

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

Wednesday, July 9, 2025

Hearing Room 201

9:00 AM

9: -

Chapter 0

#0.00

PLEASE TAKE NOTE:

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

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

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

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

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

Wednesday, July 9, 2025

Hearing Room 201

9:00 AM

CONT...

Chapter 0

You may obtain the ZoomGov connection details by clicking the hyperlink below or copying and pasting the web address into your browser.

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

Docket 0

Tentative Ruling:

- NONE LISTED -

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

Wednesday, July 9, 2025

Hearing Room 201

9:00 AM

9:22-10953 Misty Lynne Betschart

Chapter 7

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

#1.00 CONT'D Status Conference re: [80] Amended Complaint (RE: [1] Adversary case 9:23-ap-01002. Complaint by Julie Stowasser, Shawna Scott against Misty Lynne Betschart) Nature[s] of Suit: (68 Dischargeability - 523(a)(6), willful and malicious injury) (Studer, James)

fr. 4-5-23, 4-19-23, 5-16-23, 12-13-23, 1-24-24, 2-21-24, 3-20-24, 4-10-24, 5-8-24, 7-24-24, 9-11-24, 11-20-24, 12-4-24

Docket 57

Tentative Ruling:

July 9, 2025

Appearances waived.

This matter is set for a pretrial conference to take place on August 20, 2025. *See* Docket No. 112. The Court continues the status conference to August 20, 2025, at 9:00 a.m.

November 20, 2024

Appearances waived.

This matter is not yet at issue. The status conference is continued to December 4, 2024, at 9:00 a.m., in Courtroom 5D, 411 W. Fourth Street, Santa Ana, CA.

September 11, 2024

Appearances required.

Is an amended complaint to be filed?

July 24, 2024

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

Wednesday, July 9, 2025

Hearing Room 201

9:00 AM

CONT... Misty Lynne Betschart

Chapter 7

Appearances waived.

The Court has reviewed that *Joint Status Report*. See Docket No. 63. The status conference is continued to September 11, 2024, at 9:00 a.m.

May 8, 2024

Appearances required.

April 10, 2024

Appearances waived.

This matter is continued to May 8, 2024, at 10:00 a.m.

March 20, 2024

Appearances waived.

The status conference is continued to April 10, 2024, at 10:00 a.m.

January 24, 2024

Appearances waived.

Based on that *Order Granting Stipulation for Order to Extend Filing Deadline and Continue Status Conference Hearing*, the Debtor's deadline to respond to the amended complaint is February 1, 2024. See Docket No. 32, p. 2, lines 1-5. The Court continues the status conference to February 21, 2024, at 10:00 a.m. A status report is required.

May 16, 2023

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

Wednesday, July 9, 2025

Hearing Room 201

9:00 AM

CONT... Misty Lynne Betschart
Appearances required.

Chapter 7

As of May 4, 2023, it does not appear that the Complaint has yet been answered. The Court will inquire with the parties about the status of the instant case given the fact that there is state court litigation among the parties also pending.

April 19, 2023

Appearances required.

April 5, 2023

Appearances waived.

A Motion to Dismiss the Plaintiff's Complaint Without Leave to Amend was filed on March 6, 2023, with a hearing date of April 19, 2023. See Docket No. 9. The Court will continue the status conference to April 19, 2023, at 10:00 a.m.

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
Courtroom 201 Calendar**

Wednesday, July 9, 2025

Hearing Room 201

9:00 AM

9:23-10157 Baron Brothers Nursery, Inc.

Chapter 7

Adv#: 9:25-01007 Sandra K. McBeth, Chapter 7 Trustee v. Bamieh De Smeth, a Professional

#2.00 Status Conference re: [1] Adversary case 9:25-ap-01007. Complaint by Sandra K. McBeth, Chapter 7 Trustee against Bamieh De Smeth, a Professional Law Corporation, a California corporation. (\$350.00 Fee Charge To Estate). Complaint for: (1) Avoidance, Recovery and Preservation of Fraudulent Transfers [11 U.S.C. §§ 548(a)(1)(A), 550, and 551]; and (2) Avoidance, Recovery and Preservation of Fraudulent Transfers [11 U.S.C. §§ 548(a)(1)(B), 550, and 551] (Attachments: # 1 Adversary Proceeding Cover Sheet) Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)),(14 (Recovery of money/property - other))

Docket 1

Tentative Ruling:

July 9, 2025

Appearances waived.

