

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

Wednesday, December 11, 2024

Hearing Room 201

9:00 AM

9: -

Chapter

#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.**

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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 -

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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

Docket 1

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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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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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

Dentons US LLP

Represented By
Tania M Moyron

**United States Bankruptcy Court
Central District of California
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DOES 1-100

Pro Se

Chapter 7

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 Masud
Bradford Barnhardt

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9:22-10735 GCLI, LLC

Chapter 7

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

#2.00 Pre-Trial Conference
RE: [1] Adversary case 9:23-ap-01065. Complaint by Gemelli Group, LLC against Jerry Namba, Dentons US LLP. Nature[s] of Suit: (91 (Declaratory judgment)) (Brody, William)

Docket 1

*** VACATED *** REASON: Pretrial conference was vacated at status hearing held on 11/5/24.

Tentative Ruling:

- NONE LISTED -

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

GCLI, LLC

Represented By
William S Brody

Defendant(s):

Jerry Namba

Represented By
D Edward Hays
Bradford Barnhardt

Dentons US LLP

Represented By
Tania M Moyron

DOES 1-100

Pro Se

Plaintiff(s):

Gemelli Group, LLC

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

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Chapter 7

Trustee(s):

Jerry Namba (TR)

Represented By
D Edward Hays
Laila Masud
Bradford Barnhardt

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

#3.00 HearingRE: [12] Motion to Dismiss Adversary Proceeding Defendants' Notice of Motion and Motion to Dismiss Complaint Pursuant to Rule 12(b)(6) (Sohi, Pooya)

Docket 12

Tentative Ruling:

December 11, 2024

Appearances required.

Background

On September 16, 2022, GCLI, LLC aka GemCap Lending I, LLC (the "Debtor") filed that *Chapter 7 Petition for Non-Individuals* under Chapter 7 of Title 11 of the United States Code. *See* Case No. 9:22-bk-10735-RC, Docket No. 1. Jerry Namba (the "Trustee") is the duly appointed Chapter 7 trustee.

On December 8, 2023, Gemelli Group, LLC ("Gemelli") filed that *Complaint for Declaratory Relief* (the "Gemelli Action") against the Trustee and Dentons US LLP ("Dentons"), requesting a judgment declaring that (1) Gemelli is the sole and exclusive owner and holder of all right, title, and interest in and to the Pertl RJP Guarantor Claim and other Pertl Loan Assets; (2) neither the Trustee nor Dentons own or holds any claim, right, title, and interest whatsoever in and to the Pertl RJP Guarantor Claim and other Pertl Loan Assets or any part thereof; (3) the Pertl RJP Guarantor Claim and other Pertl Loan Assets are not property of the Debtor's bankruptcy estate; and (4) Gemelli is entitled to 100% of the Proposed Distribution. *See* Adversary Proceeding No. 9:23-ap-01065-RC, Docket No. 1. Gemelli alleges in the Gemelli Action that "[o]n or about August 21, 2015, the Debtor and [MidCap] entered into [certain loan documents], pursuant to which MidCap made loans and provided financing to [the Debtor]." *See id.* at p. 7, lines 9-15. The loans by MidCap to the Debtor were secured by certain assets of the Debtor, including the aforementioned Pertl RJP Guarantor Claim and other Pertl Loan Assets. *See id.* at pp. 7-8. "On or about August 28, 2020, MidCap, [Gemelli] and other certain parties

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entered into that Strict Foreclosure Agreement []." *See id.* at p. 8, lines 3-13. "[O]n or about August 28, 2020, MidCap and [Gemelli] entered into that certain Commercial Loan Purchase Agreement [], pursuant to which MidCap sold, assigned, and transferred to [Gemelli] all right, title, and interest of MidCap in select assets of the MidCap Collateral [], including, without limitation, the Pertl RJP Guarantor Claim and other Pertl Loan Assets." *See id.* at pp. 8-9. So, alleges Gemelli, those assets purchased and assigned by MidCap to Gemelli constitute property of Gemelli.

On June 22, 2023, the Trustee, Gemelli, and Dentons entered into a stipulation turning over monies related to the Pertl Loan Assets to the Trustee pending further order of this Court. *See* Case No. 9:22-bk-10735-RC, Docket No. 65.

On September 16, 2024, the Trustee filed that *Complaint for: (1) Breach of Fiduciary Duty; (2) Avoidance and Recovery of Actual Fraudulent Transfers; (3) Disallowance of Claim; and (4) Subordination of Claim* (the "Trustee Complaint") against Richard Ellis ("R. Ellis"), David Ellis ("D. Ellis"), GemCap Solutions LLC ("GemCap"), Gemelli, and Gemelli Equities LLC ("Gemelli Equities") (collectively, the "Defendants"). *See* Adversary Proceeding No. 9:24-ap-01037-RC. [FN1] Through the Trustee Complaint, the Trustee alleges that MidCap, after entering into the MidCap Strict Foreclosure Agreement, only intended to enforce it against the Debtor's performing loan assets, leaving the Debtor's business intact in the form of other non-performing loan assets and certain other intellectual property and leases; however, at the request of one or more of the Defendants MidCap foreclosed on all assets of the Debtor. *See* Docket No. 1, ¶¶ 19-20. The Trustee alleges that MidCap, which schemed with D. Ellis and R. Ellis on the issue prior to the foreclosure, then sold the non-performing foreclosed on asserts to GemCap, which was controlled by D. Ellis and R. Ellis. The Trustee further alleges that the sale and the MidCap Strict Foreclosure Agreement constituted (1) breaches of fiduciary duty by R. Ellis and D. Ellis; and (2) were made with the intent to delay and defraud the Debtor's creditors. *See* Docket No. 1, generally.

