

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

Wednesday, June 18, 2025

Hearing Room 201

9:00 AM

9: -

Chapter 0

#0.00 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).

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Docket 0

Tentative Ruling:

6/18/2025 7:26:43 AM

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Chapter 0

- NONE LISTED -

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
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Wednesday, June 18, 2025

Hearing Room 201

9:00 AM

9:22-10735 GCLI, LLC

Chapter 7

Adv#: 9:23-01065 Gemelli Group, LLC v. Namba et al

#1.00 CONT'D Status Hearing re: [1] Adversary case 9:23-ap-01065. Complaint by Gemelli Group, LLC against Jerry Namba, Dentons US LLP.

fr. 2-7-24, 4-10-24, 5-22-24, 7-10-24, 11-5-24, 12-11-24, 4-23-25,

Docket 1

***** VACATED *** REASON: Hearing continued to 7/16/2025 at 9:00 a.m.
per order entered 6/5/2025**

Tentative Ruling:

December 11, 2024

Appearances required.

November 5, 2024

Appearances required.

The Court has reviewed that *Joint Status Report*. See Docket No. 30. The report noted that the parties may be seeking an extension of the discovery cutoff date, but that date will have passed by the time of the status conference. It also appears that the parties are uninterested in this matter being formally mediated. The Court is inclined to continue the status conference to December 11, 2024, at 9:00 a.m., the time of the pre-trial conference.

July 10, 2024

Appearances required.

The Court has reviewed that *Joint Status Report*. See Docket No. 27. The Court is inclined to set the following litigation dates:

July 26, 2024 - Last day to join other parties and to amend pleadings

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CONT... GCLI, LLC

Chapter 7

October 31, 2024 - Last day to complete discovery, including receipt of responses

November 20, 2024, at 9:00 a.m. - Deadline for dispositive motions to be heard

November 27, 2024 - Deadline to submit pre-trial stipulation and proposed order

December 11, 2024, at 9:00 a.m. - Pre-trial conference (In-person)

March 20, 2025, at 1:00 p.m. (if trial is to be in Santa Barbara) - Trial (In-person)

Plaintiff is to lodge a scheduling order with the above dates within 7 days.

May 22, 2024

Appearances required.

On December 8, 2023, Gemelli Group, LLC ("Plaintiff") filed against Jerry Namba, Chapter 7 trustee (the "Trustee"), and Dentons US LLP that *Complaint for Declaratory Relief* (the "Complaint"). *See* Case No. 9:23-ap-01065-RC, Docket No. 1. Through the Complaint, Plaintiff, as purchaser of certain assets from MidCap Funding XVII Trust and MidCap Funding XVIII Trust after foreclosure, seeks declaratory relief that Plaintiff is the owner of certain of those assets purchased.

Metropolitan Partners Group and its related affiliates have filed a complaint in New York against certain entities related to the principals of GCLI, LLC (the "Debtor"), as well as the Debtor, asserting numerous fraud-based causes of action, including the purchase of the assets at issue in the Complaint by Plaintiff. *See* Case No. 9:22-bk-10735-RC, Docket No. 46, *Exhibit 4*.

The Court has approved a settlement that allows the New York action to continue to conclusion. *See id.* at Docket No. 123, *Order Granting Trustee's Motion to Approve Settlement Agreement with Metropolitan Parties*.

If the New York action, at least in part, is "premised upon the contention that the Strict Foreclosure and then the subsequent transfer of the Select Assets were not valid transfers, but instead comprise a scheme in which MidCap participated with GemCap

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CONT... GCLI, LLC

Chapter 7

Parties to defraud creditors," as stated by Gemelli Equities, LLC in its *Opposition to Trustee's Motion to Compromise with Metropolitan Parties* (Docket No. 112, p. 10, lines 21-23), is the Complaint not effectively, if not directly resolved through the New York action? The Trustee's *Answer of Defendant Jerry Namba to Complaint for Declaratory Relief* appears to plead affirmative defenses that principally parrot some of the allegations in the New York action complaint. *See* Case No. 9:23-ap-01065-RC, Docket No. 9. In the interest of comity and judicial and party resources, it seems to make the most sense to allow the New York action to commence, and complete prior to the parties and this Court litigating similar or the same factual and legal issues.

February 7, 2024

Appearances required.

The Court has reviewed the *Joint Status Report* of Gemelli Group, LLC and Jerry Namba. *See* Docket No. 10. Namba asserts that an "amended answer will be filed on or before 1/31/2024." *See id.* at p. 2. The Court finds no such amended answer. It is also not clear what Gemelli Group, LLC's intends to do with Dentons US LLP, as no request for default has been filed.

Party Information

Debtor(s):

GCLI, LLC

Represented By
William S Brody

Defendant(s):

Jerry Namba

Represented By
D Edward Hays
Bradford Barnhardt
Laila Rais

Dentons US LLP

Represented By
Tania M Moyron

**United States Bankruptcy Court
Central District of California
Northern Division
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Hearing Room 201

9:00 AM

CONT... GCLI, LLC

Chapter 7

DOES 1-100

Pro Se

Plaintiff(s):

Gemelli Group, LLC

Represented By
Nicholas S Couchot
William S Brody
Paul S Arrow
Pooya E Sohi

Trustee(s):

Jerry Namba (TR)

Represented By
D Edward Hays
Laila Rais
Bradford Barnhardt

**United States Bankruptcy Court
Central District of California
Northern Division
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Wednesday, June 18, 2025

Hearing Room 201

9:00 AM

9:22-10735 GCLI, LLC

Chapter 7

Adv#: 9:24-01037 Namba v. Ellis et al

#2.00 CONT'D Status Hearing re: [1] Adversary case 9:24-ap-01037. Complaint by Jerry Namba against Richard Ellis, David Ellis, GemCap Solutions, LLC, Gemelli Group, LLC, Gemelli Equities, LLC. (\$350.00 Fee Charge To Estate). Complaint for: (1) Breach of Fiduciary Duty; (2) Avoidance and Recovery of Actual Fraudulent Transfers; (3) Disallowance of Claim; and (4) Subordination of Claim (Attachments: # 1 Adversary Proceeding Cover Sheet) Nature of Suit: (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (14 (Recovery of money/property - other)), (14 (Recovery of money/property - other)), (81 (Subordination of claim or interest))

fr. 11-20-24, 12-4-24, 12-11-24, 4-23-25,

Docket 1

***** VACATED *** REASON: Hearing continued to 7/16/2025 at 9:00 a.m.
per order entered 6/5/2025**

Tentative Ruling:

December 11, 2024

Appearances required.

December 4, 2024

Appearances waived.

The Court has reviewed that *Joint Status Report* (the "Report"). See Docket No. 11. Since the Report was filed, a motion under Fed. R. Civ. P. 12(b)(6) has been filed. The Court will continue the status conference to December 11, 2024, at 9:00 a.m.

November 20, 2024

Appearances waived.

The Court has reviewed that *Joint Status Report*. See Docket No. 11. It appears that

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CONT... GCLI, LLC

Chapter 7

this matter is not yet at issue. The Court will continue the status conference to December 4, 2024, at 9:00 a.m., in Courtroom 5D, 411 W. Fourth Street, Santa Ana, California.

Party Information

Debtor(s):

GCLI, LLC

Represented By
William S Brody

Defendant(s):

Richard Ellis

Represented By
Pooya E Sohi

David Ellis

Represented By
Pooya E Sohi

GemCap Solutions, LLC

Represented By
Pooya E Sohi

Gemelli Equities, LLC

Represented By
Pooya E Sohi

Plaintiff(s):

Jerry Namba

Represented By
Bradford Barnhardt
D Edward Hays
Laila Rais

Trustee(s):

Jerry Namba (TR)

Represented By
D Edward Hays
Laila Rais
Bradford Barnhardt

**United States Bankruptcy Court
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9:24-10319 Makat Investments, LLC

Chapter 12

Adv#: 9:24-01040 McBeth, Chapter 7 Trustee for the Estate of 595s7t v. Makat Investments,

#3.00 CONT'D Status Hearing re: [1] Adversary case 9:24-ap-01040. Complaint by Sandra K. McBeth, Chapter 7 Trustee for the Estate of 595s7th LLC against Makat Investments, LLC. (\$350.00 Fee Charge To Estate). Nature of Suit: (14 (Recovery of money/property - other)),(11 (Recovery of money/property - 542 turnover of property)),(02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy)))

fr. 1-29-25, 3-26-25, 4-23-25,

Docket 1

Tentative Ruling:

June 18, 2025

Appearances waived.

The Court has reviewed that *Joint Status Report*. See Docket No. 30. With discovery seemingly back on track, the Court will continue the status conference to October 22, 2025, at 9:00 a.m.

April 23, 2025

Appearances required.

The Court has reviewed that *Joint Status Report*. See Docket No. 20. The Plaintiff, given delays in the Defendant providing discovery responses, seeks to extend the current discovery cutoff date of May 30, 2025, and the deadline for this Court to hear dispositive motions of July 9, 2025. It is unclear to the Court how much more time the Plaintiff is requesting for each of these deadlines.

March 26, 2025

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CONT... Makat Investments, LLC

Chapter 12

Appearances required. The Defendant shall appear, through counsel or otherwise, in-person.

The Court has reviewed that *Unilateral Status Report* (the "Report"). See Docket No. 11. Despite efforts to meet with, and obtain Makat Investments, LLC's (the "Defendant") input for the Report, the Defendant has gone radio silent. See *id.* at p. 4. Those *Adversary Proceeding Status Conference Procedures* and this Court's Local Rule 7016-1(a)(2) require all parties to an adversary proceeding to participate in the formulation of the joint status reports prior to each status conference. See Docket No. 2. The failure to do so "may result in the imposition of monetary sanctions and/or the status conference being continued." See *id.* at p. 1. In fact, this Court's Local Rule 7016-1(f)(4) provides that if a status conference statement is not filed, "[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" may be ordered by the Court.

By all accounts, the Defendant has lost interest in advancing the case. Beyond the Defendant's, and counsel to the Defendant's, failure to respond to requests to meet and confer regarding the Report, the Defendant has failed to provide initial disclosures as required by Fed. R. Civ. P. 16(a)(1), made applicable to adversary proceedings by Fed. R. Bankr. P. 7026. See Docket No. 9, *Plaintiff's Notice of Motion and Motion to Compel Initial Disclosures and Payment of Expenses* (the "Motion"). The Defendant has not complied with this Court's Local Rule 7016-1(c). Sandra McBeth (the "Plaintiff"), the Chapter 7 Trustee for the bankruptcy estate of 595s7th LLC, and the plaintiff in the instant adversary proceeding, has now been placed in the position of having to incur the fees, expenses, and delays in filing the Motion in order to compel the Defendant to do what the Rules of Civil Procedure applicable to this adversary proceeding require, absent any prompting of the Plaintiff. The Defendant has not responded to the Motion. The Court is inclined to resolve the Motion in two stages. First, the Court will grant the Motion, requiring the Defendant to provide full disclosures as required under Fed. R. Civ. P. 26(a)(1) on or before April 4, 2025. Second, the Court will issue an order to show cause as to why the Court should not issue terminating sanctions, striking the answer and entering judgment for the Plaintiff, for the Defendant's failure to provide its input for the Report and to timely provide initial disclosures, and to issue monetary sanctions in the amount of \$1,500

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CONT... Makat Investments, LLC

Chapter 12

against the Defendant and the Defendant's counsel, jointly and severally. The Court will hold a hearing on the show cause order on April 23, 2025, at 10:00 a.m. The Motion requests fees and costs related to the drafting and arguing of the Motion, which the Court is inclined to grant as a part of the sanctions the Court intends on levying, but the Court requires evidence of those fees and expenses, and so the Court will require that the Plaintiff submit evidence in support of their expenses and fees incurred in bringing the Motion to be filed on or before April 2, 2025.

January 29, 2025

Appearances required.

As the parties are aware, "[a] joint status report preparing using Local Form F 7016-1.STATUS.REPORT must be filed fourteen (14) days before each status conference." *See* Docket No. 2, *Adversary Proceeding Status Conference Procedures*. The Court finds no status report, and so is unable to prepare for a meaningful status conference in this matter.

