

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

**Wednesday, January 31, 2024**

**Hearing Room**

**5C**

10:00 AM

**8:21-12194 Eric Scott Cunningham**

**Chapter 7**

**#1.00**

Hearing RE: Motion for relief from stay [Real Property]

Metropolitan Life Insurance Company, Its Assignees And/Or Successors, By  
And Through Its Servicing Agent Fay Servicing, LLC vs. DEBTOR  
(Motion filed 12/22/2023)

**[RE: 1005 South Mountvale Court, Anaheim Hills, CA 92808]**

Docket 170

**Tentative Ruling:**

Tentative for 1/31/24 is to DENY as Movant possesses in excess of a 40% equity cushion. The Ninth Circuit has held that a 20% equity cushion adequately protects a creditor's security interest. *In re Mellor*, 734 F.2d 1396, 1401 (9<sup>th</sup> Cir. 1984).

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.

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**CONT... Eric Scott Cunningham**

**Chapter 7**

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/1617217190>

Meeting ID: 161 721 7190

Password: 941643

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**CONT... Eric Scott Cunningham**

**Chapter 7**

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

**Debtor(s):**

Eric Scott Cunningham

Represented By  
Bert Briones

**Movant(s):**

Metropolitan Life Insurance

Represented By  
Jennifer C Wong

**Trustee(s):**

David Keith Gottlieb (TR)

Represented By  
Carmela Pagay

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**8:23-12162 Max Antony Hernandez**

**Chapter 7**

**#2.00**

Hearing RE: Motion for relief from stay [Unlawful Detainer]

Wateridge Apartment Homes vs. DEBTOR  
(Motion filed 1/9/2024)

**[RE: 2200 East Ball Road, Unit 82, Anaheim, CA 92806]**

Docket 38

**Tentative Ruling:**

Tentative for 1/31/24:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver and annulment, as requested.

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.

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**CONT... Max Antony Hernandez**

**Chapter 7**

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 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):**

Max Antony Hernandez

Pro Se

**Movant(s):**

WATERIDGE APARTMENT

Represented By  
Richard Sontag

**Trustee(s):**

Karen S Naylor (TR)

Pro Se

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**8:23-12214 Sarah Ashley Pavlik**

**Chapter 7**

**#3.00**

Hearing RE: Motion for relief from stay [Unlawful Detainer]

Rick And Warner, LLC vs. DEBTOR  
(Motion filed 12/21/2023)

**[RE: 370 Loma Terrace, #C, Laguna Beach, CA 92651]**

Docket 20

**Tentative Ruling:**

Tentative for 1/31/24:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

Debtor's motion for a continuance filed January 29, 2024 [Dk. 22] is denied. Movant has demonstrated a colorable claim. The issues raised by Debtor constitute defenses to the pending state court unlawful detainer proceeding and are appropriately determined by that court. Debtor can and should raise all of her defenses in the state court proceeding.

As explained by the Bankruptcy Appellate Panel:

Given the limited grounds for obtaining a motion for relief from stay, read in conjunction with the expedited schedule for a hearing on the motion, most courts hold that motion for relief from stay hearings should not involve an adjudication of the merits of claims, defenses, or counterclaims, but simply determine whether the creditor has a colorable claim to the property of the estate. See *In re Johnson*, 756 F.2d 738, 740 (9th Cir.), cert. denied, 474 U.S. 828, 88 L. Ed. 2d 72, 106 S. Ct. 88 (1985) ("Hearings on relief from the automatic stay are thus handled in a summary fashion. The validity of the claim or contract underlying [\*\*13] the claim is not litigated during the hearing.") (citation omitted); *In re Ellis*, 60 B.R. 432, 436 (9th Cir. BAP 1985) ("In

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**Sarah Ashley Pavlik**

**Chapter 7**

any case, stay litigation is not the proper vehicle for determination of the nature and extent of those rights."); *Grella*, 42 F.3d at 33 ("We find that a hearing on a motion for relief from stay is merely a summary proceeding of limited effect, and . . . a court hearing a motion for relief from stay should seek only to determine whether the party seeking relief has a colorable claim to property of the estate.")

*Biggs v. Stovin (In re Luz Int'l)*, 219 B.R. 837, 842 (B.A.P. 9th Cir. 1998).

