"), and continue the status conference, all as set forth below. Appearances required.

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

(1) Current issues

(a) U.S. Bank's R/S Motion (dkt. 113), Debtor's opposition (dkt. 124); Finance California's R/S Motion (dkt. 115), Debtor's opposition (dkt. 125)

(i) Background

Debtor filed a voluntary chapter 11 petition on 1/10/25. Debtor's principal asset is his primary residence, located at 1811 Bel Air Road, Los Angeles, CA 90077 (the "Property"). The Property is encumbered by security interests asserted by Finance California and U.S. Bank Trust, N.A. ("U.S. Bank," and together with Finance California, the "Banks"). Debtor intends "to sell the Property and use the proceeds to pay my creditors." Mazur Decl. (dkt. 75, PDF pp. 5–7) ¶ 4 (p. 1:11–13). On 5/19/25, Debtor filed an application to employ a real estate broker to market the Property. See dkt. 72–73 & 79. This Court issued an order approving the real estate broker's

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

CONT...

Jamie Mazur

Chapter 11

employment on 6/13/25 (dkt. 86).

Debtor asserts that the Property has special architectural significance and that U.S. Bank and Finance California are protected by large equity cushions. That is disputed. See, e.g., dkt. 115, Ex. 3 (at PDF pp. 57-61). At an earlier stage in this case, this Court directed Debtor to move forward with marketing the Property and meanwhile make adequate protection payments of (A) \$10,000.00 per month to U.S. Bank (see 5/16/25 order (dkt. 70)) and (B) \$3,000.00 per month to Finance California (see 5/8/25 order (dkt. 60)).

On 7/21/25, this Court denied motions for relief from the automatic stay filed by U.S. Bank (dkt. 58) and Finance California (dkt. 62 & 65), but "with leave for either Bank to file a renewed motion seeking relief from the automatic stay in future if appropriate." Finance California Order (dkt. 95) p. 6; U.S. Bank Order (dkt. 96) p. 6. This Court explained that "[a]ppropriate circumstances warranting the filing of renewed R/S Motions could include Debtor's failure to sell the Property within a reasonable time or to remain current on his adequate protection payments." Finance California Order (dkt. 95) p. 6; U.S. Bank Order (dkt. 96) p. 6.

In a status report (dkt. 104) filed on 8/12/25, Debtor reported that he was not current on the July and August 2025 adequate protection payments to the Banks, because the month-to-month tenant leasing the Property from Debtor had not paid rent. Status Report (dkt. 104) p. 2:17-23.

Both Banks have filed renewed motions seeking relief from the automatic stay, based upon Debtor's failure to remain current on his adequate protection payments and the fact that he has not yet sold the Property. See *generally* dkt. 113 & 115. Debtor opposes both R/S Motions. He (A) attaches evidence that (i) he made the \$10,000.00 September 2025 adequate protection payment to U.S. Bank on 10/2/25 (dkt. 124, Ex. A) and (ii) represents that he intends to make the October 2025 adequate protection payment to U.S. Bank by 10/15/25 (dkt. 124 PDF p. 5:14-16) and (B) attaches evidence that (iii) he made the \$3,000.00 September 2025 adequate protection payment to Finance California on 10/3/25 (dkt. 125 Ex. B) and (iv) represents that he intends to make the October 2025 adequate protection payment to U.S. Bank by 10/15/25 (dkt. 125 PDF p. 2 at ¶ 3(b)(3)).

(ii) Discussion

Debtor ultimately made the adequate protection payments owed for the months of July, August, and September 2025, but none of those payments

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

CONT...

Jamie Mazur

Chapter 11

were made timely, and Debtor made the September 2025 payment only after Banks filed renewed motions for relief from the automatic stay. In addition, Debtor has not made progress on obtaining offers for the Property. Therefore, the tentative ruling is that as a condition for the automatic stay remaining in effect, Debtor must comply with "stay current" adequate protection orders ("APOs") containing the following (or similar) terms:

- (1) No later than **October 22, 2025** Debtor must come current on all adequate protection payments through October, 2025.
- (2) For all future adequate protection payments, no later than the fifth calendar day of each month, Debtor must make adequate protection payments to Banks in the amounts previously ordered by this Court (that is, \$10,000.00 to U.S. Bank and \$3,000.00 to Finance California).
- (3) **October 31, 2025 is the deadline** for Debtor to become current on all post-petition property tax and insurance payments, and to provide evidence to Banks that he has done so. Debtor must then remain current on all post-petition property tax and insurance payments.
- (4) If the adequate protection, property tax, or insurance payments are not made, Debtor shall be provided a maximum of **two** opportunities to cure upon **fourteen days'** notice.
- (5) If Debtor fails to cure any default within fourteen days after being served written notice thereof, or exhausts the two opportunities to cure and thereafter defaults again, either Bank may file and serve a declaration under penalty of perjury specifying the default, together with a proposed order terminating the stay, which this Court may grant without further notice or hearing. If either Bank obtains relief from stay based upon Debtor's default under the forthcoming APO, the order granting such relief will contain a waiver of the 14-stay stay provided in Rule 4001(a)(4) (Fed. R. Bankr. P.).