Party Information

Debtor(s):

Makat Investments, LLC

Represented By
Reed H Olmstead

Defendant(s):

Makat Investments, LLC

Represented By
Reed H Olmstead

Plaintiff(s):

Sandra K. McBeth, Chapter 7

Represented By
Michael G D'Alba

Trustee(s):

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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9:24-10319 Makat Investments, LLC

Chapter 12

Adv#: 9:24-01041 McBeth, Chapter 7 Trustee for the Estate of Live O v. Makat Investments,

#4.00 CONT'D Status Hearing re: [1] Adversary case 9:24-ap-01041. Complaint by Sandra McBeth against Makat Investments, LLC. (\$350.00 Fee Charge To Estate). - Complaint to: (1) Avoid Transfer; (2) Recover Avoided Transfer; (3) Obtain Turnover; and (4) Obtain Accounting [11 U.S.C. §§ 108, 542, 544, and 550] - Nature of Suit: (14 (Recovery of money/property - other)), (11 (Recovery of money/property - 542 turnover of property)), (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy)))

fr. 1-29-25, 3-26-25, 4-23-25,

Docket 1

Tentative Ruling:

June 18, 2025

Appearances waived.

The Court has reviewed that *Joint Status Report*. See Docket No. 28. With discovery seemingly back on track, the Court will continue the status conference to October 22, 2025, at 9:00 a.m.

April 23, 2025

Appearances required.

The Court has reviewed that *Joint Status Report*. See Docket No. 21. The Plaintiff, given delays in the Defendant providing discovery responses, seeks to extend the current discovery cutoff date of May 30, 2025, and the deadline for this Court to hear dispositive motions of July 9, 2025. It is unclear to the Court how much more time the Plaintiff is requesting for each of these deadlines.

**United States Bankruptcy Court
Central District of California
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9:00 AM

**CONT... Makat Investments, LLC
March 26, 2025**

Chapter 12

Appearances required. The Defendant shall appear, through counsel or otherwise, in-person.

The Court has reviewed that *Unilateral Status Report* (the "Report"). *See* Docket No. 13. Despite efforts to meet with, and obtain Makat Investments, LLC's (the "Defendant") input for the Report, the Defendant has gone radio silent. *See id.* at p. 4. Those *Adversary Proceeding Status Conference Procedures* and this Court's Local Rule 7016-1(a)(2) require all parties to an adversary proceeding to participate in the formulation of the joint status reports prior to each status conference. *See* Docket No. 3. The failure to do so "may result in the imposition of monetary sanctions and/or the status conference being continued." *See id.* at p. 1. In fact, this Court's Local Rule 7016-1(f)(4) provides that if a status conference statement is not filed, "[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" may be ordered by the Court.

By all accounts, the Defendant has lost interest in advancing the case. Beyond the Defendant's, and counsel to the Defendant's, failure to respond to requests to meet and confer regarding the Report, the Defendant has failed to provide initial disclosures as required by Fed. R. Civ. P. 16(a)(1), made applicable to adversary proceedings by Fed. R. Bankr. P. 7026. *See* Docket No. 11, *Plaintiff's Notice of Motion and Motion to Compel Initial Disclosures and Payment of Expenses* (the "Motion"). The Defendant has not complied with this Court's Local Rule 7016-1(c). Sandra McBeth (the "Plaintiff"), the Chapter 7 Trustee for the bankruptcy estate of Live Oak Rentals LLC, and the plaintiff in the instant adversary proceeding, has now been placed in the position of having to incur the fees, expenses, and delays in filing the Motion in order to compel the Defendant to do what the Rules of Civil Procedure applicable to this adversary proceeding require, absent any prompting of the Plaintiff. The Defendant has not responded to the Motion. The Court is inclined to resolve the Motion in two stages. First, the Court will grant the Motion, requiring the Defendant to provide full disclosures as required under Fed. R. Civ. P. 26(a)(1) on or before April 4, 2025. Second, the Court will issue an order to show cause as to why the Court should not issue terminating sanctions, striking the answer and entering judgment for the Plaintiff, for the Defendant's failure to provide its input for the Report and to timely

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CONT... Makat Investments, LLC

Chapter 12

provide initial disclosures, and to issue monetary sanctions in the amount of \$1,500 against the Defendant and the Defendant's counsel, jointly and severally. The Court will hold a hearing on the show cause order on April 23, 2025, at 10:00 a.m. The Motion requests fees and costs related to the drafting and arguing of the Motion, which the Court is inclined to grant as a part of the sanctions the Court intends on levying, but the Court requires evidence of those fees and expenses, and so the Court will require that the Plaintiff submit evidence in support of their expenses and fees incurred in bringing the Motion to be filed on or before April 2, 2025.

January 29, 2025

Appearances required.

As the parties are aware, "[a] joint status report preparing using Local Form F 7016-1.STATUS.REPORT must be filed fourteen (14) days before each status conference." *See* Docket No. 3, *Adversary Proceeding Status Conference Procedures*. The Court finds no status report, and so is unable to prepare for a meaningful status conference in this matter.

Party Information

Debtor(s):

Makat Investments, LLC

Represented By
Reed H Olmstead

Defendant(s):

Makat Investments, LLC

Represented By
Reed H Olmstead

Plaintiff(s):

Sandra K McBeth, Chapter 7 Trustee

Represented By
Michael G D'Alba

Trustee(s):

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 201

9:00 AM

9:24-10319 Makat Investments, LLC

Chapter 12

Adv#: 9:24-01042 McBeth, Chapter 7 Trustee for the Estate of Cornel v. Makat Investments,

#5.00 CONT'D Status Hearing re: [1] Adversary case 9:24-ap-01042. Complaint by Sandra K. McBeth, Chapter 7 Trustee for the Estate of Cornelius Farms, LLC against Makat Investments, LLC. (\$350.00 Fee Charge To Estate). Nature of Suit: (14 (Recovery of money/property - other)),(11 (Recovery of money/property - 542 turnover of property)),(02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy)))

fr. 1-29-25, 3-27-25, 4-23-25,

Docket 1

Tentative Ruling:

June 18, 2025

Appearances waived.

The Court has reviewed that *Joint Status Report*. See Docket No. 27. With discovery seemingly back on track, the Court will continue the status conference to October 22, 2025, at 9:00 a.m.

April 23, 2025

Appearances required.

The Court has reviewed that *Joint Status Report*. See Docket No. 19. The Plaintiff, given delays in the Defendant providing discovery responses, seeks to extend the current discovery cutoff date of May 30, 2025, and the deadline for this Court to hear dispositive motions of July 9, 2025. It is unclear to the Court how much more time the Plaintiff is requesting for each of these deadlines.

March 26, 2025

**United States Bankruptcy Court
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CONT... Makat Investments, LLC

Chapter 12

Appearances required. The Defendant shall appear, through counsel or otherwise, in-person.

The Court has reviewed that *Unilateral Status Report* (the "Report"). See Docket No. 11. Despite efforts to meet with, and obtain Makat Investments, LLC's (the "Defendant") input for the Report, the Defendant has gone radio silent. See *id.* at p. 4. Those *Adversary Proceeding Status Conference Procedures* and this Court's Local Rule 7016-1(a)(2) require all parties to an adversary proceeding to participate in the formulation of the joint status reports prior to each status conference. See Docket No. 2. The failure to do so "may result in the imposition of monetary sanctions and/or the status conference being continued." See *id.* at p. 1. In fact, this Court's Local Rule 7016-1(f)(4) provides that if a status conference statement is not filed, "[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" may be ordered by the Court.

By all accounts, the Defendant has lost interest in advancing the case. Beyond the Defendant's, and counsel to the Defendant's, failure to respond to requests to meet and confer regarding the Report, the Defendant has failed to provide initial disclosures as required by Fed. R. Civ. P. 16(a)(1), made applicable to adversary proceedings by Fed. R. Bankr. P. 7026. See Docket No. 9, *Plaintiff's Notice of Motion and Motion to Compel Initial Disclosures and Payment of Expenses* (the "Motion"). The Defendant has not complied with this Court's Local Rule 7016-1(c). Sandra McBeth (the "Plaintiff"), the Chapter 7 Trustee for the bankruptcy estate of Cornelius Farms LLC, and the plaintiff in the instant adversary proceeding, has now been placed in the position of having to incur the fees, expenses, and delays in filing the Motion in order to compel the Defendant to do what the Rules of Civil Procedure applicable to this adversary proceeding require, absent any prompting of the Plaintiff. The Defendant has not responded to the Motion. The Court is inclined to resolve the Motion in two stages. First, the Court will grant the Motion, requiring the Defendant to provide full disclosures as required under Fed. R. Civ. P. 26(a)(1) on or before April 4, 2025. Second, the Court will issue an order to show cause as to why the Court should not issue terminating sanctions, striking the answer and entering judgment for the Plaintiff, for the Defendant's failure to provide its input for the Report and to timely provide initial disclosures, and to issue monetary sanctions in the amount of \$1,500

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CONT... Makat Investments, LLC

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against the Defendant and the Defendant's counsel, jointly and severally. The Court will hold a hearing on the show cause order on April 23, 2025, at 10:00 a.m. The Motion requests fees and costs related to the drafting and arguing of the Motion, which the Court is inclined to grant as a part of the sanctions the Court intends on levying, but the Court requires evidence of those fees and expenses, and so the Court will require that the Plaintiff submit evidence in support of their expenses and fees incurred in bringing the Motion to be filed on or before April 2, 2025.

January 29, 2025

Appearances required.

As the parties are aware, "[a] joint status report preparing using Local Form F 7016-1.STATUS.REPORT must be filed fourteen (14) days before each status conference." *See* Docket No. 2, *Adversary Proceeding Status Conference Procedures*. The Court finds no status report, and so is unable to prepare for a meaningful status conference in this matter.

Party Information

Debtor(s):

Makat Investments, LLC

Represented By
Reed H Olmstead

Defendant(s):

Makat Investments, LLC

Represented By
Reed H Olmstead

Plaintiff(s):

Sandra K. McBeth, Chapter 7

Represented By
Michael G D'Alba

Trustee(s):

Elizabeth (ND) F Rojas (TR)

Pro Se

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9:00 AM

9:24-10319 Makat Investments, LLC

Chapter 12

Adv#: 9:24-01044 Sandra K. McBeth, Chapter 7 Trustee For The Estate v. Makat Investments,

#6.00 CONT'D Status Hearing re: [1] Adversary case 9:24-ap-01044. Complaint by Sandra K. McBeth, Chapter 7 Trustee For The Estate Of Live Oak Rentals, LLC against Makat Investments, LLC. (\$350.00 Fee Charge To Estate). Nature of Suit: (14 (Recovery of money/property - other)),(11 (Recovery of money/property - 542 turnover of property)),(02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy)))

fr. 1-29-25, 3-26-25, 4-23-25,

Docket 1

Tentative Ruling:

June 18, 2025

Appearances waived.

The Court has reviewed that *Joint Status Report*. See Docket No. 26. With discovery seemingly back on track, the Court will continue the status conference to October 22, 2025, at 9:00 a.m.

April 23, 2025

Appearances required.

The Court has reviewed that *Joint Status Report*. See Docket No. 19. The Plaintiff, given delays in the Defendant providing discovery responses, seeks to extend the current discovery cutoff date of May 30, 2025, and the deadline for this Court to hear dispositive motions of July 9, 2025. It is unclear to the Court how much more time the Plaintiff is requesting for each of these deadlines.

March 26, 2025

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CONT... Makat Investments, LLC

Chapter 12

Appearances required. The Defendant shall appear, through counsel or otherwise, in-person.

The Court has reviewed that *Unilateral Status Report* (the "Report"). See Docket No. 11. Despite efforts to meet with, and obtain Makat Investments, LLC's (the "Defendant") input for the Report, the Defendant has gone radio silent. See *id.* at p. 4. Those *Adversary Proceeding Status Conference Procedures* and this Court's Local Rule 7016-1(a)(2) require all parties to an adversary proceeding to participate in the formulation of the joint status reports prior to each status conference. See Docket No. 2. The failure to do so "may result in the imposition of monetary sanctions and/or the status conference being continued." See *id.* at p. 1. In fact, this Court's Local Rule 7016-1(f)(4) provides that if a status conference statement is not filed, "[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" may be ordered by the Court.

