United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar

Wednesday, March 11, 2026 **Hearing Room 201**

9:00 AM
9: - **Chapter 0**

#0.00

PLEASE TAKE NOTE:

THE 10:00 A.M. REAFFIRMATION HEARING CALENDAR WILL BE IN-PERSON ONLY.

THE ZOOM INSTRUCTIONS APPLY TO 9:00 A.M. AND 1:00 P.M. CALENDARS ONLY.

Unless ordered otherwise, appearances for matters may be made in-person **in Courtroom 201 at 1415 State Street, Santa Barbara, California, 93101**, by video through ZoomGov, or by telephone through ZoomGov. If appearing through ZoomGov, parties in interest may connect to the video and audio feeds, free of charge, using the connection information provided below. Individuals may participate by ZoomGov video and audio using a personal computer (equipped with camera, microphone and speaker), or a handheld mobile device. Individuals may opt to participate by audio only using a telephone (standard telephone charges may apply).

All parties making an appearance via ZoomGov video and audio connection **must** have their video on. Proper court attire is required of all parties appearing via ZoomGov video. Any virtual backgrounds are to be of a solid color, without pictures, videos, or scenes. No party may appear by ZoomGov from any place other than a quiet room in an office or home. Parties may not appear via ZoomGov from a vehicle of any kind, moving or not.

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9:00 AM
CONT... **Chapter 0**

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Neither a Zoom nor a ZoomGov account is necessary to participate, and no preregistration is required. The audio portion of each hearing will be recorded electronically by the Court and that recording will constitute its official record. Recording, retransmitting, photographing, or imaging Court proceedings by any means is strictly prohibited.

Docket 0

Tentative Ruling:

- NONE LISTED -

United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar

Wednesday, March 11, 2026 **Hearing Room 201**

9:00 AM
9:25-10296 Joseph Gary Halpert **Chapter 7**
Adv#: 9:25-01024 Martinez v. Halpert

#1.00 CONT'D Status Conference re: [1] Adversary case 9:25-ap-01024. Complaint by Angel Martinez against Joseph Gary Halpert . false pretenses, false representation, actual fraud)) ,(68 (Dischargeability - 523(a)(6), willful and malicious injury))

fr. 8-6-25,

Docket 1
***** VACATED *** REASON: Dismissed 2/6/2026**

Tentative Ruling:

August 6, 2025

Appearances required.

The Court has reviewed that *Joint Status Report*. *See* Docket No. 12.

The Court is inclined to set the following litigation dates:

January 30, 2026 – Deadline to complete discovery, including receipt of responses

February 11, 2026, at 9:00 a.m. – Deadline for the Court to hear dispositive motions

March 11, 2026, at 9:00 a.m. – Pretrial conference

March 11, 2026, at 9:00 a.m. – Continued status conference

Plaintiff is to lodge a scheduling order within 7 days.

Party Information

Debtor(s):

Joseph Gary Halpert Pro Se

Defendant(s):

Joseph Gary Halpert Represented By
Garry S Malin

9:00 AM
CONT... Joseph Gary Halpert **Chapter 7**

Joint Debtor(s):

Grecelia Maribel Halpert — Pro Se

Plaintiff(s):

Angel Martinez — Represented By Geoffrey Lyon

Trustee(s):

Jeremy W. Faith (TR) — Pro Se

United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
Courtroom 201 Calendar

Wednesday, March 11, 2026 **Hearing Room 201**

9:00 AM
9:25-10296 Joseph Gary Halpert **Chapter 7**
Adv#: 9:25-01024 Martinez v. Halpert

#2.00 Pre-Trial Conference re: [1] Adversary case 9:25-ap-01024. Complaint by Angel Martinez against Joseph Gary Halpert . false pretenses, false representation, actual fraud)) ,(68 (Dischargeability - 523(a)(6), willful and malicious injury))

Docket 1
***** VACATED *** REASON: Dismissed 2/6/2026**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Joseph Gary Halpert — Pro Se

Defendant(s):

Joseph Gary Halpert — Represented By Garry S Malin

Joint Debtor(s):

Grecelia Maribel Halpert — Pro Se

Plaintiff(s):

Angel Martinez — Represented By Geoffrey Lyon

Trustee(s):

Jeremy W. Faith (TR) — Pro Se

9:00 AM
9:24-11382 Christopher Darrell Mitchell **Chapter 7**
Adv#: 9:25-01030 Bragar v. Mitchell

#3.00 CONT'D Status Conference re: [1] Adversary case 9:25-ap-01030. Complaint by Michael Bragar against Christopher D. Mitchell,false pretenses, false representation, actual fraud)) ,(68 (Dischargeability - 523(a)(6), willful and malicious injury))

fr. 1-14-26,

Docket 1

Tentative Ruling:

March 11, 2026

Appearances required.

On December 30, 2025, the Court's Clerk issued that *Notice that Clerk Has Entered Default Against Defendant(s) Under Local Bankruptcy Rule 7055-1(a)*. *See* Docket No. 31. The Court finds no motion for default judgment, now more than two (2) months since default was taken.

January 14, 2026

Appearances waived.

The Court's Clerk issued another summons (the "Summons") on November 24, 2025. *See* Docket No. 24-1, *Another Summons and Notice of Status Conference in Adversary Proceeding [LBR 7004-1*]. The Summons required a response to that *Adversary Complaint to 1. Determine Non-Dischargeability of Debt, Pursuant to 11 U.S.C. §523(a)(2); and 2. Determine Non-Dischargeability of Debt, Pursuant to 11 U.S.C. §523(a)(6)* (the "Complaint") by December 24, 2025. *See id.* at p. 1. The Court finds no response to the Complaint as of December 29, 2025. Absent a response to the Complaint, this proceeding is not yet at issue. The Court will continue the status conference to allow a default to be taken, and a motion for judgment by

9:00 AM
CONT... **Christopher Darrell Mitchell** **Chapter 7**

default to be filed.

The status conference is continued to March 11, 2026, at 9:00 a.m.

Party Information

Debtor(s):

Christopher Darrell Mitchell — Pro Se

Defendant(s):

Christopher D. Mitchell — Pro Se

Plaintiff(s):

Michael Bragar — Represented By
Richard Sherman

Trustee(s):

Jerry Namba (TR) — Represented By
Bradford Barnhardt

9:00 AM
9:24-11382 Christopher Darrell Mitchell **Chapter 7**
Adv#: 9:25-01032 Ellis v. Mitchell

#4.00 CONT'D Status Conference re: [1] Adversary case 9:25-ap-01032. Complaint by Terry Ellis against Christopher Darrell Mitchell. (a)(4), and (a)(6) Nature of Suit: (62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud)),(66 (Dischargeability - 523(a)(1),(14),(14A) priority tax claims)),(68 (Dischargeability - 523(a)(6), willful and malicious injury))

fr. 1-14-26,

Docket 1

Tentative Ruling:

March 11, 2026

Appearances waived.

The hearing on *Plaintiff's Motion for Default Judgment Under LBR 7055-1* is set to be heard on April 8, 2026. *See* Docket No. 56. The Court will continue the status conference to April 8, 2026, at 9:00 a.m.

January 14, 2026

Appearances waived.

The Court's Clerk issued another summons (the "Summons") on November 20, 2025. *See* Docket No. 32-1, *Another Summons and Notice of Status Conference in Adversary Proceeding [LBR 7004-1*]. The Summons required a response to that *Adversary Complaint to Determine Dischargeability of Debt Under 11 U.S.C. §§ 523(a)(2), (a)(4) and (a)(6)* (the "Complaint") by December 22, 2025. *See id.* at p. 1. The Court finds no response to the Complaint as of December 29, 2025. Absent a response to the Complaint, this proceeding is not yet at issue. The Court will continue the status conference to allow a default to be taken, and a motion for judgment by default to be filed.

9:00 AM
CONT... Christopher Darrell Mitchell **Chapter 7**

The status conference is continued to March 11, 2026, at 9:00 a.m.

Party Information

Debtor(s):

Christopher Darrell Mitchell — Pro Se

Defendant(s):

Christopher Darrell Mitchell — Pro Se

Plaintiff(s):

Terry Ellis — Represented By
Sanaz Sarah Bereliani

Trustee(s):

Jerry Namba (TR) — Represented By
Bradford Barnhardt

9:00 AM
9:24-11382 Christopher Darrell Mitchell **Chapter 7**
Adv#: 9:25-01033 Sztanyo v. Mitchell

#5.00 CONT'D Status Conference re: [1] Adversary case 9:25-ap-01033. Complaint by Zachary Sztanyo against Christopher D. Mitchell. false pretenses, false representation, actual fraud)),(67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)),(68 (Dischargeability - 523(a)(6), willful and malicious injury))

fr. 1-14-26,

Docket 1

Tentative Ruling:

March 11, 2026

Appearances waived.

The hearing on *Plaintiff's Motion for Default Judgment Under LBR 7055-1* is set to be heard on April 8, 2026. *See* Docket No. 35. The Court will continue the status conference to April 8, 2026, at 9:00 a.m.

January 14, 2026

Appearances waived.

On July 28, 2025, plaintiff Zachary Sztanyo ("Plaintiff") filed that *Adversary Complaint* (the "Complaint"). *See* Docket No. 1. On October 21, 2025, the Court's Clerk issued another summons (the "Summons"). *See* Docket No. 5-1, *Another Summons and Notice of Status Conference in Adversary Proceeding [LBR 7004-1*]. The Summons required a response to the Complaint by November 20, 2025. *See id.* at p. 1. There has been no response to the Complaint.

On December 24, 2025, Plaintiff filed that *Request for Clerk to Enter Default Under LBR 7055-1(a)* (the "Default Request"). *See* Docket No. 12. On that same date, the

9:00 AM
CONT... **Christopher Darrell Mitchell** **Chapter 7**

Court's Clerk issued that *Notice That Default Has Not Been Entered by the Clerk Under Local Bankruptcy Rule 7055-1(a)*. *See* Docket No. 13.

The Court will continue the status conference to allow a default to be taken, and a motion for judgment by default to be filed.

The status conference is continued to March 11, 2026, at 9:00 a.m.