To insure a clear record, the tentative ruling is to issue a separate APO as to each Bank. The parties are directed to meet and confer regarding the exact terms of the APOs. If the parties are unable to agree to the terms of the APOs prior to or at this hearing, the tentative ruling is to set a **deadline of**

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

CONT...

Jamie Mazur

Chapter 11

10/28/25 for each party to lodge their proposed form of APO, together with a supporting declaration explaining why their proposed form should be adopted, at which point this Court will choose between those proposed APOs, or will issue its own form of APO.

(2) Dates/procedures. This case was filed on 1/10/25.

(a) Bar date: 3/31/25 (Bar Date Order (dkt. 24) timely served, dkt. 30).

(b) Procedures Order: dkt. 4 (timely served, dkt. 9)

(c) Plan/Disclosure Statement: timely filed (dkt. 102–103) (DO NOT
SERVE - except on the U.S. Trustee). See Procedures Order.

(d) Continued status conference: 12/2/25 at 1:00 p.m. *Brief* written status report due by 11/25/25. (Before Banks filed their renewed R/S Motions, this Court had set a continued status conference for 11/4/25 at 1:00 p.m. In view of this hearing on the R/S Motions, the 11/4/25 status conference is continued as set forth above.)

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Jamie Mazur

Represented By
Michael Jay Berger

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

2:25-18336 Sunset Fitness, LLC

Chapter 11

#18.00 Cont'd hrg re: Motion in Individual Chapter 11 Case for order approving a budget for the use of debtor's cash and postpetition income fr. 9/26/25

Docket 12

Tentative Ruling:

Tentative Ruling for 10/21/25:

Please see the tentative ruling for the status conference (Calendar No. 20, 10/21/25 at 1:00 p.m.).

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Sunset Fitness, LLC

Represented By
Michael Jay Berger

Movant(s):

Sunset Fitness, LLC

Represented By
Michael Jay Berger
Michael Jay Berger

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, October 21, 2025

Hearing Room 1545

1:00 PM

2:25-18336 Sunset Fitness, LLC

Chapter 11

#19.00 Cont'd hrg re: Debtor's motion for an order authorizing interim
use of cash collateral pursuant to 11 usc section 363
fr. 9/26/25

Docket 9

Tentative Ruling:

Tentative Ruling for 10/21/25:

Please see the tentative ruling for the status conference (Calendar No. 20,
10/21/25 at 1:00 p.m.).

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Sunset Fitness, LLC

Represented By
Michael Jay Berger

Movant(s):

Sunset Fitness, LLC

Represented By
Michael Jay Berger
Michael Jay Berger

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, October 21, 2025

Hearing Room 1545

1:00 PM

2:25-18336 Sunset Fitness, LLC

Chapter 11

#20.00 Cont'd status conference re: Chapter 11 case
fr. 9/26/25

Docket 1

Tentative Ruling:

Tentative Ruling for 10/21/25:

Appearances required by counsel for Debtor and by 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) Budget motion (dkt. 12), Application for order shortening time (dkt. 13, "App for OST"), Order shortening time (dkt. 14, "OST"), Notice (dkt. 18), Proof of service (dkt. 22 & 24), Notice of continued hearing (dkt. 30), Interim order (dkt. 36), no opposition on file

Grant the budget motion on a final basis.

(b) Cash collateral motion (dkt. 9, 10, 19), App for OST (dkt. 13), OST (dkt. 14), Notice (dkt. 18), Proofs of service (dkt. 22 & 24), Notice of continued hearing (dkt. 30), Interim order (dkt. 34), no opposition on file

Grant the cash collateral motion on a final basis subject to the same terms and conditions as set forth in the Interim Order.

(c) Request (in Status Report) to grant additional relief under payroll motion (dkt. 11) and Order thereon (dkt. 35)

Debtor reports that it recently became aware of \$10,483.12 in prepetition debt owed on Debtor's employees' "401k plan," and Debtor requests permission to pay this debt for the benefit of its employees. Stat.Rpt. (dkt. 47) p. 7. The tentative ruling is that, although it is troubling that Debtor did not become aware of this debt sooner or include it in the payroll

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

CONT... Sunset Fitness, LLC

Chapter 11

motion, all creditors and other parties in interest would be best served by granting an oral motion at the status conference to amend the payroll order to authorize this payment, for the following reasons.

(i) Such an order will help to preserve Debtor's going concern value by helping to retain employees. (ii) Requiring a formal motion for this relief would very likely mean that the "cure would be worse than the disease" - *i.e.*, the cost of attorney fees to bring the motion (which almost certainly would be unopposed) would exceed any potential benefit of such more formal procedures. (iii) This Court has authority to grant such relief under 11 U.S.C. 363(e), and under the usual authority for granting payroll motions, for the following reasons. Debtor normally would make this payment in the ordinary course, and it is appropriate for this Court to prohibit Debtor from departing from that ordinary course as a form of adequate protection of creditors (and other parties in interest) at the request of Debtor acting on behalf of all creditors, who have an interest in the bankruptcy estate (pursuant to Debtor's role as a trustee for the benefit of creditors, and authority that Debtor holds its interest in the bankruptcy estate as a trustee for the benefit of creditors, all of whom have an interest in the trust *res*).