By all accounts, the Defendant has lost interest in advancing the case. Beyond the Defendant's, and counsel to the Defendant's, failure to respond to requests to meet and confer regarding the Report, the Defendant has failed to provide initial disclosures as required by Fed. R. Civ. P. 16(a)(1), made applicable to adversary proceedings by Fed. R. Bankr. P. 7026. See Docket No. 9, *Plaintiff's Notice of Motion and Motion to Compel Initial Disclosures and Payment of Expenses* (the "Motion"). The Defendant has not complied with this Court's Local Rule 7016-1(c). Sandra McBeth (the "Plaintiff"), the Chapter 7 Trustee for the bankruptcy estate of Live Oak Rentals LLC, and the plaintiff in the instant adversary proceeding, has now been placed in the position of having to incur the fees, expenses, and delays in filing the Motion in order to compel the Defendant to do what the Rules of Civil Procedure applicable to this adversary proceeding require, absent any prompting of the Plaintiff. The Defendant has not responded to the Motion. The Court is inclined to resolve the Motion in two stages. First, the Court will grant the Motion, requiring the Defendant to provide full disclosures as required under Fed. R. Civ. P. 26(a)(1) on or before April 4, 2025. Second, the Court will issue an order to show cause as to why the Court should not issue terminating sanctions, striking the answer and entering judgment for the Plaintiff, for the Defendant's failure to provide its input for the Report and to timely provide initial disclosures, and to issue monetary sanctions in the amount of \$1,500

**United States Bankruptcy Court
Central District of California
Northern Division
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Courtroom 201 Calendar**

Wednesday, June 18, 2025

Hearing Room 201

9:00 AM

CONT... Makat Investments, LLC

Chapter 12

against the Defendant and the Defendant's counsel, jointly and severally. The Court will hold a hearing on the show cause order on April 23, 2025, at 10:00 a.m. The Motion requests fees and costs related to the drafting and arguing of the Motion, which the Court is inclined to grant as a part of the sanctions the Court intends on levying, but the Court requires evidence of those fees and expenses, and so the Court will require that the Plaintiff submit evidence in support of their expenses and fees incurred in bringing the Motion to be filed on or before April 2, 2025.

January 29, 2025

Appearances required.

As the parties are aware, "[a] joint status report preparing using Local Form F 7016-1.STATUS.REPORT must be filed fourteen (14) days before each status conference." *See* Docket No. 2, *Adversary Proceeding Status Conference Procedures* (the "Procedures Order"). The Court finds no status report, and so is unable to prepare for a meaningful status conference in this matter.

Party Information

Debtor(s):

Makat Investments, LLC

Represented By
Reed H Olmstead

Defendant(s):

Makat Investments, LLC

Represented By
Reed H Olmstead

Plaintiff(s):

Sandra K. McBeth, Chapter 7

Represented By
Michael G D'Alba

Trustee(s):

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
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Wednesday, June 18, 2025

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9:00 AM

9:24-10319 Makat Investments, LLC

Chapter 12

Adv#: 9:24-01045 Sandra K. McBeth, Chapter 7 Trustee For The Estate v. Makat Investments,

#7.00 CONT'D Status Hearing re: [1] Adversary case 9:24-ap-01045. Complaint by Sandra K. McBeth, Chapter 7 Trustee For The Estate Of Live Oak Rentals, LLC against Makat Investments, LLC. (\$350.00 Fee Charge To Estate). Nature of Suit: (14 (Recovery of money/property - other)),(11 (Recovery of money/property - 542 turnover of property)),(02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy)))

fr. 1-29-25, 3-26-25, 4-23-25,

Docket 1

Tentative Ruling:

June 18, 2025

Appearances waived.

The Court has reviewed that *Joint Status Report*. See Docket No. 26. With discovery seemingly back on track, the Court will continue the status conference to October 22, 2025, at 9:00 a.m.

April 23, 2025

Appearances required.

The Court has reviewed that *Joint Status Report*. See Docket No. 19. The Plaintiff, given delays in the Defendant providing discovery responses, seeks to extend the current discovery cutoff date of May 30, 2025, and the deadline for this Court to hear dispositive motions of July 9, 2025. It is unclear to the Court how much more time the Plaintiff is requesting for each of these deadlines.

March 26, 2025

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CONT... Makat Investments, LLC

Chapter 12

Appearances required. The Defendant shall appear, through counsel or otherwise, in-person.

The Court has reviewed that *Unilateral Status Report* (the "Report"). See Docket No. 11. Despite efforts to meet with, and obtain Makat Investments, LLC's (the "Defendant") input for the Report, the Defendant has gone radio silent. See *id.* at p. 4. Those *Adversary Proceeding Status Conference Procedures* and this Court's Local Rule 7016-1(a)(2) require all parties to an adversary proceeding to participate in the formulation of the joint status reports prior to each status conference. See Docket No. 2. The failure to do so "may result in the imposition of monetary sanctions and/or the status conference being continued." See *id.* at p. 1. In fact, this Court's Local Rule 7016-1(f)(4) provides that if a status conference statement is not filed, "[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" may be ordered by the Court.

By all accounts, the Defendant has lost interest in advancing the case. Beyond the Defendant's, and counsel to the Defendant's, failure to respond to requests to meet and confer regarding the Report, the Defendant has failed to provide initial disclosures as required by Fed. R. Civ. P. 16(a)(1), made applicable to adversary proceedings by Fed. R. Bankr. P. 7026. See Docket No. 9, *Plaintiff's Notice of Motion and Motion to Compel Initial Disclosures and Payment of Expenses* (the "Motion"). The Defendant has not complied with this Court's Local Rule 7016-1(c). Sandra McBeth (the "Plaintiff"), the Chapter 7 Trustee for the bankruptcy estate of Live Oak Rentals LLC, and the plaintiff in the instant adversary proceeding, has now been placed in the position of having to incur the fees, expenses, and delays in filing the Motion in order to compel the Defendant to do what the Rules of Civil Procedure applicable to this adversary proceeding require, absent any prompting of the Plaintiff. The Defendant has not responded to the Motion. The Court is inclined to resolve the Motion in two stages. First, the Court will grant the Motion, requiring the Defendant to provide full disclosures as required under Fed. R. Civ. P. 26(a)(1) on or before April 4, 2025. Second, the Court will issue an order to show cause as to why the Court should not issue terminating sanctions, striking the answer and entering judgment for the Plaintiff, for the Defendant's failure to provide its input for the Report and to timely provide initial disclosures, and to issue monetary sanctions in the amount of \$1,500

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CONT... Makat Investments, LLC

Chapter 12

against the Defendant and the Defendant's counsel, jointly and severally. The Court will hold a hearing on the show cause order on April 23, 2025, at 10:00 a.m. The Motion requests fees and costs related to the drafting and arguing of the Motion, which the Court is inclined to grant as a part of the sanctions the Court intends on levying, but the Court requires evidence of those fees and expenses, and so the Court will require that the Plaintiff submit evidence in support of their expenses and fees incurred in bringing the Motion to be filed on or before April 2, 2025.

January 29, 2025

Appearances required.

As the parties are aware, "[a] joint status report preparing using Local Form F 7016-1.STATUS.REPORT must be filed fourteen (14) days before each status conference." *See* Docket No. 2, *Adversary Proceeding Status Conference Procedures* (the "Procedures Order"). The Court finds no status report, and so is unable to prepare for a meaningful status conference in this matter.

Party Information

Debtor(s):

Makat Investments, LLC

Represented By
Reed H Olmstead

Defendant(s):

Makat Investments, LLC

Represented By
Reed H Olmstead

Plaintiff(s):

Sandra K. McBeth, Chapter 7

Represented By
Michael G D'Alba

Trustee(s):

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 201

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

#8.00 CONT'D Status Hearing 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

Docket 1

Tentative Ruling:

June 18, 2025

Appearances required.

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

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CONT... Baron Brothers Nursery, Inc.

Chapter 7

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

**United States Bankruptcy Court
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Hearing Room 201

9:00 AM

9:23-10968 John Charles Thomas
Adv#: 9:24-01017 Saint v. Thomas

Chapter 7

#9.00 CONT'D Status Hearing re: [1] Adversary case 9:24-ap-01017. Complaint by Steve Saint against John Charles Thomas. willful and malicious injury)); Counter-Claim (Docket #[8])

fr. 7-10-24, 1-29-25, 2-12-25, 03-26-25, 4-9-25,

Docket 1

***** VACATED *** REASON: Hearing advanced June 4, 2025 at 9:00 a.m.
per order entered 4/11/2025**

Tentative Ruling:

April 9, 2025

In-person appearances required of counsel for all parties.

Pursuant to those *Adversary Proceeding Status Conference Procedures* (the "Procedures"), "[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. 3, p. 1. "A failure to file a joint status report may result in the imposition of monetary sanctions and/or the status conference being continued." *Id.* The requirement that the parties file a status conference report fourteen (14) days prior to a status conference can only be waived by action of this Court. *See id.*

Pursuant to this Court's Local Rule 7016-1(a)(2), "[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 form F 7016-1.STATUS.REPORT []."

Pursuant to this Court's Local Rule 7016-1(b)(1)(A), "[i]n an adversary proceeding, unless otherwise ordered by the court [], attorneys for the parties [] *must* prepare a written pretrial stipulation approved by counsel for all parties." (emphasis added). This Court's Local Rule 7016-1(b)(1)(B) provides that "[u]nless otherwise ordered by the court, the pretrial stipulation *must* be filed or lodged [] and served not less than 14

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CONT... John Charles Thomas

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days before the date set for the pretrial conference []." (emphasis added).

This Court's Local Rule 7016-1(f) provides that "[i]n addition to the sanctions authorized by F.R.Civ.P. 16(f), if a status conference statement or a joint proposed pretrial stipulation is not filed or lodged within the times set forth in subsections (a), (b), or (e), respectively, of this rule, the court may [] award [] monetary sanctions [and/or award] non-monetary sanctions against the party at fault including entry of judgment or dismissal or the entry of an order striking the answer and entering a default."

Pursuant to this Court's Local Rule 7016-1(g), "[t]he failure of a party's counsel [] to appear before the court at a status conference or pretrial conference, or to complete the necessary preparations therefor [] may be considered an abandonment or failure to prosecute or defend diligently, and judgment may be entered against the defaulting party with respect to a specific issue or as to the entire proceeding, or the proceeding may be dismissed."

On April 29, 2024, Steve Saint ("Plaintiff") filed that *Complaint to Determine Nondischargeability of Debt Pursuant to 11 U.S.C. § 523* (the "Complaint") as against John Charles Thomas ("Defendant"). See Docket No. 1. On July 17, 2024, the Court entered that *Scheduling Order*, through which the Court set a continued status conference on the Complaint for January 29, 2025, at 9:00 a.m., and a pretrial conference for March 27, 2025. See Docket No. 18. The Court ordered the parties to mediate the Complaint "no later than January 15, 2025." See *id.* at p. 2.

On August 5, 2024, the Court entered that *Order Rescheduling of Pretrial Conference*, rescheduling the pretrial conference to March 26, 2025, at 9:00 a.m. See Docket No. 20. After Plaintiff's failure to appear at the status conference or file a status conference report fourteen (14) days prior to the status conference, on January 31, 2025, the Court entered that *Order to Show Cause Why: (1) The Adversary Complaint Should Not Be Dismissed for Failure to Prosecute, and (2) Sanctions Should Not Be Issued Against Plaintiff and/or Plaintiff's Counsel(s)*. See Docket No. 27. The Court vacated its show cause order on February 12, 2025. See Docket No. 30, *Order Vacating Order to Show Cause Why: (1) The Adversary Complaint Should Not Be Dismissed for Failure to Prosecute, and (2) Sanctions Should Not Be Issued Against Plaintiff and/or Plaintiff's Counsel(s)*. The Court continued the status

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conference to March 26, 2025. *See* Docket Entry at February 12, 2025.

On February 28, 2025, that *Mediator's Certificate Regarding Completion of Mediation Conference* was filed, denoting that the Complaint was mediated on February 26, 2026 [sic], after the date ordered by the Court, and that the Complaint settled. *See* Docket No. 33.

No timely and conforming status conference report or pretrial stipulation were filed prior to the status conference and pretrial conference.

On March 25, 2025, the day before the scheduled status conference and pretrial conference, Defendant filed that *Status Report*, informing the Court that the Complaint has settled, and graciously informing the Court "that the status conference may be taken off calendar." *See* Docket No. 34, p. 1, lines 21-22. Counsel to Defendant was also kind enough to the Court to inform the Court that "he will not appear at the status conference," as he would be instead traveling "to New York to celebrate a milestone birthday." *See id.* at pp. 1-2.

