

**United States Bankruptcy Court
Central District of California
Los Angeles
Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, July 23, 2024

Hearing Room 1675

11:00 AM
2:00-00000

Chapter

#0.00

**PROCEDURES FOR APPEARING FOR, OR ACCESSING,
COURT HEARINGS IN JUDGE KWAN'S CASES**

INSTRUCTIONS FOR THE GENERAL PUBLIC AND THE MEDIA: See Special Instructions Below.

INSTRUCTIONS FOR PARTIES OFFICIALLY APPEARING ON THEIR MATTERS AT HEARINGS BEFORE JUDGE KWAN AND THEIR COUNSEL: Judge Kwan conducts non-evidentiary hearings in hybrid format, that is, in person in the courtroom and remotely by video using Zoom for Government (ZoomGov) videoconferencing technology, but only in person in the courtroom for evidentiary hearings, trials and other matters specially set by Judge Kwan. Parties officially appearing on their matters at hearings before Judge Kwan and their counsel may choose to appear in person in the courtroom or remotely on ZoomGov at a hearing on their matters unless otherwise ordered by the court. Judge Kwan's courtroom is located in Courtroom 1675, 16th Floor, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012. Parties are directed to review Judge Kwan's self-scheduling instructions for calendaring hearings, whether by in-person and/or ZoomGov.

For parties and their counsel officially appearing on their matters using ZoomGov to appear remotely at hearings, video and audio connection information for each hearing will be provided on Judge Kwan's publicly posted hearing calendar on the court's website, which may be viewed online at: <http://ecf-ciao.cacb.uscourts.gov/CiaoPosted/default.aspx>, and then selecting "Judge Kwan" from the tab on the left-hand side of the page.

Parties and their counsel officially appearing on their matters may view and/or listen to hearings before Judge Kwan using ZoomGov free of charge. Individual participants may appear at a hearing by ZoomGov video and audio using a personal computer (equipped with camera, microphone and speaker), or a handheld mobile device (such as an iPhone or Android phone). Individual participants may also participate in a hearing by ZoomGov audio only using a telephone (standard telephone charges may apply). Neither a Zoom nor a ZoomGov account are necessary to

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participate in a hearing, and no pre-registration is required. The audio portion of each hearing will be recorded electronically by the court and constitute its official record.

To implement the mandate of the Judicial Conference of the United States that the general public and the media may not access the video feed of a court hearing, only the audio feed (see Special Instructions to the General Public and the Media below), Judge Kwan or court personnel may inquire as to the status of a person accessing ZoomGov as either an official hearing participant or a member of the general public or the media, and the court may place persons attempting access to video feed of a court hearing in a Zoom waiting room for a status inquiry and otherwise restrict a member of the general public or the media to audio access only if accessing the hearing remotely.

SPECIAL INSTRUCTIONS FOR THE GENERAL PUBLIC AND THE MEDIA: The Judicial Conference of the United States has now clarified its policy on Cameras in the Courtroom and mandated that the members of the general public (or the Public) and the Media may not observe **by video** any court hearing proceedings unless they are actual parties or counsel with matters before the court in which they have an official interest. However, as an accommodation to the Public and the Media, the Judicial Conference of the United States has also clarified that many court hearing proceedings will still be accessible **by audio**, but that this audio accommodation for the Public and the Media is limited to (1) non-trial hearings; and (2) non-live witness evidentiary hearings.

To be clear, during hearings where no live testimony is being received by the court, the court may permit hearing accessibility remotely by audio, but not video, to the Public and the Media. No trials may ever be accessible remotely by audio to the Public and the Media. The court has the final control regarding remote audio accessibility and may choose to terminate remote audio accessibility at any time, regardless of the type of hearing. These remote audio services are accessible through ZoomGov, and the Public and the Media may utilize the telephone number login, but not the video login, presented by the court on its publicly posted hearing calendar, which may be viewed online at: <http://ecf-ciao.cacb.uscourts.gov/CiaoPosted/default.aspx>, and then selecting "Judge Kwan" from the tab on the left-hand side of the page.

Members of the Public and the Media may always personally attend hearings

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before the court in open court in-person in the courtroom. Judge Kwan's courtroom is located in Courtroom 1675, 16th Floor, Roybal Federal Building, 255 East Temple Street, Los Angeles, California 90012.

On hearing days, Judge Kwan's courtroom will remain open during hearings for in-person public and media attendance, so that the courtroom observers will have video and audio access to ZoomGov participants. The court will have video monitors on and viewable within the courtroom for viewing. The parties, including counsel, their clients, and self-represented individual parties, may virtually join the hearing and appear remotely or virtually on ZoomGov.