The Trustee also makes various factual allegations regarding pre-foreclosure attempts to sell and buy the Debtor's equity interests and certain of the Debtor's assets,

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however, these allegations do not change the gravamen of the Trustee Complaint from being centered on the MidCap Foreclosure Agreement; and the subsequent foreclosure and sale of the Debtor's assets.

Before the Court is *Defendants' Notice of Motion and Motion to Dismiss Complaint Pursuant to Rule 12(b)(6)* (the "Motion") in which the Defendants seek to have the Trustee Complaint dismissed as constituting a compulsory counterclaim that must have been brought in response to Gemelli Action. On November 27, 2024, the Trustee filed *Trustee's Opposition to Defendants' Motion to Dismiss Complaint Pursuant to Rule 12(b)(6)* (the "Opposition") asserting that (1) the Trustee is exempt from bringing compulsory counterclaim under Fed. R. Bankr. P. ("Rule") 7013, and (2) the Trustee Complaint does not have a logical relationship of facts to the Gemelli Action. See Docket No. 15. On December 4, 2024, the Defendants filed that *Reply in Support of Defendants' Notice of Motion and Motion to Dismiss Complaint Pursuant to Rule 12(b)(6)* (the "Reply"). See Docket No. 18.

Discussion

Requests for Judicial Notice

Pursuant to Fed. R. Evid. 201(b), "[t]he court may judicially notice a fact that is not subject to reasonable dispute because it: (1) is generally known within the trial court's territorial jurisdiction; or (2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned." Judicial notice may be taken "of bankruptcy records in the underlying proceeding..." *In re Tuma*, 916 F.2d 488, 491 (9th Cir. 1990); see also *Lee v. City of Los Angeles*, 250 F.3d 668, 688-689 (9th Cir. 2001)("[A] court may take judicial notice of 'matters of public record.'"); *Minden Pictures, Inc. v. Excitant Group, LLC*, 2020 WL 80525311 * 2 (C.D. Cal. December 14, 2020)("A court may take judicial notice of 'court records available to the public through the PACER system.'"); *Neylon v. County of Inyo*, 2016 WL 6834097 *2 (E.D. Cal. November 21, 2016)("Federal courts may take judicial notice of orders and proceedings in other courts, including transcripts.").

Pursuant to Fed. R. Evid. 201(e), "[o]n timely request, a party is entitled to be heard on the propriety of taking judicial notice and the nature of the fact to be noticed."

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In the Opposition, the Trustee made that *Request for Judicial Notice* of facts related to the date and content of various filings before this Court and Orders of this Court. (the "Trustee RJN"). See Docket No. 15, pp. 20-21. The Court takes judicial notice of the existence of said pleadings, orders and docket entries in the Trustee RJN.

Rule 12(b)(6) Motion

"A motion to dismiss [pursuant to Fed. R. of Civ. P. 12(b)(6)] will only be granted if the complaint fails to allege 'enough facts to state a claim to relief that is plausible on its face.' 'A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged. The plausibility standard is not akin to a probability requirement, but it asks for more than a sheer possibility that a defendant has acted unlawfully.' 'We accept factual allegations in the complaint as true and construe the pleadings in the light most favorable to the non-moving party.' Although factual allegations are taken as true, we do not 'assume the truth of legal conclusions merely because they are cast in the form of factual allegations.' Therefore, 'conclusory allegations of law and unwarranted inferences are insufficient to defeat a motion to dismiss.'" *Fayer v. Vaughn*, 649 F.3d 1061, 1064 (9th Cir. 2011) (citing, *inter alia*, *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 547, (2007) and *Ashcroft v. Iqbal*, 556 U.S. 662, 678, (2009)).

In evaluating a motion to dismiss, review is "limited to the contents of the complaint." *Clegg v. Cult Awareness Network*, 18 F.3d 752, 754 (9th Cir. 1994). However, without converting the motion to one for summary judgment, exhibits attached to the complaint, as well as matters of public record, may be considered in determining whether dismissal is proper. See *Parks School of Business, Inc. v. Symington*, 51 F.3d 1480, 1484 (9th Cir. 1995); *Mack v. South Bay Beer Distributors, Inc.*, 798 F.2d 1279, 1282 (9th Cir. 1986). "A court may [also] consider certain materials—documents attached to the complaint, documents incorporated by reference in the complaint, or matters of judicial notice— without converting the motion to dismiss into a motion for summary judgment." *U.S. v. Ritchie*, 342 F.3d 903, 908 (9th Cir. 2003). Other court pleadings, orders and judgments are subject to judicial notice under Fed. R. Evid. 201. See *McVey v. McVey*, 26 F.Supp.3d 980, 983-84 (C.D. Cal. 2014) (aggregating cases) and *Reyn's Pasta Bella, LLC v. Visa USA, Inc.*, 442 F.3d 742, 746 n.6 (9th Cir. 2006) ("We may take judicial notice of court filings and other matters of public record.").