True to his word, neither counsel to Defendant nor Defendant appeared at the status conference or pretrial conference on March 26, 2025.

On March 26, 2025, Plaintiff appeared for the status conference and pretrial conference having filed not a single piece of paper to prepare the Court, in violation of this Court's Local Rules and the Procedures. Again, Defendant did not appear at all, and what Defendant did file less than 24 hours prior to the status conference and pretrial conference, a self-styled "status report," violated the Court's Local Rules and the Procedures requiring the use of this Court's mandatory local form, and was unacceptably untimely.

Assuming this matter has in-fact settled, and that settlement has been reduced to an agreed upon writing, it escapes the Court why the parties did not inform the Court of this fact fourteen (14) days prior to the status conference or pretrial conference. If the parties had an agreement in principle as early as February 26, 2025, a month prior to the status conference and pretrial conference, why would the parties not file a request to continue the trial date, and the status and pretrial conference shortly thereafter? Why would Defendant's counsel, knowing of the pretrial conference for months book a "birthday" vacation on a date that collided with one of the most important dates his

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John Charles Thomas

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client faced in this adversary proceeding? The Court, perhaps unwisely in this matter, allows parties to appear via Zoom.gov and by telephone. Could Defendant's counsel not have appeared for the hearings virtually no matter where he was in the country?

The parties, or at least their counsel, have wasted this Court's time in attempting to prepare for a status conference and pretrial conference that neither party intended advancing. This is not the first of such occasions in this proceeding. The parties, and their counsel, are in violation of both the Procedures and this Court's Local Rules. The Complaint is dismissed, with prejudice. Each party, and their counsel, jointly and severally, are each to pay sanctions to the Court in the amount of \$7,500. Neither counsels are to appear remotely in this Division for any matter in the future, including the instant matter, unless this Court orders otherwise.

March 26, 2025

Appearances required.

In reviewing *Mediator's Certificate Regarding Completion of Mediation Conference*, it appears that matter has settled. See Docket No. 33.

February 12, 2025

In-person appearances required of Plaintiff and Plaintiff's counsel, Douglas A. Prutton

Before the Court is the Court's *Order to Show Cause Why: (1) The Adversary Complaint Should Not Be Dismissed for Failure to Prosecute, and (2) Sanctions Should Not Be Issued Against Plaintiff and/or Plaintiff's Counsel(s)* (the "OSC"), issued on January 31, 2025, as to why (1) this adversary proceeding should not be dismissed for failure to prosecute, and/or (2) the Court should not issue monetary sanctions for Douglas A. Prutton's ("Prutton") failure to file a status conference report or appear at the status conference. See Docket No. 27. The OSC provides that any opposition to the dismissal of this adversary proceeding, or issuance of sanctions may

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be filed not later than February 5, 2025. *See id.* at p. 2, lines 6-8.

On January 30, 2025, Prutton, counsel to Plaintiff Steve Saint ("Plaintiff"), filed that *Response to Order to Show Cause by Plaintiff's Attorney Douglas A. Prutton* (the "Response") in which Prutton stated that he never calendared the status conference. *See* Docket No. 24, p. 2 ¶ 3. Prutton also stated that he alone is responsible for this adversary proceeding, whereas co-counsel Michael Wallin is handling the bankruptcy case. *See id.* at ¶ 6. Further, Prutton requested that the Court continue the hearing on the OSC to another day, as he will be traveling from February 12, 2025 to February 18, 2025. *See id.* at ¶ 7; *see also* Docket No. 26, *Letter to Judge Clifford III*.

Those *Adversary Proceeding Status Conference Procedures* (the "Procedures") provide that "[f]ailure to appear for a status conference may result in the imposition of monetary sanctions." *See* Docket No. 3, p. 1. The Procedures also 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.* This Court's Local Rule 7016-1(a)(1) requires appearance at status conferences by "the attorney [] who is responsible for trying the case..." 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." Pursuant to this Court's Local Rule 7016-1(g), "[t]he failure of a party's counsel [] to appear before the court at the status conference [] may be considered an abandonment or failure to prosecute or defend diligently, and judgment may be entered against the defaulting party either with respect to a specific issue or as to the entire proceeding, or the proceeding may be dismissed."

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CONT...

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Pursuant to Fed. R. Bankr. P. 7016(a), "Fed. R. Civ. P. 16 applies in an adversary proceeding." Pursuant to Fed. R. Civ. P. 16(f)(1)(A), "[o]n motion or its own, the court may issue any just orders, including those authorized by Rule 37(b),(2),(A),(ii)-(vii), if a party or its attorney [] fails to appear at a scheduling or other pretrial conference." Pursuant to Fed. R. Civ. P. 16(f)(2), "[i]nstead of or in addition to any other sanction, the court must order the party, its attorney, or both to pay the reasonable expenses—including attorney's fees—incurred because of any noncompliance with this rule, unless the noncompliance was substantially justified or other circumstances make an award of expenses unjust."

"The task of keeping track of necessary deadlines will involve some delegation," however, "[t]he responsibility for the error falls on the attorney regardless of whether the error was made by an attorney or a paralegal." *Pincay v. Andrews*, 389 F.3d 853, 856 (9th Cir. 2004)(citing Model Rules of Prof'l Conduct R. 5.5 cmt (2002)).

In the instant proceeding, the parties were aware of the status conference as of July 17, 2024. *See* Docket No. 18, *Scheduling Order* (the "Order"), p. 2, line 4. Plaintiff and Prutton failed to appear. What is more, the Court ordered the parties to mediate the matter no later than January 15, 2025, with an order assigning the matter to mediation to be uploaded no later than November 15, 2024. *See id.* at lines 10-13. The parties ignored the Order.

The Court now has an adversary proceeding that is set for trial to take place on April 10, 2025, where Plaintiff has not attended a status conference, which attendance was mandatory, failed to file the required status conference statement, and where neither party has complied with the Order regarding mediation. Instead, the parties filed that *Stipulation for Order Modifying Scheduling Order* without providing any reason why this Court should modify the Order. *See* Docket No. 22.

Monetary sanctions appear appropriate, likely for both parties, but non-monetary sanctions may also be appropriate. The parties have also failed to comply with a direct order of this Court concerning mediation. Thus, the Court, beyond monetary sanctions and non-monetary sanctions for their failure to file a status conference statement, and as against Plaintiff and/or Prutton for their failure to appear at the status conference, is inclined to issue a further order to show cause regarding why both parties should not be held in contempt of the Order.

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January 29, 2025

In-person appearances required. No Zoom appearances will be taken.

The Court set this matter for a continued status conference. *See* Docket No. 18, *Scheduling Order* (the "Scheduling Order"), p. 2. As the parties are aware, "[a] joint status report preparing using Local Form F 7016-1.STATUS.REPORT must be filed fourteen (14) days before each status conference." *See* Docket No. 3, *Adversary Proceeding Status Conference Procedures* (the "Procedures Order"). The Court also set a discovery cutoff of December 31, 2024, and required that the parties attend at least ½ day of mediation on or before January 15, 2025, lodging an order assigning the matter to mediation on or before November 15, 2024. *See id.*

Here, at the time of the continued status conference, no status report has been filed, as this Court has required through the Procedures Order. On January 17, 2025, the parties filed that *Stipulation for Order Modifying Scheduling Order* (the "Stipulation"). *See* Docket No. 22. The parties, through the Stipulation, seek to continue the trial date and other dates within the Scheduling Order. *See id.* The Court has some confusion. First, the parties seek to modify the discovery cutoff as March 31, 2025. *See id.* at p. 2, lines 1-3. Yet, the discovery cutoff has passed. Discovery was to be completed, including receipt of responses by December 31, 2024. Next, the parties seek to conduct a day of mediation by April 15, 2025. *See id.* at lines 11-13. This Court ordered that mediation in this matter take place by January 15, 2025, and that an order assigning the matter to mediation be uploaded by November 15, 2024, more than two (2) months ago. Lastly, the Court has no understanding why the Scheduling Order has not been, and in the future cannot be met.

Pursuant to Fed. R. Bankr. P. 7016(a), Fed. R. Civ. P. 16 applies in adversary proceedings. *See* Fed. R. Bankr. P. 7016(a). Pursuant to Fed. R. Civ. P. 16(b)(1)(B), "the district judge [] must issue a scheduling order [] after consulting with the parties' attorneys and any unrepresented parties at a scheduling conference." Pursuant to Fed. R. Civ. P. 16(b)(4), "[a] schedule may be modified only for good cause and with the judge's consent." "The pretrial schedule may be modified 'if it cannot be reasonably met despite the diligence of the

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party
seeking the extension.'" *Zivkovic v. So. Cal. Edison Co.*, 302 F.3d 1080, 1087 (9th Cir. 2002)(citing *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992)).

"If the party seeking the modification 'was not diligent, the inquiry should end' and the motion to modify should not be granted." *Id.* "The Ninth Circuit has also repeatedly and emphatically addressed the importance of scheduling orders as tools for district courts to manage their heavy caseloads.'" *Williams v. James River Grp. Inc.*, 627 F.Supp.3d 1172, 1177 (D. Nev. 2022)(citing *Desio v. State Farm Mut. Auto Ins. Co.*, 339 F.R.D. 632, 641 (D. Nev. 2021)).

The Ninth Circuit has "held that Rule 16(b)'s reference to 'good cause' was 'a close correlate' of 'extraordinary circumstances.'" *Matrix Motors Co., Inc. v. Toyota Jidosha Kabushiki Kaisha*, 218 F.R.D. 667, 674 (C.D. Cal. 2003)(citing *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 610 (9th Cir. 1992)).

"When a request to extend case management deadlines is made by stipulation, courts may consider the joint nature of the request in deciding whether the circumstances warrant an amendment to the scheduling order. Nonetheless, courts addressing such requests are deciding at bottom whether to modify their own orders, an issue that need not be based necessarily on the promptings of the parties." *Id.* at 1178 (internal citations omitted). "That a request is made jointly neither mandates allowance of the extension sought nor exempts parties from making the necessary showings to justify that relief. Failure to provide such showings may result in denial of a stipulated request to extend the case management deadlines." *Id.*

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CONT... John Charles Thomas

Chapter 7

That *Complaint to Determine Nondischargeability of Debt Pursuant to 11 U.S.C. § 523* was filed on April 29, 2024. See Docket No. 1. With the matter at issue, the Court held an initial status conference on July 17, 2024, and after meeting with the parties issued the Scheduling Order. See Docket No. 18. It is unclear to the Court why it would modify the Scheduling Order, now six (6) months after it was issued, and without any reason provided. The Court ordered the matter to mediation, which order the parties seemingly have disregarded, and the discovery cutoff passed weeks ago. The parties did not as much as extend to the Court the good courtesy of complying with its Procedures Order regarding status conferences, thereby filing a report updating the Court as to the status of the matter. What efforts to comply with the Scheduling Order have been undertaken, and what prevented/prevents the parties from complying with the Scheduling Order? To this question, the Court has no answers.

July 10, 2024

Appearances required.

The Court has reviewed the *Joint Status Report*. See Docket No. 12. The Court is inclined to set the following litigation deadlines:

July 26, 2024 – Last day to amend pleadings and join other parties

December 31, 2024 – Last day to complete discovery, including receiving responses

January 29, 2025, at 9:00 a.m. – Continued status conference

February 26, 2025, at 9:00 a.m. – Deadline for dispositive motions to be heard

March 13, 2025 – Deadline to file joint pre-trial conference stipulation and proposed order

March 27, 2025, at 9:00 a.m. – Pre-trial conference (in-person)

April 10, 2025, at 9:00 a.m. – Trial (in-person)

Plaintiff is to lodge a scheduling order with the above dates within 7 days.

