

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

Wednesday, December 8, 2021

Hearing Room 1675

11:00 AM

2:00-00000

Chapter

#0.00 All hearings on this calendar will be conducted remotely, using ZoomGov video and audio.

Parties in interest and members of the public 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 (such as an iPhone or Android phone). Individuals may opt to participate by audio only using a telephone (standard telephone charges may apply).

Neither a Zoom nor a ZoomGov account is necessary to participate and no pre-registration is required. The audio portion of each hearing will be recorded electronically by the Court and constitutes its official record.

Video/audio web address: <https://cacb.zoomgov.com/j/1605024540>

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<https://www.cacb.uscourts.gov/judges/honorable-robert-n-kwan> under the "Telephonic Instructions" section.

To assist in creating a proper record and for the efficiency of these proceedings, please:

- Connect early so that you have time to check in.
- Change your Zoom name to include your calendar number, first initial and last name, and client name (*ex. 5, R. Smith, ABC Corp.*) if appearing by video. This can be done by clicking on "More" and "Rename" from the Participants list or by clicking on the three dots on your video tile.
- Mute your audio to minimize background noise unless and until it is your turn to speak. Consider turning your video off until it is your turn to appear.
- Say your name every time you speak.
- Disconnect from the meeting by clicking "Leave" when you have completed your appearance(s).

Docket 0

Tentative Ruling:

- NONE LISTED -

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11:00 AM

2:16-15322 Curtis C. Magleby

Chapter 11

#1.00 Status conference re: Disclosure statement
fr. 3/31/21, 5/19/21, 9/15/21

Docket 174

Tentative Ruling:

Updated tentative ruling as of 12/7/21. No tentative ruling on the merits. Regarding debtor's "expedited" motion to limit notice, the court will not rule on the motion as it is not properly noticed pursuant to LBR 9013-1 or 9075-1. However, the court is willing to briefly discuss the concerns raised by the motion and the opposition thereto. However, the court does not see how it can waive the express statutory requirement of a disclosure statement under 11 U.S.C. 1125(b) in a non-small business debtor, non-subchapter V Chapter 11 bankruptcy case as this one. If cost of preparing a disclosure statement is a concern, debtor might consider utilizing the court's optional form disclosure statement for individual debtors, Form F2081-1.DISCLSR.STMT. The court, however, does not opine whether such form would be appropriate or approved in this case. Appearances are required on 12/8/21, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

Prior tentative ruling as of 9/14/21. The court notes that the extended claims bar date of 8/31/21 has passed, and on 9/13/21, the United States Trustee filed another motion to dismiss or convert set for hearing on 10/27/21 based on procedural and substantive grounds, primarily for delay in confirming a plan. It appears to the court that since the case has been pending for over 5 years, debtor should be in a position to file a disclosure statement and proposed plan as progress has been made resolving disputes with creditors, such as with the former spouse in the marital dissolution action in state court, even if not all other disputes regarding claims have been resolved. Appearances are required on 5/19/21, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

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CONT... Curtis C. Magleby

Chapter 11

Prior tentative ruling as of 5/12/21. No tentative ruling on the merits.
Appearances are required on 5/19/21, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

Party Information

Debtor(s):

Curtis C. Magleby

Represented By
Illyssa I Fogel

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Wednesday, December 8, 2021

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11:00 AM

2:12-16195 David Alan Wilson

Chapter 7

Adv#: 2:12-01317 McKnew, Thomas I. IV et al v. Wilson

#1.10 Status conference re: Plaintiffs' motion for temporary restraining order and related relief

Docket 609

Tentative Ruling:

Updated supplemental tentative ruling as of 12/7/21. The court construes the motion as seeking injunctive relief as to American General Corporation only as opposed to other parties. In this regard, plaintiffs need to remedy certain deficiencies relating to the lack of clarity in the moving papers to the orders of the court that they are seeking to enforce against this party. First, plaintiffs assert that they seek to enforce a wage garnishment order served on this entity, but Exhibit 4 to the McKnew declaration in support of the motion only consists of a proof of service of a "wage garnishment package" on the entity, but in the moving papers, there are no copies of the actual order or orders served on the entity which plaintiffs ask the court to enforce. Thus, the court has difficulty understanding what order or orders plaintiffs are seeking to enforce against the entity. Second, regarding the proof of service of the wage garnishment package, the proof of service states that the package was served on "Andrew Hurst," apparently, Andre Hurst, as agent for service of process for American General Corporation. There is no competent evidence in the moving papers showing that Mr. Hurst was the agent for service of process at the time the package was served. Mr. McKnew stated in his declaration that Mr. Hurst was "listed" as such, which indicates that Mr. McKnew lacked personal knowledge of such fact as required by Federal Rule of Evidence 602, and there is no showing that Mr. Hurst was so "listed" as the agent for service of process when the package was served in 2014 (e.g., on the statement of domestic stock corporation filed with the California Secretary of State). Third, plaintiffs assert that they seek to enforce a writ of execution, and apparently, a copy of the writ of execution is attached as Exhibit 5 to the McKnew declaration, but there is no proof of service of the writ on American General Corporation in the moving papers. Thus, there is no information in the record indicating that the entity was duly served with the writ of execution.

A minor technical point is that the title of the motion, motion for temporary

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restraining order (TRO), is a misnomer because temporary restraining orders are generally good for 14 or 28 days, as plaintiffs in the body of the motion are seeking not just a TRO, but permanent injunctive relief. They may also be requesting a preliminary injunction beyond the duration of a TRO, but this is not stated. Perhaps the motion should be entitled motion for injunctive relief to enforce wage garnishment order and writ of execution. The text of the motion states the relief that plaintiff seek beyond a TRO.

The court also notes that while plaintiffs appropriately served a judge's copy of their papers on the court pursuant to LBR 5005-2(d), the exhibits in the moving papers are not separately tabbed as required by the rule, making it harder for the court to read them.

Otherwise, the prior tentative ruling dated 12/3/21 stands.

Prior tentative ruling as of 12/3/21. The court has set this status conference because it has concerned about the adequacy of plaintiffs' legal process. Plaintiffs' motion is new legal process which generally requires service in conformance with FRBP 7004 either as a contested matter pursuant to FRBP 9014 and as an adversary proceeding pursuant to FRBP 7001 or under California law pursuant to CCP 684.110(a). The proof of service of the motion only indicates service on counsel for respondents debtor and American General Corporation, but not on them directly, which may not be adequate. LBR 9013-1(d)(1) requires service of a motion on the debtor as well as his counsel if the debtor is an adverse party. There is no service on the debtor personally as required by LBR 9013-1(d)(1). Service on counsel for American General Corporation (AGC) may not be adequate because there is no showing that counsel is authorized to accept service. See *In re Villar*, 317 B.R. 88, 93-95 (9th Cir. BAP 2004). While counsel may have represented AGC in prior proceedings involving judgment debt examinations, the current motion is a new matter, and AGC, unlike the debtor, is not a party to either the bankruptcy case or the adversary proceeding. It appears to the court that service of the motion on AGC's counsel is insufficient to effect service of process on AGC and that adequate service would be service of an order to show cause or a summons and complaint in an adversary proceeding. Generally speaking, contempt proceedings are governed by LBR 9020-1, which requires submission of a proposed order to show cause to be

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reviewed and issued by the court. Also, in a bankruptcy case, a proceeding for injunctive relief requires an adversary proceeding pursuant to FRBP 7001(7). Plaintiffs assert that they can proceed by motion under California state law by way of FRCP 7069(a), but still state law requires service of new legal process in the manner as a summons in a civil action pursuant to CCP 684.110(a), which may require personal service in accordance with CCP 415.010 or authorized service permitted under CCP 415.020 et seq. Appearances are required on 12/8/21, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