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Fed. R. Bankr. P. 7013

Pursuant to Fed. R. Bankr. P. 7013, "Fed. R. Civ. P. 13 applies in adversary proceedings. [However, i]f through oversight, inadvertence, or excusable neglect, a trustee [] fails to plead a counterclaim – or when justice so requires – the court may permit the trustee [] to: (a) amend the pleadings; or (b) commence a new adversary proceeding or separate action."

Fed R. Civ. P. 13 provides that "[a] pleading must state as a counterclaim any claim that – at the time of its service – the pleader against an opposing party if the claim: (A) arises out of the transaction or occurrence that is the subject matter of the opposing party’s claim; and (B) does not require adding another party over whom the court cannot acquire jurisdiction."

"[T]here is no such thing as a compulsory counterclaim against a non-party; rather, Civil Rule 19 determines when and whether an additional party must be joined." *In re Groves*, 652 B.R. 104, 119 (9th Cir. BAP 2023)("Groves did not include Consultants as a party in her complaint [], [t]herefore, Consultants was not an ‘opposing party’ to A&S against which A&S was required to assert any compulsory counterclaim.").

To determine if a claim is compulsory and arising out of the same transaction or occurrence, courts within the Ninth Circuit apply the "logical relationship test" which "exists when the counterclaim arises from the same aggregate set of operative facts as the initial claim in that the same operative facts serve as the basis of both claims or the aggregate core of facts upon which the claim rests activates additional legal rights otherwise dormant in the defendant." *Mattel, Inc. v. MGA Entm't, Inc.*, 705 F.3d 1108, 1110 (9th Cir. 2013) (quotations and citations omitted) (citing *In re Pegasus Gold Corp.*, 394 F.3d 1189, 1195-96 (9th Cir. 2005); and *Moore v. N.Y. Cotton Exch.*, 270 U.S. 593, 610 (1926)) ("What matters is not the legal theory but the *facts*").

Generally, Fed. R. Civ. P. 13 is interpreted "broadly ‘to analyze whether the essential facts of the various claims are so logically connected that considerations of judicial

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economy and fairness dictate that all the issues be resolved in one lawsuit.'" *In re Pegasus Gold Corp., supra*, at p. 1197. The purpose of the rule is "to prevent multiplicity of litigation and to bring about prompt resolution of all disputes arising from common matters." *International Brotherhood of electrical Workers v. G.P. Thompson Electric, Inc.*, 636 F.2d 181, 184 (9th Cir. 1966).

However, bankruptcy trustees are provided with a broad exception under Rule 7013 to be able to subsequently bring a compulsory counterclaim. Yet, trustees should seek leave from court first prior to filing an amended answer or filing a new adversary complaint. *See Merritt Logan, Inc. v. Fleming Foods of Pennsylvania, Inc.*, 138 B.R. 15, 28 (E.D. Pa. 1992) ("[party] has not yet sought leave of court to file this new adversary proceeding. Leave of court is not obtained by filing the complaint, waiting for a responsive pleading, and then raising Rule 7013 in defense"); *In re Worldcom, Inc.*, 372 B.R. 159, 164 (Bankr. S.D.N.Y. 2007) (noting that Fed. R. Civ. P. 13(f) and 15(a) should be read together) [FN2]; and 10 *Collier on Bankruptcy* P 7013.09 (16th 2024) (for a trustee to "make use of the protective devices of Rule 7013, leave of court should be obtained...leave of court should be obtained in advance in order to prevent an argument that there was no oversight, inadvertence, excusable neglect, and that justice does not require granting relief, at a subsequent date").

Here, to begin with, The Gemelli Action names the Trustee and Dentons. *See* Case No. 9:23-ap-01065-RC, Docket No. 1. R. Ellis, D. Ellis, GemCap, and Gemelli Equities are not named in the Gemelli Action, therefore, the Trustee was not required to file compulsory counterclaims against these parties under Fed. R. Civ. P. 13, as neither was an "opposing party." This leaves Gemelli as being subject to Fed. R. Civ. P. 13.

The Trustee's Complaint is largely based on the validity of the MidCap Strict Foreclosure Agreement and whether that agreement and subsequent foreclosure was a breach of fiduciary duty and whether it constituted a fraudulent transfer. Similarly, the Gemelli Action is centered on the validity of the same agreement.

Although the Gemelli Action is narrow in its scope, seeking declaratory relief only on

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the proposed distribution on Pertl's assets, the core facts upon which the claims in both actions rest are the validity of the MidCap Strict Foreclosure Agreement. It is true, the Trustee Complaint alleges additional transactions, facts, and documents that the Gemelli Action does not, but such factual allegations do not remove the clear logical relationship that both actions share with MidCap, the MidCap Strict Foreclosure Agreement, and the subsequent foreclosure on and sale of the Debtor's assets.

Furthermore, the Court will not address the safe harbor exception provided in Rule 7013 that the Trustee argues applies. The exception is broad; however, the Trustee has not properly sought leave from this Court prior to bringing this Trustee Complaint. Any arguments about the exception for Trustee under Rule 7013 or leave to amend are not properly before the Court.