Members of the general public and the media, however, may only view the hearings in person from the courtroom, which will remain open, or by audio access, as noted above. To implement the mandate of the Judicial Conference of the United States that the general public and the media may not access the video feed of a court hearing, only the audio feed, Judge Kwan or court personnel may inquire as to the status of a person accessing ZoomGov as either an official hearing participant or a member of the general public or the media, and the court may place persons attempting access to video feed of a court hearing in a Zoom waiting room for a status inquiry and otherwise restrict a member of the general public or the media to audio access only if accessing the hearing remotely. Individual members of the public and the media may access a hearing by ZoomGov audio only using a telephone (standard telephone charges may apply). Neither a Zoom nor a ZoomGov account are necessary to access the live audio feed of a hearing, and no pre-registration is required.

RESTRICTIONS ON LIVE TESTIMONY AT HEARINGS: No live testimony, however, will be permitted at a hearing by ZoomGov unless specifically authorized by the court either prior to, or during, a hearing. If a party intends to call a witness to testify by remote transmission, the party calling the witness should state such intention in the joint pretrial stipulation filed before the final pretrial conference or file a written application for permission to call a witness by remote means at least 21 days before the evidentiary hearing or as soon as practicable if the evidentiary hearing is set on less than 21 days notice.

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ZoomGov logon information for all matters on today's hearing calendar:

Video/audio web address: <https://cacb.zoomgov.com/j/1607207432>

ZoomGov meeting number: 160 720 7432

Password: 925534

Telephone conference lines: 1 (669) 254 5252 or 1 (646) 828 7666

Please connect at least 5 minutes before the start of your hearing, and wait with your microphone muted until your matter is called.

Zoomgov hearing etiquette: (a) wait until the judge calls on you, so everyone is not talking at once; (b) when you first speak, state your name and, if you are an attorney, whom you represent (do not make your argument until asked to do so); (c) when you make your argument, please pause from time to time so that, for example, the judge can ask a question or anyone else can make an objection; (d) if the judge does not see that you want to speak, or forgets to call on you, please say so when other parties have finished speaking (do not send a "chat" message, which the judge might not see); and (e) please let the judge know if he mispronounces your name or uses the wrong pronoun.

Docket 0

Tentative Ruling:

- NONE LISTED -

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2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

Adv#: 2:18-01139 People Who Care Youth Center, Inc. v. Ammec, Inc. et al

#1.00 Order to Show Cause re: Reconsideration of Proposed Findings of Fact and Conclusions of Law and reopening the record for further agrument in the adversary proceeding

Docket 372

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz
David B Golubchik

Defendant(s):

Ammec, Inc.

Represented By
John Barriage

Greta Curtis

Pro Se

Plaintiff(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz
David B Golubchik

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2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

Adv#: 2:18-01139 People Who Care Youth Center, Inc. v. Ammec, Inc. et al

#2.00 Hrg re: Objection to the court's formally receiving Barrington Radley's trial declaration into the trial record

Docket 376

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz
David B Golubchik

Defendant(s):

Ammec, Inc.

Represented By
John Barriage

Greta Curtis

Pro Se

Plaintiff(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz
David B Golubchik

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2:16-24931 Anthony Roy Martinez

Chapter 7

Adv#: 2:17-01158 Carter et al v. Martinez

#1.00 Status conference re: Complaint to except debt from discharge for willful and malicious injury and as money obtained under false pretenses; fraud [11 U.S.C. § 523 (a)2)(A) & (6)]

fr. 3/22/22, 5/24/22, 8/9/22, 11/29/22, 3/28/23, 5/2/23, 8/15/23, 10/17/23, 11/14/23, 1/30/24, 3/26/24, 4/30/24. 5/29/24 6/25/24

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/31/24. Appearances are required on 6/25/24, but counsel and self-represented parties must appear either in person in the courtroom or remotely through Zoom for Government in accordance with the court's remote appearance instructions.

Prior tentative ruling as of 5/24/24. Off calendar. The court has reviewed the joint status report filed by the parties on 5/24/24, reporting that the sentencing hearing in debtor's criminal case was continued from 5/16/24 to 6/7/24 requesting a short continuance of the status conference since the final orders in the criminal case may have an impact on this proceeding. Therefore, the court on its own motion grants the parties' continuance request and continues the status conference to 6/25/24 at 1:30 p.m. Counsel for plaintiffs to notify counsel for defendant of the continuance of the status conference. No appearances are required on 5/28/24.