Party Information

Debtor(s):

Christopher Darrell Mitchell — Pro Se

Defendant(s):

Christopher Darrell Mitchell — Pro Se

Plaintiff(s):

Zachary Sztanyo — Represented By
Chris L Frost
Kevin S Dicker

Trustee(s):

Jerry Namba (TR) — Represented By
Bradford Barnhardt

9:00 AM
9:24-11382 Christopher Darrell Mitchell **Chapter 7**
Adv#: 9:25-01034 Fairbanks v. Mitchell

#6.00 CONT'D Status Conference re: [1] Adversary case 9:25-ap-01034. Complaint by Christine Fairbanks against Christopher Darrell Mitchell. false pretenses, false representation, actual fraud)),(67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)),(68 (Dischargeability - 523(a)(6), willful and malicious injury)),(41 (Objection / revocation of discharge - 727(c),(d),(e)))

fr. 1-28-26,

Docket 1

Tentative Ruling:

March 11, 2026

Appearances required.

On January 28, 2026, the Court continued the initial status conference to March 11, 2026. *See* Docket No. 50.

Pursuant to those *Adversary Proceeding Status Conference Procedures of Judge Ronald A. Clifford III* (the "Procedures"), served on both the Plaintiff and the Defendant, "[a] joint status report prepared using Local Form F 7016-1.STATUS.REPORT must be filed fourteen (14) days before each status conference." *See* Docket No. 46, p. 1. "Failure to file a joint status report may result in the imposition of monetary sanctions and/or the status conference being continued." *Id.* This Court's Local Rule 7016-1(a)(2) provides, "[u]nless otherwise ordered by the court, at least 14 days before the date set for each status conference the parties are required to file a joint status report using mandatory court form F 7016-1.STATUS.REPORT []." Pursuant to this Court's Local Rule 7016-1(f), "if a status conference statement [] is not filed [], the court may order [] [a]n award of monetary sanctions including attorneys' fees against the party at fault and/or counsel, payable to the party not at fault." Pursuant to this Court's Local Rule 9011-3(a), "[t] he violation of, or failure to conform to, the FRBP or these rules may subject the

9:00 AM
CONT... **Christopher Darrell Mitchell** **Chapter 7**

offending party or counsel to penalties, including monetary sanctions, the imposition of costs and attorneys' fees payable to opposing counsel, and/or dismissal of the case or proceeding."

"There is no question that a bankruptcy court has the power to sanction for violations of local rules." *In re Singh*, 2016 WL 770195 *4 (9th Cir. BAP 2016)(citing *Miranda v. S. Pac. Transp. Co.*, 710 F.2d 516, 519 (9th Cir. 1983)). The Ninth Circuit has held that:

> First, by the terms of the statute, sanctions must be consistent with Federal Rules and with other statutes. Second, the order must be necessary for the court to carry out the conduct of its business. There must be a close connection between the sanctionable conduct and the need to preserve the integrity of the court docket or the sanctity of the federal rules. Third, the order must be consistent with 'principles of right and justice.' Finally, any sanction imposed muse be proportionate to the offense and commensurate with principles of restraint and dignity inherent in judicial power. This last principle includes a responsibility to consider the usefulness of more moderate penalties before imposing a monetary sanction.

Id. (citing *Zambrano v. City of Tustin*, 885 F.2d 1473, 1480 (9th Cir. 1989)).

Here, no joint status report has been filed in preparation for the status conference.

January 28, 2026

Appearances waived.

The complaint has been answered. The Court will continue the status conference to March 11, 2026, at 9:00 a.m. to allow the parties to conduct the Rule 26 conference and to file a status conference statement.

Party Information

9:00 AM
CONT... **Christopher Darrell Mitchell** **Chapter 7**

Debtor(s):

Christopher Darrell Mitchell Pro Se

Defendant(s):

Christopher Darrell Mitchell Pro Se

Plaintiff(s):

Christine Fairbanks Represented By
Brian M Rothschild

Trustee(s):

Jerry Namba (TR) Represented By
Bradford Barnhardt

9:00 AM
9:24-11382 Christopher Darrell Mitchell **Chapter 7**
Adv#: 9:25-01035 Butler v. Mitchell

#7.00 CONT'D Status Conference re: [1] Adversary case 9:25-ap-01035. Complaint by Shawn Butler against Christopher Darrell Mitchell. false pretenses, false representation, actual fraud)),(67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)),(68 (Dischargeability - 523(a)(6), willful and malicious injury)),(41 (Objection / revocation of discharge - 727(c),(d),(e)))

fr. 1-28-26,

Docket 1

Tentative Ruling:

March 11, 2026

Appearances required.

On January 28, 2026, the Court continued the initial status conference to March 11, 2026. *See* Docket No. 50.

Pursuant to those *Adversary Proceeding Status Conference Procedures of Judge Ronald A. Clifford III* (the "Procedures"), served on both the Plaintiff and the Defendant, "[a] joint status report prepared using Local Form F 7016-1.STATUS.REPORT must be filed fourteen (14) days before each status conference." *See* Docket No. 46, p. 1. "Failure to file a joint status report may result in the imposition of monetary sanctions and/or the status conference being continued." *Id.* This Court's Local Rule 7016-1(a)(2) provides, "[u]nless otherwise ordered by the court, at least 14 days before the date set for each status conference the parties are required to file a joint status report using mandatory court form F 7016-1.STATUS.REPORT []." Pursuant to this Court's Local Rule 7016-1(f), "if a status conference statement [] is not filed [], the court may order [] [a]n award of monetary sanctions including attorneys' fees against the party at fault and/or counsel, payable to the party not at fault." Pursuant to this Court's Local Rule 9011-3(a), "[t] he violation of, or failure to conform to, the FRBP or these rules may subject the

offending party or counsel to penalties, including monetary sanctions, the imposition of costs and attorneys' fees payable to opposing counsel, and/or dismissal of the case or proceeding."

"There is no question that a bankruptcy court has the power to sanction for violations of local rules." *In re Singh*, 2016 WL 770195 *4 (9th Cir. BAP 2016)(citing *Miranda v. S. Pac. Transp. Co.*, 710 F.2d 516, 519 (9th Cir. 1983)). The Ninth Circuit has held that:

> First, by the terms of the statute, sanctions must be consistent with Federal Rules and with other statutes. Second, the order must be necessary for the court to carry out the conduct of its business. There must be a close connection between the sanctionable conduct and the need to preserve the integrity of the court docket or the sanctity of the federal rules. Third, the order must be consistent with 'principles of right and justice.' Finally, any sanction imposed muse be proportionate to the offense and commensurate with principles of restraint and dignity inherent in judicial power. This last principle includes a responsibility to consider the usefulness of more moderate penalties before imposing a monetary sanction.

Id. (citing *Zambrano v. City of Tustin*, 885 F.2d 1473, 1480 (9th Cir. 1989)).

Here, no joint status report has been filed in preparation for the status conference.

January 28, 2026

Appearances waived.

The complaint has been answered. The Court will continue the status conference to March 11, 2026, at 9:00 a.m. to allow the parties to conduct the Rule 26 conference and to file a status conference statement.

Party Information

Debtor(s):

Christopher Darrell Mitchell Pro Se

9:00 AM
CONT... Christopher Darrell Mitchell **Chapter 7**

Defendant(s):

Christopher Darrell Mitchell — Pro Se

Plaintiff(s):

Shawn Butler — Represented By
Brian M Rothschild

Trustee(s):

Jerry Namba (TR) — Represented By
Bradford Barnhardt

9:00 AM
9:23-10420 Kevin Holly **Chapter 7**
Adv#: 9:25-01036 Degarimore, Inc. v. Holly

#8.00 CONT'D Status Conference re: [8] Amended Complaint by Jake Y. Jung on behalf of Degarimore, Inc. against Kevin Holly. (RE: related document(s)1 Adversary case 9:25-ap-01036. Complaint by Degarimore, Inc. against Kevin Holly. false pretenses, false representation, actual fraud)) filed by Plaintiff Degarimore, Inc.)

fr. 12-03-25, 1-28-26,

Docket 8
***** VACATED *** REASON: Hearing continued to 4/22/2026 at 9:00 a.m. per order entered 3/3/2026**

Tentative Ruling:

January 28, 2026

Appearances waived.

The complaint has been answered. The Court will continue the status conference to March 11, 2026, at 9:00 a.m. to allow the parties to conduct the Rule 26 conference and to file a status conference statement.

December 3, 2025

Appearances required, in-person.

Party Information

Debtor(s):

Kevin Holly Pro Se

Defendant(s):

Kevin Holly Represented By
Chris Gautschi

9:00 AM
CONT... **Kevin Holly** **Chapter 7**

Joint Debtor(s):

Elizabeth Holly — Pro Se

Plaintiff(s):

Degarimore, Inc. — Represented By
William B. Luton

Trustee(s):

Jerry Namba (TR) — Pro Se

9:00 AM
9:23-10157 Baron Brothers Nursery, Inc. **Chapter 7**
Adv#: 9:25-01009 Sandra K. McBeth, Chapter 7 Trustee v. JPMorgan Chase Bank, National

#9.00 CONT'D Status Conference re: [1] Adversary case 9:25-ap-01009. Complaint by Sandra K. McBeth, Chapter 7 Trustee against JPMorgan Chase Bank, National Association. ($350.00 Fee Charge To Estate). Complaint for: (1) Avoidance, Recovery and Preservation of Actual Fraudulent Transfers [11 U.S.C. §§ 544(b), 550, and 551, Cal. Civ. Code §§ 3439.04(a)(1), 3439.07 and 3439.09]; (2) Avoidance, Recovery and Preservation of Constructive Fraudulent Transfers [11 U.S.C. §§ 544(b), 550, and 551, Cal. Civ. Code §§ 3439.04(a)(2) or 3439.05 and 3439.07]; (3) Avoidance, Recovery and Preservation of Fraudulent Transfers [11 U.S.C. §§ 548(a)(1)(A), 550, and 551]; and (4) Avoidance, Recovery and Preservation of Fraudulent Transfers [11 U.S.C. §§ 548(a)(1)(B), 550, and 551] (Attachments: # 1 Adversary Proceeding Cover Sheet) Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)),(14 (Recovery of money/property - other))

fr. 4-23-25, 6-18-25,

Docket 1

Tentative Ruling:

March 11, 2026

Appearances waived.