Conclusion

The Court is inclined to deny the Motion in part, and in part grant the Motion. The Court is inclined to deny the Motion as it relates to R. Ellis, D. Ellis, GempCap, and Gemelli Equities. The Court is inclined to grant the Motion as it relates to Gemelli. The sole question is whether the Court should grant the Trustee leave to amend the Trustee Complaint. The Court will hear from the parties, but it seems to the Court that if the Trustee is to amend the Trustee Complaint to add Gemelli using Rule 7013, the Court may at this juncture provide the Trustee time to move for leave to do as much, thereby allowing Gemelli an opportunity to oppose any such request for leave.

[FN1]

Unless otherwise noted, all further references to the docket refer to the docket in Adversary Case No. 9:24-ap-01037-RC.

[FN2]

See Pioneer Inv. Servs. v. Brunswick Assocs. Ltd. P'ship, 507 U.S. 380, 392 ("[Rule

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7013] contains a similar allowance for late counterclaims brought by a trustee of debtor in possession" as Fed. R. Civ. P. 13(f).

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 Group, LLC

Represented By
Pooya E Sohi

Gemelli Equities, LLC

Represented By
Pooya E Sohi

Movant(s):

Richard Ellis

Represented By
Pooya E Sohi

David Ellis

Represented By
Pooya E Sohi

GemCap Solutions, LLC

Represented By
Pooya E Sohi

Gemelli Group, LLC

Represented By
Pooya E Sohi

Gemelli Equities, LLC

Represented By
Pooya E Sohi

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Plaintiff(s):

Jerry Namba

Represented By
Bradford Barnhardt
D Edward Hays
Laila Masud

Trustee(s):

Jerry Namba (TR)

Represented By
D Edward Hays
Laila Masud
Bradford Barnhardt

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9:22-10735 GCLI, LLC

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

#4.00 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)) (Hays, D)

FR. 11-20-24, 12-4-24

Docket 1

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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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 Group, 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 Masud

Trustee(s):

Jerry Namba (TR)

Represented By
D Edward Hays
Laila Masud
Bradford Barnhardt

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

Wednesday, December 11, 2024

Hearing Room 201

9:00 AM

9:22-10760 Frank de Windt

Chapter 7

Adv#: 9:23-01062 McBeth v. de Windt et al

#5.00 CONT'D Status Hearing
RE: [1] Adversary case 9:23-ap-01062. Complaint by Sandra McBeth against Peter de Windt, Frank, Jr. De Windt. (\$350.00 Fee Charge To Estate). Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)),(14 (Recovery of money/property - other)) (Beall, William)

FR. 1-10-23, 2-21-24, 8-7-24, 10-9-24

Docket 1

Tentative Ruling:

December 11, 2024

Appearances waived.

The status conference is continued to January 29, 2025, at 9:00 a.m.

October 9, 2024

Appearances waived.

The status conference is continued to December 11, 2024, at 9:00 a.m.

August 7, 2024

Appearances waived.

The status conference is continued to October 9, 2024, at 9:00 a.m.

February 21, 2024

Appearances required.

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

Wednesday, December 11, 2024

Hearing Room 201

9:00 AM

CONT... Frank de Windt

Chapter 7

The Court has reviewed the *Joint Status Report*. See Docket No. 12. The Court will set the following dates:

Discovery Cutoff (including deadline to receive responses) - May 31, 2024

Deadline for dispositive motions to be heard - July 10, 2024, at 10:00 .m.

Pretrial Conference - August 7, 2024, at 10:00 a.m. (Joint pre-trial stipulation and proposed order to be filed/lodged in accordance with local rules)

Status Conference - August 7, 2024, at 10:00 a.m.

Trial - September 26, 2024, at 9:00 a.m.

Plaintiff to upload a scheduling order within 7 days.

Party Information

Debtor(s):

Frank de Windt

Represented By
Larry D Webb

Defendant(s):

Peter de Windt

Represented By
Matthew D. Resnik

Frank De Windt Jr.

Represented By
Matthew D. Resnik

Joint Debtor(s):

Stephanie de Windt

Represented By
Larry D Webb

Plaintiff(s):

Sandra McBeth

Represented By
William C Beall

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

Wednesday, December 11, 2024

Hearing Room 201

9:00 AM

CONT... Frank de Windt

Chapter 7

Trustee(s):

Sandra McBeth (TR)

Represented By
William C Beall

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

Wednesday, December 11, 2024

Hearing Room 201

9:00 AM

9:22-10760 Frank de Windt

Chapter 7

Adv#: 9:23-01062 McBeth v. de Windt et al

#6.00 CONT'D Pre-Trial Conference
RE: [1] Adversary case 9:23-ap-01062. Complaint by Sandra McBeth against Peter de Windt, Frank, Jr. De Windt. (\$350.00 Fee Charge To Estate). Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)),(14 (Recovery of money/property - other)) (Beall, William)

FR. 8-7-24, 10-9-24

Docket 1

***** VACATED *** REASON: Continued to January 29, 2025 at 9:00 a.m.**

Tentative Ruling:

- NONE LISTED -

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Frank de Windt

Represented By
Larry D Webb

Defendant(s):

Peter de Windt

Represented By
Matthew D. Resnik

Frank De Windt Jr.