Party Information

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

Wednesday, June 18, 2025

Hearing Room 201

9:00 AM

CONT... John Charles Thomas

Chapter 7

Debtor(s):

John Charles Thomas

Represented By
John D Faucher

Defendant(s):

John Charles Thomas

Represented By
John D Faucher

Plaintiff(s):

Steve Saint

Represented By
Michael A Wallin
Douglas A Prutton

Trustee(s):

Jerry Namba (TR)

Represented By
Jeremy Faith
Meghann A Triplett

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

Wednesday, June 18, 2025

Hearing Room 201

9:00 AM

9:24-10572 Thomas Anthony Ferro

Chapter 7

Adv#: 9:24-01022 Cal-West Equities, Inc. v. Ferro

#10.00 Pre-Trial Conference re: [1] Adversary case 9:24-ap-01022. Complaint by Cal-West Equities, Inc. against Thomas Anthony Ferro. and § 523(a)(6) (Attachments: # 1 Exhibit A # 2 Exhibit B) Nature of Suit: (62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud)), (68 (Dischargeability - 523(a)(6), willful and malicious injury))

Docket 1

***** VACATED *** REASON: Hearing continued to 7/9/2025 at 9:00 a.m.
per order entered 1/16/2025**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Thomas Anthony Ferro

Represented By
Robert M Yaspan
Debra Brand
Joseph G McCarty

Defendant(s):

Thomas Anthony Ferro

Represented By
Robert M Yaspan

Plaintiff(s):

Cal-West Equities, Inc.

Represented By
Vanessa M Haberbusch

Trustee(s):

Jerry Namba (TR)

Represented By
Timothy J Yoo

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

Wednesday, June 18, 2025

Hearing Room 201

9:00 AM

9:23-10319 Carrie Leigh Sorokin

Chapter 7

Adv#: 9:23-01035 Sorokin v. U.S. Department of Education et al

#11.00 Hearing re: [71] Carrie Leigh Sorokin's motion to quash
or modify subpoena and/or motion for protective order

Docket 71

Tentative Ruling:

June 18, 2025

Appearances waived.

This matter is continued to July 16, 2025, at 9:00 a.m.

Party Information

Debtor(s):

Carrie Leigh Sorokin

Represented By
William E. Winfield

Defendant(s):

U.S. Department of Education

Represented By
Elan S Levey

NELNET STUDENT LOAN

Represented By
Jonathan C Sandler

Movant(s):

Carrie Leigh Sorokin

Represented By
William E. Winfield

Plaintiff(s):

Carrie Leigh Sorokin

Represented By
William E. Winfield

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

Wednesday, June 18, 2025

Hearing Room 201

9:00 AM

CONT... Carrie Leigh Sorokin

Chapter 7

Trustee(s):

Sandra McBeth (TR)

Pro Se

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

Wednesday, June 18, 2025

Hearing Room 201

9:00 AM

9:24-10090 Edward Ned Li

Chapter 11

Adv#: 9:24-01015 Skillern et al v. Li

#12.00 CONT'D Trial Setting Conference re: [1] Adversary case 9:24-ap-01015. Complaint by C. Shawn Skillern, CSS Enterprises, Inc. against Edward Ned Li. - Nature[s] of Suit: (67 Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)), (62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud)), (68 (Dischargeability - 523(a)(6), willful and malicious injury))

fr. 2-13-25, 3-26-25,

Docket 1

Tentative Ruling:

June 18, 2025

Appearances waived.

Continued to July 16, 2025, at 9:00 a.m.

March 26, 2025

Appearances required.

The Court will inquire with the parties about their readiness for trial.

Party Information

Debtor(s):

Edward Ned Li

Represented By
Stella A Havkin

Defendant(s):

Edward N Li

Represented By

**United States Bankruptcy Court
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Wednesday, June 18, 2025

Hearing Room 201

9:00 AM

CONT... Edward Ned Li

Chapter 11

Stella A Havkin

Plaintiff(s):

C. Shawn Skillern

Represented By
Rebecca J Winthrop

CSS Enterprises, Inc.

Represented By
Rebecca J Winthrop

Trustee(s):

Mark M Sharf (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
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Wednesday, June 18, 2025

Hearing Room 201

9:00 AM

9:22-10953 Misty Lynne Betschart

Chapter 7

Adv#: 9:23-01002 Stowasser et al v. Betschart

#13.00 Status Conference re: [80] Third amended complaint by James Studer on behalf of Shawna Scott, Julie Stowasser against Misty Lynne Betschart

Docket 80

Tentative Ruling:

June 18, 2025

Appearances required.

The parties have not settled the matter, and it appears settlement will not be reached.
See Docket Nos. 148 and 149. The Court will set this matter for trial.

Party Information

Debtor(s):

Misty Lynne Betschart

Represented By
Leslie A Tos

Defendant(s):

Misty Lynne Betschart

Represented By
Leslie A Tos

Plaintiff(s):

Julie Stowasser

Represented By
James Studer

Shawna Scott

Represented By
James Studer

Trustee(s):

Jeremy W. Faith (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
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Wednesday, June 18, 2025

Hearing Room 201

9:00 AM

9:21-10020 Core Scientific North America, Inc.

Chapter 7

Adv#: 9:22-01033 Faith v. Core Scientific North America, Inc. et al

#14.00 CONT'D Status Conference re: [1] Adversary case 9:22-ap-01033. Complaint by Jeremy W. Faith against Core Scientific North America, Inc., Core Scientific Creations Ltd., Coreva Health Science LLC, Damian Delfino, Craig Bluth, Cassie Inglis. (\$350.00 Fee Charge To Estate). -- Complaint for: (1) Breach of Fiduciary Duty; (2) Aiding and Abetting Breach of Fiduciary Duty; (3) Avoidance of Fraudulent Transfers with Actual Intent [11 U.S.C. § 544(b)]; (4) Avoidance of Fraudulent Transfers with Actual Intent [11 U.S.C. § 548(a)(1)(A)]; (5) Avoidance of Constructively Fraudulent Transfers [11 U.S.C. § 548(a)(1)(B)]; (6) Avoidance of Preferential Transfers [11 U.S.C. § 547]; (7) Avoidance of Unauthorized Postpetition Transfers [11 U.S.C. § 549]; (8) Recovery and Preservation of Avoided Transfers; (9) Conversion; (10) Intentional Interference with Prospective Economic Advantage; (11) Negligent Interference with Prospective Economic Advantage; (12) Accounting; and (13) Substantive Consolidation - Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)), (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (12 (Recovery of money/property - 547 preference)), (14 (Recovery of money/property - other)), (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy)))

fr. 10-6-22, 12-14-22, 6-14-23, 9-27-23, 1-10-24, 2-7-24, 4-10-24, 5-8-24, 6-5-24
6-4-25,

Docket 1

Tentative Ruling:

June 18, 2025

Appearances required. Counsel to Plaintiff is to appear in-person.

June 4, 2025

Appearances required.

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Ronald A Clifford III, Presiding
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Wednesday, June 18, 2025

Hearing Room 201

9:00 AM

CONT... Core Scientific North America, Inc.

Chapter 7

The Court has reviewed that *Joint Status Report*. See Docket No. 72. The Court has three queries for the parties. First, does Coreva Health Science, LLC have counsel in this matter? Second, has the early payoff option been exercised? If not, does this adversary proceeding need to remain open?

June 5, 2024

See Matter No. 4.

May 8, 2024

Appearances waived.

The Court has reviewed that *Joint Status Report*. See Docket No. 66. It appears that this matter has settled. See *id.* at p. 4. The status conference is continued to June 5, 2024, at 10:00 a.m.

April 10, 2024

Appearances required. Parties may appear via Zoom.

On October 2, 2023, the Court entered that *Order Approving Stipulation to Stay Litigation Deadlines* (the "Order"). See Docket No. 49. The Court has continued the status conference to allow the parties to memorialize a settlement. Those *Adversary Proceeding Status Conference Procedures [for] Judge Ronald A. Clifford III* require that "[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. 2, p. 1. This Court's Local Rule 7016-1(a)(2) provides that "[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 form F 7016-1.STATUS.REPORT." No status report has been filed in preparation for the upcoming status conference in violation of this Court's adversary procedures and its Local Rules. The Court has unnecessarily used its resources attempting to prepare for a status conference without any information from the parties through a status report to assist the Court in this effort. The Court is inclined to continue the status conference

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Wednesday, June 18, 2025

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9:00 AM

CONT... Core Scientific North America, Inc. Chapter 7

for 30 days to allow the parties to provide the Court with a status conference report as they were required to do for the upcoming status report, and to sanction each party \$1,000 for their violation of this Court's procedures and this Court's Local Rules.

In person appearances are required for every hearing in this matter moving forward, including the upcoming status conference.

February 7, 2024

Appearances required.

The Court continued the status conference to February 7, 2024 from January 10, 2024, and required that a joint status report be filed at least 14 days prior to the February 7, 2024 status conference. *See* Docket Entry Dated January 10, 2024. The Court finds no joint status report.

January 10, 2024

Appearances required.

On October 2, 2023, the Court entered that *Order Approving Stipulation to Stay Litigation Deadlines* to allow the parties time to resolve the matter. *See* Docket No. 49. Now, more than three (3) months on, the matter remains pending. The Court is inclined to set the matter for trial. The parties should meet and confer regarding litigation dates.

December 14, 2022

No appearances required.

On December 5, 2022, the Court entered that *Order Assigning Matter to Mediation Program and Appointing Mediator and Alternate Mediator*. In reviewing the *Joint Status Report*, it appears that the parties are (1) conducting discovery, set to conclude by April 2023, and (2) attending mediation on or before February 28, 2023. *See* Docket No. 18, pp. 3-4.

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Wednesday, June 18, 2025

Hearing Room 201

9:00 AM

CONT... Core Scientific North America, Inc.

Chapter 7

The Court continues the status conference to June 14, 2023, at 10:00 a.m.

October 6, 2022

Appearances required.

The Court has reviewed the *Joint Status Report*. See Docket No. 13. The Court will set the following dates and deadlines:

- (1) Discovery cutoff is April 1, 2023, by which date discovery must be completed, including receiving responses to discovery requests;
- (2) The last day to have pretrial motions heard is May 17, 2023, at 10:00 a.m. (motions must be filed in time for any such motions to be heard on this date pursuant to this Court's Local Rules and/or the Federal Rules of Bankruptcy Procedure);
- (3) A joint pre-trial order must be filed on or before June 1, 2023;
- (4) A pre-trial conference is scheduled for June 14, 2023, at 10:00 a.m.; and
- (5) Trial is scheduled to begin on June 20, 2023, at 10:00 a.m.

Party Information

Debtor(s):

Core Scientific North America, Inc.

Represented By
Brent D George
Andrew Goodman

Defendant(s):

Core Scientific North America, Inc.

Represented By
Andrew Goodman

Core Scientific Creations Ltd.

Represented By
Michael Jay Berger

Coreva Health Science LLC

Represented By

**United States Bankruptcy Court
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Wednesday, June 18, 2025

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9:00 AM

CONT... Core Scientific North America, Inc.

Chapter 7

Andrew Goodman

Damian Delfino

Represented By
Andrew Goodman

Craig Bluth

Represented By
Andrew Goodman

Cassie Inglis

Represented By
Andrew Goodman

Plaintiff(s):

Jeremy W. Faith

Represented By
Dylan J Yamamoto
Annie Y Stoops
Ronghua Sophia Wang

Trustee(s):

Jeremy W. Faith (TR)

Represented By
Aram Ordubegian
Annie Y Stoops
Dylan J Yamamoto
Ronghua Sophia Wang

**United States Bankruptcy Court
Central District of California
Northern Division
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Wednesday, June 18, 2025

Hearing Room 201

9:00 AM

9:25-10168 Ivan Lopez

Chapter 7

Adv#: 9:25-01020 Lira et al v. Lopez

#15.00 CONT'D Status Conference re: [1] Adversary case 9:25-ap-01020. Complaint by Patricia Lira, Gelacio Lopez, Mallison & Martinez against Ivan Lopez. fraud as fiduciary, embezzlement, larceny)), (68 (Dischargeability - 523(a)(6), willful and malicious injury)), (65 (Dischargeability - other))

fr. 6-4-25,

Docket 1

Tentative Ruling:

June 18, 2025

Appearances required.

The Court has reviewed that *Joint Status Report*. See Docket No. 10. When will Plaintiff's discovery be completed? The Court will set litigation dates at the status conference.

June 4, 2025

In-person appearances required. Zoom appearances will not be allowed.

Those *Adversary Proceeding Status Conference Procedures* (the "Procedures") provide that "[f]ailure to appear for a status conference may result in the imposition of monetary sanctions." See Docket No. 3, p. 1. The Procedures also 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.* This Court's Local Rule 7016-1(a)(1) requires appearance at status conferences by "the attorney [] who is responsible for trying the case..." 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

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Wednesday, June 18, 2025

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9:00 AM

CONT... Ivan Lopez

Chapter 7

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."

No status report has been filed by the Plaintiffs or the Defendant. Sanctions are appropriate, monetary and/or otherwise.