Prior tentative ruling as of 4/25/24. Off calendar. The court has reviewed the joint status report filed by the parties on 4/22/24, reporting that the trial proceedings in debtor's criminal case will conclude on 5/16/24 with sentencing and restitution orders, and requesting a short continuance of the status conference since the final orders in the criminal case may have an impact on this proceeding. Therefore, the court on its own motion grants the

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CONT... Anthony Roy Martinez

Chapter 7

parties' continuance request and continues the status conference to 5/28/24 at 1:30 p.m. Counsel for plaintiffs to notify counsel for defendant of the continuance of the status conference. No appearances are required on 4/30/24.

Prior tentative ruling as of 3/25/24. Off calendar. The court has reviewed the joint status report filed by the parties on 3/25/24, reporting that the trial in debtor's criminal case has concluded, but the jury has not finished its deliberations, and requesting a short continuance of the status conference since the jury verdict in the criminal case will have an impact on this proceeding. Therefore, the court on its own motion grants the parties' continuance request and continues the status conference to 4/30/24 at 1:30 p.m. Counsel for plaintiffs to notify counsel for defendant of the continuance of the status conference. No appearances are required on 3/26/24.

Prior tentative ruling as of 1/26/24. Off calendar. The court has reviewed the parties' joint status report filed on 1/25/24, stating that the trial in defendant's state court criminal case has commenced, but is not yet concluded, and requesting a continuance to a date in March 2024 after the expected conclusion of the criminal trial as the outcome may have an impact on this matter. The court on its own motion continues the status conference on 1/30/24 to 3/26/24 at 1:30 p.m. Counsel for plaintiffs to notify counsel for defendant of the continuance. No appearances are required on 1/30/24.

Prior Revised and updated tentative ruling as of 11/13/23. Off calendar. Having reviewed the joint status report on 11/11/23 reporting that defendant's criminal trial is now set for 12/4/23 and the outcome may affect this matter, the court on its own motion continues the status conference to 1/30/24 at 1:30 p.m. and will issue a written order. No appearances are required on 11/14/23.

Prior tentative ruling as of 10/15/23. Off calendar. Having read the parties' joint status update filed on 10/12/23, the court continues the status conference to 11/14/23 at 1:30 p.m. in light of the continuance of the criminal trial setting hearing to 10/25/23. The court will enter a written order for continuance. No appearances are required on 10/17/23.

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Chapter 7

Prior tentative ruling as of 8/9/23. Appearances are required on 8/15/23, but counsel and self-represented parties must appear either in person in the courtroom or remotely through Zoom for Government in accordance with the court's remote appearance instructions.

Prior tentative ruling as of 5/1/23. Off calendar. Having reviewed the joint status report filed on 5/1/23, the court on its own motion continues the status conference to 8/15/23 at 1:30 p.m. No appearances are required on 5/2/23.

Prior tentative ruling as of 3/27/23. The court has reviewed the joint status report filed on 3/27/23, requesting that the status conference be continued after the preliminary hearing in defendant's state court criminal case scheduled for January 17, 2023, presumably meaning April 20, 2023 which was the date they stated was the new continued date of hth preliminary hearing. Otherwise, no tentative ruling on the merits. Appearances are required on 3/28/23, but counsel and self-represented parties must appear in person or remotely through Zoom for Government in accordance with the court's remote appearance instructions.

Party Information

Debtor(s):

Anthony Roy Martinez

Represented By
Christian T Kim

Defendant(s):

Anthony Roy Martinez

Pro Se

Plaintiff(s):

Lance Carter

Represented By
Dana M Douglas

Jean Holmes

Represented By
Dana M Douglas

Carriage Estates LLC

Represented By
Dana M Douglas

Adamantine Investments LLC

Represented By

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Chapter 7

Dana M Douglas

Sterling Holdings LLC

Represented By
Dana M Douglas

Lance Carter IRA 419990

Pro Se

Trustee(s):

Wesley H Avery (TR)

Pro Se

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2:23-16449 People Who Care Youth Center, Inc.

Chapter 11

#2.00 Status Conference in this Chapter 11 Bankruptcy Case

fr. 12/5/23, 2/27/24, 4/30/24, 5/28/24, 6/25/24

Docket 15

Tentative Ruling:

No updated tentative ruling as of 6/12/24. Appearances are required on 6/25/24, but counsel and self-represented parties must appear either in person in the courtroom or remotely through Zoom for Government in accordance with the court's remote appearance instructions.