Represented By
Matthew D. Resnik

Joint Debtor(s):

Stephanie de Windt

Represented By
Larry D Webb

Plaintiff(s):

Sandra McBeth

Represented By
William C Beall

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

Wednesday, December 11, 2024

Hearing Room 201

9:00 AM

CONT... Frank de Windt

Chapter 7

Trustee(s):

Sandra McBeth (TR)

Represented By
William C Beall

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

Wednesday, December 11, 2024

Hearing Room 201

9:00 AM

9:23-10792 Victor K Torres

Chapter 7

Adv#: 9:24-01013 Torres v. UNITED STATES DEPARTMENT OF EDUCATION et al

#7.00 CONT'D Status Hearing
RE: [1] Adversary case 9:24-ap-01013. Complaint by Victor K Torres against UNITED STATES DEPARTMENT OF EDUCATION. (\$350.00 Fee Not Required). Complaint to Determine Dischargeability of Student Loan(s) Nature of Suit: (63 (Dischargeability - 523(a)(8), student loan)) (Rounds, John)

FR. 6-5-24, 10-9-24

Docket 1

***** VACATED *** REASON: Continued by Order on Stipulation to 1/29/25 at 9:00AM.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Victor K Torres

Represented By
John K Rounds

Defendant(s):

UNITED STATES DEPARTMENT

Represented By
Elan S Levey

DOES 1 through 10

Pro Se

Plaintiff(s):

Victor K Torres

Represented By
John K Rounds
Randall V Sutter

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, December 11, 2024

Hearing Room 201

9:00 AM

9:23-11095 FGH, LLC

Chapter 11

Adv#: 9:24-01009 FGH, LLC v. Officemax, Inc. et al

#8.00 CONT'D Hearing
RE: [108] Motion to Dismiss Adversary Proceeding Pursuant to Rule 7012(b)(6) (6) # 2 REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF DEFENDANT VINCE VOLK PLUMBING, INC.S NOTICE OF MOTION TO DISMISS PLAINTIFFS ADVERSARY COMPLAINT FOR FAILURE TO STATE A CLAIM PURSUANT TO F.R.B.P. 7012(b)(6) # 3 Exhibit Exhibit 1 to RJN # 4 Exhibit Exhibit 2 to RJN # 5 Exhibit Exhibit 3 to RJN # 6 Exhibit Exhibit 4 to RJN # 7 Exhibit Exhibit 5 to RJN # 8 Exhibit Exhibit 6 to RJN # 9 Exhibit Exhibit 7 to RJN # 10 Exhibit Exhibit 8 to RJN # 11 Exhibit Exhibit 9 to RJN # 12 Exhibit Exhibit 10 to RJN # 13 Exhibit Exhibit 11 to RJN) (Dowdall, Tyler)

FR. 9-11-24

Docket 108

Tentative Ruling:

December 11, 2024

Appearances required.

Is this matter mooted by that *Judgment as to Vince Volk Plumbing, Inc. Only After Stipulation?* See Docket No. 146.

Party Information

Debtor(s):

FGH, LLC

Represented By
William C Beall
Carissa N Horowitz

Defendant(s):

Officemax, Inc.

Pro Se

Hajoca Corporation

Represented By
Melissa L Griffin

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

Wednesday, December 11, 2024

Hearing Room 201

9:00 AM

CONT... FGH, LLC

Chapter 11

GMH, Inc.

Represented By
Edwin J Rambuski

Independent Concrete Cutting, Inc.

Pro Se

Byrd Electrical Contractors, Inc.

Pro Se

Sunbelt Rentals, Inc.

Pro Se

Pacific Low Voltage

Pro Se

Anytime Drywall, Inc.

Pro Se

PGS Westside I, Inc.-Chatsworth

Represented By
Erica T Loftis Pacheco

Vince Volk Plumbing, Inc.

Represented By
Tyler R Dowdall

James H. Bryd & Laura F. Byrd

Pro Se

Movant(s):

Vince Volk Plumbing, Inc.

Represented By
Tyler R Dowdall

Plaintiff(s):

FGH, LLC

Represented By
William C Beall
Carissa N Horowitz

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

Wednesday, December 11, 2024

Hearing Room 201

9:00 AM

9:23-11095 FGH, LLC

Chapter 11

Adv#: 9:24-01009 FGH, LLC v. Officemax, Inc. et al

#9.00 CONT'D Status Hearing
RE: [1] Adversary case 9:24-ap-01009. Complaint by FGH, LLC against Officemax, Inc., Hajoca Corporation, Mel Giffin, Inc., GMH, Inc., Independent Concrete Cutting, Byrd Electrical Contractors Inc, Omniduct, Spring Valley Insulation Contractors, Sunbelt Rentals, Inc., Pacific Low Voltage, Anytime Drywall, Inc., PGS Westside I, Inc., Vince Volk Plumbing, Inc., James H. Bryd & Laura F. Byrd Trust. (\$350.00 Fee Charge To Estate) CORRECTION: Fee Not Charged. Deferment not applicable as plaintiff is debtor. Nature of Suit: (21 (Validity, priority or extent of lien or other interest in property)),(14 (Recovery of money/property - other)) (Beall, William)

FR. 4-24-24, 7-10-24, 10-8-24

Docket 1

Tentative Ruling:

December 11, 2024

Appearances required.