The Court has reviewed *Plaintiff's Unilateral Status Report*. See Docket No. 15. The Court will continue the status conference to August 20, 2025, at 9:00 a.m. to allow the Plaintiff to file and have heard a motion for default judgment.

Party Information

Debtor(s):

Baron Brothers Nursery, Inc.

Represented By
William E. Winfield

Defendant(s):

Bamieh De Smeth, a Professional

Pro Se

Plaintiff(s):

Sandra K. McBeth, Chapter 7

Represented By
Samuel Mushegh Boyamian

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

Wednesday, July 9, 2025

Hearing Room 201

9:00 AM

CONT... Baron Brothers Nursery, Inc.

Chapter 7

Trustee(s):

Sandra McBeth (TR)

Represented By
Samuel Mushegh Boyamian
Jeremy Faith

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

Wednesday, July 9, 2025

Hearing Room 201

9:00 AM

9:23-10157 Baron Brothers Nursery, Inc.

Chapter 7

Adv#: 9:25-01010 Sandra K. McBeth, Chapter 7 Trustee v. Law Offices of Gregory Larson

#3.00 Status Conference re: [1] Adversary case 9:25-ap-01010. Complaint by Sandra K. McBeth, Chapter 7 Trustee against Law Offices of Gregory Larson a/k/a Gregory L. Larson, a Professional Corporation, a California corporation. (\$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] (Attachments: # 1 Adversary Proceeding Cover Sheet) Nature of Suit: (14 (Recovery of money/property - other))

Docket 1

***** VACATED *** REASON: Hearing continued to 8/6/25 at 9:00 a.m.
p.m. per order entered 7/01/25.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Baron Brothers Nursery, Inc.

Represented By
William E. Winfield

Defendant(s):

Law Offices of Gregory Larson a/k/a

Pro Se

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

Wednesday, July 9, 2025

Hearing Room 201

9:00 AM

9:23-10157 Baron Brothers Nursery, Inc.

Chapter 7

Adv#: 9:25-01012 Sandra K. McBeth, Chapter 7 Trustee v. Law Offices of Stephanie L.

#4.00 Status Conference re: [1] Adversary case 9:25-ap-01012. Complaint by Sandra K. McBeth, Chapter 7 Trustee against Law Offices of Stephanie L. Mahdavi a Professional Law Corporation, a California corporation. (\$350.00 Fee Charge To Estate). Complaint for: (1) Avoidance, Recovery and Preservation of Fraudulent Transfers [11 U.S.C. §§ 548(a)(1)(A), 550, and 551]; and (2) Avoidance, Recovery and Preservation of Fraudulent Transfers [11 U.S.C. §§ 548(a)(1)(B), 550, and 551] (Attachments: # 1 Adversary Proceeding Cover Sheet) Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)), (14 (Recovery of money/property - other))

Docket 1

Tentative Ruling:

July 9, 2025

Appearances required.

The Court has reviewed that *Joint Status Report*. See Docket No. 13. The Court is inclined to set the following litigation deadlines:

December 1, 2025 – Deadline to complete discovery, including the deadline to receive responses

January 14, 2026, at 9:00 a.m. – Deadline for pretrial motions to be heard

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

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

February 18, 2026, at 9:00 a.m. – Trial

It is not clear to the Court whether the parties are interested in this Court ordering the parties to mediation.

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, July 9, 2025

Hearing Room 201

9:00 AM

CONT... Baron Brothers Nursery, Inc.

Chapter 7

Debtor(s):

Baron Brothers Nursery, Inc.

Represented By
William E. Winfield

Defendant(s):

Law Offices of Stephanie L.

Pro Se

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

Wednesday, July 9, 2025

Hearing Room 201

9:00 AM

9:23-10241 Sustenance Inc.