Prior tentative ruling as of 5/24/24. The court has reviewed debtor's status report filed on 5/14/24 and creditor Danco, Inc.'s response thereto and Danco's notice of perfection of interests in rents and demand for segregation of cash collateral and accounting for use of cash collateral since case filing, filed on 5/24/24. Debtor represented in its status report that it will be filing a motion for retroactive authorization to use cash collateral, which has not yet been filed, to address its unauthorized use of cash collateral. See 11 U.S.C. 1112(b)(4)(D) (unauthorized use of cash collateral substantially harmful to one or more creditors may constitute cause for dismissal, conversion or trustee appointment). Debtor has not filed its motion for retroactive use of cash collateral as of 5/24/24, and thus, the court and the secured creditor have no meaningful information on debtor's use of cash collateral and adequate protection of the secured creditor's interest. Accordingly, the court is considering ordering debtor to file an accounting of its postpetition use of cash collateral on or before 6/4/24 with a further status conference on use of cash collateral on 6/11/24. Appearances are required on 5/28/24, but counsel and self-represented parties must appear either in person in the courtroom or remotely through Zoom for Government in accordance with the court's remote appearance instructions.

Prior tentative ruling as of 4/25/24. The court has reviewed debtor's status report filed on 4/17/24. No tentative ruling on the merits. Appearances are required on 4/30/24, but counsel and self-represented parties must appear

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either in person in the courtroom or remotely through Zoom for Government in accordance with the court's remote appearance instructions.

Supplemental tentative ruling as of 2/23/24. The court has reviewed debtor's status report filed on 2/22/24. The court notes that debtor requests that a claims bar date be established by the court. However, that has been done already as the court orally granted debtor's request to set a claims bar date at the last status conference on 12/5/23, and on 12/15/23, debtor had filed and served notice of the claims bar date of 3/31/24 (Docket No. 32). Thus, it appears that debtor is not requesting the court to set another claims bar date, but debtor had also asked that the court set other deadlines, and debtor should specify at the status conference what other deadlines should be set.

Updated tentative ruling as of 2/21/24. Debtor which may appear by counsel must report on the status and developments in the case, including but not limited to the status of the filing of a plan and disclosure statement, which it had indicated in its initial status report filed on 11/21/23 that it would "aim to file" these documents by 1/31/24, the status of repairs of its facilities, and the status of its dispute with its main secured creditor, Danco, Inc. Otherwise, no tentative ruling on the merits. Appearances are required on 2/27/24, but counsel and self-represented parties must appear either in person in the courtroom or remotely through Zoom for Government in accordance with the court's remote appearance instructions.

Prior tentative ruling as of 11/28/23. The court has reviewed debtor's initial status report. No tentative ruling on the merits. Appearances are required on 12/5/23, but counsel and self-represented parties must appear either in person in the courtroom or remotely through Zoom for Government in accordance with the court's remote appearance instructions.

Party Information

Debtor(s):

People Who Care Youth Center, Inc.

Represented By
Giovanni Orantes

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2:17-15033 Shapphire Resources, LLC

Chapter 11

#3.00 Status conference re: Post confirmation of plan

fr. 7/14/22, 8/30/22, 9/20/22, 11/8/22, 1/24/23, 4/25/23,
6/27/23, 9/19/23, 1/30/24, 3/26/24, 5/28/24, 7/16/24

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/21/24. No tentative ruling on the merits. Appearances are required on 5/28/24, but counsel and self-represented parties must appear either in person in the courtroom or remotely through Zoom for Government in accordance with the court's remote appearance instructions.

Party Information

Debtor(s):

Shapphire Resources, LLC

Represented By
Raymond H. Aver

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2:17-24737 Advance Specialty Care, LLC

Chapter 11

#4.00 Status conference re: Post confirmation of plan

fr. 2/22/22, 3/8/22, 10/11/22, 2/21/23, 6/20/23, 10/17/23, 12/12/23
2/27/24, 4/30/24, 5/28/24, 7/16/24

Docket 1

Tentative Ruling:

Updated tentative ruling as of 5/20/24. No tentative ruling on the merits. Appearances are required on 5/28/24, but counsel and self-represented parties must appear either in person in the courtroom or remotely through Zoom for Government in accordance with the court's remote appearance instructions.

Prior tentative ruling as of 4/25/24. Appearances are required on 4/30/24, but counsel and self-represented parties must appear either in person in the courtroom or remotely through Zoom for Government in accordance with the court's remote appearance instructions.

Prior tentative ruling. Debtor should report on when it will be filing a motion for entry of final decree since the debtor does not give a date when a motion for final decree will be filed and the plan went effective on 3/20/20, almost four years ago. Otherwise, no tentative ruling on the merits. Appearances are required on 2/27/24, but counsel and self-represented parties must appear in person or remotely through Zoom for Government in accordance with the court's remote appearance instructions.

Party Information

Debtor(s):

Advance Specialty Care, LLC

Represented By
Raymond H. Aver