The Court has reviewed that *Unilateral Status Report*. See Docket No. 153.

October 8, 2024

Appearances waived.

The Court has reviewed that *Unilateral Status Report*. See Docket No. 147. The status conference is continued to December 11, 2024, at 9:00 a.m.

July 10, 2024

Appearances waived.

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

Wednesday, December 11, 2024

Hearing Room 201

9:00 AM

CONT... FGH, LLC

Chapter 11

The Court has reviewed that *Unilateral Status Report*. See Docket No. 119. The Court will continue the status conference to October 8, 2024, at 9:00 a.m.

April 24, 2024

Appearances required.

The Court's Clerk has not taken the default of Sunbelt Rentals, Inc., Anytime Drywall, Inc., Omniduct, Spring Valley Insulation Contractors, Concrete Cutting, Inc., Mel Griffin, Inc., and Officemax, Inc. See Docket Nos. 24-30.

Party Information

Debtor(s):

FGH, LLC

Represented By
William C Beall
Carissa N Horowitz

Defendant(s):

Officemax, Inc.

Pro Se

Hajoca Corporation

Represented By
Melissa L Griffin

GMH, Inc.

Represented By
Edwin J Rambuski

Independent Concrete Cutting, Inc.

Pro Se

Byrd Electrical Contractors, Inc.

Pro Se

Sunbelt Rentals, Inc.

Pro Se

Pacific Low Voltage

Pro Se

Anytime Drywall, Inc.

Pro Se

PGS Westside I, Inc.-Chatsworth

Represented By
Erica T Loftis Pacheco

Vince Volk Plumbing, Inc.

Represented By

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

Wednesday, December 11, 2024

Hearing Room 201

9:00 AM

CONT... FGH, LLC

Chapter 11

Tyler R Dowdall

James H. Bryd & Laura F. Byrd

Pro Se

Plaintiff(s):

FGH, LLC

Represented By
William C Beall
Carissa N Horowitz

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

Wednesday, December 11, 2024

Hearing Room 201

9:00 AM

9:24-10090 Edward Ned Li

Chapter 11

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

#10.00 Pre-Trial 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)) (Winthrop, Rebecca)

Docket 1

*** VACATED *** REASON: Pre-trial conference continued to January 15, 2025, at 9:00 a.m.

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Edward Ned Li

Represented By
Stella A Havkin

Defendant(s):

Edward N Li

Represented By
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
Courtroom 201 Calendar**

Wednesday, December 11, 2024

Hearing Room 201

9:00 AM

9:24-10497 Hammer International Foundation, Inc.

Chapter 11

Adv#: 9:24-01023 The Armand Hammer Foundation, Inc. v. Hammer International Foundation,

#11.00 CONT'D Status Hearing
RE: [1] Adversary case 9:24-ap-01023. Complaint by Armand Hammer Foundation, Inc. against Hammer International Foundation, Inc..

FR. 10-9-24

Docket 1

***** VACATED *** REASON: Plaintiff's notice of voluntary dismissal of adversary proceeding was filed on 11/22/24.**

Tentative Ruling:

- NONE LISTED -

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| Party Information |
|--------------------------|

Debtor(s):

Hammer International Foundation,

Represented By
David B Golubchik
Carmela Pagay
Robert Carrasco

Defendant(s):

Hammer International Foundation,

Pro Se

Plaintiff(s):

The Armand Hammer Foundation,

Represented By
Dillon D Chen

Trustee(s):

Gregory Kent Jones (TR)

Represented By
Zev Shechtman
Ryan Coy

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

Wednesday, December 11, 2024

Hearing Room 201

9:00 AM

9:24-10572 Thomas Anthony Ferro

Chapter 7

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

#12.00 HearingRE: [21] Motion to Amend Defendant's Motion for Order Granting Leave to Amend Answer to Add Affirmative Defenses

Docket 21

Tentative Ruling:

December 11, 2024

Appearances waived.

This matter is continued to January 15, 2025, at 1:00 p.m.

Party Information

Debtor(s):

Thomas Anthony Ferro

Represented By
Robert M Yaspan

Defendant(s):

Thomas Anthony Ferro

Represented By
Robert M Yaspan

Movant(s):

Thomas Anthony Ferro

Represented By
Robert M Yaspan

Plaintiff(s):

Cal-West Equities, Inc.

Represented By
Vanessa M Haberbush

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, December 11, 2024

Hearing Room 201

10:00 AM

9:24-10833 Gregg Roman Alonte and Marie Clare L. Alonte

Chapter 7

#13.00 Reaffirmation Hearing Date Set RE: [20] Reaffirmation Agreement Between Debtor and BMO Bank N.A.