The Court has reviewed that *Joint Status Report*. *See* Docket No. 69. The Court has also reviewed that *Notice of Settlement*. *See* Docket No. 70.

The Court will continue the status conference to July 8, 2026, at 9:00 a.m. The trial currently set for March 12, 2026, is vacated, and continued to July 30, 2026, at 9:00 a.m.

June 18, 2025

Appearances required.

9:00 AM
CONT... Baron Brothers Nursery, Inc. **Chapter 7**

The Court has reviewed that *Joint Status Report*. *See* Docket No. 11. The Court is inclined to set the following litigation dates:

June 30, 2025 - Deadline to join parties

February 27, 2026 - Discovery cutoff

December 10, 2025, at 9:00 a.m. - Continued status conference

Plaintiff is to lodge a scheduling order within 7 days.

Party Information

Debtor(s):

Baron Brothers Nursery, Inc.	Represented By William E. Winfield

Defendant(s):

JPMorgan Chase Bank, National	Represented By Matthew S Henderson Bryant S Delgadillo

Plaintiff(s):

Sandra K. McBeth, Chapter 7	Represented By Samuel Mushegh Boyamian

Trustee(s):

Sandra McBeth (TR)	Represented By Samuel Mushegh Boyamian Jeremy Faith

9:00 AM
9:23-10157 Baron Brothers Nursery, Inc. **Chapter 7**
Adv#: 9:25-01009 Sandra K. McBeth, Chapter 7 Trustee v. JPMorgan Chase Bank, National

#10.00 Pre-Trial Conference re: [1] Adversary case 9:25-ap-01009. Complaint by Sandra K. McBeth, Chapter 7 Trustee against JPMorgan Chase Bank, National Association. ($350.00 Fee Charge To Estate). Complaint for: (1) Avoidance, Recovery and Preservation of Actual Fraudulent Transfers [11 U.S.C. §§ 544(b), 550, and 551, Cal. Civ. Code §§ 3439.04(a)(1), 3439.07 and 3439.09]; (2) Avoidance, Recovery and Preservation of Constructive Fraudulent Transfers [11 U.S.C. §§ 544(b), 550, and 551, Cal. Civ. Code §§ 3439.04(a)(2) or 3439.05 and 3439.07]; (3) Avoidance, Recovery and Preservation of Fraudulent Transfers [11 U.S.C. §§ 548(a)(1)(A), 550, and 551]; and (4) Avoidance, Recovery and Preservation of Fraudulent Transfers [11 U.S.C. §§ 548(a)(1)(B), 550, and 551] (Attachments: # 1 Adversary Proceeding Cover Sheet) Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)),(14 (Recovery of money/property - other))

Docket 1

Tentative Ruling:

March 11, 2026

Appearances waived.

The Court has reviewed that *Joint Status Report*. *See* Docket No. 69. The Court has also reviewed that *Notice of Settlement*. *See* Docket No. 70.

The Court will continue the status conference to July 8, 2026, at 9:00 a.m. The trial currently set for March 12, 2026, is vacated, and continued to July 30, 2026, at 9:00 a.m.

Party Information

Debtor(s):

Baron Brothers Nursery, Inc. Represented By
William E. Winfield

9:00 AM
CONT... **Baron Brothers Nursery, Inc.** **Chapter 7**

Defendant(s):

JPMorgan Chase Bank, National — Represented By
Matthew S Henderson
Bryant S Delgadillo

Plaintiff(s):

Sandra K. McBeth, Chapter 7 — Represented By
Samuel Mushegh Boyamian

Trustee(s):

Sandra McBeth (TR) — Represented By
Samuel Mushegh Boyamian
Jeremy Faith

9:00 AM
9:24-11382 Christopher Darrell Mitchell **Chapter 7**
Adv#: 9:25-01031 Offill v. Mitchell

#11.00 Order to show cause why (1) defendant's answer should not be stricken and default entered In favor of plaintiff; and/or (2) monetary sanctions in favor of plaintiff for attorneys' fees should not be ordered

Docket 41

Tentative Ruling:

March 11, 2026

Appearances required.

Party Information

Debtor(s):

Christopher Darrell Mitchell Pro Se

Defendant(s):

Christopher Darrell Mitchell Pro Se

Plaintiff(s):

Todd Ray Offill Represented By
Brian M Rothschild

Trustee(s):

Jerry Namba (TR) Represented By
Bradford Barnhardt

9:00 AM
9:24-11382 Christopher Darrell Mitchell **Chapter 7**
Adv#: 9:25-01031 Offill v. Mitchell

#12.00 CONT'D Status Conference re: [1] Adversary case 9:25-ap-01031. Complaint by Todd Offill against Christopher Darrell Mitchell. false pretenses, false representation, actual fraud)),(67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)),(68 (Dischargeability - 523(a)(6), willful and malicious injury)),(41 (Objection / revocation of discharge - 727(c),(d),(e)))

fr. 12-03-25, 1-14-26,

Docket 1

Tentative Ruling:

March 11, 2026

Appearances required.

The Court has reviewed that *Joint Status Report*. *See* Docket No. 43. The Court will set the following litigation dates:

March 20, 2026 – Deadline to add parties

July 15, 2026 – Deadline to complete discovery, including receipt of responses

August 12, 2026, at 9:00 a.m. – Deadline for dispositive motions to be heard

September 10, 2026, at 9:00 a.m. - Pretrial conference, in-person appearances only

September 17, 2026, at noon – Trial, in-person, counsel and witnesses

Plaintiff is to lodge a scheduling order within 7 days, and serve the entered order on Defendant within 7 days of entry.

January 14, 2026

Appearances required. Plaintiff may appear remotely. Defendant is to appear,

9:00 AM
CONT... Christopher Darrell Mitchell **Chapter 7**
in-person.

The Court here begins with its reminder of the tentative ruling issued in relation to the prior status conference. On November 19, 2025, the Court's Docket entry 29 required Plaintiff to lodge an order denying that *Motion to Set Aside Entry of Default Pursuant to Federal Rule of Civil Procedure 55(c)* by November 26, 2025. No such order has been lodged.

Those *Adversary Proceeding Status Conference Procedures* (the "Procedures") provide that "[a] joint status report prepared using Local Form F 7016-1.STATUS.REPORT must be filed fourteen days before each status conference." *Id.* "Failure to file a joint status report may result in the imposition of monetary sanctions and/or the status conference being continued." *Id.* "Stipulations for extensions of time are ineffective unless approved by the Court." *Id.* If the Procedures did not provide sufficient notice, this Court's Local Rule 7016-1(a)(2) provides, "[u]nless otherwise ordered by the court, at least 14 days before the date set for each status conference the parties are required to file a joint status report using mandatory court form F 7016-1.STATUS.REPORT." This Court's Local Rule 7016-1(f) provides that "if a status conference statement [] is not filed [] within the times set forth in subsection (a) [], the court may order [a]n award of monetary sanctions including attorneys' fees against the party at fault and/or counsel, payable to the party not at fault [and/or a]n award of non-monetary sanctions against the party at fault including entry of judgment of dismissal or the entry of an order striking the answer and entering a default."

Here, counsel to Plaintiff attests that between November 19, 2025 and December 20, 2025, three (3) emails were forwarded to Defendant with a form joint conference statement, with Plaintiff's portion of the statement completed. *See* Docket No. 31, *Unilateral Status Report* (the "Report"), pp. 5-9. According to counsel for Plaintiff, Defendant did not respond to any of the emails. In accordance with this Court's Local Rule 7016-1(a)(3), Plaintiff filed the Report. *See* Docket No. 31. Defendant has filed nothing, standing in violation of this Court's Local Rule 7016-1(a)(3) and the Procedures.

The Court is inclined to (1) issue a show cause order as to why Defendant's answer should not be stricken, and default entered in favor of Plaintiff, and/or (2) order

9:00 AM
CONT... **Christopher Darrell Mitchell** **Chapter 7**

monetary sanctions in favor of Plaintiff for attorneys' fees.

December 3, 2025

Appearances waived.

On November 3, 2025, defendant Christopher Darrell Mitchell filed that *Answer to Adversary Complaint* (the "Answer"). *See* Docket No. 27. The Answer was filed in response to a substitute summons issued on October 2, 2025, and served on October 7, 2025. *See* Docket Nos. 19 and 24. On November 19, 2025, the Court denied that *Notice of Motion and Motion to Set Aside Entry of Default Pursuant to Federal Rule of Civil Procedure 55(c)* (the "Motion"), as no default had been entered. *See* Docket No. 29.

The Court reminds plaintiff Todd Ray Offill that they are directed to lodge an order denying the Motion within seven (7) days of the hearing on the Motion. *See id.*

This matter appears to be at issue. The Court will continue the initial status conference to January 14, 2026, at 9:00 a.m. The Court directs the parties to those *Adversary Proceeding Status Conference Procedures* (Docket No. 19), this Court's Local Rule 7016-1(a), Fed. R. Bankr. P. 7026, and Fed. R. Civ. P. 26(f).

Party Information

Debtor(s):

Christopher Darrell Mitchell Pro Se

Defendant(s):

Christopher Darrell Mitchell Pro Se

Plaintiff(s):

Todd Ray Offill Represented By
Brian M Rothschild

9:00 AM
CONT... **Christopher Darrell Mitchell** **Chapter 7**
Trustee(s):

Jerry Namba (TR) Represented By
Bradford Barnhardt

9:00 AM
9:24-10035 Broad Oak Retail, Inc. **Chapter 7**
Adv#: 9:25-01040 Jerry Namba, Chapter 7 Trustee v. 8Fig Growth, LLC

#13.00 CONT'D Hearing re: [9] Plaintiff's motion for default judgment under LBR 7055-1

fr. 1-14-26,

Docket 9

Tentative Ruling:

March 11, 2026

Appearances required.

January 14, 2026

Appearances required.