Chapter 7

Adv#: 9:25-01015 Jeremy W. Faith, Chapter 7 Trustee v. Capital One, National Association

#5.00 CONT'D Status Conference re: [1] Adversary case 9:25-ap-01015. Complaint by Jeremy W. Faith, Chapter 7 Trustee against Capital One, 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. 6-4-25,

Docket 1

Tentative Ruling:

July 9, 2025

Appearances waived.

The Court has reviewed that *Joint Status Report*. See Docket No. 18. This matter has settled, and the parties require some additional time to obtain this Court's approval of the settlement. The Court will continue the status conference to September 10, 2025, at 9:00 a.m.

Party Information

Debtor(s):

Sustenance Inc.

Represented By
Leslie A Tos

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

Wednesday, July 9, 2025

Hearing Room 201

9:00 AM

CONT... Sustenance Inc.

Chapter 7

Defendant(s):

Capital One, National Association

Represented By
Jared D Bissell

Plaintiff(s):

Jeremy W. Faith, Chapter 7 Trustee

Represented By
Meghann A Triplett

Trustee(s):

Jeremy W. Faith (TR)

Represented By
Meghann A Triplett

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

Wednesday, July 9, 2025

Hearing Room 201

9:00 AM

9:23-10241 Sustenance Inc.

Chapter 7

Adv#: 9:25-01018 Jeremy W. Faith, Chapter 7 Trustee v. Alessandro Mogul Khan a/k/a Nawab

#6.00 CONT'D Status Conference re: [1] Adversary case 9:25-ap-01018. Complaint by Jeremy W. Faith, Chapter 7 Trustee against Alessandro Mogul Khan a/k/a Nawab Sher. (\$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]; (5) Breach of Fiduciary Duty; (6) For Unjust Enrichment; and (7) Conversion (Attachments: # 1 Adversary Proceeding Cover Sheet) Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)), (14 (Recovery of money/property - other))

fr. 6-4-25,

Docket 1

Tentative Ruling:

July 9, 2025

Appearances waived.

The Court has reviewed that *Joint Status Report*. See Docket No. 13. The Court will continue the status conference to August 6, 2025, at 9:00 a.m. The Court will establish litigation dates at the continued status conference.

Party Information

Debtor(s):

Sustenance Inc.

Represented By
Leslie A Tos

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

Wednesday, July 9, 2025

Hearing Room 201

9:00 AM

CONT... Sustenance Inc.

Chapter 7

Defendant(s):

Alessandro Mogul Khan a/k/a

Pro Se

Plaintiff(s):

Jeremy W. Faith, Chapter 7 Trustee

Represented By
Meghann A Triplett

Trustee(s):

Jeremy W. Faith (TR)

Represented By
Meghann A Triplett

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

Wednesday, July 9, 2025

Hearing Room 201

9:00 AM

9:25-10094 Kim Marie Martel

Chapter 7

Adv#: 9:25-01021 Shelley McConnell, solely in her capacity as Trust v. Martel

#7.00 Status Conference re: [1] Adversary case 9:25-ap-01021. Complaint by Shelley McConnell, solely in her capacity as Trustee of the Rose E. Treise Trust Dated December 21, 1989, As Amended, and Administrator of the Estate of J. Carl Treise against Kim Marie Martel. fraud as fiduciary, embezzlement, larceny)),(68 (Dischargeability - 523(a)(6), willful and malicious injury))

Docket 1

Tentative Ruling:

July 9, 2025

Appearances waived.

The Court has reviewed that *Joint Status Report*. See Docket No. 18. The Court will continue the status conference to August 20, 2025, at 9:00 a.m. The Court will establish litigation dates at the continued status conference to the extent the motion to dismiss is denied. Therefore, an updated status report with proposed litigation dates should be filed no less than 14 days prior to the continued status conference.

Party Information

Debtor(s):

Kim Marie Martel

Represented By
Edwin J Rambuski

Defendant(s):

Kim Marie Martel

Pro Se

Plaintiff(s):

Shelley McConnell, solely in her

Represented By
Reed H Olmstead

Trustee(s):

Jeremy W. Faith (TR)

Pro Se

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

Wednesday, July 9, 2025

Hearing Room 201

9:00 AM

CONT... Kim Marie Martel

Chapter 7

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

Wednesday, July 9, 2025

Hearing Room 201

10:00 AM

9:25-10219 Mary Gwendolin Crockford

Chapter 7

#9.00 Hearing re: [17] Reaffirmation agreement between debtor and Freedom Mortgage Corporation (2861 Corto St. Simi Valley, CA 93065)

Docket 17

Tentative Ruling:

July 9, 2025

No appearances required.