Docket 20

Tentative Ruling:

December 11, 2024

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):

Greggy Roman Alonte

Represented By
Gregory M Shanfeld

Joint Debtor(s):

Marie Clare L. Alonte

Represented By
Gregory M Shanfeld

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, December 11, 2024

Hearing Room 201

10:00 AM

9:24-10958 Pasqual S Melena and Stephanie C Melena

Chapter 7

#14.00 Reaffirmation Hearing Date Set RE: [13] Reaffirmation Agreement Between Debtor and CoastHills Credit Union

Docket 13

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Pasqual S Melena

Represented By
Sandra McBeth

Joint Debtor(s):

Stephanie C Melena

Represented By
Sandra McBeth

Trustee(s):

Jerry Namba (TR)

Pro Se

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

Wednesday, December 11, 2024

Hearing Room 201

10:00 AM

9:24-10999 Eduardo Magana Calderon and Denise Robles Calderon

Chapter 7

#15.00 Reaffirmation Hearing Date Set RE: [13] Pro se Reaffirmation Agreement Between Debtor and Capital One Auto Finance, a division of Capital One, N.A.

Docket 13

Tentative Ruling:

- NONE LISTED -

| |
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| Party Information |
|--------------------------|

Debtor(s):

Eduardo Magana Calderon

Represented By
Daniel A Higson

Joint Debtor(s):

Denise Robles Calderon

Represented By
Daniel A Higson

Trustee(s):

Jerry Namba (TR)

Pro Se

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

Wednesday, December 11, 2024

Hearing Room 201

10:00 AM

9:24-11002 Jeremy Nolan Martinez

Chapter 7

#16.00 Reaffirmation Hearing Date Set RE: [10] Reaffirmation Agreement Between Debtor and
CBC Federal Credit Union

Docket 10

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jeremy Nolan Martinez

Represented By
Daniel A Higson

Trustee(s):

Jerry Namba (TR)

Pro Se

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

Wednesday, December 11, 2024

Hearing Room 201

10:00 AM

9:24-11019 Alaina Jean Shepherd

Chapter 7

#17.00 Reaffirmation Hearing Date SetRE: [9] Reaffirmation Agreement Between Debtor and BMW Bank of North America

Docket 9

Tentative Ruling:

December 11, 2024

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):

Alaina Jean Shepherd

Represented By
Nicholas M Wajda

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, December 11, 2024

Hearing Room 201

10:00 AM

9:24-11021 Martina M Aguayo

Chapter 7

#18.00 Reaffirmation Hearing Date Set RE: [9] Reaffirmation Agreement Between Debtor and Golden 1 Credit Union

Docket 9

Tentative Ruling:

- NONE LISTED -

| |
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| Party Information |
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Debtor(s):

Martina M Aguayo

Represented By
Daniel A Higson

Trustee(s):

Jerry Namba (TR)

Pro Se

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

Wednesday, December 11, 2024

Hearing Room 201

10:00 AM

9:24-11027 Eduardo Asuncion and Mary Ambriz Asuncion

Chapter 7

#19.00 Reaffirmation Hearing Date SetRE: [10] Reaffirmation Agreement Between Debtor and CoastHills Credit Union

Docket 10

Tentative Ruling:

- NONE LISTED -

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|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Eduardo Asuncion

Represented By
Daniel A Higson

Joint Debtor(s):

Mary Ambriz Asuncion

Represented By
Daniel A Higson

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, December 11, 2024

Hearing Room 201

10:00 AM

9:24-11043 Jeffrey Adam Casagrande and Rebecca Sue Casagrande

Chapter 7

#20.00 Reaffirmation Hearing Date Set RE: [10] Reaffirmation Agreement Between Debtor and Firefighters First Credit Union

Docket 10

Tentative Ruling:

December 11, 2024

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):

Jeffrey Adam Casagrande

Represented By
Leslie A Tos

Joint Debtor(s):

Rebecca Sue Casagrande

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, December 11, 2024

Hearing Room 201

10:00 AM

9:24-11112 Joseph P Ladesma

Chapter 7

#21.00 Reaffirmation Hearing Date Set RE: [8] Reaffirmation Agreement Between Debtor and Toyota Motor Credit Corporation

Docket 8

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Joseph P Ladesma

Represented By
Steven Abraham Wolvek

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, December 11, 2024

Hearing Room 201

10:00 AM

9:24-11130 Paul Joseph Gonzales Jr and Kathy Lee Gonzales

Chapter 7

#22.00 Reaffirmation Hearing Date Set RE: [8] Reaffirmation Agreement Between Debtor and Harley-Davidson Credit Corp

Docket 8

Tentative Ruling:

- NONE LISTED -

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| Party Information |
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Debtor(s):

Paul Joseph Gonzales Jr

Represented By
Michael B Clayton

Joint Debtor(s):

Kathy Lee Gonzales

Represented By
Michael B Clayton

Trustee(s):

Jerry Namba (TR)

Pro Se

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

Wednesday, December 11, 2024

Hearing Room 201

10:00 AM

9:24-11163 Miguel Avalos Valera

Chapter 7

#23.00 Reaffirmation Hearing Date Set RE: [8] Reaffirmation Agreement Between Debtor and CoastHills Credit Union

Docket 8

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Miguel Avalos Valera

Represented By
Michael B Clayton

Trustee(s):

Jerry Namba (TR)

Pro Se

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

Wednesday, December 11, 2024

Hearing Room 201

10:00 AM

9:24-11189 Michael Lynn Miller

Chapter 7

#24.00 Reaffirmation Hearing Date Set RE: [9] Pro se Reaffirmation Agreement Between Debtor and HUGHES FEDERAL CRED (Amado, Leticia)