Background

On October 28, 2025, plaintiff Jerry Namba (the "Trustee"), the Chapter 7 trustee for the bankruptcy estate of Broad Oak Retail, Inc. (the "Debtor"), filed as against 8Fig Growth LLC ("Defendant") that *Complaint for: (1) Avoidance of Preferential Transfers [11 U.S.C. § 547]; (2) Disallowance of Claims [11 U.S.C. § 502]; and (3) Recovery of Avoided Transfers [11 U.S.C. § 550]* (the "Complaint"). *See* Docket No. 1. The Complaint alleges that the Debtor filed a voluntary petition for relief pursuant to Chapter 7 of Title 11 of the United States Code on January 12, 2024 (the "Petition Date"). *See id.* at p. 2, lines 21-23. "The Debtor's Schedule D [] lists Defendant as having a secured claim in the amount of $808,506.78," which the Debtor scheduled as being "incurred on December 14, 2022." *See id.* at p. 2, lines 8-11. The Complaint alleges that "[w]ithin 90 days prior to the Petition Date, Defendant received [] three transfers from the Debtor, totaling $30,000" (the "Transfers"). *See id.* at lines 12-14. The Trustee, through the Compliant, sought to avoid and recover the Transfers under 11 U.S.C. §§ 547 and 550, and to disallow any claim of Defendant in the Debtor's bankruptcy case under 11 U.S.C. § 502(d) insofar as Defendant has not returned the

9:00 AM
CONT... Broad Oak Retail, Inc. **Chapter 7**

Transfers to the Debtor's bankruptcy estate. *See id.* at pp. 4-5.

On December 2, 2025, the Court's Clerk issued that *Notice that Clerk has Entered Default Against Defendant(s) Under Local Bankruptcy Rule 7055-1(a)* (the "Default"). *See* Docket No. 7.

The Default having been entered, on December 17, 2025, the Trustee filed *Plaintiff's Motion for Default Judgment Under LBR 7055-1* (the "Motion"), seeking judgment against Defendant on the Complaint by default. *See* Docket No. 9.

Analysis

A default by a party to an adversary proceeding does not automatically entitle the plaintiff to entry of default judgment. *See* Fed. R. Civ. P. 55(b)(2), as made applicable to adversary proceedings pursuant to Fed. R. Bankr. P. 7055. "Default judgments are governed by Federal Rule of Civil Procedure 55, which is made applicable to bankruptcy proceedings by Rule 7055." *In re McGee*, 359 B.R. 764, 770 (9th Cir. BAP 2006). "Federal Rule of Bankruptcy Procedure 7055(b)(2) governing the granting of default judgments provides the court with broad discretion to conduct such hearings and receive evidence that it deems proper before entering a default judgment." *In re Trevisan*, 300 B.R. 708, 713 (Bankr. E.D. Wis. 2003) (internal citations omitted). "Entry of a default judgment is discretionary with the trial court and may be denied where there are insufficient facts to support the claim." *In re Sziel*, 206 B.R. 490, 495 (Bankr. N.D. Ill. 1997).

"The factors to be considered for entry of a default judgment include (1) the possibility of prejudice to the plaintiff, (2) the merits of the plaintiff's substantive claim, (3) the sufficiency of the complaint, (4) the sum of money at stake in the action, (5) the possibility of a dispute concerning material facts, (6) whether the default was due to excusable neglect, and (7) the strong policy underlying the Federal Rules of Civil Procedure favoring decisions on the merits." *See also* 10A *Fed. Prac. & Proc. Civ. 3D*, § 2685 (factors include whether there are material issues of fact and whether the grounds for default have been clearly established)." *Id.*

Transfers

9:00 AM
CONT... Broad Oak Retail, Inc. **Chapter 7**

To begin, the evidence submitted by the Trustee with the Motion suggests that the Transfers were in-fact made to Defendant, that is, 8Fig Growth LLC. *See* Docket No. 9, pp. 21-40, *Exhibit 2*.

Antecedent Debt

The Trustee alleges that the Transfers were made to Defendant at the time Defendant was a creditor of the Debtor. *See id.* at p. 8, lines 23-26. The allegation of Defendant having been a creditor of the Debtor at the time of the Transfers is based on the Debtor's schedules. *See id.* at p. 44, lines 8-11. Yet, the Debtor did not schedule Defendant as a creditor as of the Petition Date. Rather, the Debtor scheduled 8fig, Inc. as a secured creditor. *See id.* at p. 17. In fact, 8fig, Inc. is scheduled as having two (2) secured claims, one in the amount of $808,506.78, and the other in the amount of $0. *See id.* It appears that the scheduled claims represent two (2) separate accounts or obligations in that the dates of incurrence are different. *See id.*

Whilst there appears to have been transfers made to Defendant, the Court has no evidence that there were any transfers to 8fig, Inc. Neither does the Court have any evidence that Defendant was a creditor of the Debtor at the time the Transfers were made, because Defendant is not scheduled as a creditor of the Debtor, and this constitutes the Trustee's sole evidence for this argument. Even if 8fig, Inc. could somehow be attached to the Transfers, the Trustee ignores one of the accounts that is scheduled by the Debtor. The ignored account shows no amounts owed. How can the Court know, again, assuming 8fig, Inc. could be attached to the Transfers, that the Debtor was a creditor of 8fig, Inc. at the time of the Transfers if there is a scheduled account at $0?

Party Information

Debtor(s):

Broad Oak Retail, Inc.	Represented By Sevan Gorginian

Defendant(s):

8Fig Growth, LLC	Pro Se

Movant(s):

Jerry Namba, Chapter 7 Trustee	Represented By

9:00 AM
CONT... **Broad Oak Retail, Inc.** **Chapter 7**

Jonathan Serrano
Jeremy Faith

Plaintiff(s):

Jerry Namba, Chapter 7 Trustee Represented By
Jonathan Serrano
Jeremy Faith

Trustee(s):

Jerry Namba (TR) Represented By
Jeremy Faith
Jonathan Serrano

9:00 AM
9:24-10035 Broad Oak Retail, Inc. **Chapter 7**
Adv#: 9:25-01040 Jerry Namba, Chapter 7 Trustee v. 8Fig Growth, LLC

#14.00 CONT'D Status Conference re: [1] Adversary case 9:25-ap-01040. Complaint by Jerry Namba, Chapter 7 Trustee against 8Fig Growth, LLC. ($350.00 Fee Charge To Estate). Complaint For: (1) Avoidance of Preferential Transfers [11 U.S.C. § 547]; (2) Disallowance of Claims [11 U.S.C. § 502]; and (3) Recovery of Avoided Transfers [11 U.S.C. § 550] (Attachments: # 1 Adversary Proceeding Cover Sheet # 2 Summons and Notice of Status Conference in Adversary Proceeding) Nature of Suit: (12 (Recovery of money/property - 547 preference))

fr. 1-14-26,

Docket 1

Tentative Ruling:

March 11, 2026

Appearances required.

January 14, 2026

Appearances required.

Party Information

Debtor(s):

Broad Oak Retail, Inc. Represented By
Sevan Gorginian

Defendant(s):

8Fig Growth, LLC Pro Se

Plaintiff(s):

Jerry Namba, Chapter 7 Trustee Represented By
Jonathan Serrano

9:00 AM
CONT... **Broad Oak Retail, Inc.** **Chapter 7**

Jeremy Faith

Trustee(s):

Jerry Namba (TR) Represented By
Jeremy Faith
Jonathan Serrano

9:00 AM
9:25-11380 Gabriela Eichert **Chapter 13**
Adv#: 9:25-01039 Eichert et al v. United Wholesale Mortgage LLC et al

#15.00 Hearing re: [30] Motion to determine violations of the automatic stay to void post petition transfers

Docket 30
***** VACATED *** REASON: Dismissed 2/20/2026**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gabriela Eichert Pro Se

Defendant(s):

United Wholesale Mortgage LLC Pro Se

Nationstar LLC Pro Se

Nationwide Title Clearing LLC Pro Se

Joint Debtor(s):

Samuel Paul Eichert Jr. Pro Se

Movant(s):

Gabriela Eichert Pro Se

Plaintiff(s):

Samuel Paul Eichert Jr. Pro Se

Gabriela Eichert Pro Se

Trustee(s):

Elizabeth (ND) F Rojas (TR) Pro Se

9:00 AM
9:25-11380 Gabriela Eichert **Chapter 13**
Adv#: 9:25-01039 Eichert et al v. United Wholesale Mortgage LLC et al

#16.00 Hearing re: [34] Motion for injunctive relief, summary judgment

Docket 34
***** VACATED *** REASON: Dismissed 2/20/2026**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gabriela Eichert Pro Se

Defendant(s):

United Wholesale Mortgage LLC Pro Se

Nationstar LLC Pro Se

Nationwide Title Clearing LLC Pro Se

Joint Debtor(s):

Samuel Paul Eichert Jr. Pro Se

Movant(s):

Gabriela Eichert Pro Se

Plaintiff(s):

Gabriela Eichert Pro Se

Samuel Paul Eichert Jr. Pro Se

Trustee(s):

Elizabeth (ND) F Rojas (TR) Pro Se

9:00 AM
9:25-11380 Gabriela Eichert **Chapter 13**
Adv#: 9:25-01039 Eichert et al v. United Wholesale Mortgage LLC et al

#17.00 Hearing re: [43] Motion to clarify/void docket entry

Docket 43
***** VACATED *** REASON: Dismissed 2/20/2026**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gabriela Eichert Pro Se

Defendant(s):

United Wholesale Mortgage LLC Pro Se

Nationstar LLC Pro Se

Nationwide Title Clearing LLC Pro Se

Joint Debtor(s):

Samuel Paul Eichert Jr. Pro Se

Movant(s):

Gabriela Eichert Pro Se

Plaintiff(s):

Samuel Paul Eichert Jr. Pro Se

Gabriela Eichert Pro Se

Trustee(s):

Elizabeth (ND) F Rojas (TR) Pro Se

9:00 AM
9:25-11380 Gabriela Eichert **Chapter 13**
Adv#: 9:25-01039 Eichert et al v. United Wholesale Mortgage LLC et al

#18.00 Status Conference re: [12] Amended complaint by Gabriela Eichert, Samuel Paul Eichert, Jr. against United Wholesale Mortgage LLC, Nationstar LLC, Nationwide Title Clearing LLC

Docket 12
***** VACATED *** REASON: Dismissed 2/20/2026**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Gabriela Eichert	Pro Se

Defendant(s):

United Wholesale Mortgage LLC	Pro Se
Nationstar LLC	Pro Se
Nationwide Title Clearing LLC	Pro Se

Joint Debtor(s):

Samuel Paul Eichert Jr.	Pro Se

Plaintiff(s):

Gabriela Eichert	Pro Se
Samuel Paul Eichert Jr.	Pro Se

Trustee(s):

Elizabeth (ND) F Rojas (TR)	Pro Se

9:00 AM
9:18-11110 Vera Rozhko **Chapter 11**

#19.00 CONT'D Order to show cause why Reed H. Olmstead , Esq. should not be sanctioned in the amount of $1,000.00

fr. 9-10-25, 11-5-25, 11-19-25, 1-14-26,

Docket 165

Tentative Ruling:

March 11, 2026

Appearances required.