Party Information

Debtor(s):

Ivan Lopez

Represented By
Frank X Ruggier

Defendant(s):

Ivan Lopez

Represented By
Frank X Ruggier

Joint Debtor(s):

Gladys Lopez

Represented By
Frank X Ruggier

Plaintiff(s):

Patricia Lira

Represented By
Gonzalo Quezada Jr
Stan S Mallison
Hector R Martinez

Gelacio Lopez

Represented By
Gonzalo Quezada Jr
Stan S Mallison
Hector R Martinez

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9:00 AM

CONT...

Ivan Lopez

Chapter 7

Law Firm of Mallison & Martinez

Represented By

Gonzalo Quezada Jr

Stan S Mallison

Hector R Martinez

Trustee(s):

Sandra McBeth (TR)

Pro Se

**United States Bankruptcy Court
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Wednesday, June 18, 2025

Hearing Room 201

9:00 AM

9:23-10174 Jonathan Alan Stein

Chapter 7

Adv#: 9:23-01023 Gabrielino-Tongva Tribe v. Stein

#16.00 CONT'D Hearing RE: [73] Motion to compel depositions and award sanctions

fr. 5-8-24, 5-22-24, 6-18-24, 7-18-24, 8-20-24, 9-24-24, 10-22-24, 11-19-24
1-28-25, 3-12-25, 4-9-25,

Docket 73

Tentative Ruling:

June 18, 2025

Appearances waived.

This matter is continued to July 16, 2025, at 9:00 a.m.

March 12, 2025

Appearances waived.

This matter is continued to April 9, 2025, at 9:00 a.m. The record is closed.

October 22, 2024

Appearances waived.

This matter is continued to November 19, 2024, at 1:00 p.m.

September 24, 2024

Appearances waived.

This matter is continued to October 22, 2024, at 1:00 p.m.

August 20, 2024

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Wednesday, June 18, 2025

Hearing Room 201

9:00 AM

CONT... Jonathan Alan Stein

Chapter 7

Appearances waived.

This matter is continued to September 24, 2024, at 1:00 p.m.

June 18, 2024

Appearances waived.

This matter is specially set for July 18, 2024, at 1:00 p.m.

May 22, 2024

Appearances waived.

This matter is continued to June 18, 2024 at 1:00 p.m.

May 8, 2024

Appearances waived.

This matter is continued May 22, 2024, at 10:00 a.m.

Party Information

Debtor(s):

Jonathan Alan Stein

Represented By
Jonathan Stein

Defendant(s):

Jonathan Alan Stein

Represented By
Jonathan Stein

Movant(s):

Jonathan Alan Stein

Represented By
Jonathan Stein

**United States Bankruptcy Court
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Wednesday, June 18, 2025

Hearing Room 201

9:00 AM

CONT... Jonathan Alan Stein

Chapter 7

Plaintiff(s):

Gabrielino-Tongva Tribe

Represented By

Paul P Young

Nikko Salvatore Stevens

Armen Manasserian

Joseph Chora

Trustee(s):

Jerry Namba (TR)

Represented By

Laila Rais

Sarah Rose Hasselberger

D Edward Hays

Sarah Cate Hays

**United States Bankruptcy Court
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Wednesday, June 18, 2025

Hearing Room 201

9:00 AM

9:23-10174 Jonathan Alan Stein

Chapter 7

Adv#: 9:23-01023 Gabrielino-Tongva Tribe v. Stein

#17.00 CONT'D Hearing RE: [83] Motion for protective order

fr. 5-22-24, 6-18-24, 7-18-24, 8-20-24, 9-24-24,
10-22-24, 11-19-24, 1-28-25, 3-12-25, 4-9-25,

Docket 83

Tentative Ruling:

June 18, 2025

Appearances waived.

This matter is continued to July 16, 2025, at 9:00 a.m.

March 12, 2025

Appearances waived.

This matter is continued to April 9, 2025, at 9:00 a.m. The record is closed.

October 22, 2024

Appearances waived.

This matter is continued to November 19, 2024, at 1:00 p.m.

September 24, 2024

Appearances waived.

This matter is continued to October 22, 2024, at 1:00 p.m.

August 20, 2024

**United States Bankruptcy Court
Central District of California
Northern Division
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Wednesday, June 18, 2025

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9:00 AM

CONT... Jonathan Alan Stein

Chapter 7

Appearances waived.

This matter is continued to September 24, 2024, at 1:00 p.m.

July 18, 2024

Appearances required.

June 18, 2024

Appearances waived.

This matter is specially set for July 18, 2024, at 1:00 p.m.

May 22, 2024

Appearances waived.

This matter is continued to June 18, 2024 at 1:00 p.m.

Party Information

Debtor(s):

Jonathan Alan Stein

Represented By
Jonathan Stein

Defendant(s):

Jonathan Alan Stein

Represented By
Jonathan Stein

Movant(s):

Gabrielino-Tongva Tribe

Represented By
Paul P Young
Nikko Salvatore Stevens
Armen Manasserian
Joseph Chora

**United States Bankruptcy Court
Central District of California
Northern Division
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Wednesday, June 18, 2025

Hearing Room 201

9:00 AM

CONT... Jonathan Alan Stein

Chapter 7

Plaintiff(s):

Gabrielino-Tongva Tribe

Represented By
Paul P Young
Nikko Salvatore Stevens
Armen Manasserian
Joseph Chora

Trustee(s):

Jerry Namba (TR)

Represented By
Laila Rais
Sarah Rose Hasselberger
D Edward Hays
Sarah Cate Hays

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
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Wednesday, June 18, 2025

Hearing Room 201

9:00 AM

9:23-10174 Jonathan Alan Stein

Chapter 7

Adv#: 9:23-01023 Gabrielino-Tongva Tribe v. Stein

#18.00 Hearing re: [196] Debtor's Rule 9024 motion for relief from
order granting Tribe's motion for summary adjudication

Docket 196

Tentative Ruling:

June 18, 2025

Appearances waived.

This matter is continued to July 16, 2025, at 9:00 a.m.

Party Information

Debtor(s):

Jonathan Alan Stein

Represented By
Jonathan Stein

Defendant(s):

Jonathan Alan Stein

Represented By
Jonathan Stein

Movant(s):

Jonathan Alan Stein

Represented By
Jonathan Stein

Plaintiff(s):

Gabrielino-Tongva Tribe

Represented By
Paul P Young
Nikko Salvatore Stevens
Armen Manasserian
Joseph Chora

**United States Bankruptcy Court
Central District of California
Northern Division
Ronald A Clifford III, Presiding
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Wednesday, June 18, 2025

Hearing Room 201

9:00 AM

CONT... Jonathan Alan Stein

Chapter 7

Trustee(s):

Jerry Namba (TR)

Represented By

Laila Rais

Sarah Rose Hasselberger

D Edward Hays

Sarah Cate Hays

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Wednesday, June 18, 2025

Hearing Room 201

9:00 AM

9:23-10174 Jonathan Alan Stein

Chapter 7

#19.00 CONT'D Hearing RE: [368] Rule 9024 Motion for relief from order denying debtor's Section 554(b) motion to compel abandonment #2 - Iowa intervenor complaint

fr. 1-28-25, 2-26-25, 4-23-25, 5-7-25, 5-21-25,

Docket 368

Tentative Ruling:

June 18, 2025

Appearances waived.

This matter is continued to July 16, 2025, at 9:00 a.m.

May 21, 2025

Appearances required.

May 7, 2025

Appearances waived.

The hearing on this matter is continued to May 21, 2025, at 1:00 p.m.

April 23, 2025

Appearances waived.

Continued to May 7, 2025, at 9:00 a.m.

Party Information

Debtor(s):

Jonathan Alan Stein

Represented By

**United States Bankruptcy Court
Central District of California
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Wednesday, June 18, 2025

Hearing Room 201

9:00 AM

CONT... Jonathan Alan Stein

Jonathan Stein

Chapter 7

Movant(s):

Jonathan Alan Stein

Represented By
Jonathan Stein
Jonathan Stein

Trustee(s):

Jerry Namba (TR)

Represented By
Laila Rais
Sarah Rose Hasselberger
D Edward Hays
Sarah Cate Hays

**United States Bankruptcy Court
Central District of California
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Wednesday, June 18, 2025

Hearing Room 201

1:00 PM

9:22-10664 Miracle Center Church of Ventura County, Inc

Chapter 11

#20.00 CONT'D Post-Confirmation Status Conference (SubChapter V)

fr. 11-22-23, 1-10-24, 3-6-24, 9-11-24, 11-6-24, 6-18-25,

Docket 1

Tentative Ruling:

July 18, 2025

Appearances required.

The Court has reviewed *Reorganized Debtor's Post Confirmation Quarterly Status Report re Chapter 11 Plan of Reorganization Declaration of Alonzo McCown In Support Thereof*. See Docket No. 189. The Court will hear from any parties-in-interest.

March 26, 2025

Appearances required.

From the Debtor's vantage point, is this case to be administratively closed? The Court will hear from creditors.

November 6, 2024

Appearances waived.

The Court has reviewed that *SubChapter V Status Report*. See Docket No. 177. The Court will continue the post-confirmation status conference to March 26, 2025, at 1:00 p.m.

September 11, 2024

Appearances required.

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Central District of California
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Ronald A Clifford III, Presiding
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Wednesday, June 18, 2025

Hearing Room 201

1:00 PM

CONT... Miracle Center Church of Ventura County, Inc Chapter 11

No post-confirmation status report has been filed. The Debtor has, however, been granted a discharge. *See* Docket No. 175, *Order of Discharge - Chapter 11*. The SubV Trustee filed *Chapter 11 Subchapter V Trustee's Report of No Distribution*. *See* Docket No. 171. The Court is inclined to relieve the SubV Trustee of any further duties in the instant case.

March 6, 2024

Appearances required.

The Court has reviewed the *Subchapter V Status Report*. *See* Docket No. 162. The Court will inquire with the Debtor as to whether the priority tax claim and the Class 4 claim(s) has/have been paid.

January 10, 2023

Appearances required.

On November 22, 2023, the Court continued the post confirmation status conference to January 10, 2024. The Court further ordered that the Debtor (1) must file any/all missing operating reports by or before December 1, 2023, (2) must serve a notice of the revisions to the plan and proposed order by or before December 1, 2023, and (3) shall refile the status report by or before December 27, 2023 and re-serve the appropriate parties.

On November 30, 2023 the Debtor filed that *Monthly Operating Report for Small Business Under Chapter 11* for the months of August, September and October 2023. *See* Docket Nos. 143, 144, and 145, respectively.

On December 4, 2023, that *Notice of Lodgment of Order Confirming Chapter 11 Plan of Reorganization* was filed. *See* Docket No. 146. The Court entered that *Order Confirming Chapter 11 Plan of Reorganization* on December 19, 2023. *See* Docket No. 147.

On December 20, 2023, filed that *Monthly Operating Report for Small Business*

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CONT... Miracle Center Church of Ventura County, Inc Chapter 11

Under Chapter 11 for the month of November 2023. On the same date, the Debtor also filed that *Subchapter V Status Report* (the "Status Report"). See Docket No. 149. However, there is no Proof of Service of Document attached to the Status Report. Thus, it does not appear that the Debtor re-served the Status Report as ordered by the Court.

November 22, 2023

Debtor to appear in-person.

The Debtor was instructed to file a post-confirmation status report on or before November 8, 2023. See Docket No. 136. The Court finds no status report on the docket. The Court is inclined to convert the case to Chapter 7 given the Debtor's failure to inform parties-in-interest and this Court of its progress post-confirmation.

May 31, 2023

Appearances required.

March 8, 2023

Appearances required.

January 10, 2023

Appearances required.

The Court will inquire with the parties about the status of discussions regarding a consensual plan of reorganization. If there is no consensus, the Court will set the plan for a confirmation hearing.

December 6, 2022

Appearances required.

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CONT... Miracle Center Church of Ventura County, Inc Chapter 11

On November 28, 2022, the Debtor filed *Debtor's Chapter 11 Plan of Reorganization* (the "Plan"). See Docket No. 77. The Court will inquire about the following:

- (1) Is the plan a consensual plan?
- (2) Have the Debtor, creditors and the SubV Trustee discussed confirmation dates?

October 26, 2022

Appearances required.

The plan is due on or before November 28, 2022. Where is the Debtor in reaching a consensus with its creditors on an exit strategy?

