

**United States Bankruptcy Court  
Central District of California  
Riverside  
Scott Clarkson, Presiding  
Courtroom 126 Calendar**

**Tuesday, January 16, 2024**

**Hearing Room 126**

10:00 AM

**6:17-19494 Wai Hung Cheng**

**Chapter 15**

**#1.00**

CONT. hrg. on Chapter 15 Status Conference

From: 3/23/21, 9/28/21, 3/22/22, 7/26/22, 1/10/23, 6/13/23

EH\_\_

Docket 1

**Tentative Ruling:**

Tentative for 1/16/24:

This matter is CONTINUED to July 9, 2024, at 10:00 a.m. A detailed status report is due not later than 14 days in advance of the continued status conference.

Appearances for the 1/16 hearing are excused.

<b>Party Information</b>
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**Debtor(s):**

Wai Hung Cheng

Represented By  
Jennifer R Lloyd

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

10:00 AM

**8:23-11934 My Mortgage Auction Corp**

**Chapter 15**

**#1.10**

Hearing RE: Motion For Entry Of An Order Approving (A) The Private Sale Of Real Estate And (B) A Compromise Related Thereto  
(Motion filed 12/22/2023)

Docket 43

**Tentative Ruling:**

Tentative for 1/16/24:

Virtual appearances are required. The hearing will take place using Zoom for Government, a free service that provides audioconference and videoconference capabilities. Only the parties, including counsels, their clients, and pro se individuals, may virtually join the hearing. No testimony, however, will be permitted unless specifically authorized by the Court either prior to, or during, the hearing. Parties virtually appearing should consult the NOTICE OF VIDEO AND TELEPHONIC APPEARANCE PROCEDURES FOR JUDGE SCOTT CLARKSON'S CASES for specific procedures and further information.

The audio portion of each hearing will be recorded electronically by the Court and constitute its official record. **By Order of the Judicial Conference of the United States, members of the general public may only view the hearings from the Courtroom, which will remain open, or access the hearing by audioconference only, as set forth below. This is a nationwide mandate and is not subject to this Court's discretion. The Court will have monitors on and viewable within the Courtroom for viewing.**

Hearing participants may connect to the videoconference through an Internet browser by entering the Videoconference URL shown below, as well as the meeting ID and password, when prompted.

Videoconference URL: <https://cacb.zoomgov.com/j/1612082051>

**United States Bankruptcy Court  
Central District of California**

**Santa Ana**

**Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

10:00 AM

**CONT... My Mortgage Auction Corp**

**Chapter 15**

Meeting ID: 161 208 2051

Password: 440002

If a participant is unable to send and receive audio through his/her computer, or join the videoconference through an Internet browser for any reason, the audio of the hearing may be accessed by telephone using the below audio conference information. PLEASE BE ADVISED THAT THE GENERAL PUBLIC AND ALL MEDIA MAY ONLY USE THE AUDIO CONFERENCE SYSTEM BELOW AND MAY NOT UTILIZE THE VIDEO CONFERENCE SYSTEM.

Audioconference Tel. No.: +1 (669) 254 5252 or +1 (646) 828 7666

Meeting ID: 161 208 2051

Password: 440002

For further details, please consult the instructions on the Court's website <https://www.cacb.uscourts.gov/judges/honorable-scott-c-clarkson>.

Please note that default matters may be called prior to the videoconference, so there may be a slight delay to the official start time of the videoconference hearing.

As noted in the Court's Zoom Video Hearing Guide, located at <https://www.cacb.uscourts.gov/node/7890>, all persons are strictly prohibited from making any recording of court proceedings, whether by video, audio, "screenshot," or otherwise. Violation of this prohibition may result in the imposition of monetary and non-monetary sanctions.

<b>Party Information</b>
--------------------------

**Debtor(s):**

My Mortgage Auction Corp

Represented By  
Amir Gamliel

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

10:00 AM

**CONT... My Mortgage Auction Corp**

**Chapter 15**

**Movant(s):**

PricewaterhouseCoopers Inc.

Represented By  
Amir Gamliel

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

11:00 AM

**8:15-13556 John Olaf Halvorson**

**Chapter 7**

**#2.00**

CONT'D STATUS CONFERENCE Hearing RE: Status Of Chapter 7 Case  
(Set per Order Entered 7/31/19)  
[ES CASE]

FR: 10-16-19; 4-15-20, 10-21-20, 4-21-21; 9-1-21; 1-19-22; 3-9-22 (Crtrm 6C),  
5-5-22; 5-24-22; 7-28-22; 8-23-22 - ES Calendar); 10-11-22; 1-17-23; 2-7-23;  
2-28-23; 6-27-23; 9-26-23

Docket 1

**\*\*\* VACATED \*\*\* REASON: CONTINUED TO JANUARY 30, 2024 AT  
11:00 A.M. PER ORDER APPROVING STIPULATION TO CONTINUE:  
(1) STATUS CONFERENCES; AND (2) HEARING ON DEBTOR JOHN  
HALVORSON'S MOTION FOR RELIEF FROM THE AUTOMATIC STAY  
UNDER 11 U.S.C. SECTION 362 (DOCKET [639]) AND RESPONSE  
DEADLINE ENTERED 1-11-2024 - (DOCKET NO. [652])**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

John Olaf Halvorson

Represented By  
Marc C Forsythe  
Charity J Manee

**Trustee(s):**

Weneta M.A. Kosmala (TR)

Represented By  
Reem J Bello  
Faye C Rasch  
Jeffrey I Golden

**United States Bankruptcy Court  
Central District of California**

**Santa Ana**

**Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

11:00 AM

**8:15-13556 John Olaf Halvorson**

**Chapter 7**

Adv#: 8:15-01382 Baek 124th, LLC et al v. Halvorson et al

**#3.00**

CONT'D STATUS CONFERENCE Hearing RE: Amended Complaint For  
Nondischargeability Of Debt  
(Complaint filed 10/2/15)  
(PTC set at S/C held 1/20/16)  
(S/C set per Order Entered 1/11/19)  
[ES CASE]  
(Amended Complaint filed 8/2/2016)

FR: 1-16-16; 1-20-16; 9-21-16; 12-21-18; 1-28-19; 10-16-19; 4-15-20; 10-21-20;  
4-21-21; 9-1-21; 1-19-22; 3-9-22-MW; 5-5-22; 5-24-22; 7-28-22; 8-23-22- ES;  
10-11-22; 1-17-23; 2-7-23; 2-28-23; 6-27-23; 9-26-23

Docket 74

**\*\*\* VACATED \*\*\* REASON: CONTINUED TO JANUARY 30, 2024 AT  
11:00 A.M. PER ORDER APPROVING STIPULATION TO CONTINUE:  
(1) STATUS CONFERENCES; AND (2) HEARING ON DEBTOR JOHN  
HALVORSON'S MOTION FOR RELIEF FROM THE AUTOMATIC STAY  
UNDER 11 U.S.C. SECTION 362 (DOCKET [639]) AND RESPONSE  
DEADLINE ENTERED 1-11-2024 - (DOCKET NO. [652])**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

John Olaf Halvorson

Represented By  
Marc C Forsythe  
Charity J Manee

**Defendant(s):**

John Olaf Halvorson

Represented By  
Marc C Forsythe  
Charity J Manee  
Corey B Tolliver

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

11:00 AM

**CONT... John Olaf Halvorson**

**Chapter 7**

Marc C Forsythe

Represented By  
Corey B Tolliver

**Plaintiff(s):**

Baek 124th, LLC

Represented By  
Steven J. Katzman  
Kyle Kveton  
Anne A Uyeda

Baek 153, LLC

Represented By  
Steven J. Katzman  
Kyle Kveton  
Anne A Uyeda

Baek Ainsworth Property, LLC

Represented By  
Steven J. Katzman  
Kyle Kveton

Baek Development, LLC

Represented By  
Steven J. Katzman  
Kyle Kveton

Baek Family Partnership

Represented By  
Steven J. Katzman  
Kyle Kveton  
Anne A Uyeda

Baek Holdings, LLC

Represented By  
Christopher N Coyle  
Steven J. Katzman  
Kyle Kveton  
Anne A Uyeda

Baek Uptown Property, LLC

Represented By  
Steven J. Katzman  
Kyle Kveton

Pacific Commercial Group, LLC

Represented By  
Steven J. Katzman

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

11:00 AM

**CONT...**

**John Olaf Halvorson**

**Chapter 7**

RGJ Baek, LLC

Kyle Kveton  
Anne A Uyeda

Represented By  
Steven J. Katzman  
Kyle Kveton  
Anne A Uyeda

Grace Baek

Represented By  
Steven J. Katzman  
Kyle Kveton  
Anne A Uyeda

Richard Baek

Represented By  
Steven J. Katzman  
Kyle Kveton  
Anne A Uyeda

**Trustee(s):**

Weneta M.A. Kosmala (TR)

Represented By  
Reem J Bello  
Faye C Rasch  
Jeffrey I Golden



United States Bankruptcy Court  
Central District of California

Santa Ana

Scott Clarkson, Presiding  
Courtroom 5C Calendar

Tuesday, January 16, 2024

Hearing Room

5C

11:00 AM

**8:15-13556 John Olaf Halvorson**

**Chapter 7**

Adv#: 8:15-01454 Baek v. Halvorson et al

**#4.00**

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Declaratory  
Judgment, Nondischargeability Of Debt  
(Complaint filed 11/25/15)  
(S/C set per Order Entered 2-1-19)  
**[ES CASE]**

FR: 3-2-16; 6-22-16; 9-28-16; 10-19-16; 11-16-16; 1-28-19; 4-17-19; 7-17-19;  
10-16-19; 4-15-20; 10-21-20; 4-21-21; 9-1-21; 1-19-22; 3-9-22-MW, 5-5-22;  
5-24-22; 7-28-22; 8-23-22-ES; 10-22-22; 1-17-23; 2-7-23; 2-28-23; 6-27-23;  
9-26-23