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

Party Information

Debtor(s):

Mary Gwendolin Crockford

Represented By
Steven A Alpert

Trustee(s):

David Keith Gottlieb (TR)

Pro Se

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

Wednesday, July 9, 2025

Hearing Room 201

10:00 AM

9:25-10260 Robin A. Combos

Chapter 7

#10.00 Hearing re: [10] Reaffirmation agreement between debtor
and Santander Consumer USA Inc. (2021 Honda Accord)

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Robin A. Combos

Represented By
Brent D George

Trustee(s):

Amy L Goldman (TR)

Pro Se

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

Wednesday, July 9, 2025

Hearing Room 201

10:00 AM

9:25-10368 Shantal Ramos McConnell

Chapter 7

#11.00 Hearing re: [8] Reaffirmation agreement between debtor and
CoastHills Federal Credit Union (2023 Kia Sportage)

Docket 8

Tentative Ruling:

July 9, 2025

No appearance required.

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

Party Information

Debtor(s):

Shantal Ramos McConnell

Represented By
Nicholas M Wajda

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, July 9, 2025

Hearing Room 201

10:00 AM

9:25-10383 Sameera Fernando Mannawalage

Chapter 7

#12.00 Hearing re: [14] Reaffirmation agreement between debtor and American Honda Finance Corporation (2020 Honda CRV)

Docket 14

Tentative Ruling:

July 9, 2025

No appearance required.

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

Party Information

Debtor(s):

Sameera Fernando Mannawalage

Represented By
Bryan Diaz

Trustee(s):

David Keith Gottlieb (TR)

Pro Se

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

Wednesday, July 9, 2025

Hearing Room

201

10:00 AM

9:25-10405 Christopher Paul Atamian

Chapter 7

#13.00 Hearing re: [10] Reaffirmation agreement between debtor and BMW
Bank of North America (2020 BMW X3 Utility 4D M Competition)

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Christopher Paul Atamian

Represented By
Daniel A Higson

Trustee(s):

Amy L Goldman (TR)

Pro Se

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

Wednesday, July 9, 2025

Hearing Room 201

10:00 AM

9:25-10413 Juan Abundez Cardozo

Chapter 7

#14.00 Hearing re: [11] Reaffirmation agreement between debtor and
UNIFY Financial Federal Credit Union (2020 Honda Civic)

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Juan Abundez Cardozo

Represented By
Daniel A Higson

Trustee(s):

Amy L Goldman (TR)

Pro Se

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

Wednesday, July 9, 2025

Hearing Room 201

10:00 AM

9:25-10416 Melissa Ann Argo

Chapter 7

#15.00 Hearing re: [10] Reaffirmation agreement between debtor and
Ford Motor Credit Company, LLC (2020 Ford Fusion Sedan)

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

 Melissa Ann Argo

 Represented By
 Daniel A Higson

Trustee(s):

 Amy L Goldman (TR)

 Pro Se

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

Wednesday, July 9, 2025

Hearing Room 201

10:00 AM

9:25-10419 Rossi LaGrand, Jr.

Chapter 7

#16.00 Hearing re: [12] Reaffirmation agreement between debtor
and California Coast Credit Union (2018 Ford F-150)

Docket 12

Tentative Ruling:

July 9, 2025

No appearance required.

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

Party Information

Debtor(s):

Rossi LaGrand Jr.

Represented By
Leslie A Tos

Trustee(s):

Jeremy W. Faith (TR)

Pro Se

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

Wednesday, July 9, 2025

Hearing Room 201

10:00 AM

9:25-10463 Tammy Lynn Rayas

Chapter 7

#17.00 Hearing re: [9] Reaffirmation agreement between debtor and
CoastHills Federal Credit Union (2022 Volkswagen Tiguan)

Docket 9

Tentative Ruling:

July 9, 2025

No appearance required.