January 14, 2026

Appearances waived.

The hearing on the show cause order is continued to March 11, 2026, at 9:00 a.m. pursuant to the Court's order approving that *Stipulation to Continue Hearings*. *See* Docket No. 182.

November 5, 2025

Appearances waived.

The hearing is continued to November 19, 2025, at 9:00 a.m. due to the government shutdown. The record is closed.

On July 10, 2018, Vera Rozhko (the "Debtor") filed a voluntary petition for relief under Chapter 13 of Title 11 of the United States Code. *See* Docket No. 1. On November 1, 2018, the Court entered that *Order Granting Debtor's Motion to Convert Case*, converting the Debtor's bankruptcy case from one under Chapter 13 to

9:00 AM
CONT... **Vera Rozhko** **Chapter 11**

one under Chapter 11. *See* Docket No. 34.

On April 3, 2024, the Debtor filed that *Motion for Order to Show Cause Why the Bank of New York Mellon and Shellpoint Mortgage Servicing Should Not be Held in Contempt of Court for Knowingly and Continually Violating the Terms of Reorganized Debtor's Confirmed Chapter 11 Plan of Reorganization* (the "Motion"). *See* Docket No. 114.

On July 16, 2025, the Court held a pre-trial conference in relation to the Motion. *See* Docket No. 166. Counsel to the Debtor failed to appear at the pretrial conference. *See id.* On July 16, 2025, the Court entered that *Order to Show Cause Why Reed H. Olmstead, Esq. Should Not be Sanctioned in the Amount of $1,000.00*" for his failure to appear at the pretrial conference (the "Order"). *See* Docket No. 165. The Order provided Mr. Olmstead until August 27, 2025, to respond to the Order. *See id.* at p. 2, lines 2-3. Mr. Olmstead chose not to respond to the Order.

Pursuant to this Court's Local Rule 9011-3-1(j)(1), "[c]ounsel for the moving and opposing parties [] must appear at the hearing on the motion []." Pursuant to this Court's Local Rule 1001-1(f), "[t]he failure of counsel or of a party to comply with these Local Bankruptcy Rules, with the F.R.Civ.P. or the FRBP, or with any order of the court may be grounds for the imposition of sanctions pursuant to applicable law, including the Bankruptcy Code, the F.R.Civ.P., the FRBP, and the inherent powers of the court."

Mr. Olmstead's failure to attend the pretrial conference violated this Court's Local Rule 9011-3-1(j)(1) and this Court's order setting the matter for pretrial. Mr. Olmstead has provided the Court with no explanation for his absence at the hearing. The Court will sanction Mr. Olmstead $150, payable to the Court within 5 days of this Order.

September 10, 2025

Appearances required. Debtor's counsel is to appear in-person.

Party Information

9:00 AM
CONT... **Vera Rozhko** **Chapter 11**
Debtor(s):

Vera Rozhko Represented By
Reed H Olmstead

9:00 AM
9:18-11110 Vera Rozhko **Chapter 11**

#20.00 CONT'D Status Conference re: Motion for sanctions/disgorgement motion for order to show cause why the Bank of New York Mellon and Shellpoint Mortgage Servicing should not be held in contempt of court for knowingly and continually violating the terms of reorganized debtors confirmed chapter 11 plan of reorganization

fr. 4-9-25, 7-16-25, 9-10-25, 11-5-25, 11-19-25, 1-14-26,

Docket 114

Tentative Ruling:

March 11, 2026

Appearances required.

The Court understands this matter has settled, but will hear any more from the parties.

January 14, 2026

Appearances waived.

The status hearing on the motion is continued to March 11, 2026, at 9:00 a.m. pursuant to the Court's order approving that *Stipulation to Continue Hearings*. *See* Docket No. 182.

November 5, 2025

Appearances waived.

The status conference is continued to November 19, 2025, at 9:00 a.m. due to the government shutdown. The record is closed.

It does not appear that the Debtor is interested in advancing this matter given the failure to appear at the pretrial conference, and offers no excuse for the failure to appear. The Court is inclined to dismiss the Motion for the Debtor's failure to appear at the pretrial conference and lack of prosecution.

September 10, 2025

Appearances required. Debtor's counsel is to appear in-person.

July 15, 2025

Appearances required.

Was this matter mediated as required by the Court by July 16, 2025?

The trial will take place, in-person, on August 14, 2025, beginning at noon. All counsel and witnesses are to appear, in-person. The parties are each to provide the Court with three copies of their exhibit binders no later than the close of business, August 13, 2025. The binders may be taken to intake to be routed to chambers. The Court will have the Elmo available to provide witnesses with an electronic means by which the exhibits may be viewed. Plaintiff is to upload an order approving that *Joint Pretrial Stipulation*. *See* Docket No. 159.

April 9, 2025

In-person appearances required.

The Court has reviewed that *Joint Pretrial Stipulation*. *See* Docket No. 159. It is unclear to the Court what the dispute here is. The creditor appears to have violated the terms of the plan's injunction. The Debtor accrued fees related to the violation. The Debtor is requesting payment of said fees. Have the parties not resolved this matter?

If the matter has not been resolved, the Court is considering holding a hearing on

9:00 AM

CONT... Vera Rozhko **Chapter 11**

April 23, 2025, after the 1:00 p.m. calendar. This does not appear to be a lengthy hearing, and the Court's interest is in not blocking out a full day for this matter. The Court will require that the parties provide chambers with three (3) copies of each of the parties' exhibit binders no less than 24 hours prior to the hearing. The binders may be routed to chambers through the first floor filing window. The parties should exchange binders prior to the hearing. The hearing will be held in-person, both for parties and witnesses. There will be no remote appearances. Parties and witnesses are to appear in court appropriate attire. If an order approving the pretrial stipulation has not been lodged, one should be lodged within 7 days.

Party Information

Debtor(s):

Vera Rozhko — Represented By
Reed H Olmstead

Movant(s):

Vera Rozhko — Represented By
Reed H Olmstead

10:00 AM
9:25-11475 Jesus Rodriguez **Chapter 7**

#21.00 Hearing re: [10] Reaffirmation agreement between debtor and American Honda Finance Corporation (2018 Honda Civic)

Docket 10

Tentative Ruling:

March 11, 2026

Appearances required.

Party Information

Debtor(s):

Jesus Rodriguez Pro Se

Trustee(s):

Nancy J Zamora (TR) Pro Se

10:00 AM
9:25-11490 Hall Martin Verkennis and Leslie Yaneth Verkennis **Chapter 7**

#22.00 Hearing re: [19] Reaffirmation agreement between debtor and American Internet Mortgage, Inc. (1618 Parakeet Court, Ventura, CA 93003)

Docket 19

Tentative Ruling:

March 11, 2026

No appearances required.

Court approval of the agreement is not required to reaffirm a consumer debt secured by real property. *See* 11 U.S.C. § 524(c)(6)(B); *see also In re Grisham*, 436 B.R. 896, 905 n.6 (Bankr. N.D. Tex. 2010) (citing 4 COLLIER ON BANKRUPTCY ¶ 524.04, pp. 524–41 (16th ed. 2009)); *see also In re Rhodes*, 635 B.R. 849, 859-860 (Bankr. S.D. Cal. 2021) (citations omitted).

Party Information

Debtor(s):

Hall Martin Verkennis — Represented By Daniel A Higson

Joint Debtor(s):

Leslie Yaneth Verkennis — Represented By Daniel A Higson

Trustee(s):

Nancy J Zamora (TR) — Pro Se

10:00 AM
9:25-11567 Julia Esme Rosenthal **Chapter 7**

#23.00 Hearing re: [13] Reaffirmation agreement between debtor and TD Bank, N.A. (2019 Toyota RAV4)

Docket 13

Tentative Ruling:

March 11, 2026

Appearances required.

Party Information

Debtor(s):

Julia Esme Rosenthal — Represented By Leslie A Tos

Trustee(s):

David Keith Gottlieb (TR) — Pro Se

10:00 AM
9:25-11593 Jason Eric Patison and Christy Anna Patison **Chapter 7**

#24.00 Hearing re: [18] Reaffirmation agreement between debtor and Logix Federal Credit Union (2015 Keystone Springdale)

Docket 18

Tentative Ruling:

March 11, 2026

No appearance required.

No court approval of the reaffirmation agreement is required. *See In re Ong*, 461 B.R. 559 (9th Cir. BAP 2011).

Party Information

Debtor(s):

Jason Eric Patison — Represented By Barry E Borowitz

Joint Debtor(s):

Christy Anna Patison — Represented By Barry E Borowitz

Trustee(s):

Amy L Goldman (TR) — Pro Se

10:00 AM
9:25-11632 Daniel Martin Loyd and Carol C Cornell-Loyd **Chapter 7**

#25.00 Hearing re: [11] Reaffirmation agreement between debtor and M&T Bank (2019 Forrest Stealth Evo 2360)

Docket 11

Tentative Ruling:

March 11, 2026

Appearances required.

Party Information

Debtor(s):

Daniel Martin Loyd — Represented By Daniel A Higson

Joint Debtor(s):

Carol C Cornell-Loyd — Represented By Daniel A Higson

Trustee(s):

Amy L Goldman (TR) — Pro Se

10:00 AM
9:25-11665 Coby Joe Weaver **Chapter 7**

#26.00 Hearing re: [9] Reaffirmation agreement between debtor and Santander Consumer USA Inc. (2018 Chevrolet Silverado 1500)

Docket 9

Tentative Ruling:

March 11, 2026

Appearances required.