Docket 1

**\*\*\* VACATED \*\*\* REASON: CONTINUED TO JANUARY 30, 2024 AT  
11:00 A.M. PER ORDER APPROVING STIPULATION TO CONTINUE:  
(1) STATUS CONFERENCES; AND (2) HEARING ON DEBTOR JOHN  
HALVORSON'S MOTION FOR RELIEF FROM THE AUTOMATIC STAY  
UNDER 11 U.S.C. SECTION 362 (DOCKET [639]) AND RESPONSE  
DEADLINE ENTERED 1-11-2024 - (DOCKET NO. [652])**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

John Olaf Halvorson

Represented By  
Marc C Forsythe  
Charity J Manee

**Defendant(s):**

John Olaf Halvorson

Represented By  
Charity J Manee  
Marc C Forsythe

Weneta M.A. Kosmala

Represented By

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

11:00 AM

**CONT...**

**John Olaf Halvorson**

Reem J Bello

**Chapter 7**

**Plaintiff(s):**

Grace Baek

Represented By

Ali Matin

Steven J. Katzman

Kyle Kveton

Anne A Uyeda

**Trustee(s):**

Weneta M.A. Kosmala (TR)

Represented By

Reem J Bello

Faye C Rasch

Jeffrey I Golden

**United States Bankruptcy Court  
Central District of California**

**Santa Ana**

**Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

11:00 AM

**8:15-13556 John Olaf Halvorson**

**Chapter 7**

Adv#: 8:17-01119 Kosmala et al v. Pacific Commercial Group, LLC et al

**#5.00**

CONT'D STATUS CONFERENCE Hearing RE: Complaint:

(1) For Turnover Of Property Of The Estate And For An Accounting Pursuant To 11 U.S.C. Section 542;

(2) For Turnover Of Property Of The Estate And For An Accounting Pursuant To 11 U.S.C. Section 542;

(3) For Turnover Of Property Of The Estate And For An Accounting Pursuant To 11 U.S.C. Section 542;

(4) For Turnover Of Property Of The Estate And For An Accounting Pursuant To 11 U.S.C. Section 542;

(5) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 544(B) And 550; And California Civil Code Sections 3439.04(a)(1); 3439.07 And 3439.09;

(6) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 544(b) And 550; And California Civil Code Sections 3439.04(a)(2); 3439.07 And 3439.09;

(7) To Avoid And Recover Fraudulent Transfers Under 11 U.S.C. Sections 544(b) And 550; And California Civil Code Sections 3439.05; 3439.07 And 3439.09;

(8) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 544(A)(1)(A) And 550;

(9) To Avoid And Recover Fraudulent Transfers Pursuant To 11 U.S.C. Sections 544(A)(1)(B) And 550;

(10) To Avoid And Recover Unauthorized Post Petition Transfers Pursuant To 11 U.S.C. Sections 549 And 550;

(11) Declaratory Relief;

(12) To Preserve Transfers For The Benefit Of The Estate Pursuant To 11 U.S.C. Section 551; And

(13) For Attorneys' Fees And Costs

(Complaint filed 7/15/17)

(PTC set at S/C held 3-7-18)

(S/C set per Order Entered 1-11-19)

(S/C reset per Order Entered 2-1-19)

**[ES CASE]**

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

11:00 AM

**CONT...**

**John Olaf Halvorson**

**Chapter 7**

FR: 10-4-17; 11-8-17; 1-17-18; 3-7-18; 11-28-18; 1-28-19; 4-17-19; 7-17-19;  
10-16-19; 4-15-19; 10-21-20; 4-21-21; 9-1-21; 1-19-22; 3-9-22 (Crtrm 6C),  
5-5-22; 5-24-22; 7-28-22; 8-23-22-ES; 10-11-22; 1-17-23; 2-7-23; 2-28-23;  
9-26-23

Docket 1

**\*\*\* VACATED \*\*\* REASON: CONTINUED TO JANUARY 30, 2024 AT  
11:00 A.M. PER ORDER APPROVING STIPULATION TO CONTINUE:  
(1) STATUS CONFERENCES; AND (2) HEARING ON DEBTOR JOHN  
HALVORSON'S MOTION FOR RELIEF FROM THE AUTOMATIC STAY  
UNDER 11 U.S.C. SECTION 362 (DOCKET [639]) AND RESPONSE  
DEADLINE ENTERED 1-11-2024 - (DOCKET NO. [652])**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

John Olaf Halvorson

Represented By  
Marc C Forsythe  
Charity J Manee

**Defendant(s):**

Pacific Commercial Group, LLC

Represented By  
Steven J. Katzman  
Ali Matin  
Kyle Kveton  
Anne A Uyeda

Baek Family Partnership, LLC

Represented By  
Steven J. Katzman  
Ali Matin  
Kyle Kveton  
Anne A Uyeda

Baek 124, LLC

Represented By  
Steven J. Katzman

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

11:00 AM

**CONT...**

**John Olaf Halvorson**

**Chapter 7**

Baek Holdings, LLC

Ali Matin  
Kyle Kveton  
Anne A Uyeda

Represented By  
Steven J. Katzman  
Ali Matin  
Kyle Kveton  
Anne A Uyeda

Baek 153, LLC

Represented By  
Steven J. Katzman  
Ali Matin  
Kyle Kveton  
Anne A Uyeda

RGJ Baek, LLC

Represented By  
Steven J. Katzman  
Ali Matin  
Kyle Kveton  
Anne A Uyeda

Richard Baek

Represented By  
Steven J. Katzman  
Ali Matin  
Kyle Kveton  
Anne A Uyeda

Grace Baek

Represented By  
Steven J. Katzman  
Ali Matin  
Kyle Kveton  
Anne A Uyeda

**Plaintiff(s):**

Weneta M.A. Kosmala

Represented By  
Reem J Bello  
Jeffrey I Golden

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

11:00 AM

**CONT... John Olaf Halvorson**

**Chapter 7**

**Trustee(s):**

Weneta M.A. Kosmala (TR)

Represented By  
Reem J Bello  
Faye C Rasch  
Jeffrey I Golden

United States Bankruptcy Court  
Central District of California

Santa Ana

Scott Clarkson, Presiding  
Courtroom 5C Calendar

Tuesday, January 16, 2024

Hearing Room

5C

11:00 AM

**8:15-13556 John Olaf Halvorson**

**Chapter 7**

Adv#: 8:19-01191 Baek et al v. Halvorson et al

**#6.00**

CONT'D STATUS CONFERENCE Hearing RE: Complaint (Fraudulent  
Transfer; Constructive/Resulting Trust)  
(Complaint filed 3/26/19)  
**[ES CASE]**

FR: 10-16-19; 4-15-20; 10-21-20; 4-21-21; 9-1-21; 1-19-22; 3-9-22 (Crtrm 6C),  
5-5-22; 5-24-22; 7-28-22; 8-23-22-ES; 10-11-22; 1-17-23; 2-7-23; 2-28-23;  
6-27-23; 9-26-23

Docket 1

**\*\*\* VACATED \*\*\* REASON: CONTINUED TO JANUARY 30, 2024 AT  
11:00 A.M. PER ORDER APPROVING STIPULATION TO CONTINUE:  
(1) STATUS CONFERENCES; AND (2) HEARING ON DEBTOR JOHN  
HALVORSON'S MOTION FOR RELIEF FROM THE AUTOMATIC STAY  
UNDER 11 U.S.C. SECTION 362 (DOCKET [639]) AND RESPONSE  
DEADLINE ENTERED 1-11-2024 - (DOCKET NO. [652])**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

John Olaf Halvorson

Represented By  
Marc C Forsythe  
Charity J Manee

**Defendant(s):**

John O. Halvorson

Represented By  
Marc C Forsythe  
Charity J Manee

Dan L. Halvorson

Represented By  
Christopher Celentino  
Guillermo Cabrera

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

11:00 AM

**CONT...**

**John Olaf Halvorson**

**Chapter 7**

	Peter W Bowie
Jerry Ann Randall	Represented By Christopher Celentino Guillermo Cabrera Peter W Bowie
Jerry Ann Randall as Trustee of the	Represented By Christopher Celentino Guillermo Cabrera Peter W Bowie
PCC Fund I, LLC	Pro Se
Granite Bay Partners II, LLC	Pro Se
JH RE Holdings, LLC	Pro Se

**Plaintiff(s):**

Richard Baek	Represented By Ali Matin Steven J. Katzman Kyle Kveton Thomas H Bienert Jr. Phillip Allan Trajan Perez Anne A Uyeda
Baek 153 LLC	Represented By Ali Matin Steven J. Katzman Kyle Kveton Thomas H Bienert Jr. Phillip Allan Trajan Perez Anne A Uyeda
Pacific Commercial Group LLC	Represented By Ali Matin Steven J. Katzman Kyle Kveton Thomas H Bienert Jr.



**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

11:00 AM

**CONT...**

**John Olaf Halvorson**

**Chapter 7**

Phillip Allan Trajan Perez  
Anne A Uyeda

Weneta Kosmala

Represented By  
Reem J Bello  
Jeffrey I Golden

**Trustee(s):**

Weneta M.A. Kosmala (TR)

Represented By  
Reem J Bello  
Faye C Rasch  
Jeffrey I Golden

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room      5C**

11:00 AM

**8:19-12127    Richard J. Kelly and Mary J. Kelly**

**Chapter 7**

**#7.00**

CONT'D Hearing RE: Objection To Debtor's Claims Of Exemption On Amended Schedules

(Motion filed 6/19/2020)

**[Case transferred from MW on 2/24/2022]**

(Cont'd per Order Entered 2/25/2022)

FR: 7-20-20; 11-30-20; 1-25-21; 4-19-21; 7-14-21; 11-10-21; 1-26-22; 3-30-22;  
4-12-22; 7-26-22; 9-13-22; 12-13-22; 3-21-23; 7-11-23

Docket      59

**Tentative Ruling:**

Tentative for 1/16/24:

This matter is CONTINUED to May 14, 2024, at 11:00 a.m.