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

Party Information

Debtor(s):

Tammy Lynn Rayas

Represented By
Christian J Younger

Trustee(s):

Jeremy W. Faith (TR)

Pro Se

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

Wednesday, July 9, 2025

Hearing Room 201

10:00 AM

9:25-10480 Lauren Whitney Flatley

Chapter 7

**#18.00 Hearing re: [11] Reaffirmation agreement between debtor and
Nationstar Mortgage, LLC (1136 Via Mavis, Santa Maria, CA 93455)**

Docket 11

***** VACATED *** REASON: Recission of Reaffirmation Agreement filed
6/18/2025.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lauren Whitney Flatley

Represented By
Rabin Pournazarian

Trustee(s):

Jeremy W. Faith (TR)

Pro Se

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

Wednesday, July 9, 2025

Hearing Room 201

10:00 AM

9:25-10483 Sarah Anne Lebel

Chapter 7

#19.00 Hearing re: [16] Reaffirmation agreement between debtor
and Georgia's Own Credit Union (2019 Ford F-150)

Docket 16

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Sarah Anne Lebel

Represented By
Daniel A Higson

Trustee(s):

Nancy J Zamora (TR)

Pro Se

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

Wednesday, July 9, 2025

Hearing Room 201

10:00 AM

9:25-10489 Waylon Ray Brown

Chapter 7

#20.00 Hearing re: [10] Reaffirmation agreement between debtor and
CoastHills Federal Credit Union (2016 Subaru Forester)

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Waylon Ray Brown

Represented By
Michael B Clayton

Trustee(s):

Jeremy W. Faith (TR)

Pro Se

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

Wednesday, July 9, 2025

Hearing Room 201

10:00 AM

9:25-10552 Candi Lynn Anderson

Chapter 7

#21.00 Hearing re: [9] Reaffirmation agreement between debtor and
Kinecta Federal Credit Union (2018 Jeep Wrangler Cherokee)

Docket 9

Tentative Ruling:

July 9, 2025

No appearance required.

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

Party Information

Debtor(s):

Candi Lynn Anderson

Represented By
Leslie A Tos

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, July 9, 2025

Hearing Room 201

10:00 AM

9:25-10568 Michael Corey Lopez

Chapter 7

#22.00 Hearing re: [8] Reaffirmation agreement between debtor and
Toyota Motor Credit Corporation (2022 Toyota Camry)

Docket 8

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Corey Lopez

Represented By
Daniel A Higson

Trustee(s):

Amy L Goldman (TR)

Pro Se

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

Wednesday, July 9, 2025

Hearing Room 201

10:00 AM

9:25-10582 Jason Kapono Tumulak

Chapter 7

#23.00 Hearing re: [10] Reaffirmation agreement between debtor
and SESLOC Credit Union (2019 Toyota Tundra)

Docket 10

Tentative Ruling:

July 9, 2025

No appearance required.

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

Party Information

Debtor(s):

Jason Kapono Tumulak

Represented By
Leslie A Tos

Trustee(s):

David Keith Gottlieb (TR)

Pro Se

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

Wednesday, July 9, 2025

Hearing Room 201

1:00 PM

9:25-10329 Global Premier Regency Palms Oxnard, LP

Chapter 11

#24.00 CONT'D Chapter 11 Status Conference (Partnership)

fr. 5-7-25, 6-4-25,

Docket 13

Tentative Ruling:

July 9, 2025

Appearances required.

The Court has reviewed that *Status Report*. See Docket No. 73. The Court will hear from the Office of the United States Trustee regarding the Debtor's compliance with those *Guidelines and Requirements of Chapter 11 Debtors in Possession*.

Assuming full compliance, the Court is inclined to continue the status conference to August 20, 2025, at 1:00 p.m.

June 4, 2025

Appearances waived.

The Court has reviewed that *Status Report*. See Docket No. 53. The status conference is continued to July 9, 2025, at 1:00 p.m.

May 7, 2025

Appearances required.