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

(2) Dates/procedures. This Subchapter V case was filed on 9/19/25.

- (a) Bar date: 11/28/25 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. 29).
- (b) Procedures Order: dkt. 3 (timely served, dkt. 20)
- (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: 12/16/25 at 1:00 p.m. *Brief* status report due 12/2/25.

[PRIOR TENTATIVE RULING(S) OMITTED]

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

Tuesday, October 21, 2025

Hearing Room 1545

1:00 PM

CONT... Sunset Fitness, LLC

Chapter 11

Party Information

Debtor(s):

Sunset Fitness, LLC

Represented By
Michael Jay Berger

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, October 21, 2025

Hearing Room 1545

2:00 PM

2:23-10990 Leslie Klein

Chapter 11

#1.00 Hrg re: Motion of Chapter 11 Trustee for Order Approving Settlement Between the Trustee and David Berger Pursuant to Bankruptcy Rule 9019

Docket 1235

Tentative Ruling:

Please see the tentative ruling for the status conference (Calendar No. 2, 10/21/25 at 2:00 p.m.).

Party Information

Debtor(s):

Leslie Klein

Pro Se

Movant(s):

Bradley D. Sharp (TR)

Represented By
Jeffrey W Dulberg
Jeffrey N Pomerantz
John W Lucas
Jeffrey P Nolan
Pachulski Stang Ziehl & Jones LLP

Trustee(s):

Bradley D. Sharp (TR)

Represented By
Jeffrey W Dulberg
Jeffrey N Pomerantz
John W Lucas
Jeffrey P Nolan
Pachulski Stang Ziehl & Jones LLP

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

Tuesday, October 21, 2025

Hearing Room 1545

2:00 PM

2:23-10990 Leslie Klein

Chapter 11

#2.00 Cont'd Status Conference re: Chapter 11 Case
fr. 4/8/25, 4/22/25, 05/01/25, 5/6/25, 5/20/25, 6/3/25,
6/17/25, 6/24/25, 07/15/25, 8/5/25, 8/12/25, 9/9/25,
9/23/25, 10/7/25

Docket 1

Tentative Ruling:

Tentative Ruling for 10/21/25:

Grant the settlement motion and continue the status conferences as set forth below. Appearances are not required on 10/21/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

(1) Current issues

(a) Deadline to file plan and disclosure statement

At the 10/7/25 status conference, this Court directed the Chapter 11 Trustee ("Trustee") to contact the United States Trustee ("UST"), to determine if UST had any objection to Trustee's proposal that 12/16/25 be set as the deadline for the filing of a plan and disclosure statement. Unless the UST contests this tentative ruling, this Court will treat that as the deadline (subject to further continuances for good cause shown).

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

Tuesday, October 21, 2025

Hearing Room 1545

2:00 PM

CONT...

Leslie Klein

Chapter 11

(b) Trustee's motion to approve a settlement with David Berger (dkt. 1235, the "Rule 9019 Motion"), No opposition on file
Grant.

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

(c) Sharp v. Life Capital Group, LLC et al. adversary proceeding (Adv. No. 2:25-ap-01020-NB)

Please see the tentative ruling for Cal. No. 3 (10/21/25 at 2:00 p.m.).

(2) Dates/procedures. This case was filed on 2/22/23 as a Subchapter V case. The petition was amended to remove the Subchapter V election and proceed as a chapter 11 case on 3/8/23. See dkt. 33, 37 & 43. On 5/17/23 this Court directed the appointment of a chapter 11 trustee (dkt. 142) and on 5/24/23 Bradley D. Sharp was appointed as trustee. Dkt. 151, 154, 155 & 156.

- (a) Bar date: 5/3/23 (see dkts. 10, 12 & 18)
- (b) Procedures Order: dkt. 950 (timely served, dkt. 953)
- (c) Plan/Disclosure Statement: see Part (1)(a), above.
- (d) Continued status conference: 11/18/25 at 2:00 p.m., concurrent with other matters. No written status report required.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Leslie Klein

Pro Se

Trustee(s):

Bradley D. Sharp (TR)

Represented By

Jeffrey W Dulberg

Jeffrey N Pomerantz

John W Lucas

Jeffrey P Nolan

Pachulski Stang Ziehl & Jones LLP

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

Tuesday, October 21, 2025

Hearing Room 1545

2:00 PM

CONT... Leslie Klein

Chapter 11

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

Tuesday, October 21, 2025

Hearing Room 1545

2:00 PM

2:23-10990 Leslie Klein

Chapter 11

Adv#: 2:25-01020 Sharp v. Life Capital Group, LLC et al

- #3.00** Cont'd Status conference re: Complaint (1) Constructive fraudulent transfer; (2) Constructive fraudulent transfer; (3) Recovery of constructive fraudulent transfers; (4) Accounting; (5) Breach of contract; (6) Injunction; (7) Avoidance of preference- Rechnitz; (8) Recovery of preference-Rechnitz; (9) Avoidance of preference-Y.Rechnitz; (10) Recovery of preference-Y. Rechnitz; (11) Avoidance of preference - Manela; (12) Recovery of preference - Manela
fr. 4/8/25, 5/6/25, 6/24/25, 8/5/25, 8/12/25

Docket 1

Tentative Ruling:

Tentative Ruling for 10/21/25:

Continue as set forth below based on this Court's review of the parties' latest status report. Adv. dkt. 95. Appearances are not required on 10/21/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

(1) Current issues

This Court has reviewed 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

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

Tuesday, October 21, 2025

Hearing Room 1545

2:00 PM

CONT...