Appearances for the 1/16 hearing are excused.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Richard J. Kelly

Represented By  
J Scott Williams

**Joint Debtor(s):**

Mary J. Kelly

Represented By  
J Scott Williams

**Trustee(s):**

Jeffrey I Golden (TR)

Represented By  
Faye C Rasch  
Michael J. Weiland  
Beth Gaschen

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

11:00 AM

**8:19-12127 Richard J. Kelly**

**Chapter 7**

Adv#: 8:19-01183 Brinks, MD et al v. Kelly

**#8.00**

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine  
Dischargeability Of Debt Under 11 U.S.C. Sections 523(a)(4) And 523(a)(6)  
(Complaint filed 9/9/19)

(P/T set at 12/14/2020 Hrg.)

**[Case transferred from MW on 2/24/2022)**

(S/C set per Order Entered 2/25/2022)

FR: 11-27-19; 12-4-19; 4-22-20, 9-23-20; 12-2-20; 12-14-20; 11-3-21; 1-26-22;  
3-30-22; 4-4-22; 7-26-22; 10-11-22; 12-13-22; 5-30-23; 10-17-23

Docket 1

**Tentative Ruling:**

Tentative for 1/16/24:

This matter is CONTINUED to May 14, 2024, at 11:00 a.m.

Appearances for the 1/16 hearing are excused.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Richard J. Kelly

Represented By  
J Scott Williams

**Defendant(s):**

Richard J. Kelly

Represented By  
J Scott Williams

**Joint Debtor(s):**

Mary J. Kelly

Represented By  
J Scott Williams

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

11:00 AM

**CONT... Richard J. Kelly**

**Chapter 7**

**Plaintiff(s):**

James Emory Field, MD, Inc.

Represented By  
Brett Ramsaur  
J Scott Williams

Arno H Hanel, MD

Represented By  
Brett Ramsaur  
J Scott Williams

Michael J Herhusky, MD, Inc.

Represented By  
Brett Ramsaur  
J Scott Williams

Joel Nagafuji, MD, Inc.

Represented By  
Brett Ramsaur  
J Scott Williams

Andrey Rychkov, MD, Inc.

Represented By  
Brett Ramsaur  
J Scott Williams

Michael C. Scannell, MD, Inc.

Represented By  
Brett Ramsaur  
J Scott Williams

Scherling Medical, Inc.

Represented By  
Brett Ramsaur  
J Scott Williams

Stackpole, MD, Inc.

Represented By  
Brett Ramsaur  
J Scott Williams

Heinrich A Brinks, MD

Represented By  
Brett Ramsaur  
J Scott Williams

**Trustee(s):**

Jeffrey I Golden (TR)

Represented By  
Faye C Rasch

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

11:00 AM

**CONT...**

**Richard J. Kelly**

Michael J. Weiland  
Beth Gaschen

**Chapter 7**

**United States Bankruptcy Court  
Central District of California**

**Santa Ana**

**Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

11:00 AM

**8:19-12127 Richard J. Kelly**

**Chapter 7**

Adv#: 8:20-01137 Golden v. Eisen

**#9.00**

CONT'D STATUS CONFERENCE Hearing RE: Complaint:

(1) To Avoid And Recover Fraudulent Transfer Pursuant To 11 U.S.C. Sections 544(b) And 550; And California Civil Code Sections 3439.04(a)(1), 3439.07 And 3439.09;

(2) To Avoid And Recover Fraudulent Transfer Pursuant to 11 U.S.C. Sections 544(b) And 550; And California Civil Code Sections 3439.04(a)(2); 3439.07 And 3439.09;

(3) To Preserve Avoided Transfers Pursuant To 11 U.S.C. Section 551;

(4) For Authorization To Sell Real Property In Which Co-owner Holds Interest Pursuant To 11 U.S.C. Section 363(h)

(Complaint filed 9-24-20)

**[Case transferred from MW on 2/24/2022]**

(S/C Cont'd per Order Entered 2/25/2022 - docket no. 27)

FR: 12-16-20; 3-17-21; 5-19-21; 1-19-22; 2-9-22; advanced from 4-13-22; 4-12-22; 7-26-22; 9-13-22; 12-13-22; 3-21-23; 7-11-23

Docket 1

**Tentative Ruling:**

Tentative for 1/16/24:

This matter is CONTINUED to May 14, 2024, at 11:00 a.m.

Appearances for the 1/16 hearing are excused.

**Party Information**

**Debtor(s):**

Richard J. Kelly

Represented By  
J Scott Williams

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

11:00 AM

**CONT... Richard J. Kelly**

**Chapter 7**

**Defendant(s):**

Noam Eisen

Represented By  
Bruce Dannemeyer

**Joint Debtor(s):**

Mary J. Kelly

Represented By  
J Scott Williams

**Plaintiff(s):**

Jeffrey I Golden

Represented By  
Faye C Rasch

**Trustee(s):**

Jeffrey I Golden (TR)

Represented By  
Faye C Rasch  
Michael J. Weiland  
Beth Gaschen

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

11:00 AM

**8:20-10535 ARP-Loyalton Cogen LLC**

**Chapter 7**

**#10.00**

CONT'D Hearing RE: Chapter 7 Trustee's Motion For Order Disallowing The  
Following Claims:  
(Motion filed 10/6/2023)

(1) Claim No. 6-1	James Turner	\$48,159.78
(2) Claim No. 14-2	James Turner	\$27,583.82
(3) Claim No. 7-1	Bonnie M. Richards	\$17,128.68
(4) Claim No. 8-1	Bonnie M. Richards	\$7,853.43

FR: 11-7-23' 12-5-23

Docket 67

**Tentative Ruling:**

Tentative for 1/16/24:

This matter is CONTINUED to February 6, 2024, at 11:00 a.m. for the purpose of allowing Trustee to submit evidence supporting the proposed adjusted allowed claims amounts.

Trustee should file and serve a notice of continuance, a declaration and any other supporting evidence by no later than January 17, 2024, any opposition must be filed by no later than January 24, 2024, and any reply must be filed no later than January 30, 2024.

Appearances for the 1/16 are excused.

\*\*\*\*\*

Tentative for 12/5/23:

This matter is CONTINUED to January 16, 2024, at 11:00 a.m., with a



**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

11:00 AM

**CONT... ARP-Loyalton Cogen LLC**

**Chapter 7**

supplement due from the Chapter 7 Trustee regarding the status of the objection 14 days in advance.

Appearances for the 12/5 hearing are excused.

<b>Party Information</b>
--------------------------

**Debtor(s):**

ARP-Loyalton Cogen LLC

Represented By  
David B Golubchik  
Todd M Arnold

**Movant(s):**

Thomas H Casey (TR)

Pro Se

**Trustee(s):**

Thomas H Casey (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California**

**Santa Ana**

**Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

11:00 AM

**8:22-11915 Manzella Properties, LLC**

**Chapter 7**

**#11.00**

Hearing RE: Chapter 7 Trustee's Motion For Order Approving Mediated Settlement Regarding The Allowance Of Claim No. 7 Of Paul Kurz (Motion filed 12/5/2023)

Docket 302

**Tentative Ruling:**

Tentative for 1/16/24:

Trustee seeks approval of a compromise which would provide for the allowance of the secured claim of Mr. Kurtz in the amount of \$550,000 (resulting in a reduction of over \$200,000), in exchange for payment of the claim from escrow or the proceeds of the sale of the Property.

West Coast Ventures & Resources ("WCVR"), which claims to hold a senior secured claim to that of Mr. Kurtz, filed an objection, objecting solely to the timing of the payment of the claim. WCVR asserts that they have senior rights to payment ahead of Mr. Kurtz, and prematurely paying Mr. Kurtz's claim could possibly prevent WCVR's recovery if their own claim is sustained.

While Trustee asserts that application of the A&C factors warrants approval of the compromise, the Court is not satisfied at this time with the explanations put forth by Movant and desires to hear further arguments.

As noted in *In re A & C Properties*, 784 F.2d 1377 (9th Cir. 1986):

Creditors' objections to a compromise must be afforded deference. *In re Transcontinental*, 764 F.2d at 1299; accord, *In re Hallet*, 33 Bankr. at 566; *In re The General Store of Beverly Hills*, 11 Bankr. at 541. In addition, the bankruptcy court is obligated to preserve the rights of the creditors.

*Id.* at 1384. The Court would like to hear from the parties regarding the foregoing.

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

11:00 AM

**CONT... Manzella Properties, LLC**

**Chapter 7**

Virtual appearances are required. The hearing will take place using Zoom for Government, a free service that provides audioconference and videoconference capabilities. Only the parties, including counsels, their clients, and pro se individuals, may virtually join the hearing. No testimony, however, will be permitted unless specifically authorized by the Court either prior to, or during, the hearing. Parties virtually appearing should consult the NOTICE OF VIDEO AND TELEPHONIC APPEARANCE PROCEDURES FOR JUDGE SCOTT CLARKSON'S CASES for specific procedures and further information.

The audio portion of each hearing will be recorded electronically by the Court and constitute its official record. **By Order of the Judicial Conference of the United States, members of the general public may only view the hearings from the Courtroom, which will remain open, or access the hearing by audioconference only, as set forth below. This is a nationwide mandate and is not subject to this Court's discretion. The Court will have monitors on and viewable within the Courtroom for viewing.**

Hearing participants may connect to the videoconference through an Internet browser by entering the Videoconference URL shown below, as well as the meeting ID and password, when prompted.