Party Information

Debtor(s):

David Alan Wilson

Represented By
Michael N Nicastrò
Christina M Chan
Eryk R Escobar

Defendant(s):

David A Wilson

Represented By
Jon-Michael A Marconi
James Andrew Hinds Jr
David Samuel Shevitz
Christopher A Dias

Plaintiff(s):

McKnew, Thomas I. IV

Represented By
James Andrew Hinds Jr
Paul R Shankman
Hye Jin Jang
Brian Barouir Yeretian
Rachel M Sposato

Lisa A McKnew

Represented By
James Andrew Hinds Jr
Paul R Shankman
Hye Jin Jang

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Brian Barouir Yeretzian
Rachel M Sposato

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Thomas H Casey

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2:17-23722 Kody Branch of California, Inc.

Chapter 7

#2.00 Cont'd pretrial conference re: Chapter 7 trustee's omnibus objection to: Claim No. 11 - Shaoxing LeiLei Import & Export; Claim No. 12 - Cong Ty Tnhh Anh Chau; Claim No. 13 - Shaoxing Tuchang Knitting Textile; Claim No. 14 - Gia Phu Fashion Company; and Claim No. 15 - Cong Ty May Trinh Vuong
fr. 6/2/21, 10/4/21, 10/6/21

Docket 351

Tentative Ruling:

Updated tentative ruling as of 11/22/21. Off calendar. Motion withdrawn by reason of settlement. No appearances are necessary.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01466 Avery v. Gia Phu Fashion Garment Co.

#3.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of fraudulent and unauthorized postpetition transfers fr. 2/3/21, 3/31/21, 8/4/21, 10/6/21

Docket 1

***** VACATED *** REASON: Cont'd from 12/8/21 to 1/18/22 at 11:30 a.m. per stip & order entered on 12/1/21-pp**

Tentative Ruling:

Updated tentative ruling as of 12/6/21. Off calendar. Continued by stipulation and order to 1/18/22 at 11:30 a.m. No appearances are required on 12/8/21.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Gia Phu Fashion Garment Co.

Pro Se

Plaintiff(s):

Wesley H. Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01468 Avery v. Baldwin Sun Inc.

#4.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of fraudulent and transfers
fr. 3/31/21, 6/2/21, 8/4/21, 10/6/21

Docket 1

***** VACATED *** REASON: Cont'd from 12/8/21 to 1/18/22 at 11:30 a.m.
per stip & order entered on 11/24/21-pp**

Tentative Ruling:

Updated tentative ruling as of 12/6/21. Off calendar. Continued by stipulation and order to 1/18/22 at 11:30 a.m. No appearances are required on 12/8/21.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Baldwin Sun Inc.

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01469 Avery v. Trinh Vuong Garment Co., Ltd.

#5.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 3/31/21, 6/2/21, 8/4/21, 10/6/21

Docket 1

***** VACATED *** REASON: Cont'd from 12/8/21 to 1/18/22 at 11:30 a.m. per stip & order entered on 12/1/21-pp**

Tentative Ruling:

Updated tentative ruling as of 12/6/21. Off calendar. Continued by stipulation and order to 1/18/22 at 11:30 a.m. No appearances are required on 12/8/21.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Trinh Vuong Garment Co., Ltd.

Pro Se

Plaintiff(s):

Wesley H. Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01471 Avery v. Los Angeles County Tax Collector

#6.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of fraudulent and unauthorized postpetition transfers
fr. 6/15/21, 7/27/21, 8/31/21, 10/6/21

Docket 1

***** VACATED *** REASON: Cont'd from 12/8/21 to 2/8/22 at 11:00 a.m.
per stip & order entered on 11/19/21-pp.**

Tentative Ruling:

Updated tentative ruling as of 12/6/21. Off calendar. Continued by stipulation and order to 2/8/22 at 11:00 a.m. No appearances are required on 12/8/21.