Leslie Klein

Chapter 11

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

This Court previously ruled that venue is proper and that this Court has jurisdiction (per a tentative ruling posted prior to the hearing on 4/8/25, which was not contested). Defendants have indicated that they do not consent to this Court's authority to enter a *final* order or judgment (adv. dkt. 25, p. 9), so this Court must issue proposed findings of fact and conclusions of law unless an exception applies, such as for dispositive motions that do not require factual findings (e.g., motions to dismiss and/or motions for summary judgment). See *In re AWTR Liquidation, Inc.*, 547 B.R. 831 (Bankr. C.D. Cal. 2016).

(b) Mediation [Intentionally omitted]

(c) Deadlines

This adversary proceeding has been pending since 1/23/25.

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

Joinder of parties/amendment of pleadings-deadline: TBD

Discovery cutoff (for completion of discovery): TBD

Expert(s) - deadline for reports: TBD

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

Dispositive motions to be heard no later than: TBD

Joint Status Report: 1/6/26

Continued status conference: 1/20/26 at 2:00 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

Trial commencement: TBD

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

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

Tuesday, October 21, 2025

Hearing Room 1545

2:00 PM

CONT... Leslie Klein

Chapter 11

Debtor(s):

Leslie Klein

Pro Se

Defendant(s):

Life Capital Group, LLC

Represented By
Michael G D'Alba

Shlomo Y. Rechnitz

Represented By
Matthew A Lesnick
Lisa Patel

Yisroel Zev Rechnitz

Represented By
Matthew A Lesnick
Lisa Patel

Chaim Manela

Represented By
Matthew D. Resnik
M. Jonathan Hayes

Jonathan Polter

Represented By
Michael G D'Alba

Security Life Of Denver Life

Pro Se

Plaintiff(s):

Bradley D. Sharp

Represented By
John W Lucas
Jeffrey W Dulberg

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, October 21, 2025

Hearing Room 1545

2:00 PM

2:22-13069 George Gordon Strong, III

Chapter 7

Adv#: 2:24-01189 Vosicher v. Strong, III

#4.00 Cont'd Status Conference re: Complaint to Determine Non-Dischargeability of Debt Pursuant to 11 U.S.C. §§ 523(a)(4) and 523(a)(6) fr. 9/9/25, 9/24/25, 9/25/25

Docket 1

Tentative Ruling:

Tentative Ruling for 10/21/25:

Continue to 12/2/25 at 2:00 p.m. (a written status report is not necessary).

Appearances are not required on 11/21/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

Tentative Ruling for 9/24/25:

Appearances in the courtroom are required for this trial.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

George Gordon Strong III

Represented By
Alan W Forsley

Defendant(s):

George Gordon Strong III

Represented By
Alan W Forsley

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

Tuesday, October 21, 2025

Hearing Room 1545

2:00 PM

CONT... George Gordon Strong, III

Chapter 7

Plaintiff(s):

David Vosicher

Represented By
Stella A Havkin

Trustee(s):

John J Menchaca (TR)

Pro Se

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

Tuesday, October 21, 2025

Hearing Room 1545

2:00 PM

2:23-15574 Aleksandr Vitalievich Sabadash

Chapter 15

#5.00 Cont'd Status Conference re: Recognition of a Foreign Proceeding
fr. 11/14/23, 12/5/23, 12/19/23, 01/10/24, 2/20/24, 3/12/24, 4/9/24,
5/14/24, 7/9/24, 8/27/24, 10/22/24, 11/19/24, 12/17/24, 1/28/25,
3/18/25, 6/3/25, 8/5/25

Docket 1

Tentative Ruling:

Tentative Ruling for 10/21/25:

Continue as set forth below. Appearances are not required on 10/21/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

(1) Current issues

(a) Mr. Sabadash's notice of appeal (dkt. 113) from the Recognition Order (dkt. 111)

On 6/21/24, this Court entered an "Order Granting Foreign Representative's Motion for Recognition of Foreign Proceeding and Substantially Limiting Foreign Representative's Powers" (dkt. 111, the "Recognition Order"). On 6/24/24, Mr. Sabadash appealed the Recognition Order. Dkt. 113. So far as this Court is aware, that appeal remains pending.

The tentative ruling is to continue the status conference as set forth in part "(2)(a)," below.

(2) Dates/procedures. This chapter 15 petition for recognition was filed on

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

Tuesday, October 21, 2025

Hearing Room 1545

2:00 PM

CONT... Aleksandr Vitalievich Sabadash

Chapter 15

8/29/23, and a Recognition Order was entered on 6/21/24 (dkt. 111).