Videoconference URL: <https://cacb.zoomgov.com/j/1617672751>

Meeting ID: 161 767 2751

Password: 836347

If a participant is unable to send and receive audio through his/her computer, or join the videoconference through an Internet browser for any reason, the audio of the hearing may be accessed by telephone using the below audio conference information. PLEASE BE ADVISED THAT THE GENERAL PUBLIC AND ALL MEDIA MAY ONLY USE THE AUDIO CONFERENCE SYSTEM BELOW AND MAY NOT UTILIZE THE VIDEO CONFERENCE SYSTEM.

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

11:00 AM

**CONT... Manzella Properties, LLC**

**Chapter 7**

Audioconference Tel. No.: +1 (669) 254 5252 or +1 (646) 828 7666

Meeting ID: 161 767 2751

Password: 836347

For further details, please consult the instructions on the Court's website  
<https://www.cacb.uscourts.gov/judges/honorable-scott-c-clarkson>.

Please note that default matters may be called prior to the videoconference, so there may be a slight delay to the official start time of the videoconference hearing.

As noted in the Court's Zoom Video Hearing Guide, located at <https://www.cacb.uscourts.gov/node/7890>, all persons are strictly prohibited from making any recording of court proceedings, whether by video, audio, "screenshot," or otherwise. Violation of this prohibition may result in the imposition of monetary and non-monetary sanctions.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Manzella Properties, LLC

Represented By  
Tracy Green  
Anthony W. Austin

**Movant(s):**

Karen S Naylor (TR)

Represented By  
Nanette D Sanders  
Ashley M Teesdale  
William Malcolm

**Trustee(s):**

Karen S Naylor (TR)

Represented By  
Nanette D Sanders  
Ashley M Teesdale

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

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**5C**

11:00 AM

**CONT...**

**Manzella Properties, LLC**

William Malcolm

**Chapter 7**

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

11:00 AM

**8:23-10839 Medici Partners, LLC**

**Chapter 7**

**#12.00**

Hearing RE: Motion To Compel Further Responses And For Sanctions Against  
Gus Dahleh  
(Motion filed 12/6/2023)

Docket 24

**Tentative Ruling:**

Tentative for 1/16/24:

This matter is hereby CONTINUED to January 30, 2024, at 11:00 a.m. to  
allow Movant to comply with Local Bankruptcy Rule 7030-1 and provide the  
Court with an original copy of the complete transcript being offered as  
evidence to support the motion.

Appearances for the 1/16 hearing are excused.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Medici Partners, LLC

Represented By  
Kevin Tang

**Movant(s):**

Nancy Goetz Tafoya

Represented By  
Joshua Mandell

**Trustee(s):**

Jeffrey I Golden (TR)

Pro Se

United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar

Tuesday, January 16, 2024

Hearing Room

5C

11:00 AM

8:23-11817 Cecelia Estelle Lane

Chapter 7

#13.00

CONT'D Hearing RE: Order To Show Cause RE Dismissal For Failure To  
Comply With Rule 1006(b)

**[RE: Final Installment Was Due On 10/16/2023 - Amount: \$138.00]**

FR: 11-14-23

Docket 15

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR - FINAL  
INSTALLMENT PAYMENT OF \$138.00 PAID ON 12-15-2023 - RECEIPT  
NUMBER 81000182**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

Cecelia Estelle Lane

Pro Se

**Trustee(s):**

Jeffrey I Golden (TR)

Pro Se

United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar

Tuesday, January 16, 2024

Hearing Room

5C

1:30 PM

**8:09-20845 Commercial Services Building Inc**

**Chapter 7**

Adv#: 8:23-01033 Anderson v. Filbeck et al

**#14.00**

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Declaratory  
Relief Pursuant To Fed. R. Bankr. P. 7001(9)  
(Complaint filed 4/26/2023)

**[Default judgment entered against David Brian Filbeck - dk. [25]]**

FR: 7-18-23; 10-17-23

Docket 1

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR PER DEFAULT  
JUDGMENT (WITHOUT PRIOR JUDGMENT) ENTERED 11-29-2023 -  
(DOCKET NO. [27])**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

Commercial Services Building Inc

Represented By  
Phillip B Greer

**Defendant(s):**

David Brian Filbeck

Pro Se

Jonette Terry Grand

Represented By  
Steven S Davis

**Plaintiff(s):**

Karl T. Anderson

Represented By  
Misty A Perry Isaacson

**Trustee(s):**

Karl T Anderson (TR)

Represented By  
Misty A Perry Isaacson  
Misty A Perry Isaacson



**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

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1:30 PM

**CONT...**

**Commercial Services Building Inc**

**Chapter 7**

Thomas J Polis  
Robert M Dato  
Jason E Goldstein

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

1:30 PM

**8:19-13858 Bruce Elieff**

**Chapter 7**

Adv#: 8:20-01046 Ehrenberg (TR) v. Benice et al

**#15.00**

CONT'D STATUS CONFERENCE RE: Complaint For Injunctive Relief  
(Complaint filed 4/10/2020)

**[Case Transferred From ES On 9/1/2022]**

(PTC set at S/C held 1/17/2023)

(PTC converted to S/C per Order Entered 6/15/2023 - Dk. No. [82])

FR: 7-16-20; 9-17-20; 11-19-20; 2-18-21; 5-20-21; 8-19-21; 12-2-21; 3-3-22;  
6-2-22; 10-6-22; 10-11-22; 1-17-23; advanced from 8-29-23; 8-28-23; 11-14-23

Docket 1

**Tentative Ruling:**

Tentative for 1/16/24:

This matter is CONTINUED to April 23, 2024, at 1:30 p.m. as a holding date,  
with a status report due 14 days in advance.

Appearances for the 1/16 hearing are excused.

\*\*\*\*\*

Tentative for 11/14/23:

The Court notes that no status report was filed for this hearing and that while the settlement was approved in the main case on November 1, 2023 [Dk. 1537], such approval does not eliminate the parties' requirement to file a joint status report while this adversary is pending. The Court will excuse the non-compliance in this instance, but the parties are cautioned that it may issue sanctions for future violations.

This matter is CONTINUED to January 16, 2024, at 1:30 p.m. as a holding date, with a status report due 14 days in advance if the matter has not otherwise been resolved.

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

1:30 PM

**CONT...**

**Bruce Elieff**

**Chapter 7**

Appearances for the 11/14 hearing are excused.

\*\*\*\*\*

Tentative for 8/28/23:

In light of the representations contained in the Unilateral Status Report filed 8/17/23 [Dk. 84] that a settlement has been reached, this matter is CONTINUED to November 14, 2023, at 1:30 p.m., with a status report due 14 days in advance. Plaintiff must file a motion to approve the settlement by no later than September 30, 2023.

Appearances for the 8/28 matter are excused.

\*\*\*\*\*

Tentative for 1/17/23:

The Court has reviewed the unilateral status reports filed by both parties [Dks. 70 and 71] and notes that neither conform to LBR 7016-1(a)(3). Specifically, neither party included a declaration setting forth attempts made by the party to obtain cooperation toward the filing of a joint status report or utilized the mandatory court form.

Notwithstanding the foregoing, the Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: June 1, 2023. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: July 21, 2023. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: August 29, 2023, at 1:30 p.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and dismissal of the complaint.

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

1:30 PM

**CONT...**

**Bruce Elieff**

**Chapter 7**

Plaintiff is to lodge a scheduling order within seven (7) days.

Virtual appearances are required.

\*\*\*\*\*

Tentative for 10/11/22:

This matter is CONTINUED to January 17, 2023, at 11:00 a.m. A status report is due 14 days in advance.

Appearances for the 10/11 hearing are excused.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Bruce Elieff

Represented By  
Lisa Nelson  
Robert P Goe

**Defendant(s):**

Jeffrey S. Benice

Represented By  
Jeffrey S Benice

Benice Law

Represented By  
Jeffrey S Benice

**Plaintiff(s):**

Howard M Ehrenberg (TR)

Represented By  
Alan G Tippie  
David V Sack  
Steven Werth  
Daniel A Lev

**Trustee(s):**

Howard M Ehrenberg (TR)

Represented By  
Alan G Tippie  
Daniel A Lev

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

1:30 PM

**CONT...**

**Bruce Elieff**

**Chapter 7**

Sean A OKeefe  
Claire K Wu  
Steven Werth

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

1:30 PM

**8:20-11055 Kornel Gerszi**

**Chapter 7**

Adv#: 8:21-01111 Marshack, Chapter 7 Trustee v. Gerszi

**#16.00**

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For:  
1. Avoidance And Recovery Of Constructive Fraudulent Transfers; And  
2. Avoidance And Recovery Of Intentional Fraudulent Transfers  
(Complaint filed 12/14/2021)  
(PTC set at S/C held 4/25/2023)

FR: 3-1-22; 3-22-22; 7-26-22; 10-25-22; 1-17-23; 2-14-23; 4-25-23; 10-24-23

Docket 1

**Tentative Ruling:**

Tentative for 1/16/24:

This matter is CONTINUED to February 27, 2024, at 1:30 p.m.

Appearances for the 1/16 hearing are excused.

\*\*\*\*\*

Tentative for 4/25/23:

The Court is inclined to set the following dates/deadlines:

1. Discovery cutoff: August 31, 2023. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: September 29, 2023. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: October 24, 2023, at 1:30 p.m.

The parties are specifically advised to cooperate and follow all local and federal rules. The failure to do so may result in the imposition of monetary and non-monetary sanctions, including the striking of the answer and

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
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**Tuesday, January 16, 2024**

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**5C**

1:30 PM

**CONT...**      **Kornel Gerszi**  
dismissal of the complaint.

**Chapter 7**

Plaintiff is to lodge a scheduling order within seven (7) days.