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**CONT... Sarah Ashley Pavlik**

**Chapter 7**

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

**Debtor(s):**

Sarah Ashley Pavlik

Pro Se

**Movant(s):**

Rick and Warner LLC

Represented By  
Larry Rothman



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**CONT...**      **Sarah Ashley Pavlik**

**Chapter 7**

**Trustee(s):**

Richard A Marshack (TR)

Pro Se

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**8:23-12558 David Joshua Alexander**

**Chapter 7**

**#4.00**

Hearing RE: Motion for relief from stay [Unlawful Detainer]

Mary Erickson Community Housing A Non Profit Corporation vs. DEBTOR  
(Motion filed 12/27/2023)

**[RE: 150 W. Escalones, #B, San Clemente, CA 92672]**

Docket 13

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR PER ORDER AND  
NOTICE OF DISMISSAL FOR FAILURE TO FILE SCHEDULES,  
STATEMENTS, AND/OR PLAN ENTERED 1-23-2024 - (DOCKET NO.  
[18])**

**Tentative Ruling:**

- NONE LISTED -

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

**Debtor(s):**

David Joshua Alexander

Pro Se

**Movant(s):**

MARY ERICKSON COMMUNITY

Represented By  
Curtis Tyler Greer IV

**Trustee(s):**

Jeffrey I Golden (TR)

Pro Se

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**8:23-12639 KNR Consulting Group, Inc., a California corporati**

**Chapter 7**

**#5.00**

Hearing RE: Motion for relief from stay [Action In Non-Bankruptcy Forum]

Renee M. Montague, An Individual And In Her Capacity As Trustee Of The  
Renee M. Montague 2010 Trust Dated July 14, 2010 And The Montague Bypass  
Trust, And Terry Walsh vs. DEBTOR  
(Motion filed 1/10/2024)

**RE: Case Name: Montague, et al. vs. Richards]  
[Docket Number: 30-2022-01290148-CU-PN-CJC]  
[Pending In: Superior Court Of California, County Of Orange, Central  
Justice Center]**

Docket 6

**Tentative Ruling:**

Tentative for 1/31/24:

Grant pursuant to 11 U.S.C. § 362(d)(1) with 4001(a)(3) waiver.

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.

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Courtroom or by utilizing Zoom for Government, a free service that provides  
audioconference capabilities, using the following information.

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**CONT... KNR Consulting Group, Inc., a California corporati**

**Chapter 7**

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

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

**Debtor(s):**

KNR Consulting Group, Inc., a

Represented By  
Larry D Simons

**Movant(s):**

Terry Walsh

Represented By  
Robert P Goe

Renee M. Montague, an Individual

Represented By  
Robert P Goe

**Trustee(s):**

Weneta M.A. Kosmala (TR)

Pro Se

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**8:23-12640 KNR Wealth Management, Inc., a California corporat**

**Chapter 7**

**#6.00**

Hearing RE: Motion for relief from stay [Action In Non-Bankruptcy Forum]

Renee M. Montague, An Individual And In Her Capacity As Trustee Of The  
Renee M. Montague 2010 Trust Dated July 14, 2010 And The Montague Bypass  
Trust, And Terry Walsh vs. DEBTOR  
(Motion filed 1/10/2024)

**[RE: Case Name: Montague, et al. vs. Richards]  
[Docket Number: 30-2022-01290148-CU-PN-CJC]  
[Pending In: Superior Court Of California, County Of Orange, Central  
Justice Center]**

Docket 6

**Tentative Ruling:**

Tentative for 1/31/24:

Grant pursuant to 11 U.S.C. § 362(d)(1) with 4001(a)(3) waiver.

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  
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**CONT...**      **KNR Wealth Management, Inc., a California corporat**  
Password:                      941643

**Chapter 7**

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

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

**Debtor(s):**

KNR Wealth Management, Inc., a

Represented By  
Larry D Simons

**Movant(s):**

Terry Walsh

Represented By  
Robert P Goe

Renee M. Montague, an Individual

Represented By  
Robert P Goe

**Trustee(s):**

Weneta M.A. Kosmala (TR)

Pro Se

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10:00 AM

**8:24-10032 Alyssa Nicole Sebastian**

**Chapter 7**

**#7.00**

Hearing RE: Motion for relief from stay [Unlawful Detainer]  
(Motion filed 1/9/2024)

**[RE: 16562 Gothard Street, Unit #A-1, Huntington Beach, CA 92647]**

Docket 9

**Tentative Ruling:**

Tentative for 1/31/24:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver.

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.