Party Information

Debtor(s):

Coby Joe Weaver — Represented By Linda Selig Blonsley

Trustee(s):

Nancy J Zamora (TR) — Pro Se

10:00 AM
9:25-11673 Marco Antonio Salcedo Pedroni **Chapter 7**

#27.00 Hearing re: [11] Reaffirmation agreement between debtor and American Credit Acceptance, LLC (2015 Ram 1500 Quad Cab)

Docket 11

Tentative Ruling:

March 11, 2026

Appearances required.

Party Information

Debtor(s):

Marco Antonio Salcedo Pedroni — Represented By Michael B Clayton

Trustee(s):

Nancy J Zamora (TR) — Pro Se

10:00 AM
9:25-11681 Michael Phillip Stephens and Laura Marie-Emsley Stephens **Chapter 7**

#28.00 Hearing re: [11] Reaffirmation agreement between debtor and Toyota Motor Credit Corporation (2022 Toyota Tundra C4X)

Docket 11

Tentative Ruling:

March 11, 2026

Appearances required.

Party Information

Debtor(s):

Michael Phillip Stephens — Represented By Leslie A Tos

Joint Debtor(s):

Laura Marie-Emsley Stephens — Represented By Leslie A Tos

Trustee(s):

Jeremy W. Faith (TR) — Pro Se

10:00 AM
9:25-11681 Michael Phillip Stephens and Laura Marie-Emsley Stephens **Chapter 7**

#29.00 Hearing re: [14] Reaffirmation agreement between debtor and Lakeview Loan Servicing, LLC (6440 Navajoa Ave., Atascadero, CA 93422)

Docket 14

Tentative Ruling:

March 11, 2026

No appearances required.

Court approval of the agreement is not required to reaffirm a consumer debt secured by real property. *See* 11 U.S.C. § 524(c)(6)(B); *see also In re Grisham*, 436 B.R. 896, 905 n.6 (Bankr. N.D. Tex. 2010) (citing 4 COLLIER ON BANKRUPTCY ¶ 524.04, pp. 524–41 (16th ed. 2009)); *see also In re Rhodes*, 635 B.R. 849, 859-860 (Bankr. S.D. Cal. 2021) (citations omitted).

Party Information

Debtor(s):

Michael Phillip Stephens	Represented By Leslie A Tos

Joint Debtor(s):

Laura Marie-Emsley Stephens	Represented By Leslie A Tos

Trustee(s):

Jeremy W. Faith (TR)	Pro Se

10:00 AM
9:25-11735 Christopher Joseph Carr and Kristine Ann Carr **Chapter 7**

#30.00 Hearing re: [11] Reaffirmation agreement between debtor and Carvana, LLC (2017 Lincoln Navigator L Utility 4D Select 4WD)

Docket 11

Tentative Ruling:

March 11, 2026

Appearances required.

Party Information

Debtor(s):

Christopher Joseph Carr — Represented By Daniel A Higson

Joint Debtor(s):

Kristine Ann Carr — Represented By Daniel A Higson

Trustee(s):

Sandra McBeth (TR) — Pro Se

10:00 AM
9:25-11735 Christopher Joseph Carr and Kristine Ann Carr **Chapter 7**

#31.00 Hearing re: [13] Reaffirmation agreement between debtor and Carvana, LLC (2019 Chevrolet Spark Hatchback 5D LS)

Docket 13

Tentative Ruling:

March 11, 2026

Appearances required.

Party Information

Debtor(s):

Christopher Joseph Carr — Represented By Daniel A Higson

Joint Debtor(s):

Kristine Ann Carr — Represented By Daniel A Higson

Trustee(s):

Sandra McBeth (TR) — Pro Se

10:00 AM
9:25-11753 Emerson Geovanny Castro **Chapter 7**

#32.00 Hearing re: [7] Reaffirmation agreement between debtor and Toyota Motor Credit Corporation (2021 Toyota Tundra)

Docket 7

Tentative Ruling:

March 11, 2026

Appearances required.

Party Information

Debtor(s):

Emerson Geovanny Castro — Represented By Michael B Clayton

Trustee(s):

Amy L Goldman (TR) — Pro Se

10:00 AM
9:25-11757 Christopher Thomas Stefek and Patricia Lee Stefek **Chapter 7**

#33.00 Hearing re: [9] Reaffirmation agreement between debtor and Santander Consumer USA Inc. dba Chrysler Capital (2018 Subaru Outback)

Docket 9

Tentative Ruling:

March 11, 2026

No appearance required.

No court approval of the reaffirmation agreement is required. *See In re Ong*, 461 B.R. 559 (9th Cir. BAP 2011).

Party Information

Debtor(s):

Christopher Thomas Stefek — Represented By Michael E Clark

Joint Debtor(s):

Patricia Lee Stefek — Represented By Michael E Clark

Trustee(s):

David Keith Gottlieb (TR) — Pro Se

10:00 AM
9:26-10066 Eric N. Hernandez **Chapter 7**

#34.00 Hearing re: [9] Reaffirmation agreement between debtor and Logix Federal Credit Union (2022 Honda Insight)

Docket 9

Tentative Ruling:

March 11, 2026

No appearance required.

No court approval of the reaffirmation agreement is required. *See In re Ong*, 461 B.R. 559 (9th Cir. BAP 2011).

Party Information

Debtor(s):

Eric N. Hernandez Represented By
Greg M Mazza

Trustee(s):

David Keith Gottlieb (TR) Pro Se

10:00 AM
9:25-11477 Maria Isabel Villegas Espinoza **Chapter 7**

#35.00 Hearing re: [12] Motion for order to defer/delay discharge date to file reaffirmation agreement

Docket 12

Tentative Ruling:

March 11, 2026

Appearances required.

See Docket No. 15.

Party Information

Debtor(s):

Maria Isabel Villegas Espinoza Represented By
Daniel King

Trustee(s):

Amy L Goldman (TR) Pro Se

1:00 PM
9:25-10985 Laurel Creek, LP, a California limited partnership **Chapter 11**

#36.00 CONT'D Chapter 11 Status Conference (Single Asset Real Estate)

fr. 9-10-25, 11-19-25, 12-10-25, 1-14-26, 2-25-26,

Docket 1

Tentative Ruling:

March 11, 2026

Appearances required.

That *Order Setting Initial Status Conference* provides, "[n]ot less than fourteen calendar days prior to the date scheduled for every initial or continued status conference, the debtor-in-possession shall file and serve a written status report on the parties identified in paragraph 1, unless the Court has expressly relieved the debtor-in-possession of the obligation to file a written status report." *See* Docket No. 3, p. 3, lines 3-6.

The Court finds no status report. Has the Court waived the requirement?

February 25, 2026

Appearances waived.

The Court has reviewed that *Status Report*. *See* Docket No. 143. The Court will continue the status conference to March 11, 2026, at 1:00 p.m.

January 14, 2026

Appearances required.

The Court has reviewed that *Status Report* (the "Report"). *See* Docket No. 130. According to the Debtor, through the Report, its post-petition lender has decided not

to proceed with the debtor-in-possession financing facility. *See id.* at p. 2, lines 13-17. As of November 30, 2025, the Debtor had $3,102 in cash. *See* Docket No. 131, *Monthly Operating Report*, p. 2. It is unclear to the Court how the instant case continues, with the Debtor maintaining and securing its assets, but with very little income. The Debtor has stated that it requires quick action in this case to repair and operate its real property. That reality, by the Debtor's own measure, is months away at this juncture.

The Court queries, has this case, despite the Debtor's efforts, not reached its end?

December 10, 2025

Appearances required.

The Court has reviewed that *Status Report* (the "Report"). *See* Docket No. 110. The Report leaves the Court with more queries than answers, and a level of discomfort with the direction of the case. Heading into its fifth month, the instant case is no nearer to an exit than the date the bankruptcy petition was filed. In fact, by all accounts, that expanse has grown.

The Court will start with the Debtor's announcement in the Report that it "intends to employ a Chief Restructuring Officer to supervise and control the Debtor with respect to remedying the Property to resolve each health and safety violation asserted by the City of San Luis Obispo." *See id.* at p. 6, lines 15-17. The Debtor, however, also states in the Report that the City of San Luis Obispo is moving for a receiver, and that the "City's imposition of a receiver guarantees that those improvements will be made first before any sale." *See id.* at p. 7, lines 7-8. The Court maintains some confusion about what the Debtor's intentions are regarding a chief restructuring officer and that of a receiver appointed by a State Court. The Court has not learned from the Debtor what its position would be in the State Court, if any, and what steps it has or intends on taking in the State Court. If a receiver were to be appointed over the Debtor's real property by the State Court, assuming that has not yet occurred, what role would the Debtor then have in improving the real property? What access would the Debtor have

to the real property? The Debtor seems to be waiting for the City of San Luis Obispo to take control of its real property. If the mission at this juncture is to wait idly whilst the Debtor's real property is improved, destroyed, or something in-between by a non-debtor, what value is this bankruptcy case providing? It does not seem that this Court is required, with all the attendant expense of a Chapter 11 case, to sort out mechanics liens.

Second, the Debtor states in the Report that it "has been focusing on approving a DIP loan first before addressing a plan as the procurement of a DIP Loan bears heavily on the Debtor's ability to reorganize." *See id.* at p. 7, lines 14-15. What benefit does debtor-in-possession financing provide to a debtor that appears to acquiesce with being taken out of possession of the sole asset it seeks to reorganize around? How could the Court approve of such a loan when it is not clear to the Court that the Debtor would have the authority to improve its real property with such loan, even if it wanted to, because of the appointment of a receiver over the real property? Is the pursuit of the financing at this point a waste of effort?

Third, the Debtor states that it "intends to file a disclosure statement and plan within the next two to three months." *See id.* at lines 12-13. If a receiver is ordered by the State Court, how could the Debtor be in any position to confirm a plan of reorganization given the fact that the Debtor's exit strategy surrounds improving its real property, and then selling that real property? The Debtor may not even have access to the real property in short order.