Virtual appearances are required.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Kornel Gerszi

Represented By  
Mark D Klein

**Defendant(s):**

Bridget B. Gerszi

Represented By  
Richard G. Heston

**Plaintiff(s):**

Richard A Marshack, Chapter 7

Represented By  
Robert P Goe  
Ryan S Riddles

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
Robert P Goe

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

1:30 PM

**8:21-10635 Alicia Marie Richards**

**Chapter 7**

Adv#: 8:23-01001 Marshack v. SchoolsFirst Federal Credit Union et al

**#17.00**

CONT'D Hearing RE: Motion To Vacate Dismissal And/Or Modify Order Of Dismissal To Retain Jurisdiction Over Attorney Fees And Costs  
(Motion filed 11/21/2023)

FR: 1-9-24

Docket 45

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR PER ORDER : (A) GRANTING MOTION TO VACATE DISMISSAL; (B) VACATING DISMISSAL; AND (C) SETTING HEARING ON STIPULATION TO DISMISS ENTERED 1-11-2024 - (DOCKET NO. [50])**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Alicia Marie Richards

Pro Se

**Defendant(s):**

SchoolsFirst Federal Credit Union

Represented By  
Paul V Reza

Alicia Marie Richards

Pro Se

**Movant(s):**

Alicia Marie Richards

Pro Se

**Plaintiff(s):**

Richard A Marshack

Represented By  
D Edward Hays  
Tinho Mang



**United States Bankruptcy Court  
Central District of California  
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Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

1:30 PM

**CONT... Alicia Marie Richards**

**Chapter 7**

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
Richard G. Heston  
D Edward Hays  
Tinho Mang

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

1:30 PM

**8:21-10635 Alicia Marie Richards**

**Chapter 7**

Adv#: 8:23-01022 Marshack v. Remsen et al

**#18.00**

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Avoidance,  
Preservation, And Recovery Of Pre-Petition And Post-Petition Transfers;  
Turnover Of Property Of The Estate  
(Complaint filed 3/10/2023)  
(Another Summons issued 3-27-2023)

FR: 5-30-23; 6-13-23; 10-24-23

Docket 1

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR PER ORDER ON  
MOTION FOR DEFAULT JUDGMENT ENTERED 11-3-2023 - (DOCKET  
NO. [32])**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Alicia Marie Richards

Pro Se

**Defendant(s):**

Lawrence Remsen

Pro Se

Jonathan Steven Richards

Pro Se

**Plaintiff(s):**

Richard A. Marshack

Represented By  
D Edward Hays  
Tinho Mang

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
Richard G. Heston  
D Edward Hays

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

1:30 PM

**CONT...**

**Alicia Marie Richards**

Tinho Mang

**Chapter 7**

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

1:30 PM

**8:21-10635 Alicia Marie Richards**

**Chapter 7**

Adv#: 8:23-01022 Marshack v. Remsen et al

**#19.00**

CONT'D Hearing RE: Motion To Vacate Defaults, Order For Default And  
Default Judgment  
(Motion filed 11/16/2023)

FR: 1-9-24

Docket 38

**\*\*\* VACATED \*\*\* REASON: CONTINUED TO JANUARY 30, 2024 AT  
1:30 P.M. PER ORDER (A) GRANTING ALICIA MARIE RICHARDS'  
REQUEST TO PERSONALLY APPEAR AT HEARINGS; (B)  
CONTINUING HEARINGS; (3) AUTHORIZING TELEPHONIC  
APPEARANCE OF LAWRENCE REMSEN ENTERED 1-11-12024 -  
(DOCKET NO. [59])**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Alicia Marie Richards	Pro Se
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**Defendant(s):**

Lawrence Remsen	Pro Se
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Jonathan Steven Richards	Pro Se
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**Movant(s):**

Lawrence Remsen	Pro Se
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Alicia Marie Richards	Pro Se
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**Plaintiff(s):**

Richard A. Marshack	Represented By D Edward Hays
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**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

1:30 PM

**CONT...**

**Alicia Marie Richards**

Tinho Mang

**Chapter 7**

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
Richard G. Heston  
D Edward Hays  
Tinho Mang

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

1:30 PM

**8:21-10635 Alicia Marie Richards**

**Chapter 7**

Adv#: 8:23-01022 Marshack v. Remsen et al

**#20.00**

CONT'D Hearing RE: Motion To Dismiss For Lack Of Subject Matter Jurisdiction Pursuant To FRCP 12(b)(1), Failure To State A Cause Of Action For Which Relief Can Be Granted Pursuant To FRCP 12(b)(6); And Lack Of Standing  
(Motion filed 11/16/2023)

FR: 1-9-24

Docket 37

**\*\*\* VACATED \*\*\* REASON: CONTINUED TO JANUARY 30, 2024 AT 1:30 P.M. PER ORDER (A) GRANTING ALICIA MARIE RICHARDS' REQUEST TO PERSONALLY APPEAR AT HEARINGS; (B) CONTINUING HEARINGS; (3) AUTHORIZING TELEPHONIC APPEARANCE OF LAWRENCE REMSEN ENTERED 1-11-2024 - (DOCKET NO. [59])**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Alicia Marie Richards	Pro Se
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**Defendant(s):**

Lawrence Remsen	Pro Se
Jonathan Steven Richards	Pro Se

**Movant(s):**

Lawrence Remsen	Pro Se
Alicia Marie Richards	Pro Se

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

1:30 PM

**CONT... Alicia Marie Richards**

**Chapter 7**

**Plaintiff(s):**

Richard A. Marshack

Represented By  
D Edward Hays  
Tinho Mang

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
Richard G. Heston  
D Edward Hays  
Tinho Mang

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

1:30 PM

**8:21-10635 Alicia Marie Richards**

**Chapter 7**

Adv#: 8:23-01022 Marshack v. Remsen et al

**#21.00**

CONT'D Hearing RE: Joint Motion To Intervene  
(Motion filed 11/16/2023)

FR: 1-9-24

Docket 35

**\*\*\* VACATED \*\*\* REASON: CONTINUED TO JANUARY 30, 2024 AT  
1:30 P.M. PER ORDER (A) GRANTING ALICIA MARIE RICHARDS'  
REQUEST TO PERSONALLY APPEAR AT HEARINGS; (B)  
CONTINUING HEARINGS; (3) AUTHORIZING TELEPHONIC  
APPEARANCE OF LAWRENCE REMSEN ENTERED 1-11-12024 -  
(DOCKET NO. [59])**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Alicia Marie Richards	Pro Se
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**Defendant(s):**

Lawrence Remsen	Pro Se
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Jonathan Steven Richards	Pro Se
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**Movant(s):**

Lawrence Remsen	Pro Se
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Alicia Marie Richards	Pro Se
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**Plaintiff(s):**

Richard A. Marshack	Represented By D Edward Hays Tinho Mang
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**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

1:30 PM

**CONT... Alicia Marie Richards**

**Chapter 7**

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
Richard G. Heston  
D Edward Hays  
Tinho Mang

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

1:30 PM

**8:21-11710 Jamie Lynn Gallian**

**Chapter 7**

Adv#: 8:21-01096 Jasso v. Gallian et al

**#22.00**

CONT'D STATUS CONFERENCE Hearing RE: Second Amended Complaint  
For Determination Of Dischargeability And Objecting To Debtor's Discharge  
Pursuant To Sections 523 And 727 Of The Bankruptcy Code

(Complaint filed 10/18/2021)

(First Amended Complaint filed 11/16/2021)

**[Case Transferred From ES On 9/1/2022]**

(Another Summons Issued 11/19/21)

(S/C set at hearing held 9/27/2022)

(Second Amended Complaint filed 1/28/2023)

(S/C set at PTC held 5/16/2023)

FR:2-10-22; 6-30-22; 9-22-22; 9-22-22; 9-27-22; 11-15-22; 2-14-23; 5-16-23;  
7-18-23

Docket 107

**\*\*\* VACATED \*\*\* REASON: CONTINUED TO APRIL 9, 2024 AT 1:30  
P.M. PER ORDER GRANTING MOTION TO CONTINUE STATUS  
CONFERENCE TO CONSERVE COURT RESOURCES ENTERED 12-26-  
2023 - (DOCKET NO. [130])**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Jamie Lynn Gallian

Pro Se

**Defendant(s):**

J-Pad, LLC

Pro Se

J-Sandcastle Co LLC

Pro Se

Jamie Lynn Gallian

Pro Se

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

1:30 PM

**CONT... Jamie Lynn Gallian**

**Chapter 7**

**Plaintiff(s):**

Janine Jasso

Pro Se

**Trustee(s):**

Jeffrey I Golden (TR)

Represented By  
Aaron E. DE Leest  
Eric P Israel

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

1:30 PM

**8:21-11886 Haah Automotive Holdings Inc.**

**Chapter 7**

Adv#: 8:22-01099 Marshack v. Leaders for Christ, Inc.

**#23.00**

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For:

(1) Avoidance, Preservation, And Recovery Of Actual Fraudulent Transfer

[11 U.S.C. Sections 544, 550, 551; Cal. Civ. Code Sections 3439.04, 3439.07]

(2) Avoidance, Preservation, And Recovery Of Constructive Fraudulent Transfer

[11 U.S.C. Sections 544, 550, 551; Cal. Civ. Code Sections 3439.05; And  
3439.07]

(3) Avoidance, Preservation, And Recovery Of Actual Fraudulent Transfer

[11 U.S.C. Sections 548(a)(1)(A), 550, And 551]

(4) Avoidance, Preservation, And Recovery Of Constructive Fraudulent Transfer

[11 U.S.C. Sections 548(a)(1)(B), 550, And 551]

(Complaint filed 11/16/2022)

(PTC set at S/C held 3/21/2023)

**[Adv. 8:22-ap-1099-SC Consolidated with Adv. 8:22-01009-SC - Dkt. [21])**

FR: 2-7-22; 3-21-23; 11-14-23

Docket 1

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR PER ORDER**

**APPROVING STIPULATION TO CONSOLIDATE RELATED**

**ADVERSARY PROCEEDINGS ENTERED 10-3-2023 - (DOCKET NO.**

**[21])**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

Haah Automotive Holdings Inc.

Represented By

Todd C. Ringstad

**Defendant(s):**

Leaders for Christ, Inc.