Prior tentative ruling. The court has reviewed the joint status report. Set a discovery cutoff date of 5/28/21, set a cutoff date of 3/15/21 for filing motions to join new parties or to amend pleadings, and set a postdiscovery status conference for 6/15/21 at 1:30 p.m. with a status report due on 6/8/21. Alternatively, the court can just set a date for a pretrial conference instead of the postdiscovery status conference. The parties should address whether the court should refer this matter to the court's mediation program as the parties differ on whether mediation should be ordered. Appearances are required on 2/2/21, but counsel and self-represented parties must appear by telephone.

TO PARTIES WHO INTEND TO APPEAR AT THE HEARING ON THIS MATTER:

PLEASE TAKE NOTICE that the court hearing before Judge Robert Kwan of the United States Bankruptcy Court for the Central District of California will be conducted telephonically. However, instead of having to physically appear in court, you must appear by telephone because the court is not conducting in person hearings on that date in light of the public health conditions from the COVID-19 pandemic. The courtroom will be locked; parties must appear by telephone and will not be permitted to appear in the courtroom.

In order to appear for the court hearing by telephone, you will need to arrange to make the telephone call through CourtCall, the contract telephone

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Chapter 7

appearance service, which arranges telephone appearances before this court. CourtCall's telephone number is: (866) 582-6878. Through March 31, 2021, CourtCall is offering discounted rates to attorneys and FREE access for parties who do not have an attorney (pro se or self-represented parties). You need make an advance reservation with CourtCall to appear by telephone before the hearing, preferably a week before the hearing, and no later than the day before the hearing. After you made your telephone appearance reservation with CourtCall, on the day of the court hearing, you will need to call CourtCall at its telephone number at least 5 minutes before the scheduled hearing, and identify the United States Bankruptcy Court in Los Angeles as the court and Judge Robert Kwan as the judge, and the CourtCall operator will put you into the telephonic court hearing. Given the large demand for telephone court appearances, there may be some delay in connecting to the hearing. If you are having problems connecting to the hearing, please call and advise Judge Kwan's courtroom deputy at (213) 894-3385.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Los Angeles County Tax Collector

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays

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2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01472 Avery v. Shanghai Medicines and Health Products Import and

#7.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 6/2/21, 8/4/21, 10/6/21

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/6/21. Off calendar. The status conference is moot as plaintiff has filed a notice of voluntary dismissal pursuant to FRBP 7041 and FRCP 41(a)(1)(A)(i), permitting dismissal by plaintiff on notice before defendant serves an answer or motion for summary judgment. No appearances are required on 12/8/21.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Shanghai Medicines and Health

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays

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David Wood

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2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01473 Avery v. Sio, LLC

#8.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 3/31/21, 6/2/21, 8/4/21, 10/6/21

Docket 1

***** VACATED *** REASON: Cont'd from 12/8/21 to 1/18/22 at 11:30 a.m. per stip & order entered on 11/24/21-pp**

Tentative Ruling:

Updated tentative ruling as of 12/6/21. Off calendar. Continued by stipulation and order to 1/18/22 at 11:30 a.m. No appearances are required on 12/8/21.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Sio, LLC

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01474 Avery v. Voong

#9.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential, fraudulent, unauthorized postpetition transfers; and disallowance of claim fr. 6/2/21, 8/4/21, 10/6/21

Docket 1

***** VACATED *** REASON: Cont'd from 12/8/21 to 2/8/22 at 11:30 a.m.
per stip & order entered on 11/30/21-pp.**

Tentative Ruling:

Updated tentative ruling as of 12/6/21. Off calendar. Continued by stipulation and order to 2/8/22 at 11:30 a.m. No appearances are required on 12/8/21.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Kevin Voong

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01475 Avery v. Van

#10.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential and fraudulent transfers fr. 6/2/21, 8/4/21, 10-6-21