Party Information

Debtor(s):

Miracle Center Church of Ventura

Represented By
John K Rounds

Trustee(s):

John-Patrick McGinnis Fritz (TR)

Pro Se

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9:23-10517 Global Premier Regency Palms Colton, LP

Chapter 11

#21.00 CONT'D Post-Confirmation Status Conference (SARE)

fr. 12-11-24, 3-12-25,

Docket 1

Tentative Ruling:

June 18, 2025

Appearances waived.

On June 4, 2025, the Court entered that *Order for Final Decree Closing Case*. See Docket No. 389. The post-confirmation status conference is vacated.

March 12, 2025

Appearances required.

The Court has reviewed that *Chapter 11 Post Confirmation Case Status Report*. See Docket No. 382. The Court will inquire with the Office of the U.S. Trustee regarding any compliance issues, but it appears that this case has reached its conclusion.

December 11, 2024

Appearances waived.

The Court has reviewed that *Chapter 11 Post Confirmation Case Status Report*. See Docket No. 378. The post-confirmation status conference is continued to March 12, 2025, at 1:00 p.m.

Party Information

Debtor(s):

Global Premier Regency Palms

Represented By
Garrick A Hollander
Matthew J Stockl

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CONT...

Global Premier Regency Palms Colton, LP

Peter W Lianides

Chapter 11

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9:24-10191 AC Fabrication, Inc.

Chapter 11

#22.00 CONT'D Post Confirmation Status Conference

fr. 4-9-25, 4-23-25, 5-21-25,

Docket 107

Tentative Ruling:

June 18, 2025

Appearances required.

The Court has reviewed that *Supplemental Declaration of Anthony Chaghllassian in Support of Reorganized Debtor's Post-Confirmation Status Report*. See Docket No. 143. The Court will confirm that U.S. Bank and the Sub V Trustee have been paid. If there are any outstanding plan payments, the Court will set an OSC re conversion/dismissal.

May 21, 2025

Appearances required.

The Court has reviewed that *Supplemental Declaration of Anthony Chaghllassian in Support of Reorganized Debtor's Postconfirmation Status Report*. See Docket No. 137. The Debtor asserts that it is \$88,543.79 behind in its effective date payments. See *id.* at p. 5.

Pursuant to *Debtor's Chapter 11 Plan of Reorganization* (the "Plan"), there are a number of effective date payments that the Debtor was required to make. The effective date of the Plan was February 24, 2025. See Docket No. 116. On the effective date of the Plan, U.S. Bank was to be paid \$5,170.33, and \$87,140.95 was to be paid to BMO Bank N.A. See Docket No. 38, pp. 12-13. BMO Bank N.A. has not been paid \$61,908.79. See Docket No. 137, p. 5. The Debtor lists U.S. Bank as being owed \$26,635, but it is not clear to the Court that these are actually due. See *id.* at p.

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CONT... AC Fabrication, Inc.

Chapter 11

4. It seems to the Court that these were the post-petition payments made, and the Debtor in-fact made the \$5,170.33 payment. *See id.*

The Court has some concern regarding the Debtor's ability to consummate the Plan. Now, three (3) months from the effective date of the Plan, the Debtor remains no less than \$61,908.79 behind in its required payments. The Court is inclined to issue and order to show cause regarding conversion or dismissal of the case for the Debtor's breach of the terms of the Plan. The Court will want to discuss what the Debtor actually owes U.S. Bank.

April 9, 2025

Appearances required.

The Court has reviewed *Reorganized Debtor's Postconfirmation Status Report*. *See* Docket No. 121. The Court is concerned that the Debtor is delinquent \$73,094.58 in payments due under its plan of reorganization. This is before a final application for approval of fees and expenses is filed by the Debtor's insolvency counsel.

Party Information

Debtor(s):

AC Fabrication, Inc.

Represented By

Matthew D. Resnik

Roksana D. Moradi-Brovja

Trustee(s):

John-Patrick McGinnis Fritz (TR)

Pro Se

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9:24-11375 Cynthia Joan Marcus

Chapter 11

#23.00 Chapter 11 Status Conference

Note: Case converted from Chapter 13 to 11 on 4/24/25.

Docket 31

Tentative Ruling:

June 18, 2025

Appearances required.

The Court has reviewed that *Chapter 11 Status Report*. See Docket No. 43. The Court finds no employment application for general insolvency counsel, special litigation counsel, or an accountant. See 11 U.S.C. § 327. The Court entered that *Order on Debtor's Motion to Convert Case Under 11 U.S.C. § 1307(d)* on April 24, 2025. See Docket No. 31. The Court finds no operating report for April or May.

If the Debtor is not in full compliance with those *Guidelines and Requirements for Chapter 11 Debtors in Possession*, the Court will either convert this case to Chapter 7, or dismiss this case.

If the Debtor is in full compliance, the Court will establish a bar date, set a deadline to file a disclosure statement and plan, and set a disclosure statement hearing.

Party Information

Debtor(s):

Cynthia Joan Marcus

Represented By
Reed H Olmstead

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9:25-10156 Puremedy, Inc.

Chapter 11

#24.00 Hearing re: [64] Motion to dismiss chapter 11 case

Docket 64

Tentative Ruling:

June 18, 2025

Appearances required.

Party Information

Debtor(s):

Puremedy, Inc.

Represented By
William C Beall
Ryan W Beall

Movant(s):

Puremedy, Inc.

Represented By
William C Beall
Ryan W Beall

Trustee(s):

John-Patrick McGinnis Fritz (TR)

Pro Se

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9:25-10156 Puremedy, Inc.

Chapter 11

#25.00 CONT'D Chapter 11 Status Conference (Subchapter V)

fr. 3-26-25, 5-21-25,

Docket 1

Tentative Ruling:

June 18, 2025

Appearances required.

May 21, 2025

Appearances waived.

On May 5, 2025, Puremedy, Inc. filed that *Motion to Dismiss Chapter 11 Case*. See Docket No. 64. The Court will continue the status conference to June 18, 2025, at 1:00 p.m.

March 26, 2025

Appearances required.

The Court has reviewed that *Subchapter V Status Report*. See Docket No. 35. The Court will inquire with 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):

Puremedy, Inc.

Represented By
William C Beall
Ryan W Beall

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Trustee(s):

John-Patrick McGinnis Fritz (TR)

Pro Se

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9:23-10945 Jeffrey Dennis Peppard

Chapter 11

#26.00 CONT'D Chapter 11 Confirmation Hearing

fr. 01-15-25, 3-26-25,

Docket 134

***** VACATED *** REASON: Hearing continued to 7/9/25 at 1:00 p.m. per
order entered 5/13/25**

Tentative Ruling:

January 15, 2025

In-person appearances of the Debtor and IRS are required.

IRS Objections to Confirmation

- The IRS's issue regarding the DIP facility and the priming liens over the Ashley and Kenwood properties is moot, as the Debtor is now selling the Ashley Property instead of obtaining a loan with the Ashley and Kenwood properties serving as collateral. *See* Docket No. 144, p. 4, lines 9-10.
- The IRS's issue regarding a waiver of setoff rights under 11 U.S.C. § 553 is moot, as the Debtor agrees that he is "happy to make the suggested changes [] and add the suggested *set off* exception for the IRS []." *See id.* at p. 5, lines 22-26.
- The IRS's issue regarding its secured lien attaching to the Ashley Property sales proceeds is moot. The Debtor is paying, in order of priority, the net sale proceeds to Nancy Bull and the IRS. *See* Docket No. 144, p. 4, lines 6-8. The sale proceeds will be fully exhausted after payments to the lienholders.
- The IRS's issue related to the avoidance of any of its liens is moot in that the Debtor has made it clear that the Plan "does not seek to avoid any lien of the IRS..." *See id.* at p. 4, lines 6-8.
- The IRS argues that the Debtor is selling the Ashley property, and only

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Chapter 11

providing the IRS with \$675,000. *See* Docket No. 139, p. 11, lines 15-18. The Debtor is selling the Ashley property, and "after costs of sale and the senior mortgage," the remaining amounts will be paid to the IRS. *See* Docket No. 144, p. 4, lines 6-8. If the costs of sale are 8%, and with a sale price at \$1.2 million, \$1,104,000 will be the net proceeds. After payment to Nancy Bull of \$363,612.41, the IRS would be paid \$740,387.59.

- Payment to the IRS of \$740,387.59 would lower its secured claim to approximately \$887,553.41. At 8%, over 44 months, and with the monthly plan payments of \$6,000, the secured claim would total \$883,437.18 in October 2028.
- The value of the Debtor's dental practice remains as an issue. The Debtor declares that "I am informed and I believe that practices like mine sell for between 1.5 and 3 times gross revenues..." *See* Docket No. 144, p. 8, lines 24-27. The Debtor asserts that based on his dental practice's gross income since 2021, the dental practice, as a going concern, "could be sold for between \$1,350,000 and \$2,700,000." *See* Docket No. 133, p. 34. The IRS argues that "a review of dental practices recently listed for sale in the nearby areas were well under \$1,000,000." *See* Docket No. 139, 0. 13, lines 23-26. It seems to the Court that there must be some evidence provided of the Debtor's dental practice's value other than a conclusory statement by the Debtor.
- The owner of the Debtor's dental practice's goodwill remains as an issue. That is, is it the Debtor, or the Debtor's suspended corporation, Jeff D. Peppard, D.D.S., Inc., that owns the goodwill of the Debtor's dental practice? To go further, is the goodwill of the dental practice what the Debtor refers to when he discusses the sale of his dental practice? Or, rather, is it other assets, such as client files? And if it is client files and the like, do those files "belong" to the Debtor, his suspended corporation, the clients, or some other entity? In short, what can the Debtor sell? What is the \$1.35 to \$2.7 million comprised of?
- The secured vs. priority portions of the IRS claim remains an issue. The IRS seems to argue that a portion of its secured claim is also a priority claim. *See* Docket No. 139, p. 16, lines 4-8. The IRS argues that \$272,669.49 of its

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secured claim is a penalty that should be paid as a priority claim over 5 years from the petition date. This payment, argues the IRS, would be \$10,440.17 per month. *See id.* at p. 16, lines 22-26. At bottom, the entirety of the IRS's claim is to be paid at the conclusion of the case through the sale of the Debtor's dentistry practice. May the Debtor not comply with 11 U.S.C. § 1129(a)(9)(C), assuming for the moment that this Code section applies, by making a lump sum payment prior to the expiration of the statutorily mandated repayment period? *See In re Gregory Boat Co.*, 144 B.R. 361, 364 (Bankr. E.D. Mich. 1992)("Nothing in the language of § 1129(a)(9)(C) suggests that payments on priority tax claims must be either periodic or equal. Indeed nothing in the statutory language prohibits a single payment of principal and interest at the end of the six year time period.").

- The IRS raises the Debtor's gambling, suggesting that the Debtor gambled as recently as mid-September 2024. *See* Docket No. 139, pp. 10-12. The Court agrees with the IRS that any gambling by the Debtor moving forward could disrupt the success of the Plan. Yet, the Debtor asserts that he is treating his gambling, is no longer gambling, and is committed to foregoing any gambling for the duration of the term of the Plan.
- The Debtor admits that he pays college costs for his children. It is not clear how these costs affect feasibility, or, if they do not, why they should be paid on a go-forward basis. These payments do not appear to be to repay the Debtor's creditors, but are rather payments on the part of adult children.
- The Debtor's ability to rent the Kenwood property for \$6,000 per month remains an issue. The Debtor attests that he can "easily generate \$6,000 per month" by renting 70% of the Kenwood property. *See* Docket No. 144, p. 7, lines 16-21. This seems to the Court to be a non-issue. Renting all but one of the rooms of the Kenwood property, which property is located in Santa Barbara proper, would seem to the Court to be less than market rate for this area.
- Under the Plan, if the Debtor has insufficient monies to repay creditors in full after the sale of his dental practice, the Debtor intends on refinancing the Kenwood property to make up the difference. *See* Docket No. 134, p. 14, lines

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25-27. The IRS argues that the Debtor has not shown his "ability to get a home equity loan against the Kenwood Road Property in October 2028." *See* Docket No. 139, p. 22, lines 15-18. The Court does not find a challenge as to the value of the Kenwood property, or the first position lien against said property. The Debtor enjoys more than \$2 million in equity in the Kenwood property, absent the lien of the IRS. *See* Docket No. 134, pp. 9-10. Assuming \$500,000 for the Debtor's dental practice, and assuming the dental practice is an asset of the Debtor's estate, there appears to be a significant equity cushion for the IRS, and all creditors that would remain to be paid from the property for that matter, in the Kenwood property.