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**CONT...**      **Alyssa Nicole Sebastian**

**Chapter 7**

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

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

**Debtor(s):**

Alyssa Nicole Sebastian

Pro Se

**Movant(s):**

Ninos I L.P., A Limited Parternship

Represented By  
Richard Sontag

**Trustee(s):**

Richard A Marshack (TR)

Pro Se



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**8:23-10014    Giang Thanh Dong**

**Chapter 7**

Adv#: 8:23-01035    Casey v. Dong et al

**#8.00**

Hearing RE: Plaintiff's Motion For Summary Judgment  
(Motion filed 12/18/2023)

Docket        14

**\*\*\* VACATED \*\*\*    REASON: CONTINUED TO MARCH 12, 2024 AT  
1:30 P.M. PER ORDER GRANTING MOTION TO CONTINUE HEARING  
ON MOTION FOR SUMMARY JUDGMENT AND CONTINUING PRE-  
TRIAL CONFERENCE ENTERED 1-30-2024 - (DOCKET NO. [21])**

**Tentative Ruling:**

- NONE LISTED -

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

**Debtor(s):**

Giang Thanh Dong

Represented By  
Joseph A Weber

**Defendant(s):**

Giang Thanh Dong

Represented By  
Fritz J Firman

Mary Tran Nguyen

Represented By  
Fritz J Firman

CA PROPMGT LLC

Pro Se

CA PROPMGT, LLC

Pro Se

**Joint Debtor(s):**

Mary Tran Nguyen

Represented By  
Joseph A Weber

**Movant(s):**

Thomas H. Casey

Represented By  
Nathan F Smith

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**CONT... Giang Thanh Dong**

**Chapter 7**

**Plaintiff(s):**

Thomas H. Casey

Represented By  
Nathan F Smith

**Trustee(s):**

Thomas H Casey (TR)

Represented By  
Arturo Cisneros  
Nathan F Smith

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**8:23-10170 FGV Fresno LP**

**Chapter 11**

Adv#: 8:23-01138 FGV Fresno LP v. United Security Bank

**#9.00**

Hearing RE: Defendant United Security Bank Motion To Dismiss Adversary  
(Motion filed 12/28/2023)

Docket 7

**Tentative Ruling:**

Tentative for 1/31/24:

This matter is denied. A permissible amended complaint was filed within the time period proscribed by FRCP 15, made applicable to this proceeding pursuant to FRBP 7015.

Plaintiff is to lodge an order within 7 days.

Appearances for the 1/31 hearing are excused.

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

FGV Fresno LP

Represented By  
Reem J Bello  
Robert P Goe

**Defendant(s):**

United Security Bank

Represented By  
Steven K Vote

**Movant(s):**

United Security Bank

Represented By  
Steven K Vote

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**CONT... FGV Fresno LP**

**Chapter 11**

**Plaintiff(s):**

FGV Fresno LP

Represented By  
Robert P Goe

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11:00 AM

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

**Chapter 11**

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

**#10.00**

Hearing RE: Defendant Rosa Loli, a.k.a. Rosa Bianca Loli, a.k.a. Bianca Loli's Motion To Dismiss Adversary Proceeding And Second Amended Complaint (Motion filed 12/22/2023)

Docket 300

**\*\*\* VACATED \*\*\* REASON: CONTINUED TO FEBRUARY 7, 2024 AT 1:30 P.M. PER ORDER APPROVING STIPULATION TO CONTINUE JANUARY 31, 2024 MOTION TO DISMISS HEARINGS AND RELATED DEADLINES ENTERED 1-16-2024 - (DOCKET NO. [334])**

**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

Gallant Law Group

Represented By  
Meredith King

OptimumBank Holdings, Inc.

Represented By  
Matthew A Lesnick  
Lisa Patel

Revolv3, Inc.

Pro Se

Fidelity National Information

Pro Se

Worldpay, Inc.

Pro Se

Worldpay Group

Pro Se

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

**Chapter 11**

Merit Fund, LLC	Pro Se
Guardian	Pro Se
The United States Postal Service	Pro Se
Fidelity National Information	Represented By Michael T Delaney Sweeney Kelly
Marich Bein, LLC	Represented By David S Kupetz
Worldpay, LLC	Represented By Sweeney Kelly
Heng Taing	Pro Se
Eng Taing	Represented By Daniel H Reiss
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
Touzi Capital, LLC	Represented By Daniel H Reiss
Optimumbank Holdings, Inc.	Pro Se

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

**Chapter 11**

World Global	Pro Se
Jimmy Chhor	Pro Se
Daniel S. March	Represented By Daniel S March
Rosa Bianca Loli	Represented By Leslie A Cohen
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
Dongliang Jiang	Pro Se
Oakstone Law Group PC	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

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Courtroom 5C Calendar**

**Wednesday, January 31, 2024**

**Hearing Room**

**5C**

11:00 AM

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

**Chapter 11**

	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
Prime Logix, LLC	Pro Se
Teracel Blockchain Fund II LLC	Pro Se
EPPS	Pro Se
Equipay	Pro Se
Tony Diab	Pro Se