Represented By

Raoul J Severo

Lawrence La Rocca

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

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**Hearing Room**

**5C**

1:30 PM

**CONT... Haah Automotive Holdings Inc.**

**Chapter 7**

**Plaintiff(s):**

Richard A. Marshack

Represented By  
Chad V Haes

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
Chad V Haes  
Aram Ordubegian  
Annie Y Stoops  
Dylan J Yamamoto

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
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**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

1:30 PM

**8:21-11886 Haah Automotive Holdings Inc.**

**Chapter 7**

Adv#: 8:23-01079 Marshack v. Demontrond, III et al

**#24.00**

CONT'D STATUS CONFERENCE Hearing RE: Complaint For:

(1) Avoidance, Recovery, And Preservation Of Preferential Transfers

[11 U.S.C. Sections 547, 550, And 551]

(2) Avoidance, Preservation, And Recovery Of Intentional Fraudulent Transfer

[11 U.S.C. Sections 548, 550 And 551]

(3) Avoidance, Preservation, And Recovery Of Constructive Fraudulent Transfer

[11 U.S.C. Sections 548, 550, And 551]

(4) Substantive Consolidation Nunc Pro Tunc

(Complaint filed 7/28/2023)

FR: 10-17-23

Docket 1

**\*\*\* VACATED \*\*\* REASON: CONTINUED TO FEBRUARY 27, 2024 AT 1:30 P.M. PER ORDER APPROVING STIPULATION TO (1) CONTINUE STATUS CONFERENCE; (2) EXTEND STAY OF ADVERSARY PROCEEDING; (3) EXTEND DEFENDANTS' DEADLINE TO FILE RESPONSE; AND RESERVATION OF RIGHTS TO FILE AMENDED COMPLAINT AND OBJECT TO EMPLOYMENT ENTERED 1-8-2024 - (DOCKET NO. [24])**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Haah Automotive Holdings Inc.

Represented By  
Todd C. Ringstad

**Defendant(s):**

George A. Demontrond III

Represented By  
Andrew B Levin

Demontrond Buick Company

Represented By

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

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**5C**

1:30 PM

**CONT... Haah Automotive Holdings Inc.**

**Chapter 7**

Andrew B Levin

HAAH International Holdings, Inc.

Represented By  
Andrew B Levin

**Plaintiff(s):**

Richard A. Marshack

Represented By  
Chad V Haes  
Sarah Rose Hasselberger

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
Chad V Haes  
Aram Ordubegian  
Annie Y Stoops  
Dylan J Yamamoto

United States Bankruptcy Court  
Central District of California

Santa Ana

Scott Clarkson, Presiding  
Courtroom 5C Calendar

Tuesday, January 16, 2024

Hearing Room

5C

1:30 PM

8:21-12176 Scott Warren Cohen

Chapter 7

Adv#: 8:21-01106 Akyuz et al v. Cohen

#25.00

CONT'D STATUS CONFERENCE Hearing RE: Plaintiffs' Complaint To  
Determine Non-Dischargeability Of Debt Pursuant To 11 USC 523(a)(2)(A) & (6)  
(Complaint filed 12/6/2021)

(Another Summons Issued 12-22-21)

**[Case Transferred From ES On 9/1/2022]**

(PTC converted to S/C per Order Entered 11-13-23 - dk. 40)

FR: 3-31-22; 4-7-22; 10-13-22; 10-25-22; 4-11-23 at 11:00 a.m.; 4-11-23;  
9-12-23; 11-14-23

Docket 1

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR PER NON-  
DISCHARGEABLE JUDGMENT PURSUANT TO STIPULATION  
ENTERED 12-22-2023 - (DOCKET NO.: [45])**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

Scott Warren Cohen

Represented By  
Leonard M Shulman  
Ryan D O'Dea  
Max Casal

**Defendant(s):**

Scott Warren Cohen

Represented By  
Franklin J Contreras

**Plaintiff(s):**

Rebecca Akyuz

Represented By  
Paul J Kurtzhall

Linda Akyuz

Represented By



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Santa Ana  
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**CONT...**

**Scott Warren Cohen**

Paul J Kurtzhall

**Chapter 7**

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
William J Wall

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

1:30 PM

**8:22-10960 Shaun D. Etchegoyen**

**Chapter 7**

Adv#: 8:22-01081 Pattillo et al v. Etchegoyen

**#26.00**

CONT'D STATUS CONFERENCE Hearing RE: Plaintiffs David Pattillo And Claudia Russell's Complaint For: 1. Determine Dischargeability Of Debt Under Sections 523(a)(2); 523(a)(4) And 523(a)(6) Of The Bankruptcy Code (Complaint filed 9/16/2022)

FR: advanced from 12-13-22; 12-8-22; 1-18-23; 7-18-23

Docket 1

**Tentative Ruling:**

Tentative for 1/16/24:

This matter is CONTINUED to March 26, 2024, at 1:30 p.m., pending resolution of Adversary 8:22-ap-01084-SC, which is the 727 action filed by the Chapter 7 Trustee against Debtor. A status report, whether unilateral or joint, is required to be filed 14 days in advance of the continued hearing.

The parties may seek an earlier hearing upon written application to the Court.

Appearances for the 1/16 hearing are excused.

\*\*\*\*\*

Tentative for 7/18/23:

This matter is CONTINUED to January 16, 2024, at 1:30 p.m., pending resolution of Adversary 8:22-ap-01084-SC, which is the 727 action filed by Chapter 7 Trustee against Debtor. A status report, whether unilateral or joint, is required to be filed 14 days in advance of the continued hearing.

The parties may seek an earlier hearing upon written application to the Court.

Appearances for the 7/18 hearing are excused.

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Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

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**Hearing Room**

**5C**

1:30 PM

**CONT... Shaun D. Etchegoyen**

**Chapter 7**

\*\*\*\*\*

Tentative for 1/18/23:

This matter is CONTINUED to July 18, 2023, at 11:00 a.m., pending resolution of Adversary 8:22-ap-01084-SC, which is the 727 action filed by Chapter 7 Trustee against Debtor. A status report, whether unilateral or joint, is required to be filed 14 days in advance of the continued hearing.

The parties may seek an earlier hearing upon written application to the Court.

Appearances for the 1/18 hearing are excused.

\*\*\*\*\*

Tentative for 12/8/22:

This matter is CONTINUED to January 18, 2023, at 11:00 a.m., in light of the representations contained in the unilateral status report filed 11/28/22 [Dk. 7]. A status report, whether unilateral or joint, is required to be filed 14 days in advance of the hearing.

Appearances for the 12/8 hearing are excused.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Shaun D. Etchegoyen

Represented By  
Joseph A Weber

**Defendant(s):**

Shaun D. Etchegoyen

Represented By  
Fritz J Firman

**Plaintiff(s):**

David Pattillo

Represented By  
Thomas A Vogeles

Claudia Russell

Represented By  
Thomas A Vogeles

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
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1:30 PM

**CONT... Shaun D. Etchegoyen**

**Chapter 7**

**Trustee(s):**

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

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**Hearing Room**

**5C**

1:30 PM

**8:22-10960 Shaun D. Etchegoyen**

**Chapter 7**

Adv#: 8:22-01083 Leonhardt et al v. Etchegoyen

**#27.00**

CONT'D STATUS CONFERENCE Hearing RE: Plaintiffs Howard And Kelsie Leonhardt's Complaint For: 1. Determine Dischargeability Of Debt Under Sections 523(a)(2), 523(a)(4) And 523(a)(6)  
(Complaint filed 9/19/2022)

FR: advanced from 12-13-22; 12-8-22; 1-18-23; 7-18-23

Docket 1

**Tentative Ruling:**

Tentative for 1/16/24:

This matter is CONTINUED to March 26, 2024, at 1:30 p.m., pending resolution of Adversary 8:22-ap-01084-SC, which is the 727 action filed by the Chapter 7 Trustee against Debtor. A status report, whether unilateral or joint, is required to be filed 14 days in advance of the continued hearing.

The parties may seek an earlier hearing upon written application to the Court.

Appearances for the 1/16 hearing are excused.

\*\*\*\*\*

Tentative for 7/18/23:

As of the date of the posting of this tentative, no status report has been filed in contravention with the local rules. However, the Court observes that the latest status report filed 1/4/23 [Dk. 11] sought tolling of the outcome of the adversary proceeding pending the resolution of Adversary 8:22-ap-01084-SC, which is the 727 action filed by Chapter 7 Trustee against Debtor. Accordingly, the Court will excuse the non-compliance in this instance and CONTINUE this matter to January 16, 2024, at 1:30 p.m.

A status report, whether unilateral or joint, is required to be filed 14 days in

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**CONT...**

**Shaun D. Etchegoyen**

**Chapter 7**

advance of the continued hearing. Failure to file a status report may result in monetary or non-monetary sanctions, including the dismissal of the complaint or striking of the answer.

The parties may seek an earlier hearing upon written application to the Court.

Appearances for the 7/18 hearing are excused.

\*\*\*\*\*

Tentative for 1/18/23:

This matter is CONTINUED to July 18, 2023, at 11:00 a.m., pending resolution of Adversary 8:22-ap-01084-SC, which is the 727 action filed by Chapter 7 Trustee against Debtor. A status report, whether unilateral or joint, is required to be filed 14 days in advance of the continued hearing.

The parties may seek an earlier hearing upon written application to the Court.

Appearances for the 1/18 hearing are excused.

\*\*\*\*\*

Tentative for 12/8/22:

This matter is CONTINUED to January 18, 2023, at 11:00 a.m., in light of the representations contained in the unilateral status report filed 11/28/22 [Dk. 7]. A status report, whether unilateral or joint, is required to be filed 14 days in advance of the hearing.