The Court is inclined to dismiss the instant bankrptcy case. The Debtor appears to agree that it requires assistance with improving its real property, and is satisfied with allowing the City of San Luis Obispo to undertake that role through the appointment of a receiver. With $74 million in secured debt against an asset worth substantially less, and with no credible signs of reorganization, cause exists to dismiss the instant bankruptcy case.

1:00 PM
CONT... Laurel Creek, LP, a California limited partnership **Chapter 11**

November 19, 2025

Appearances required, in-person for the Debtor.

That *Order Setting Initial Status Conference* provides, "[n]ot less than fourteen calendar days prior to the date scheduled for every initial or continued status conference, the debtor-in-possession shall file and serve a written status report on the parties identified in paragraph 1, unless the Court has expressly relieved the debtor-in-possession of the obligation to file a written status report." *See* Docket No. 3, p. 3, lines 3-6.

The Court finds no status report.

September 10, 2025

Appearances required.

The Court has reviewed that *Status Report* (the "Report"). *See* Docket No. 46.

The Report notes that the Debtor intends to file a plan "within the next two to three months." *See id.* at p. 6, lines 23-25. The Debtor is a single asset real estate business. *See* Docket No. 21, *Voluntary Petition for Non-Individuals Filing for Bankruptcy*, p. 3. The Debtor scheduled 22 claims that are purportedly secured by the Debtor's real property. *See* Docket No. 20, *Schedule D: Creditors Who Have Claims Secured by Property*, pp. 11-19. Is the Debtor not concerned about the quick trigger provision of 11 U.S.C. § 362(d)(3)?

The Report notes that "[a] budget is attached to this report," a budget the Court is unable to locate. *See* Docket No. 46, p. 6, lines 10-11.

Has the Debtor prepared the July 2025, operating report?

The Court will hear from the Office of the United States Trustee regarding the Debtor's compliance with those *Guidelines and Requirements of Chapter 11 Debtors in Possession*.

Party Information

1:00 PM

CONT... Laurel Creek, LP, a California limited partnership **Chapter 11**

Debtor(s):

Laurel Creek, LP, a California — Represented By
Jeffrey I Golden
Anerio V Altman

1:00 PM
9:25-10986 Laurel Creek II, LP, a California limited partners **Chapter 11**

#37.00 CONT'D Chapter 11 Status Conference

fr. 9-10-25, 11-19-25, 12-10-25, 1-14-26, 2-25-26,

Docket 1

Tentative Ruling:

March 11, 2026

Appearances required.

That *Order Setting Initial Status Conference* provides, "[n]ot less than fourteen calendar days prior to the date scheduled for every initial or continued status conference, the debtor-in-possession shall file and serve a written status report on the parties identified in paragraph 1, unless the Court has expressly relieved the debtor-in-possession of the obligation to file a written status report." *See* Docket No. 3, p. 3, lines 3-6.

The Court finds no status report. Has the Court waived the requirement?

February 25, 2026

Appearances waived.

The Court has reviewed that *Status Report*. *See* Docket No. 88. The Court will continue the status conference to March 11, 2026, at 1:00 p.m.

January 14, 2026

Appearances required.

1:00 PM
CONT... Laurel Creek II, LP, a California limited partners **Chapter 11**

The Court has reviewed that *Status Report* (the "Report"). *See* Docket No. 79. The Debtor asserts that it "expects a term sheet prior to the January 14 hearing," but in another portion of the Report asserts that it "has secured a term sheet for a debtor-in-possession loan and intends to file a motion for approval of such loan prior to the January 14, 2026, hearing date." *See id.* at p. 3, lines 5-7 and p. 4, lines 9-11. It is not clear whether the Debtor has received a term sheet for financing, or expects to receive a term sheet for financing.

The Court does, in any case, have two questions for the Debtor. First, what are the Debtor's accrued, but unpaid administrative expense claims through January 14, 2026? Second, does the Debtor's net income, from the petition date through November 30, 2025, total -$899,645.53?

December 10, 2025

Appearances required.

The Court has reviewed that *Status Report* (the "Report"). *See* Docket No. 76.

November 19, 2025

Appearances required, in person for the Debtor.

That *Order Setting Initial Status Conference* provides, "[n]ot less than fourteen calendar days prior to the date scheduled for every initial or continued status conference, the debtor-in-possession shall file and serve a written status report on the parties identified in paragraph 1, unless the Court has expressly relieved the debtor-in-possession of the obligation to file a written status report." *See* Docket No. 3, p. 3, lines 3-6.

The Court finds no status report.

1:00 PM
CONT... Laurel Creek II, LP, a California limited partners **Chapter 11**
September 10, 2025

Appearances required.

The Court has reviewed that *Status Report* (the "Report"). *See* Docket No. 40.

The Court will hear from the Office of the United States Trustee regarding the Debtor's compliance with those *Guidelines and Requirements of Chapter 11 Debtors in Possession*.

Party Information

Debtor(s):

Laurel Creek II, LP, a California — Represented By
Jeffrey I Golden
Anerio V Altman

1:00 PM
9:25-11445 Rasmussen, Rasmussen and Rasmussen **Chapter 11**

#38.00 CONT'D Chapter 11 Status Conference (Single Asset Real Estate)

fr. 12-10-25,

Docket 1

Tentative Ruling:

March 11, 2026

Appearances required.

The Court has reviewed that *Case Management Conference Status Report Number 2:*. *See* Docket No. 59. The Court will hear from parties-in-interest, including the Office of the United States Trustee

December 10, 2025

Appearances required.

The Court has reviewed that *Case Management Conference Status Report Number 1:*. *See* Docket No. 24. The Court will hear from parties-in-interest, including the Office of the United States Trustee. The Court is inclined to set the following deadlines and dates:

December 30, 2025 – Deadline for the Debtor to provide notice of the claims bar date

January 30, 2026 – Claims bar date

February 26, 2026 – Deadline for the Debtor to file and serve a disclosure statement and plan of reorganization, and notice of the hearing on approval of the to-be filed disclosure statement

March 11, 2026, at 1:00 p.m. – Continued status conference

1:00 PM
CONT... **Rasmussen, Rasmussen and Rasmussen** **Chapter 11**

April 8, 2026, at 1:00 p.m. – Hearing on approval of to-be filed disclosure statement

The Debtor is to lodge a scheduling order within 7 days.

Party Information

Debtor(s):

Rasmussen, Rasmussen and — Represented By
Eric Bensamochan

Movant(s):

Rasmussen, Rasmussen and — Represented By
Eric Bensamochan

1:00 PM
9:25-11740 Sancho Loco Inc. **Chapter 11**

#39.00 CONT'D Chapter 11 Subchapter V Status Conference

fr. 2-11-26,

Docket 1

Tentative Ruling:

March 11, 2026

Appearances required.

The Court has reviewed *Debtor's Status Report* (the "Report"). *See* Docket No. 44. Other than a monthly operating report for January 2026, the Court will want to understand what other obligations the Debtor "is admittedly behind" with.

February 11, 2026

Appearances required.

The Court has reviewed that *Subchapter V Status Report Number 2*. *See* Docket No. 30. The Court will hear from the Office of the United States Trustee regarding the Debtor's compliance with those *Guidelines and Requirements for Chapter 11 Debtors in Possession*.

The Court will set a confirmation hearing to take place on April 22, 2026, at 1:00 p.m. The Debtor is to serve its plan of reorganization, notice of the confirmation hearing, and any ballots on or before March 23, 2026. Any responses to confirmation of the Debtor's plan and the return of any ballots are to be filed/submitted on or before April 8, 2026. The Debtor will have until April 15, 2026, to file a memorandum in support of confirmation of its to-be filed plan of reorganization, including responding to any oppositions to confirmation, and a ballot tally.

The Court will hold a continued status conference on April 22, 2026, at 1:00 p.m.

The Debtor is to lodge a scheduling order within 7 days.

1:00 PM

CONT... Sancho Loco Inc. **Chapter 11**

Party Information

Debtor(s):

Sancho Loco Inc. Represented By
Matthew D. Resnik

Movant(s):

Sancho Loco Inc. Represented By
Matthew D. Resnik
Matthew D. Resnik

1:00 PM
9:26-10110 Westlake Senior Living Center, LLC **Chapter 11**

#40.00 CONT'D Hearing re: [12] Stipulation authorizing debtor to use cash collateral with Poppy Bank

fr. 2-6-26, 2-11-26,

Docket 12

Tentative Ruling:

March 11, 2026

Appearances required.

On February 18, 2026, the Court entered that *Order Approving in Part and Continuing in Part Stipulation Authorizing Debtor to Use Cash Collateral with Poppy Bank* (the "Order"), partly granting that *Stipulation Authorizing Debtor to Use Cash Collateral with Poppy Bank* (the "Stipulation"). *See* Docket Nos. 47 and 12, respectively. The Order continued the hearing on the Stipulation to March 11, 2026, and required that "[n]otice of the continued hearing and any augmentations to the Stipulation shall be filed and served by February 18, 2026." *See* Docket No. 47, p. 2, lines 17-18.

On February 18, 2026, Westlake Senior Living Center LLC filed that *Notice of Continued Hearing on the Approval of Stipulation Authorizing the Debtor's Use of Cash Collateral* (the "Notice"). *See* Docket No. 48. This Court's Local Rule 9013-1(c)(2) provides in relevant part that any "notice of motion *must* advise the opposing party that LBR 9013-1(f) requires a written response to be filed and served at least 14 days before the hearing." (emphasis added). The Notice does not comply with this Court's Local Rule 9013-1(c)(2). Ergo, notice of the Stipulation was defective for failure to identify the opposition deadline.