On August 16, 2022, Global Premier Regency Palms Oxnard, LP (the "Debtor") filed a voluntary petition pursuant to Chapter 11 of Title 11 of the United States Code. See Case No. 9:22-bk-10626-RC, Docket No. 1, *Voluntary Petition for Non-Individuals Filing for Bankruptcy*. On August 15, 2023, the Court entered that *Order Approving Debtor's Motion for Order: (1) Approving Compromise of Controversy with JKO*

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

Wednesday, July 9, 2025

Hearing Room 201

1:00 PM

CONT... Global Premier Regency Palms Oxnard, LP Chapter 11

Group, Inc. and (2) Dismissing Chapter 11 Case (the "Dismissal Order"). *See id.* at Docket No. 119. Among other things, the Dismissal Order established the amount of the claim of JKO Group, LLC ("JKO") against the Debtor, \$30,854,934.02 as of August 10, 2023, required ongoing payments to JKO by the Debtor, and, in the case of the Debtor's default in making said payments to JKO, provided JKO with a grant deed in lieu of foreclosure." *See id.*

The Debtor, having defaulted in payments to JKO, filed a further voluntary petition for relief under Chapter 11 of Title 11 of the United States Code on March 11, 2025. *See* Case No. 9:25-bk-10329-RC, Docket No. 1, *Voluntary Petition for Non-Individuals Filing for Bankruptcy*.

The Court has reviewed that *Initial Status Report*. *See id.* at Docket No. 34. The Debtor's planned exit strategy involves either take out financing and/or a sale. The Court will want to understand the estimated timing of such financing/sale, and, based thereon, will establish certain deadlines related to claims and the filing of a plan of reorganization.

Party Information

Debtor(s):

Global Premier Regency Palms

Represented By
Garrick A Hollander

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

Wednesday, July 9, 2025

Hearing Room 201

1:00 PM

9:25-10631 BKS CAMBRIA LLC

Chapter 11

#25.00 Chapter 11 Status Conference (Subchapter V)

Docket 1

Tentative Ruling:

July 9, 2025

Appearances required. Counsel to the Debtor is to appear in-person. Counsel to the Debtor may not appear remotely.

The Court has reviewed that *Status Conference Report*. See Docket No. 51.

BKS Cambria, LLC (the "Debtor") filed that *Application for Employment of Attorney* (the "Application") on June 6, 2025. See Docket No. 43. The Court finds no notice of the Application. On June 27, 2025, the Office of the U.S. Trustee filed that *Objection of the United States Trustee to Employment Application of Wiley Ramey as Attorney for the Debtor*. See Docket No. 57. Beyond the deficiencies of the Application highlighted by the Office of the United States Trustee, the Application appears to not comply with this Court's Local Rule 2014-1(b)(3)(E). The Court has concern regarding the Debtor's representation in this Case.

It appears that this Case is proceeding as a single asset real estate case. See Docket No. 13.

The Court will set a disclosure statement hearing for August 20, 2025, at 1:00 p.m.

The Court will continue the status conference to August 20, 2025, at 1:00 p.m.

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

Party Information

Debtor(s):

BKS CAMBRIA LLC

Represented By
Wiley P Ramey

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

Wednesday, July 9, 2025

Hearing Room 201

1:00 PM

CONT... BKS CAMBRIA LLC

Chapter 11

Movant(s):

BKS CAMBRIA LLC

Represented By
Wiley P Ramey

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

Wednesday, July 9, 2025

Hearing Room 201

1:00 PM

9:24-10909 Ramiro S Silva

Chapter 11

#26.00 CONT'D Hearing re: Debtor Ramiro S. Silva's disclosure statement
describing debtor's chapter 11 plan of reorganization

fr. 4-23-25,

Docket 108

Tentative Ruling:

July 9, 2025

See Calendar Item 27.

Party Information

Debtor(s):

Ramiro S Silva

Represented By
Jeremy Faith
Samuel Mushegh Boyamian

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

Wednesday, July 9, 2025

Hearing Room 201

1:00 PM

9:24-10909 Ramiro S Silva

Chapter 11

#27.00 CONT'D Hearing re: [115] Motion for entry of an order (1) approving the disclosure statement or, in the alternative, conditionally approving disclosure statement;(2) approving plan solicitation, notice, and voting procedures; (3) establishing plan confirmation procedures; and (4) providing related relief fr. 4-23-25,

Docket 115

Tentative Ruling:

July 9, 2025

Appearances required.