Appearances for the 12/8 hearing are excused.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Shaun D. Etchegoyen

Represented By  
Joseph A Weber

**Defendant(s):**

Shaun D. Etchegoyen

Represented By

**United States Bankruptcy Court  
Central District of California  
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**CONT...**

**Shaun D. Etchegoyen**

Fritz J Firman

**Chapter 7**

**Plaintiff(s):**

Howard Leonhardt

Represented By  
Thomas A Vogele

Kelsie Leonhardt

Represented By  
Thomas A Vogele

**Trustee(s):**

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
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**Tuesday, January 16, 2024**

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**5C**

1:30 PM

**8:22-11276 Renee Annis Walz**

**Chapter 7**

Adv#: 8:22-01096 Brookville Advisory LLC v. Walz et al

**#28.00**

Hearing RE: Plaintiff's Motion For Sanctions Striking Defendant's Answer And  
Entering A Default  
(Motion filed 12/19/2023)

Docket 44

**Tentative Ruling:**

Tentative for 1/16/24:

The Court is inclined to DENY the Motion as Plaintiff has not met its burden in demonstrating that terminating sanctions are warranted; as set forth below, it is Plaintiff's burden to prove its case, however, Plaintiff has not filed any motions to compel and this motion is filed beyond the relevant cutoff dates. Thus, in the context of a noticed motion, the Court has not previously considered, or been presented with the option of, whether lesser sanctions would have been appropriate.

Plaintiff initiated the instant adversary on November 4, 2022, and Defendant Renee Annis Walz filed an Answer on December 5, 2022 [Dk. 6]. Under FRBP 4005, it is the plaintiff who has the burden of proof in objecting to discharge, not the defendant. Here, Plaintiff requests that the Court impose terminating sanctions.

The Ninth Circuit has stated there are five factors a trial court should weigh in determining whether to issue terminating sanctions (1) the public's interest in expeditious resolution of litigation; (2) the court's need to manage its docket; (3) the risk of prejudice to the defendant; (4) the public policy favoring disposition of cases on their merits; and (5) the availability of less drastic sanctions. *Malone v. U.S. Postal Serv.*, 833 F.2d 128, 130 (9th Cir. 1987) (citing *Thompson v. Hous. Auth.*, 782 F.2d 829, 832 (9th Cir.), *cert. denied*, 479 U.S. 829 (1986)).

On May 16, 2023, the Court held the initial status conference in this case and



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**CONT...**

**Renee Annis Walz**

**Chapter 7**

on July 27, 2023, the Court entered a Scheduling Order [Dk. 22] which provided the discovery and motion cutoff dates. Plaintiff's Motion is premised on Defendant not participating in the litigation; however, Plaintiff did not file any motions to compel before this Court and the deadline to do so has now passed. (A "scheduling conference order is not a frivolous piece of paper, idly entered, which can be cavalierly disregarded without peril." *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 610 (9th Cir. 1992)).

In the instant case, it is Plaintiff who has the burden to prosecute its case (see, e.g., FRBP 4005). A trial date has been set and Plaintiff can prove up its case at trial. Plaintiff also has an appropriate remedy at trial regarding Defendant's alleged lack of participation in the litigation – it can file a motion in limine to prohibit Defendant from introducing discovery. Finally, and contrary to Plaintiff's assertions, the Court has not considered lesser sanctions.

The disposition of this Motion, and the determination of appropriate sanctions for failing to participate in discovery, is within the Court's discretion, *See Nat'l Hockey League v. Metro. Hockey Club*, 427 U.S. 639, 642, 96 S.Ct. 2778, 49 L.Ed.2d 747 (1976). As the factors under *Malone v. U.S. Postal Serv.*, 833 F.3d 128 (9th Cir. 1987) have not been met, terminating sanctions are inappropriate. Thus, the Court is inclined to DENY the Motion.

Virtual appearances are required. The hearing will take place using Zoom for Government, a free service that provides audioconference and videoconference capabilities. Only the parties, including counsels, their clients, and pro se individuals, may virtually join the hearing. No testimony, however, will be permitted unless specifically authorized by the Court either prior to, or during, the hearing. Parties virtually appearing should consult the NOTICE OF VIDEO AND TELEPHONIC APPEARANCE PROCEDURES FOR JUDGE SCOTT CLARKSON'S CASES for specific procedures and further information.

The audio portion of each hearing will be recorded electronically by the Court and constitute its official record. **By Order of the Judicial Conference of the United States, members of the general public may only view the hearings from the Courtroom, which will remain open, or access the**

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**Santa Ana**

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**CONT...**

**Renee Annis Walz**

**Chapter 7**

**hearing by audioconference only, as set forth below. This is a nationwide mandate and is not subject to this Court's discretion. The Court will have monitors on and viewable within the Courtroom for viewing.**

Hearing participants may connect to the videoconference through an Internet browser by entering the Videoconference URL shown below, as well as the meeting ID and password, when prompted.

Videoconference URL: <https://cacb.zoomgov.com/j/1605475002>

Meeting ID: 160 547 5002

Password: 722166

If a participant is unable to send and receive audio through his/her computer, or join the videoconference through an Internet browser for any reason, the audio of the hearing may be accessed by telephone using the below audio conference information. PLEASE BE ADVISED THAT THE GENERAL PUBLIC AND ALL MEDIA MAY ONLY USE THE AUDIO CONFERENCE SYSTEM BELOW AND MAY NOT UTILIZE THE VIDEO CONFERENCE SYSTEM.

Audioconference Tel. No.: +1 (669) 254 5252 or +1 (646) 828 7666

Meeting ID: 160 547 5002

Password: 722166

For further details, please consult the instructions on the Court's website <https://www.cacb.uscourts.gov/judges/honorable-scott-c-clarkson>.

Please note that default matters may be called prior to the videoconference, so there may be a slight delay to the official start time of the videoconference hearing.

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**CONT... Renee Annis Walz**

**Chapter 7**

As noted in the Court's Zoom Video Hearing Guide, located at <https://www.cacb.uscourts.gov/node/7890>, all persons are strictly prohibited from making any recording of court proceedings, whether by video, audio, "screenshot," or otherwise. Violation of this prohibition may result in the imposition of monetary and non-monetary sanctions.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Renee Annis Walz

Represented By  
Michael G Spector

**Defendant(s):**

Renee Annis Walz

Pro Se

Michael Spector

Pro Se

**Movant(s):**

Brookville Advisory LLC

Represented By  
Michele E Cosenza

**Plaintiff(s):**

Brookville Advisory LLC

Represented By  
Michele E Cosenza

**Trustee(s):**

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
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**8:22-11915 Manzella Properties, LLC**

**Chapter 7**

Adv#: 8:23-01012 Kurz v. South County Concepts, Inc. et al

**#29.00**

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For:

1. Breach Of Written Amended Secured Promissory Note;
2. Breach Of Guaranty;
3. Foreclosure Of Deed Of Trust;
4. Breach Of Security Agreement;
5. Declaratory Relief; And
6. Common Counts

**[Orange County Superior Court Case No.: 30-2022-01274030-CU-BC-CJC]**  
(Notice of Removal filed 2/7/2023)  
(PTC set at S/C held 7/18/2023)

FR: 4-12-23; 6-28-23; 7-18-23

Docket 1

**\*\*\* VACATED \*\*\* REASON: RESCHEDULED AS A STATUS  
CONFERENCE TO JANUARY 16, 2024 AT 1:30 P.M. PER ORDER  
APPROVING STIPULATION TO VACATE SCHEDULING ORDER AND  
CHANGE PRE-TRIAL CONFERENCE TO STATUS CONFERENCE  
ENTERED 9-26-2033 - (DOCKET NO. [39])**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Manzella Properties, LLC

Represented By  
Tracy Green  
Anthony W. Austin

**Defendant(s):**

South County Concepts, Inc.

Pro Se

Manzella Properties, LLC

Represented By  
Tracy Green

**United States Bankruptcy Court  
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**CONT...      Manzella Properties, LLC**

**Chapter 7**

Michele Manzella

Represented By  
Melissa Davis Lowe

**Plaintiff(s):**

Paul Kurz

Represented By  
Michael G Spector

**Trustee(s):**

Karen S Naylor (TR)

Represented By  
Nanette D Sanders  
Ashley M Teesdale  
William Malcolm

United States Bankruptcy Court  
Central District of California

Santa Ana

Scott Clarkson, Presiding  
Courtroom 5C Calendar

Tuesday, January 16, 2024

Hearing Room

5C

1:30 PM

**8:22-11915 Manzella Properties, LLC**

**Chapter 7**

Adv#: 8:23-01012 Kurz v. South County Concepts, Inc. et al

**#30.00**

CONT'D STATUS CONFERENCE Hearing RE: Complaint For:

1. Breach Of Written Amended Secured Promissory Note;
2. Breach Of Guaranty;
3. Foreclosure Of Deed Of Trust;
4. Breach Of Security Agreement;
5. Declaratory Relief; And
6. Common Counts

**[Orange County Superior Court Case No.: 30-2022-01274030-CU-BC-CJC]**

(Notice of Removal filed 2/7/2023)

(PTC set at S/C held 7/18/2023)

(Rescheduled as a S/C per Order Entered 9-26-23)

FR: 4-12-23; 6-28-23; 7-18-23; 1-16-24

Docket 1

**\*\*\* VACATED \*\*\* REASON: CONTINUED TO MARCH 26, 2024 AT  
1:30 P.M. PER ORDER APPROVING STIPULATION TO CONTINUE  
STATUS CONFERENCE AND EXTEND DISCOVERY RESPONSE  
DEADLINE ENTERED 1-8-2024 - (DOCKET NO. [43])**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

Manzella Properties, LLC

Represented By  
Tracy Green  
Anthony W. Austin

**Defendant(s):**

South County Concepts, Inc.