- (a) Continued status conference: 12/11/25 at 1:00 p.m., concurrent with the continued status conference in Itkin & Sabadash (Case No. 2:23-bk-15574-NB). No written status report is required; however, should there be any developments which either Mr. Gavva or Mr. Sabadash wish to bring to this Court's attention, either one of them is free to file a *brief* written status report by no later than 12/4/25.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Aleksandr Vitalievich Sabadash

Represented By

Benjamin R King

Noah Weingarten

Keith C Owens

Michael Zorkin

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

Tuesday, October 21, 2025

Hearing Room 1545

2:00 PM

2:24-10037 Orlando F. Cabanday, Jr.

Chapter 11

#6.00 Cont'd Status conference re: Post confirmation
fr. 2/6/24, 2/20/24, 4/2/24, 5/7/24, 5/14/24, 6/25/24,
8/27/24, 9/24/24, 10/22/24, 11/19/24, 1/28/25,
3/18/25, 6/17/25, 8/19/25

Docket 1

Tentative Ruling:

Tentative Ruling for 10/21/25:

Appearances required by counsel to Debtor, to provide an update regarding payment of the secured claim owed to the plan trustee of the Catherine Trinh Plan Trust (the "Trinh Claim"), and continue the status conference, all as set forth below.

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

(1) Current issues

This Court has Reorganized Debtor's most recent post-confirmation status report (dkt. 137) and the other documents and records on file in this bankruptcy case.

(a) Payment of Trinh Claim

In his Status Report, Debtor states that he is exploring various avenues to satisfy his remaining obligations with respect to the Trinh Claim, including selling his rights in three settlement payments to Rockpoint Legal Funding and obtaining a home equity line of credit. Status Report (dkt. 137) p. 4:10–22. Debtor is directed to provide an update regarding his ability to satisfy the Trinh Claim at the status conference.

(2) Dates/procedures. This subchapter V case was filed on 1/3/24.

(a) Bar date: 3/13/24 per General Order 20-01 (70 days after petition

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

Tuesday, October 21, 2025

Hearing Room 1545

2:00 PM

CONT...

Orlando F. Cabanday, Jr.

Chapter 11

date in Subchapter V cases) (DO NOT SERVE any notice: one has already been sent, see dkt. 12)

(b) Procedures Order: dkt. 8 (timely served, dkt. 14)

(c) Amended Plan (dkt. 92): Plan confirmed on 2/6/25 (dkt. 109).

(d) Post-confirmation status conference: 12/16/25 at 2:00 p.m. No written status report required.

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Orlando F. Cabanday, Jr.

Represented By

Matthew D. Resnik

Roksana D. Moradi-Brovia

Trustee(s):

Mark M Sharf (TR)

Pro Se

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

Tuesday, October 21, 2025

Hearing Room 1545

2:00 PM

2:23-18208 Meir Siboni

Chapter 11

#7.00 Cont'd status conference re: Chapter 11 Case
fr. 6/4/24, 6/25/24, 7/9/24, 07/30/24, 8/6/24, 9/24/24,
12/3/24, 12/10/24, 1/21/25, 2/11/25, 3/18/25, 5/27/25,
5/20/25, 07/15/25, 9/23/25

Docket 109

Tentative Ruling:

Tentative Ruling for 10/21/25:

Continue as set forth below. Appearances are not required on 10/21/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

(1) Current issues

(a) Debtor's failure to cooperate with Examiner and future of this case
On 10/20/25, this Court issued an "Order Directing Debtor to Appear and Show Cause Why this Court Should Not Convert this Case to chapter 7 and/or Impose Other or Additional Remedies" (dkt. 274, the "OSC"). The tentative ruling is to continue this status conference to the date of the hearing on the OSC (see part "(2)(d)," below).

(b) Siboni v. Menlo et. al (Adv. No. 2:24-ap-01027-NB)
Please see the tentative ruling for Cal. No. 8 (10/21/25 at 2:00 p.m.).

(c) Menlo et al. v. Siboni (Adv. No. 2:24-ap-01083-NB)
Please see the tentative ruling for Cal. No. 9 (10/21/25 at 2:00 p.m.).

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

Tuesday, October 21, 2025

Hearing Room 1545

2:00 PM

CONT...

Meir Siboni

Chapter 11

(d) Vicino Limited Partnership v. Siboni (Adv. No. 2:24-01234-NB)

Please see the tentative ruling for Cal. No. 10 (10/21/25 at 2:00 p.m.).

(2) Dates/procedures. This case was filed on 12/12/23, and was converted from chapter 13 to chapter 11 on 5/15/24 (dkt. 109).

(a) Bar date: 2/20/24 (dkt. 23 & 24, the "Original Bar Date") and 7/1/24 (dkt. 134, the "Supplemental Bar Date")

(b) Procedures Order: dkt. 108 (not timely served, but eventually served which gives notice of matters therein, dkt. 127)

(c) Plan/Disclosure Statement: TBD

(d) Continued status conference: 11/18/25 at 1:00 p.m. (concurrent with other matters). No written status report is required.