Background

Ramiro S. Silva (the "Debtor") filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code on August 8, 2024. *See* Docket No. 1, *Voluntary Petition for Individuals Filing for Bankruptcy*.

On February 28, 2025, the Debtor filed *Debtor Ramiro S. Silva's Chapter 11 Plan of Reorganization* (the "Plan"). *See* Docket No. 109.

On February 28, 2025, the Debtor filed *Debtor Ramiro S. Silva's Disclosure Statement Describing Debtor's Chapter 11 Plan of Reorganization* (the "Disclosure Statement"). *See* Docket No. 108. The Debtor's intended to exit from Chapter 11 is (1) through selling all real property and paying secured creditors with the sale proceeds, and (2) through an earn out from future income, paying general unsecured creditors in full over 60 months via \$9,017.79 monthly payments. *See id.* at pp. 7-8. *The Debtor intends on paying the secured claim of Ford Motor Credit Company, LLC by curing the post-petition arrearages on the effective date of the Plan, and then with the contractual monthly payments thereafter. See id.* at pp. 32-33.

Before the Court is that *Notice of Motion and Motion for Entry of an Order: (1) Approving the Disclosure Statement or, in the Alternative, Conditionally Approving Disclosure Statement; (2) Approving Plan Solicitation, Notice, and Voting*

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

Wednesday, July 9, 2025

Hearing Room 201

1:00 PM

CONT... Ramiro S Silva

Chapter 11

Procedures; (3) Establishing Plan Confirmation Procedures; and (4) Providing Related Relief (the "Motion"). See Docket No. 115. Through the Motion, the Debtor seeks approval of the Disclosure Statement pursuant to 11 U.S.C. § 1125(b). See *id.*

Analysis

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

First, the Disclosure Statement is approximately 4 months stale. The Disclosure Statement does not include all significant case developments such as the sale of two real properties, the employment of special litigation counsel, and the stipulation and evidentiary hearing with Wolfe Canyon Ranch LLC. Additionally, the administrative expenses are significantly underestimated as Knapp, Peterson, and Clarke's interim fee application for \$21,850 is not included and Margulies Faith LLP fee are underestimated.

Second, the Disclosure Statement is not entirely clear regarding the settlement that the

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

Wednesday, July 9, 2025

Hearing Room 201

1:00 PM

CONT... Ramiro S Silva

Chapter 11

Debtor has reached with Wolfe Canyon Ranch LLC.

Third, is the Debtor a solvent debtor, that remains solvent throughout the life of the Plan? If so, are unsecured creditors to be paid interest on their claims at the federal judgment rate? *See In re Cardelucci*, 285 F.3d 1231 (9th Cir. 2002). Is there a reason why unsecured creditors are being paid over five (5) years, without interest, whilst the Debtor maintains near, and at times more than \$1 million in cash?

Fourth, on page 24, lines 21-24, the total amount of the property sales is more than \$976,000, is it not?

Fifth, page 10, lines 18-19 should be revised to denote that any opposition to confirmation of the Plan must simply be filed with the Court and served by a date certain.

Lastly, the Disclosure Statement does not address or discuss all pending litigation outside of this Court. Has all this litigation been resolved? If not, is any pending litigation in the state court and district court to be funded by the Debtor's cash on hand, and what risk does further litigating these claims pose to the creditor body? Additionally, the Disclosure Statement does not address a potential claim the Debtor listed from a car accident – will the Debtor pursue this claim, or has this already been resolved?

Party Information

Debtor(s):

Ramiro S Silva

Represented By
Jeremy Faith
Samuel Mushegh Boyamian

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

Wednesday, July 9, 2025

Hearing Room 201

1:00 PM

9:23-10945 Jeffrey Dennis Peppard

Chapter 11

#28.00 CONT'D Chapter 11 Confirmation Hearing

fr. 01-15-25, 3-26-25, 6-18-25,

Docket 134

***** VACATED *** REASON: Hearing continued to 9/10/25 at 1:00 p.m.
per order entered 7/01/25.**

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

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

Wednesday, July 9, 2025

Hearing Room

201

1:00 PM

CONT...