Pro Se

Manzella Properties, LLC

Represented By  
Tracy Green

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

1:30 PM

**CONT... Manzella Properties, LLC**

**Chapter 7**

Michele Manzella

Represented By  
Melissa Davis Lowe

**Plaintiff(s):**

Paul Kurz

Represented By  
Michael G Spector

**Trustee(s):**

Karen S Naylor (TR)

Represented By  
Nanette D Sanders  
Ashley M Teesdale  
William Malcolm

**United States Bankruptcy Court  
Central District of California**

**Santa Ana**

**Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

1:30 PM

**8:23-10571 The Litigation Practice Group P.C.**

**Chapter 11**

Adv#: 8:23-01046 Marshack v. Diab et al

**#31.00**

CONT'D STATUS CONFERENCE Hearing RE: Second Amended Complaint  
For:

- (1) Injunctive Relief;
  - (2) Avoidance, Recovery, And Preservation Of Two-Year Actual Fraudulent Transfers;
  - (3) Avoidance, Recovery, And Preservation Of Two-Year Constructive Fraudulent Transfers;
  - (4) Avoidance, Recovery, And Preservation Of Four-Year Actual Fraudulent Transfers;
  - (5) Avoidance, Recovery, And Preservation Of Four-Year Constructive Fraudulent Transfers; And
  - (6) Turnover
- (Complaint filed 5/25/2023)  
(Amended Complaint filed 6/15/2023)  
(Another Summons issued 6/23/2023)  
(Second Amended Complaint filed 10/13/2023)  
(Another summons issued 10/27/2023)

**[United States Parcel Service dismissed 7/24/2023 -dk. 103]**

**[Phoenix Law Group, Inc. dismissed 8/1/2023 - dk. 119]**

**[Han and Jayde Trinh dismissed 10/5/2023 - dk. 219]**

**[Galland Law Group, PC and Center Pointe Law, PC - dismissed 10/6/2023 - dk. 221]**

**[Occams Advisory, Inc.. dismissed 11-8-2023 - dk. 270]**

**[Teracel Blockchain Fund LLC - dismissed 11-8-2023 - dk. 270]**

**[Chris Winslow - dismissed 11-8-2023 - dk. 270]**

**[B.A.T., Inc. d/b/a Coast Processing - dismissed 11-8-2023 - dk. 270]**

**[Guardian - dismissed 11-8-2023 - dk. 270]**

**[Maverick Management, LLC - dismissed 11-8-2023 - dk. 270]**

**[Eng Tang - dismissed 11-8-2023 - dk. 270]**

**[WorldPay, Inc. - dismissed 11-8-2023 - dk. 270]**

**[William Taylor Carrs - dismissed 11-8-2023 - dk. 270]**

**[Maria Eeyah Tan - dismissed 11-8-2023 - dk. 270]**

FR: 8-15-23; 8-29-23; 9-12-23; 9-14-23; 11-16-23



**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
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**Tuesday, January 16, 2024**

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**5C**

1:30 PM

**CONT...**

**The Litigation Practice Group P.C.**

**Chapter 11**

Docket 226

**\*\*\* VACATED \*\*\* REASON: CONTINUED TO FEBRUARY 7, 2024 AT 1:30 P.M. PER ORDER DENYING DEFENDANTS ENG TAING AND TOUZI CAPITAL, LLC'S MOTION TO DISMISS SECOND AMENDED COMPLAINT UNDER FEDERAL RULE OF BANKRUPTCY PROCEDURE RULE 7012 AND FEDERAL RULE OF CIVIL PROCEDURE 12(b)(6) AND CONTINUING STATUS CONFERENCE ENTERED 12-22-2023 - (DOCKET NO.: [299])**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

The Litigation Practice Group P.C.

Represented By  
Joon M Khang

**Defendant(s):**

BankUnited, N.A.

Represented By  
Howard Steinberg

Revolv3, Inc.

Pro Se

Fidelity National Information

Pro Se

Worldpay, Inc.

Pro Se

Worldpay Group

Pro Se

Merit Fund, LLC

Pro Se

Guardian

Pro Se

The United States Postal Service

Pro Se

Fidelity National Information

Represented By  
Michael T Delaney

Worldpay, LLC

Pro Se

Touzi Capital, LLC

Represented By

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

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**CONT... The Litigation Practice Group P.C.**

**Chapter 11**

Daniel H Reiss

Marich Bein, LLC

Represented By  
David S Kupetz

Heng Taing

Pro Se

Stripe, Inc.

Represented By  
Eric D Goldberg

Seamless Chex Inc.

Pro Se

Phoenix Law, PC

Pro Se

Payliance, LLC

Represented By  
Keith Barnett

Maverick Management Group, LLC

Pro Se

Guardian Processing, LLC

Pro Se

Dwolla, Inc.

Pro Se

Max Chou

Pro Se

BAT Inc. dba Coast Processing

Pro Se

Gallant Law Group

Represented By  
Meredith King

OptimumBank Holdings, Inc.

Represented By  
Matthew A Lesnick  
Lisa Patel

Eng Taing

Represented By  
Daniel H Reiss

Optimumbank Holdings, Inc.

Pro Se

World Global

Pro Se

Jimmy Chhor

Pro Se

Rosa Bianca Loli

Represented By  
Leslie A Cohen

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

1:30 PM

**CONT... The Litigation Practice Group P.C.**

**Chapter 11**

Lisa Cohen

Represented By  
Leslie A Cohen

William Taylor Carss

Pro Se

Eng Tang

Pro Se

Maria Eeya Tan

Pro Se

Jake Akers

Pro Se

Han Trinh

Represented By  
Kathleen P March

Jayde Trinh

Represented By  
Kathleen P March

Wes Thomas

Pro Se

Scott James Eadie

Represented By  
Douglas A Plazak

Authorize Net

Pro Se

Daniel S. March

Pro Se

Dongliang Jiang

Pro Se

Greyson Law Center PC

Represented By  
Kathleen P March

Phoenix Law Group, Inc.

Pro Se

Maverick Management, LLC

Pro Se

LGS Holdco, LLC

Represented By  
Daniel A Lev

Consumer Legal Group, PC

Represented By  
Ronald N Richards  
Daniel A Lev

Vulcan Consulting Group LLC

Pro Se

B.A.T. Inc.

Pro Se

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

1:30 PM

**CONT... The Litigation Practice Group P.C.**

**Chapter 11**

Prime Logix, LLC Pro Se

Teracel Blockchain Fund II LLC Pro Se

EPPS Pro Se

Equipay Pro Se

Oakstone Law Group PC Pro Se

Tony Diab Pro Se

**Plaintiff(s):**

Richard A. Marshack

Represented By

Christopher Ghio

Christopher Celentino

Jonathan Serrano

Yosina M Lissebeck

**Trustee(s):**

Richard A Marshack (TR)

Represented By

D Edward Hays

Christopher Celentino

Laila Masud

Jonathan Serrano

Christopher Ghio

Yosina M Lissebeck

Peter W Bowie

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

1:30 PM

**8:23-11037 Thomas Allen Windham**

**Chapter 7**

Adv#: 8:23-01091 Palm Springs Village-309, LLC v. Windham

**#32.00**

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine  
Nondischargeability Of Debt Pursuant To 11 U.S.C. Section 523  
(Complaint filed 8/23/2023)

FR: 11-14-23

Docket 1

**Tentative Ruling:**

Tentative for 1/16/24:

In light of the Court's tentative to grant the motion for default judgment on related matter #33, the status conference will go off calendar.

Appearances for the 1/16 hearing are excused.

\*\*\*\*\*

Tentative for 11/14/23:

This matter is CONTINUED to January 16, 2024, at 1:30 p.m., with a status report due 14 days in advance.

Plaintiff is to file its motion for default judgment by no later than December 15, 2023, which may be determined with or without a hearing, as per applicable local rules.

Appearances for the 11/14 hearing are excused.

<b>Party Information</b>
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**Debtor(s):**

Thomas Allen Windham

Represented By  
Richard G. Heston

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

**Hearing Room**

**5C**

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**CONT... Thomas Allen Windham**

**Chapter 7**

**Defendant(s):**

Thomas Allen Windham

Pro Se

**Plaintiff(s):**

Palm Springs Village-309, LLC

Represented By  
Michael A Wallin

**Trustee(s):**

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Tuesday, January 16, 2024**

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1:30 PM

**8:23-11037 Thomas Allen Windham**

**Chapter 7**

Adv#: 8:23-01091 Palm Springs Village-309, LLC v. Windham

**#33.00**

Hearing RE: Plaintiff's Motion For Entry Of Default Judgment Against Thomas Allen Windham  
(Motion filed 12/14/2023)

Docket 9

**Tentative Ruling:**

Tentative for 1/16/24 is to GRANT.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Movant is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and Movant will be so notified.

Parties wishing to make an appearance must do so by appearing in the Courtroom or by utilizing Zoom for Government, a free service that provides audioconference capabilities, using the following information.

Audioconference Tel. No.: +1 (669) 254 5252 or +1 (646) 828 7666

Meeting ID: 160 547 5002

Password: 722166

Parties making telephonic appearances are reminded to have all relevant filings/information easily accessible during the hearing. Parties should consult the NOTICE OF VIDEO AND TELEPHONIC APPEARANCE PROCEDURES FOR JUDGE SCOTT CLARKSON'S CASES for specific procedures and further information.

As a reminder, members of the general public wishing to *view* the hearings may do so from the Courtrooms, which remain open and accessible. Any

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
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**Tuesday, January 16, 2024**

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**CONT... Thomas Allen Windham**

**Chapter 7**

party, however, may *listen* to the hearing by audioconference, as noted above.

Movant to lodge an order within seven (7) days.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Thomas Allen Windham

Represented By  
Richard G. Heston

**Defendant(s):**

Thomas Allen Windham

Pro Se

**Movant(s):**

Palm Springs Village-309, LLC

Represented By  
Michael A Wallin

**Plaintiff(s):**

Palm Springs Village-309, LLC

Represented By  
Michael A Wallin

**Trustee(s):**

Richard A Marshack (TR)

Pro Se