**Movant(s):**

Rosa Bianca Loli	Represented By Leslie A Cohen
------------------	----------------------------------

**Plaintiff(s):**

Richard A. Marshack	Represented By Christopher Ghio Christopher Celentino Jonathan Serrano Yosina M Lissebeck Jeremy Freedman
---------------------	--

**Trustee(s):**

Richard A Marshack (TR)	Represented By D Edward Hays Christopher Celentino Laila Masud Jonathan Serrano Christopher Ghio Yosina M Lissebeck
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**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
Courtroom 5C Calendar**

**Wednesday, January 31, 2024**

**Hearing Room**

**5C**

11:00 AM

**CONT...**

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

Peter W Bowie

**Chapter 11**

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

11:00 AM

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

**Chapter 11**

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

**#11.00**

Hearing RE: Defendant Lisa Cohen's Motion To Dismiss Adversary Proceeding  
And Second Amended Complaint  
(Motion filed 12/22/2023)

Docket 301

**\*\*\* VACATED \*\*\* REASON: CONTINUED TO FEBRUARY 7, 2024 AT  
1:30 P.M. PER ORDER APPROVING STIPULATION TO CONTINUE  
JANUARY 31, 2024 MOTION TO DISMISS HEARINGS AND RELATED  
DEADLINES ENTERED 1-16-2024 - (DOCKET NO. [334])**

**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

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

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**Hearing Room**

**5C**

11:00 AM

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

**Chapter 11**

Michael T Delaney  
Sweeney Kelly

Worldpay, LLC

Represented By  
Sweeney Kelly

Touzi Capital, LLC

Represented By  
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

Paylance, 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

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

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11:00 AM

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

**Chapter 11**

World Global	Pro Se
Jimmy Chhor	Pro Se
Daniel S. March	Represented By Daniel S March
Rosa Bianca Lori	Represented By Leslie A Cohen
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
Dongliang Jiang	Pro Se
Oakstone Law Group PC	Pro Se
Greyson Law Center PC	Represented By Kathleen P March
Phoenix Law Group, Inc.	Pro Se
Maverick Management, LLC	Pro Se

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
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11:00 AM

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

**Chapter 11**

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

Prime Logix, LLC

Pro Se

Teracel Blockchain Fund II LLC

Pro Se

EPPS

Pro Se

Equipay

Pro Se

Tony Diab

Pro Se

**Movant(s):**

Lisa Cohen

Represented By  
Leslie A Cohen

**Plaintiff(s):**

Richard A. Marshack

Represented By  
Christopher Ghio  
Christopher Celentino  
Jonathan Serrano  
Yosina M Lissebeck  
Jeremy Freedman

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
D Edward Hays  
Christopher Celentino  
Laila Masud  
Jonathan Serrano  
Christopher Ghio

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
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11:00 AM

**CONT...**

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

Yosina M Lissebeck  
Peter W Bowie

**Chapter 11**

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
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**Wednesday, January 31, 2024**

**Hearing Room**

**5C**

1:30 PM

**8:23-10170 FGV Fresno LP**

**Chapter 11**

**#12.00**

Hearing RE: Motion For Order Establishing Bid Procedures For The Sale Of Real Property Located At 1544 E. Fedora Avenue, Fresno, California Pursuant To Local Bankruptcy Rule 6004-1(b)  
(Motion filed 1/12/2024)

Docket 155

**Tentative Ruling:**

Tentative for 1/31/24:

The Court is inclined to GRANT the Motion For Order Establishing Bid Procedures For The Sale Of Real Property Located At 1544 E. Fedora Avenue, Fresno, California Pursuant To Local Bankruptcy Rule 6004-1(b).

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.

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

**Wednesday, January 31, 2024**

**Hearing Room**

**5C**

1:30 PM

**CONT... FGV Fresno LP**

**Chapter 11**

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/1611801784>

Meeting ID: 161 180 1784

Password: 789232

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: 161 180 1784

Password: 789232

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.



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**Wednesday, January 31, 2024**

**Hearing Room**

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**CONT... FGV Fresno LP**

**Chapter 11**

**Party Information**

**Debtor(s):**

FGV Fresno LP

Represented By  
Reem J Bello  
Robert P Goe

**Movant(s):**

FGV Fresno LP

Represented By  
Reem J Bello  
Robert P Goe

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
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**Wednesday, January 31, 2024**

**Hearing Room**

**5C**

1:30 PM

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

**Chapter 11**

**#13.00**

Hearing RE: Trustee's Motion To Surcharge Secured Creditors To Pay The Monthly Fees And Expenses Of Ethics Compliance Monitor, Nancy B. Rapoport (Motion filed 1/3/2024)

Docket 806

**Tentative Ruling:**

Tentative for 1/31/24:

The Court GRANTS Trustee's Motion To Surcharge Secured Creditors To Pay The Monthly Fees And Expenses Of Ethics Compliance Monitor, Nancy B. Rapoport. Pursuant to 11 USC § 506(c), Trustee has met his burden in showing that the recovery of administrative expenses from a secured creditor's collateral in this instance is reasonable, necessary, and provides a quantifiable benefit to the secured creditor.