- As to tax liabilities, the Debtor asserts that taxes will be paid as they become due post-confirmation
- The IRS's issue regarding the administrative claims bar date as to the IRS is moot. The Debtor agrees that "[a]s to the administrative claims bar date, the Debtor agrees that the plan confirmation order will provide that administrative tax claims will not be time barred by the professional fees and trade claims bar date." *See* Docket No. 144, p. 5, lines 19-21.
- The IRS's issue regarding the discharge language in the Plan is moot. The Debtor "is happy" to make the IRS's suggested revisions. *See* Docket No. 144, p. 5, lines 22-26.
- The IRS's issue as to the purported third-party releases is a bit confusing. *See* Docket No. 139, pp. 24-25. Does not the IRS's proposed language make the proposed non-release overly broad as to the IRS, thereby carving out the IRS from the release language altogether?
- Regarding the IRS's issue as to 11 U.S.C. § 1129(a)(7)(A), the IRS argues that for all the reasons it has set forth in its opposition, the Plan does not pay creditors at least as much as they would receive in a Chapter 7 liquidation. *See id.* at p. 27. The Debtor argues that the IRS fails to take into account gains taxes on the sale of the Kenwood property, the fact that the Ashley property is being sold, rather than the Debtor obtaining a DIP facility, and that his dental practice can in-fact be sold for more than what claims will total in October

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2028. What is more, all creditors that did vote regarding the Plan, support confirmation. *See* Docket No. 144, p. 6, lines 3-12.

Party Information

Debtor(s):

Jeffrey Dennis Peppard

Represented By
Jeffrey S Shinbrot

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9:23-10945 Jeffrey Dennis Peppard

Chapter 11

#27.00 CONT'D Hearing re: Chapter 11 Status Conference

fr. 12-12-23, 2-20-24, 4-10-24, 4-19-24, 6-5-24,
7-10-24, 9-25-24, 01-15-25, 3-26-25,

Docket 1

***** VACATED *** REASON: Hearing continued to 7/9/25 at 1:00 p.m. per
order entered 5/13/25**

Tentative Ruling:

January 15, 2025

Appearances required.

July 10, 2024

Appearances required.

June 5, 2024

Appearances required.

The Court has reviewed *Debtor's Chapter 11 Status Conference Report & Request for Continuance to Hearing on Disclosure Statement*. See Docket No. 95. The Court will confer with the Office of the U.S. Trustee regarding the Debtor's compliance with the *Guidelines and Requirements for Chapter 11 Debtors in Possession*.

April 10, 2024

Appearances required.

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**CONT... Jeffrey Dennis Peppard
February 20, 2024**

Chapter 11

Appearances required.

The Court has reviewed *Debtor's Chapter 11 Status Conference Report*, and that *First Interim Report of Patient Care Ombudsman Pursuant to 11 U.S.C. § 333(b)(2)*. See Docket Nos. 58 and 64, respectively.

On February 9, 2024, Jeffrey D. Peppard (the "Debtor") filed that *Original Chapter 11 Plan* (the "Plan") and that *Original Disclosure Statement Describing Original Chapter 11 Plan* (the "Disclosure Statement"). See Docket Nos. 60 and 59, respectively. On their face, the Disclosure Statement and the Plan have disclosure and confirmation issues. The descriptions of which classes of creditors are impaired, and which are not under the Plan differ in the Disclosure Statement as compared to the Plan. This is significant in that impairment determines the voting rights of creditors. The interest holders are described as Class 8 when in-fact the Debtor's interests comprise Class 10. It is unclear why there are two (2) separate classes of unsecured creditors, Classes 8 and 9, only one of which will be paid in full under the Plan. The Debtor runs a dental practice with employees, but the Debtor shows wages as being stagnant for the life of the Plan. Perhaps there is an explanation, but it seems odd that there are no increases in wages over the life of the Plan. This is significant because even a modest increase of 3% year over year has a material impact on feasibility of the Plan.

The Court will set the Disclosure Statement for hearing as to its adequacy for April 10, 2024, at 2:00 p.m. The Disclosure Statement and Plan, and notice of the hearing on the approval of the adequacy of the Disclosure Statement must be served on or before February 28, 2024. The notice of the hearing on the Disclosure Statement, with proof of service, must be filed on or before February 28, 2024, and said proof of service shall include proof of the proper service of the Disclosure Statement and Plan. The notice of the hearing on the adequacy of the Disclosure Statement shall include notice of the opposition deadlines contained in this Court's Local Rule 3017-1.

The Court will inquire with the Office of the U.S. Trustee as to the Debtor's compliance with those *Guidelines and Requirements for Chapter 11 Debtors in Possession*.

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CONT... Jeffrey Dennis Peppard

Chapter 11

December 12, 2023

Appearances required.

The Court has reviewed the *Debtor's Chapter 11 Status Conference Report* (the "Report"). *See* Docket No. 41. In reviewing the Debtor's past and projected income, it appears to the Court that the Debtor loses money each month. *See id.* at *Exhibit 1*. What is more, the past and projected income does not seem to account for the accruing of the fees and expenses of general insolvency counsel to the Debtor, an ombudsman, or the to-be employed insolvency accountant. The quarterly payments due to the Office of the United States Trustee appear lower than required. It is unclear to the Court whether the estate is currently administratively insolvent, but all signs point to the affirmative, and unless there are facts not highlighted in the Report, any current administrative insolvency will only deepen in the coming months.

Perhaps the Court is unaware of assets or an income stream that will allow the Debtor to fund its exit strategy from Chapter 11, but at this stage the Court is inclined to convert or dismiss this case to prevent what the Court understands to be an administratively insolvent debtor.

Party Information

Debtor(s):

Jeffrey Dennis Peppard

Represented By
Jeffrey S Shinbrot

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9:23-10454 Global Premier Regency Palms Palmdale, LP

Chapter 11

#28.00 CONT'D Hearing re: [132] United States Trustee's motion under 11 U.S.C. § 1112(b) to dismiss, or, in the alternative, to convert case

fr. 5-20-25,

Docket 132

Tentative Ruling:

May 20, 2025

Appearances required.

Before the Court is *United States Trustee's Notice of Motion and Motion Under 11 U.S.C. § 1112(b) to Dismiss or, in the Alternative, to Convert Case* (the "Motion"). See Docket No. 132. In response to the Motion, the Debtor has filed *Debtor's Opposition to United States Trustee's Motion Under 11 U.S.C. § 1112(b) to Dismiss or Convert Case*. See Docket No. 138. The Court will inquire if the Debtor is in compliance. If the Debtor is not in compliance, the Court is inclined to dismiss or convert the matter.

Party Information

Debtor(s):

Global Premier Regency Palms

Represented By
Garrick A Hollander
Matthew J Stockl
Peter W Lianides

Movant(s):

United States Trustee (ND)

Represented By
Brian David Fittipaldi

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9:23-10454 Global Premier Regency Palms Palmdale, LP

Chapter 11

#29.00 Hearing re: [140] Disclosure statement in support of debtors
joint chapter 11 plan of reorganization

Docket 140

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Global Premier Regency Palms

Represented By
Garrick A Hollander
Matthew J Stockl
Peter W Lianides

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9:23-10454 Global Premier Regency Palms Palmdale, LP

Chapter 11

#30.00 CONT'D Chapter 11 Status Conference

fr. 7-26-23, 10-10-23, 12-12-23, 1-23-24,
2-20-24, 4-9-24, 7-9-24, 8-6-24, 9-11-24,
11-20-24, 2-26-25, 5-21-25,

Docket 1

Tentative Ruling:

May 21, 2025

Appearances required.

On April 16, 2025, the Office of the United States Trustee filed *United States Trustee's Notice of Motion and Motion Under 11 U.S.C. § 1112(b) to Dismiss or, in the Alternative, to Convert Case* (the "Motion to Dismiss"). See Docket No. 132. On May 6, 2025, Global Premier Regency Palms Palmdale, LP (the "Debtor") filed *Debtor's Opposition to United States Trustee's Motion Under 11 U.S.C. § 1112(b) to Dismiss or Convert Case*. See Docket No. 138. The Motion to Dismiss is to be heard on May 20, 2025. See Docket No. 133.

The Court has reviewed that *Status Report* filed by the Debtor. See Docket No. 142. The Court also understands that on May 6, 2025, the Debtor filed that *Disclosure Statement in Support of Debtor's Joint Chapter 11 Plan of Reorganization* (the "Disclosure Statement"). See Docket No. 140. The Debtor's intended exit from Chapter 11, if the Disclosure Statement comprises the ultimate blueprint of such exit, is a complex structure comprised of exit financing to complete the build out of the Debtor's real property, a debt for equity swap, and an earn out from future operations. See *id.* The hearing on the Debtor's request for approval of the Disclosure Statement is scheduled for June 18, 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 a report of compliance, the Court will continue the status

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CONT... **Global Premier Regency Palms Palmdale, LP**
conference to June 18, 2025, at 1:00 p.m.

Chapter 11

February 26, 2025

Appearances required.

The Court has reviewed that *Status Report*. See Docket No. 127. The Court is inclined to set a disclosure statement hearing.

November 20, 2024

Appearances required.

The Court has reviewed that *Status Report*. See Docket No. 121. Assuming a plan and disclosure statement are filed prior to the status conference, the Court will continue the status conference to coincide with the disclosure statement hearing. 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*.

September 11, 2024

Appearances required.

The Court has reviewed that *Status Report*. See Docket No. 112. On June 28, 2024, the Debtor filed *Debtor's Chapter 11 Plan of Reorganization* (the "Plan"). See Docket No. 100. The Court is inclined to set confirmation dates, including a disclosure statement hearing.

July 9, 2024

Appearances required.

Pursuant to that *Order Setting Initial Status Conference*, "[n]ot less than fourteen (14)

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

Wednesday, June 18, 2025

Hearing Room 201

1:00 PM

CONT... **Global Premier Regency Palms Palmdale, LP** **Chapter 11**

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. 8, p. 3, lines 3-6.

A status conference is scheduled to take place on July 9, 2024, at 1:00 p.m. *See* Docket No. 93, *Status Conference Scheduling Order*, p. 2, line 9. The Court finds no status report on the docket for the current status conference.

April 9, 2024

Appearances required.

The Court has reviewed the *Status Report*. *See* Docket No. 84. The case is nearing its one-year anniversary. The Court will set a deadline for the Debtor to file a plan of reorganization of June 28, 2024. The Court will also confer with the Office of the U.S. Trustee as to the Debtor's compliance with the *Guidelines and Requirements for Chapter 11 Debtor in Possession*. The Court will continue the status conference to July 9, 2024, at 2:00 p.m.

February 20, 2024

Appearances required.

The Court scheduled a status conference for this matter to take place on February 20, 2024. *See* Docket No. 75. The Court finds no status conference report filed by the Debtor to prepare the Court for the status conference.

December 12, 2023

Appearances waived.

The Court has reviewed that *Status Report*. *See* Docket No. 62. The Court continues the status conference to January 23, 2024, at 2:00 p.m.

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

Wednesday, June 18, 2025

Hearing Room 201

1:00 PM

**CONT... Global Premier Regency Palms Palmdale, LP
October 10, 2023**

Chapter 11

Appearances required.

The Court has reviewed the *Status Report*. See Docket No. 45. The Court is inclined to continue the status conference to December 12, 2023, at 2:00 p.m. The Court will inquire with the Office of the U.S. Trustee regarding the Debtor's compliance with the *Guidelines and Requirements for Chapter 11 Debtors in Possession*.

July 26, 2023

Appearances required.

The Court will set a claims bar date of September 29, 2023 for non-governmental^{363c} entities, and November 29, 2023 for governmental entities. Pursuant to this Court's Local Rule 3003-1, the Debtor will serve notice of the bar date on the Court's form F 3003-1.NOTICE.BARDATE on or before August 2, 2023. An order establishing the bar date shall be lodged by the Debtor within 7 days of the status conference.

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

The Court is inclined to continue the status conference to October 10, 2023, at 2:00 p.m.

Party Information

Debtor(s):

Global Premier Regency Palms

Represented By
Garrick A Hollander
Matthew J Stockl
Peter W Lianides