[PRIOR TENTATIVE RULING(S) OMITTED. For principal issues, see Order on motion to dismiss case (dkt. 97); additional Order re same (dkt. 109); Order directing appointment of examiner (dkt. 169); Order to Show Cause (dkt. 274).]

Party Information

Debtor(s):

Meir Siboni

Represented By
Thomas B Ure

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

Tuesday, October 21, 2025

Hearing Room 1545

2:00 PM

2:23-18208 Meir Siboni

Chapter 11

Adv#: 2:24-01027 Siboni v. Menlo et al

#8.00 Cont'd Status Conference re: Complaint to Determine Priority Extent of Liens, Declaratory Relief and Recovery of Assets of the Estate: (1) Quiet Title; (2) Quiet Title; (3) Quiet Title; (4) Declaratory Relief (5) Cancellation of Instrument; (6) Cancellation of Instrument; (7) Cancellation of Instrument; (8) Breach of Fiduciary Duty; (9) Breach of Fiduciary Duty; (10) Concealment fr. 4/2/24, 4/9/24, 4/11/24, 6/4/24, 7/30/24, 8/6/24, 10/22/24, 2/11/25, 4/22/25, 5/20/25, 07/15/25, 9/23/25

Docket 1

Tentative Ruling:

Tentative Ruling for 10/21/25:

Enter final judgment in favor of Frank Menlo, Miracle Mile Properties, LP, and the Frank Menlo Trust, and continue the status conference, all as set forth below. Appearances are not required on 10/21/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

(1) Current issues

(a) Effect of Arbitration Award issued by the Rabbinical Counsel on 7/31/25

The tentative ruling is that the Final Arbitration Award (bankr. dkt. 263 at Ex. A, the "Arbitration Award") issued by the Rabbinical Counsel on 7/31/25 compels entry of judgment in favor of Frank Menlo (both in his individual capacity and in his capacity as Trustee of the Menlo Trust U/T/I February 22, 1983 (the "Frank Menlo Trust")) and Miracle Mile Properties, LP,

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

Tuesday, October 21, 2025

Hearing Room 1545

2:00 PM

CONT...

Meir Siboni

Chapter 11

on the one hand, and against Meir Siboni, on the other hand, on the first through seventh and ninth through tenth claims for relief asserted in the First Amended Complaint (adv. dkt. 23).

The tentative ruling is that the following determinations made by the Rabbinical Counsel support the entry of judgment as set forth above:

- (A) "[A]ll the documents signed on March 18, 2019 and May 2019 by [Meir Siboni, Jonathan Menlo, Elite Management Group, and Go Green Remodeling Inc] are binding and not the product of threats and duress from [Frank Menlo] and rather [are] an element of the consideration negotiated by the parties for [Frank Menlo and Miracle Mile Properties LP] to continue to lend [Meir Siboni, Jonathan Menlo, and related entities] the necessary funding to finish their ongoing projects";
- (B) "Vera Menlo, [Frank Menlo, and the Frank Menlo Trust] loaned [Meir Siboni] a sum of \$1,400,000 for purchasing his personal home, with a Note titled 'Siboni Vera Menlo Secured Note' signed by [Meir Siboni], along with a 'Deed of Trust' securing said amount on [Meir Siboni's] homestead located at 228 S. McCadden Place, Los Angeles, CA, payable to Vera Menlo"; the "\$1,400,000 is a loan and not a gift"; and the "loan is in default for non-payment and the Deed of Trust and all its terms are in full force"; and
- (C) Meir Siboni and Jonathan Menlo are "responsible for all actions of [Elite Management Group and other related business entities] from inception until dissolution, and shall indemnify and hold harmless [Frank Menlo] for any and all actions," and Frank Menlo "is not responsible for any actions of [Elite Management Group and other related business entities] from inception through dissolution and the claim asserted by [Meir Siboni] for indemnification from [Frank Menlo] is DENIED." [Arbitration Award (bankr. dkt. 263 at Ex. A) pp. 8–10 (Part IV, introductory paragraph & Part III para. 1 & 9) & pp. 11–12 (Part IV para. 6).]

The Rabbinical Counsel did not resolve all claims between Meir Siboni and Jonathan Menlo, but did direct Mr. Siboni and Mr. Menlo to contact the Rabbinical Counsel to schedule further hearings to resolve the remaining disputes. Arbitration Award (bankr. dkt. 262 at Ex. A) p. 13 (Part IV para. 11). Therefore, with respect to the First Amended Complaint's ninth claim and

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

Tuesday, October 21, 2025

Hearing Room 1545

2:00 PM

CONT...

Meir Siboni

Chapter 11

tenth claims against Jonathan Menlo, the tentative ruling is to maintain the stay of this action (see adv. dkt. 28) until the conclusion of the arbitration. (As to the tenth claim, which is asserted against both Jonathan Menlo and Frank Menlo, the tentative ruling is to enter judgment only as to Frank Menlo but not as to Jonathan Menlo.)

Finally, the tentative ruling is that because the claims involving Frank Menlo, Miracle Mile Properties, LP, and the Frank Menlo Trust are sufficiently distinct from the claims involving Jonathan Menlo, "there is no just reason for delay[ing]" the entry of final judgment in favor of Frank Menlo, Miracle Mile Properties, LP, and the Frank Menlo Trust. Rule 54(b) (Fed. R. Civ. P., made applicable by Rule 7054, Fed. R. Bankr. P.).