Pursuant to Fed. R. Bankr. P. 4001(b)(1)(C), a motion for authorization to use cash collateral "must be served on [] each entity with an interest in the cash collateral." Pursuant to Fed. R. Bankr. P. 2002(g)(1)(A), "[a] notice mailed to a creditor [] must

1:00 PM
CONT... Westlake Senior Living Center, LLC **Chapter 11**

be addressed as the entity or its authorized agent provided in its last request filed in the case," which "request may be [] a proof of claim filed by a creditor [] designating a mailing address…" Ally Bank was served with the Notice at P.O. Box 380902, Bloomington, MN. *See* Docket No. 48, *Proof of Service of Document*, p. 19. On February 11, 2026, Ally Bank filed proof of claim no. 1, noting that all notices should be sent to 4515 N. Santa Fe Ave., Dept. APS, Oklahoma City, OK 73118. *See* Claim No. 1. To the extent Ally Bank is entitled to notice of the hearing on the Stipulation, notice to Ally Bank was defective.

The Stipulation is denied for defective service of notice of the continued hearing.

Party Information

Debtor(s):

Westlake Senior Living Center, LLC Represented By
Stella A Havkin

1:00 PM
9:25-10985 Laurel Creek, LP, a California limited partnership **Chapter 11**

#41.00 CONT'D Hearing re: [82] Motion for order approving disclosure statement describing chapter 11 plan of liquidation dated October 22, 2025

fr. 12-03-25,

Docket 82

Tentative Ruling:

March 11, 2026

Appearances required.

Background

Laurel Creek, LP (the "Debtor") filed that *Disclosure Statement Describing Chapter 11 Plan of Liquidation Dated October 22, 2025* (the "Disclosure Statement") on October 22, 2025. *See* Docket No. 81. Central to the Debtor's reorganization effort was post-petition financing from CPIF Laurel Creek, LLC ("CPIF"). *See id.* at pp. 15-16. On December 31, 2025, CPIF filed *CPIF Laurel Creek, LLC's Notice of Withdrawal as Proposed DIP Lender*, "withdrawing as the proposed Lender in connection with the DIP Motion and any and all loans or other financings contemplated thereunder or in connection with any attachments, exhibits or supplements thereto," upsetting the Debtor's strategy for funding its exit from bankruptcy. *See* Docket No. 128.

On March 4, 2026, the Court entered that *Order Granting Motion for Relief from the Automatic Stay Under 11 U.S.C. § 362* (the "Order"). *See* Docket No. 150. As the Order was entered after the Disclosure Statement was filed, it is not disclosed in the Disclosure Statement or the attendant plan.

Analysis

Pursuant to 11 U.S.C. § 1125(b), "[a]n acceptance or rejection of a plan may not be solicited after the commencement of the case under this title from a holder of a claim

or interest with respect to such claim or interest, unless, at the time of or before such solicitation, there is transmitted to such holder the plan or a summary of the plan, and a written disclosure statement approved, after notice and a hearing, by the court as containing adequate information." "[A]dequate information means information of a kind, and in sufficient detail, as far as is reasonably practicable in light of the nature and history of the debtor and the condition of the debtor's books and records [] that would enable such a hypothetical investor of the relevant class to make an informed judgment about the plan…" 11 U.S.C. § 1125(a)(1). "[I]n determining whether a disclosure statement provides adequate information, the court shall consider the complexity of the case, the benefit of additional information to creditors and other parties in interest, and the cost of providing additional information." *Id.* "'[T]he determination of what is adequate information is subjective and made on a case by case basis. This determination is largely within the discretion of the bankruptcy court.'" *In re Brotby*, 303 B.R. 177, 193 (9th Cir. BAP 2003)(citing *In re Texas Extrusion Corp.*, 844 F.2d 1142, 1157 (5th Cir. 1988)). "The purpose of a disclosure statement is to give all creditors a source of information which allows them to make an informed choice regarding the approval or rejection of a plan." *In re Cal. Fidelity, Inc.*, 198 B.R. 567, 571 (9th Cir. BAP 1996).

"There are numerous decisions which hold that where a plan is on its face unconfirmable, as a matter of law, it is appropriate for the court to deny approval of the disclosure statement describing the nonconfirmable plan." *In re Silberkraus*, 253 B.R. 890, 899 (Bankr. C.D. Cal. 2000)(internal citations omitted).

Here, significant events have occurred in the Debtor's bankruptcy case since the Disclosure Statement was filed, most significant of which were CPIF's withdrawing from any commitment to extend financing to the Debtor, and the Court's entering of the Order. Likewise, these events are not described in the underlying plan of reorganization. At bottom, by the Court's measure, the Debtor's current reorganization structure as described in the Disclosure Statement and underlying plan of reorganization is not possible. That is, the plan of reorganization is unconfirmable on its face.

1:00 PM
CONT... Laurel Creek, LP, a California limited partnership **Chapter 11**

Conclusion

Approval of the Disclosure Statement is denied. The Debtor is to lodge a conforming order within 7 days.

December 3, 2025

Appearances required.

On October 22, 2025, the Debtor filed that *Disclosure Statement Describing Chapter 11 Plan of Liquidation Dated October 22, 2025* (the "Disclosure Statement"). *See* Docket No. 81. The Disclosure Statement was noticed for a December 3, 2025, hearing. *See* Docket No. 84, *Notice of Hearing on Motion for Order Approving Disclosure Statement Describing Chapter 11 Plan of Reorganization*.

On November 18, 2025, the Debtor filed that *Motion to Continue Debtor-in-Possession's Hearing on the Adequacy of Its Disclosure Statement Filed as Docket # 81* (the "Motion"). *See* Docket No. 97. On that same date, the Debtor lodged that *Notice of Lodgment of Order in Bankruptcy Case re: Motion to Continue*. *See* Docket No. 98. The Court finds no such order, likely because the Motion did not comply with this Court's Local Rule 9013-1(c)(2).

On November 21, 2025, the Debtor filed that *Notice of Motion for: To Continue Debtor-in-Possession's Hearing On the Adequacy of Its Disclosure Statement Filed as Docket #81* (the "Notice"). *See* Docket No. 105. The Notice, in an attempt to remedy the failure of the Motion to comport with this Court's Local Rules, served only to confuse parties further. The Notice speaks of a deadline to oppose the Motion, that deadline being fourteen (14) days prior to the hearing on the Motion. *See id.* at p. 2. The hearing date for the Motion is that of the hearing date for the Disclosure Statement. Yet, the Notice was served less than fourteen (14) days from December 3, 2025, consequently violating this Court's Local Rule 9013-1(d)(2).

Thus, the Court is set to hear a Motion that was filed without appropriate notice.

1:00 PM
CONT... **Laurel Creek, LP, a California limited partnership** **Chapter 11**

Debtor(s):

Laurel Creek, LP, a California — Represented By
Jeffrey I Golden
Anerio V Altman

Movant(s):

Laurel Creek, LP, a California — Represented By
Jeffrey I Golden
Anerio V Altman

1:00 PM
9:25-10187 Pacer Print **Chapter 11**

#42.00 Hearing re: [176] Debtor's original disclosure statement describing chapter 11 plan

Docket 176

Tentative Ruling:

March 11, 2026

Appearances required.

Party Information

Debtor(s):

Pacer Print Represented By
Steven R Fox

1:00 PM
9:25-10187 Pacer Print **Chapter 11**

#43.00 CONT'D Chapter 11 Status Conference

fr. 4-9-25, 5-21-25, 7-16-25, 10-8-25,
12-10-25,

Docket 1

Tentative Ruling:

March 11, 2026

Appearances required.

December 10, 2025

Appearances required.

The Court has reviewed that *Status Conference Report*. *See* Docket No. 154. The Court will hear from the Office of the United States Trustee regarding the Debtor's compliance with those *Guidelines and Requirements of Chapter 11 Debtors-in-Possession*.

The deadline for the Debtor to file a disclosure statement and plan of reorganization is January 21, 2026. *See* Docket No. 162, *Order Granting Ex Parte Motion to Extend Deadline to File Disclosure Statement and Plan*. The Court will hold a hearing on the approval of the to-be filed disclosure statement on March 11, 2026, at 1:00 p.m. Notice of the disclosure statement hearing is to be filed and served, and the disclosure statement and plan of reorganization are to be served on or before January 28, 2026.

The Court will continue the status conference to March 11, 2026, at 1:00 p.m.

The Debtor is to lodge a scheduling order within 7 days.

1:00 PM
CONT... **Pacer Print** **Chapter 11**

October 8, 2025

Appearances waived.

The Court has reviewed that *Status Conference Report*. *See* Docket No. 131. To allow the Office of the U.S. Trustee to appear and provide any comments, the Court will continue the status conference to December 10, 2025, at 1:00 p.m. A status report is to be filed no later than fourteen days prior to the continued status conference.

July 16, 2025

Appearances required.

The Court has reviewed that *Status Conference Report*. *See* Docket No. 104. A disclosure statement and plan is due to be filed on or before November 28, 2025. The Court will hear from the Office of the United States Trustee regarding the Debtor's compliance with those *Guidelines and Requirements of Chapter 11 Debtors in Possession*.

Assuming full compliance, the Court will continue the status conference to September 24, 2025, at 1:00 p.m., with a status report filed 14 days prior thereto.

May 21, 2025

Appearances required.

The Court has reviewed that *Status Conference Report*. *See* Docket No. 87. The Court will hear from the Office of the United States Trustee regarding the Debtor's compliance with those *Guidelines and Requirements for Chapter 11 Debtors in Possession*. Assuming a report of full compliance, the Court is inclined to continue

1:00 PM
CONT... **Pacer Print** **Chapter 11**

the status conference to July 16, 2025, at 1:00 p.m. The Court is also inclined to set a deadline for the Debtor to file and serve a plan of reorganization and disclosure statement describing that plan of November 28, 2025. The Debtor is to upload a scheduling order with those two (2) dates within 7 days.

April 9, 2025

Appearances required.

The Court has reviewed that *Status Report for Initial Status Conference*. *See* Docket No. 70. The Court will hear from the Office of the United States Trustee regarding the Debtor's compliance with those *Guidelines and Requirements of Chapter 11 Debtors in Possession*. Assuming a report of full compliance, the Court is inclined to continue the status conference to June 4, 2025, at 1:00 p.m. The Court is also inclined to set a deadline for the Debtor to file and serve a plan of reorganization and disclosure statement describing that plan of November 28, 2025. The Debtor is to upload a scheduling order with those two (2) dates within 7 days.

Party Information

Debtor(s):

Pacer Print	Represented By Steven R Fox