Jeffrey Dennis Peppard

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

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

Wednesday, July 9, 2025

Hearing Room

201

1:00 PM

CONT...

Jeffrey Dennis Peppard

Chapter 11

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

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

Wednesday, July 9, 2025

Hearing Room

201

1:00 PM

CONT...

Jeffrey Dennis Peppard

Chapter 11

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

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

Wednesday, July 9, 2025

Hearing Room 201

1:00 PM

CONT...

Jeffrey Dennis Peppard

Chapter 11

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

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

Wednesday, July 9, 2025

Hearing Room 201

1:00 PM

9:23-10945 Jeffrey Dennis Peppard

Chapter 11

#29.00 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, 6-18-25

Docket 1

Tentative Ruling:

July 9, 2025

Appearances required.

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*.

Absent a report of non-compliance, the Court will continue the status conference to September 10, 2025, at 1:00 p.m.

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

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

Wednesday, July 9, 2025

Hearing Room 201

1:00 PM

CONT... **Jeffrey Dennis Peppard** **Chapter 11**

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.

February 20, 2024

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,

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

Wednesday, July 9, 2025

Hearing Room 201

1:00 PM

CONT...

Jeffrey Dennis Peppard

Chapter 11

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*.

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

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

Wednesday, July 9, 2025

Hearing Room 201

1:00 PM

9:24-11032 El Chilito Mexican Food, Inc.

Chapter 11

#30.00 CONT'D Chapter 11 Confirmation Hearing

fr. 1-29-25, 4-9-25,

Docket 49

Tentative Ruling:

July 9, 2025

See Calendar Item 31.

April 9, 2025

Appearances required.

The Court has reviewed that *Status Report re Plan Confirmation*. See Docket No. 85. It appears that the Debtor seeks a further 45 days to complete payroll tax returns for 2016-2018, which may affect the IRS claim.

January 25, 2025

Appearances required.

Party Information

Debtor(s):

El Chilito Mexican Food, Inc.

Represented By

Matthew D. Resnik

Roksana D. Moradi-Brovia

Nina Z Javan

Trustee(s):

John-Patrick McGinnis Fritz (TR)

Pro Se

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

Wednesday, July 9, 2025

Hearing Room 201

1:00 PM

9:24-11032 El Chilito Mexican Food, Inc.

Chapter 11

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

fr. 11-6-24, 01-15-25, 1-29-25, 4-9-25,

Docket 1

Tentative Ruling:

July 9, 2025

Appearances required.

The Court has reviewed that *Second Status Report re Plan Confirmation*. See Docket No. 103. The Court is inclined to continue the plan confirmation hearing and the status conference to August 20, 2025, at 1:00 p.m. 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*.

April 9, 2025

Appearances required.

January 25, 2025

Appearances required.

January 15, 2025

Appearances waived. The status conference is continued to January 29, 2025, at 1:00 p.m. The Court waives the requirements of a status conference report.

November 6, 2024

Appearances waived.

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

Wednesday, July 9, 2025

Hearing Room 201

1:00 PM

CONT... El Chilito Mexican Food, Inc.

Chapter 11

The Court has reviewed that *SubChapter V Report*. See Docket No. 27. The Court will set a hearing to confirm the Debtor's to-be-filed plan of reorganization for January 29, 2025, at 1:00 p.m. The Debtor shall file and serve its plan of reorganization, ballots and notice of the confirmation hearing on parties-in-interest on or before December 9, 2024. Parties-in-interest shall have until January 10, 2025 to return ballots and file any opposition to confirmation of the Debtor's to-be-filed plan of reorganization. The Debtor shall have until January 15, 2025 to file a ballot tally and confirmation brief in support of confirmation of its to-be-filed plan of reorganization, including any response to any opposition to confirmation of the Debtor's to-be-filed plan of reorganization. The status conference is continued to January 15, 2025, at 1:00 p.m. The Debtor is to upload a scheduling order that includes the aforementioned dates within 7 days.

Party Information

Debtor(s):

El Chilito Mexican Food, Inc.

Represented By
Matthew D. Resnik
Roksana D. Moradi-Brovia
Nina Z Javan

Trustee(s):

John-Patrick McGinnis Fritz (TR)

Pro Se