Proposed order and judgment: Unless otherwise ordered, after the hearing, this Court will issue a memorialization of this tentative ruling. Frank Menlo, Miracle Mile Properties, LP and the Menlo Trust are directed to lodge proposed judgment(s) via LOU within 7 days after the hearing date (per LBR 9021-1(b)(1)(B)).

(2) Standard requirements

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

(a) Venue/jurisdiction/authority

Matters of venue, jurisdiction, and authority have been determined and/or waived or forfeited (see adv. dkt. 30).

(b) Mediation

The tentative ruling is that no mediation in addition to the arbitration pending before the Rabbinical Counsel is warranted at this time.

(c) Deadlines

This adversary proceeding has been pending since 2/1/24. For the reasons set forth in Part "(1)(a)," above, the tentative ruling is to decline to set any deadlines, other than the date of a continued status conference (see below).

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

Tuesday, October 21, 2025

Hearing Room 1545

2:00 PM

CONT...

Meir Siboni

Chapter 11

Joint Status Report: 12/2/25

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

[PRIOR TENTATIVE RULING(S) OMITTED.]

Party Information

Debtor(s):

Meir Siboni

Represented By
Thomas B Ure

Defendant(s):

Jonathan Menlo

Represented By
Elsa M Horowitz
Kevin Ronk

Frank Menlo

Represented By
Paul P Young
Kevin Ronk
Nikko Salvatore Stevens

Menlo Trust U/T/L February 22,

Represented By
Paul P Young
Kevin Ronk
Nikko Salvatore Stevens

Miracle Mile Properties, LP

Represented By
Paul P Young
Kevin Ronk
Nikko Salvatore Stevens

DOES 1-10

Pro Se

Plaintiff(s):

Meir Siboni

Represented By
Thomas B Ure

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

Tuesday, October 21, 2025

Hearing Room 1545

2:00 PM

2:23-18208 Meir Siboni

Chapter 11

Adv#: 2:24-01083 Menlo et al v. Siboni

#9.00 Cont'd status conference re: Complaint to Determine
Non-Dischargeability of Debt
fr. 6/4/24, 7/30/24, 8/6/24, 10/22/24, 2/11/25,
4/22/25, 5/20/25, 07/15/25, 9/23/25

Docket 1

Tentative Ruling:

Tentative Ruling for 10/21/25:

Set litigation deadlines; direct the parties to attend mediation solely as to the issue of non-dischargeability; and continue the status conference, all as set forth below. Appearances are not required on 10/21/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

(1) Current issues

(a) Effect of Arbitration Award issued by the Rabbinical Counsel on 7/31/25

A non-dischargeability action requires consideration of two distinct issues: first, a determination of whether Defendant is indebted to Plaintiff; and second, a determination of whether the indebtedness is non-dischargeable. *In re Banks*, 263 F.3d 862, 868 (9th Cir. 2001). The tentative ruling is that the Final Arbitration Award (bankr. dkt. 263 at Ex. A, the "Arbitration Award") issued by the Rabbinical Counsel on 7/31/25 establishes Defendant/Debtor's indebtedness to Plaintiffs, and that the only remaining issue in this adversary proceeding is whether such indebtedness is non-dischargeable. The tentative ruling is to lift the stay of this adversary

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

Tuesday, October 21, 2025

Hearing Room 1545

2:00 PM

CONT... Meir Siboni

Chapter 11

proceeding (see adv. dkt. 8) and set litigation deadlines (see part "(2)(c)," below).

(b) Caution regarding missing status report

Although the parties failed to file a status report, this Court was able to ascertain information regarding the status of this adversary proceeding from documents on file in Debtor's bankruptcy case-in-chief. But in future, that might not be the case, so the parties are cautioned that failure to timely file status reports may result in adverse consequences.

(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 (see adv. dkt. 19).

(b) Mediation

As noted in part "(1)(a)," above, arbitration has taken place before the Rabbinical Counsel. But that arbitration concerned only the amount of Defendant/Debtor's indebtedness, given that the Rabbinical Counsel does not have jurisdiction over the issue of whether such indebtedness is non-dischargeable. The tentative ruling is that mediation solely as to the issue of the non-dischargeability of the debt is appropriate.

Is there is 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 11/4/25** for the parties to lodge a proposed mediation order (the parties are directed to use the time between now and that deadline to find a mutually agreeable mediator whose schedule can accommodate the needs of this matter; and if the parties cannot even agree on a mediator they may lodge separate orders and Judge Bason will choose among them, or issue his own order).

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

Tuesday, October 21, 2025

Hearing Room 1545

2:00 PM

CONT...

Meir Siboni

Chapter 11

(c) Deadlines

This adversary proceeding has been pending since 3/25/24.

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: 4/17/26

Discovery cutoff (for completion of discovery): 5/1/26

Expert(s) - deadline for reports: 5/8/26 if any expert testimony will be presented.