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/6/21. Off calendar. The status conference is moot as plaintiff has filed a notice of voluntary dismissal pursuant to FRBP 7041 and FRCP 41(a)(1)(A)(i), permitting dismissal by plaintiff on notice before defendant serves an answer or motion for summary judgment. No appearances are required on 12/8/21.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Trinh Thi Hong Van

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01476 Avery v. Chau

#11.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential, fraudulent, unauthorized postpetition transfers; and disallowance of claim fr. 3/31/21, 6/2/21, 8/4/21, 10/6/21

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/6/21. Off calendar. The status conference is moot as plaintiff has filed a notice of voluntary dismissal pursuant to FRBP 7041 and FRCP 41(a)(1)(A)(i), permitting dismissal by plaintiff on notice before defendant serves an answer or motion for summary judgment. No appearances are required on 12/8/21.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Cong Ty Tnhh Anh Chau

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays

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David Wood

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2:17-23722 Kody Branch of California, Inc.

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Adv#: 2:19-01477 Avery v. Shaoxing LeiLei Import & Export Company

#12.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of fraudulent, unauthorized postpetition transfers; and disallowance of claim fr. 3/31/21, 6/2/21, 8/4/21, 10/6/21

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/6/21. Off calendar. The status conference is moot as plaintiff has filed a notice of voluntary dismissal pursuant to FRBP 7041 and FRCP 41(a)(1)(A)(i), permitting dismissal by plaintiff on notice before defendant serves an answer or motion for summary judgment. No appearances are required on 12/8/21.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Shaoxing LeiLei Import & Export

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays

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2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01478 Avery v. Shaoxing Tuchang Knitting Textile Co., Ltd.

#13.00 Cont'd status conference re: Complaint for avoidance, recovery, and preservation of preferential fraudulent, unauthorized postpetition transfers; and disallowance of claim fr. 3/31/21, 6/2/21, 8/4/21, 10/6/21

Docket 1

Tentative Ruling:

Updated tentative ruling as of 12/6/21. Off calendar. The status conference is moot as plaintiff has filed a notice of voluntary dismissal pursuant to FRBP 7041 and FRCP 41(a)(1)(A)(i), permitting dismissal by plaintiff on notice before defendant serves an answer or motion for summary judgment. No appearances are required on 12/8/21.

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Shaoxing Tuchang Knitting Textile

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood

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

Wednesday, December 8, 2021

Hearing Room 1675

11:30 AM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

Adv#: 2:19-01479 Avery v. Trinh

#14.00 Cont'd status conference re: Complaint for (1) breach of fiduciary duty; (2) conversion; (3) misappropriation of trade secrets; (4) wrongful disparagement of debtor's assets; (5) avoidance, recovery, and preservation of preferential transfers; (6) avoidance, recovery, and preservation of preferential transfers; (6) avoidance, recovery, and preservation of actual fraudulent transfers; (7) avoidance, recovery, and preservation of constructive fraudulent transfers; (8) unauthorized post-petition transfers; and (9) turnover of property of the estate
fr. 3/31/21, 6/2/21, 8/4/21, 10/6/21

Docket 1

***** VACATED *** REASON: Cont'd from 12/8/21 to 1/18/21 at 11:30 a.m.
per stip & order entered on 11/30/21-pp.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Tony Trinh

Pro Se

Plaintiff(s):

Wesley H Avery

Represented By
David Wood
D Edward Hays

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays

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

Wednesday, December 8, 2021

Hearing Room 1675

11:30 AM

CONT... Kody Branch of California, Inc.

David Wood

Chapter 7

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

Wednesday, December 8, 2021

Hearing Room 1675

1:30 PM

2:00-00000

Chapter

#0.00 All hearings on this calendar will be conducted remotely, using ZoomGov video and audio.