Docket 9

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Michael Lynn Miller

Represented By
Daniel A Higson

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, December 11, 2024

Hearing Room 201

10:00 AM

9:24-11248 Douglas Wade Goodall

Chapter 7

#25.00 Reaffirmation Hearing Date SetRE: [7] Reaffirmation Agreement Between Debtor and Pingora Loan Servicing, LLC

Docket 7

Tentative Ruling:

December 11, 2024

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):

Douglas Wade Goodall

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, December 11, 2024

Hearing Room 201

10:00 AM

9:24-11254 Jesus Garcia Ramos and Laura R Garcia Romo

Chapter 7

#26.00 Reaffirmation Hearing Date Set
RE: [11] Reaffirmation Agreement Between Debtor and American Honda
Finance Corporation

Docket 11

*** VACATED *** REASON: Continued to 1/15/2025 at 10:00AM.

Tentative Ruling:

- NONE LISTED -

| |
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| Party Information |
|--------------------------|

Debtor(s):

Jesus Garcia Ramos

Represented By
Michael B Clayton

Joint Debtor(s):

Laura R Garcia Romo

Represented By
Michael B Clayton

Trustee(s):

Jerry Namba (TR)

Pro Se

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

Wednesday, December 11, 2024

Hearing Room 201

1:00 PM

9:22-10674 John E King

Chapter 7

#27.00 Status Hearing

Docket 1

Tentative Ruling:

- NONE LISTED -

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

John E King

Represented By
William C Beall
Carissa N Horowitz

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

Wednesday, December 11, 2024

Hearing Room 201

1:00 PM

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

Chapter 11

#28.00 Post-Confirmation Status Conference

Docket 1

Tentative Ruling:

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
Peter W Lianides

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

Wednesday, December 11, 2024

Hearing Room 201

1:00 PM

9:24-10813 Raul Leopoldo Molina, Jr.

Chapter 11

#29.00 CONT'D Chapter 11 Status Conference

FR. 9-11-24, 9-11-24, 11-6-24, 11-20-24, 12-4-24

Docket 1

Tentative Ruling:

December 11, 2024

Appearances required.

December 4, 2024

Appearances required.

Unless there are any outstanding issues of the Office of the U.S. Trustee, the Court continue the status conference to December 11, 2024, at 1:00 p.m.

November 20, 2024

Appearances required.

The Court will inquire with the Office of the United States Trustee regarding the Debtor's compliance with those *Guidelines and Requirements for Chapter 11 Debtors in Possession*. Assuming full compliance, the Court is inclined to continue the status conference to December 11, 2024, at 1:00 p.m.

November 6, 2024

Appearances waived.

The Court has reviewed that *Debtor-in-Possession Status Conference Report*. See Docket No. 41. The Court will continue the status conference to November 20, 2024, at 1:00 p.m.

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

Wednesday, December 11, 2024

Hearing Room 201

1:00 PM

CONT... Raul Leopoldo Molina, Jr.

Chapter 11

September 11, 2024

Appearances required, in-person for Debtor and counsel to the Debtor.

The Court has reviewed that *Debtor-In-Possession Status Conference Report*. See Docket No. 17. There has been no application of the Debtor to employ insolvency counsel. The Court also finds no monthly operating reports as required by those *Guidelines and Requirements for Chapter 11 Debtors in Possession* (the "Guidelines"). The Court will hear from the Office of the U.S. Trustee as to the Debtor's compliance with the Guidelines.

If the Court does not dismiss the case at the status conference, it will set November 22, 2024 as the deadline for the Debtor to file a plan and disclosure statement. A disclosure statement hearing will be set for January 15, 2025, at 1:00 p.m. A claims bar date will be set for November 1, 2024, with the Debtor providing notice of the bar date on or before September 16, 2024. The status conference will be continued to November 6, 2024, at 1:00 p.m.

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|--------------------------|
| Party Information |
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Debtor(s):

Raul Leopoldo Molina Jr.

Represented By
Thomas B Ure

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

Wednesday, December 11, 2024

Hearing Room 201

1:00 PM

9:24-11386 Alpinebay Inc.

Chapter 11

#30.00 HearingRE: [8] Motion to Use Cash Collateral and Notice of Motion

Docket 8

Tentative Ruling:

- NONE LISTED -

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Alpinebay Inc.

Represented By
Christopher J Langley

Movant(s):

Alpinebay Inc.

Represented By
Christopher J Langley

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

Wednesday, December 11, 2024

Hearing Room 201

1:00 PM

9:24-11386 Alpinebay Inc.

Chapter 11

#31.00 Motion - NOTICE OF MOTION AND DEBTOR AND DEBTORS-IN-POSSESSION EMERGENCY MOTION FOR AUTHORITY TO CONTINUE EMPLOYEE COMPENSATION AND PAYROLL OBLIGATIONS IN THE ORDINARY COURSE OF BUSINESS Filed by Debtor Alpinebay Inc. (Langley, Christopher)

Docket 11

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Alpinebay Inc.

Represented By
Christopher J Langley

Movant(s):

Alpinebay Inc.

Represented By
Christopher J Langley