Expert(s) - discovery cutoff (if different from above): 5/15/26 if any expert testimony will be presented.

Dispositive motions to be heard no later than: 6/30/26

Joint Status Report: 12/2/25.

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

Lodge Joint Proposed Pretrial Order: TBD

Pretrial conference: TBD

Deliver trial exhibits to other parties and chambers, including direct testimony by declaration unless excused: TBD (for the format of exhibits and other trial procedures, please see the Procedures of Judge Bason (posted at 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

[PRIOR TENTATIVE RULING(S) OMITTED.]

Party Information

Debtor(s):

Meir Siboni

Represented By
Thomas B Ure

Defendant(s):

Meir Siboni

Represented By
Thomas B Ure

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

Tuesday, October 21, 2025

Hearing Room 1545

2:00 PM

CONT... Meir Siboni

Chapter 11

Plaintiff(s):

Franklin Menlo

Represented By
Paul P Young
Kevin Ronk
Nikko Salvatore Stevens

Miracle Mile Properties, LP

Represented By
Paul P Young
Kevin Ronk
Nikko Salvatore Stevens

Franklin Menlo Trustee of the Menlo

Represented By
Paul P Young
Kevin Ronk
Nikko Salvatore Stevens

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

Tuesday, October 21, 2025

Hearing Room 1545

2:00 PM

2:23-18208 Meir Siboni

Chapter 11

Adv#: 2:24-01234 Vicino Limited Partnership v. Siboni

#10.00 Cont'd Status Conference re: Complaint to Determine Dischargeability
of Debt and Objection to Discharge
fr. 12/3/24, 2/11/25, 4/22/25, 07/15/25, 09/23/25

Docket 1

Tentative Ruling:

Tentative Ruling for 10/21/25:

Continue to 1/20/26 at 2:00 p.m., with a status report due 1/6/26, based on this Court's review of Plaintiff's latest unilateral status report (adv. dkt. 15). Appearances are not required on 10/21/25. (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

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

[PRIOR TENTATIVE RULING(S) OMITTED]

Party Information

Debtor(s):

Meir Siboni

Represented By
Thomas B Ure

Defendant(s):

Meir Siboni

Pro Se

Plaintiff(s):

Vicino Limited Partnership

Represented By
David I Brownstein

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

Tuesday, October 21, 2025

Hearing Room 1545

3:00 PM

2:25-19049 Hardwood Restaurant Holdings, LLC

Chapter 11

#1.00 Status Conference re: Chapter 11 Case

Docket 1

Tentative Ruling:

Appearances required.

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

(1) Current issues

(a) Budget Motion (dkt. 11), Order shortening time (dkt. 17, the "OST"), Notice of hearing on shortened time (dkt. 21), Nipha Decl. re: service (dkt. 23)

Subject to (i) any opposition and reply at the hearing, (ii) a sufficient explanation of why there is no line item in the budget to reserve for or pay income taxes, and (iii) a sufficient explanation of how Debtor will cover the shortfalls in some weeks, the tentative ruling is to grant the Budget Motion on an interim basis, to avoid immediate and irreparable harm (Rule 6003(a)(2), Fed. R. Bankr. P.), and continue this matter for a final hearing concurrent with the continued status conference (see part "(2)(d)" of this tentative ruling, below).

(b) Payroll Motion (dkt. 12), Order shortening time (dkt. 17, the "OST"), Notice of hearing on shortened time (dkt. 21), Nipha Decl. re: service (dkt. 22-23)

Subject to any opposition and reply at the hearing, grant the Payroll Motion.

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

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

Tuesday, October 21, 2025

Hearing Room 1545

3:00 PM

CONT... Hardwood Restaurant Holdings, LLC

Chapter 11

- (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: TBD (DO NOT SERVE - except on the U.S. Trustee). See Procedures Order.
 - (d) Continued status conference: 11/4/25 at 1:00 p.m., as previously ordered. This will be the Principal Status Conference. Status report due 10/28/25 (see Procedures Order (dkt. 2)).

Party Information

Debtor(s):

Hardwood Restaurant Holdings,

Represented By
Michael Jay Berger

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

Tuesday, October 21, 2025

Hearing Room 1545

3:00 PM

2:25-19049 Hardwood Restaurant Holdings, LLC

Chapter 11

#2.00 Hrg re: Motion in Chapter 11 Case for Order Approving a Budget
for the Use of Debtor's Cash and Post-Petition Income

Docket 11

Tentative Ruling:

Please see the tentative ruling for the status conference (Cal. No. 1, 10/21/25
at 3:00 p.m.).

Party Information

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, October 21, 2025

Hearing Room 1545

3:00 PM

2:25-19049 Hardwood Restaurant Holdings, LLC

Chapter 11

#3.00 Hrg re: Debtor's Motion for Order Authorizing Payment of Pre-Petition
Wages and Related Expenses

Docket 12

Tentative Ruling:

Please see the tentative ruling for the status conference (Cal. No. 1, 10/21/25
at 3:00 p.m.).

Party Information

Debtor(s):

Hardwood Restaurant Holdings,

Represented By
Michael Jay Berger

Trustee(s):

Arturo Cisneros (TR)

Pro Se