Parties in interest and members of the public 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 (such as an iPhone or Android phone). Individuals may opt to participate by audio only using a telephone (standard telephone charges may apply).

Neither a Zoom nor a ZoomGov account is necessary to participate and no pre-registration is required. The audio portion of each hearing will be recorded electronically by the Court and constitutes its official record.

Video/audio web address: <https://cacb.zoomgov.com/j/1602129175>

ZoomGov meeting number: 160 212 9175

Password: 241015

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

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

Wednesday, December 8, 2021

Hearing Room 1675

1:30 PM
CONT...

Chapter

For more information on appearing before Judge Kwan by ZoomGov, please see the "Notice of Video and Telephonic Appearance Procedures for Judge Robert N. Kwan's Cases" on the Court's website at: <https://www.cacb.uscourts.gov/judges/honorable-robert-n-kwan> under the "Telephonic Instructions" section.

To assist in creating a proper record and for the efficiency of these proceedings, please:

- Connect early so that you have time to check in.
- Change your Zoom name to include your calendar number, first initial and last name, and client name (*ex. 5, R. Smith, ABC Corp.*) if appearing by video. This can be done by clicking on "More" and "Rename" from the Participants list or by clicking on the three dots on your video tile.
- Mute your audio to minimize background noise unless and until it is your turn to speak. Consider turning your video off until it is your turn to appear.
- Say your name every time you speak.
- Disconnect from the meeting by clicking "Leave" when you have completed your appearance(s).

Docket 0

Tentative Ruling:

- NONE LISTED -

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

Wednesday, December 8, 2021

Hearing Room 1675

1:30 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 7

Adv#: 2:18-01351 Mover v. Jaurigui

#15.00 CONT'D TRIAL RE: Complaint for nondischargeability under 11 U.S.C. §§523(a)(2)(A), 523(a)(2)(B), 523(a)(6); and objection to discharge under §§727(a)(2), 727(a)(4)
fr. 9/2/21, 9/3/21, 9/17/21, 9/27/21, 10/13/21

Docket 1

***** VACATED *** REASON: Cont'd from 12/8/21 to 2/16/22 at 1:30 p.m.
per stip & order entered on 11/12/21-pp**

Tentative Ruling:

Updated tentative ruling as of 11/16/21. Off calendar. The trial is continued for closing arguments to be heard on 2/16/22 at 1:30 p.m. No appearances are required on 12/8/21.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

Defendant(s):

Philip Joseph Jaurigui

Pro Se

Plaintiff(s):

Jonathan Mover

Represented By
Steven R Fox

Trustee(s):

Jason M Rund (TR)

Pro Se

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

Wednesday, December 8, 2021

Hearing Room 1675

1:30 PM

2:16-24760 Philip Joseph Jaurigui

Chapter 7

Adv#: 2:18-01352 Swing House Rehearsal and Recording, Inc. v. Jaurigui

#16.00 CONT'D TRIAL RE: Complaint by Swing House Rehearsal and Recording, Inc. against Philip Joseph Jaurigui for nondischargeability under 11 U.S.C. §§523(A)(4) and 523(a)(6); and objection to discharge under §727(a)(4) fr. 9/2/21, 9/3/21, 9/17/21, 9/27/21, 10/13/21

Docket 1

***** VACATED *** REASON: Cont'd from 12/8/21 to 2/16/22 at 1:30 p.m.
per stip & order entered on 11/12/21-pp**

Tentative Ruling:

Updated tentative ruling as of 11/16/21. Off calendar. The trial is continued for closing arguments to be heard on 2/16/22 at 1:30 p.m. No appearances are required on 12/8/21.

Party Information

Debtor(s):

Philip Joseph Jaurigui

Represented By
Leonard Pena

Defendant(s):

Philip Joseph Jaurigui

Pro Se

Plaintiff(s):

Swing House Rehearsal and

Represented By
Steven R Fox

Trustee(s):

Jason M Rund (TR)

Pro Se