Note: This matter appears to be uncontested, in the response filed by OHP-CDR on 1/17/24 [Dk. 854] respondent specifically states "OHP-CDR does not object to the Motion" and moreover "PurchaseCo does not object to the Motion." 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: 161 180 1784

Password: 789232

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

**Santa Ana**

**Scott Clarkson, Presiding  
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1:30 PM

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

**Chapter 11**

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 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):**

The Litigation Practice Group P.C.

Represented By  
Joon M Khang

**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  
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**Wednesday, January 31, 2024**

**Hearing Room**

**5C**

1:30 PM

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

**Chapter 11**

**#14.00**

Hearing RE: Motion For Turnover Pursuant To 11 U.S.C. Section 542(e)  
(Motion filed 1/10/2024)

Docket 828

**Tentative Ruling:**

Tentative for 1/31/24:

The Court is inclined to overrule the Opposition and GRANT Trustee's Motion for Turnover Pursuant to 11 U.S.C. Section 542(e). The client files retained by Ashlee Colonna Cohen, Esq. and Colonna Cohen Law, PLLC, are property of the Estate and contain information necessary to the administration of the Estate by Trustee. Therefore, turnover appears appropriate.

Any lien that Colonna Cohen Law, PLLC may have remains subject to 11 U.S.C. §§ 542(e) and 502(d). However, the rights and claims of both Colonna Cohen Law, PLLC and the Trustee should also be reserved.

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.

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

**Santa Ana**

**Scott Clarkson, Presiding  
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**CONT... The Litigation Practice Group P.C.**

**Chapter 11**

**wide mandate and is not subject to this Court's discretion. The Court will have monitors on and viewable within the Courtroom for viewing.**

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Videoconference URL: <https://cacb.zoomgov.com/j/1611801784>

Meeting ID: 161 180 1784

Password: 789232

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Meeting ID: 161 180 1784

Password: 789232

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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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**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
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**CONT... The Litigation Practice Group P.C.**

**Chapter 11**

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):**

The Litigation Practice Group P.C.

Represented By  
Joon M Khang

**Movant(s):**

Richard A Marshack (TR)

Represented By  
D Edward Hays  
Christopher Celentino  
Laila Masud  
Jonathan Serrano  
Christopher Ghio  
Yosina M Lissebeck  
Peter W Bowie

**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  
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**Hearing Room**

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1:30 PM

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

**Chapter 11**

**#15.00**

Hearing RE: Amended Motion For Order Rejecting Consumer Contracts Which Were Excluded Or Removed Pursuant To 11 U.S.C. Section 365  
(Motion filed 12/27/2023)  
(Amended Motion filed 12/27/2023)

Docket 793

**Tentative Ruling:**

Tentative for 1/31/24:

The Court is inclined to OVERRULE the objections and GRANT Trustee's Motion. The consumer client contracts sought to be rejected are executory contracts and Trustee has demonstrated that it is a proper use of his business judgment to reject the contracts. The opponents have been provided a remedy, if applicable, as they can file a proof of claim. Trustee further seeks permission to file another motion related to refunding creditors, however, this Court need not give Trustee permission to file a 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.

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**United States Bankruptcy Court  
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**Santa Ana**

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1:30 PM

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

**Chapter 11**

**wide mandate and is not subject to this Court's discretion. The Court will have monitors on and viewable within the Courtroom for viewing.**

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Meeting ID: 161 180 1784

Password: 789232

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

Meeting ID: 161 180 1784

Password: 789232

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

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

**Wednesday, January 31, 2024**

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**5C**

1:30 PM

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

**Chapter 11**

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

**Debtor(s):**

The Litigation Practice Group P.C.

Represented By  
Joon M Khang

**Movant(s):**

Richard A Marshack (TR)

Represented By  
D Edward Hays  
Christopher Celentino  
Laila Masud  
Jonathan Serrano  
Christopher Ghio  
Yosina M Lissebeck  
Peter W Bowie

**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**

**Wednesday, January 31, 2024**

**Hearing Room**

**5C**

1:30 PM

**8:23-10678 Shyam L Dahiya**

**Chapter 11**

**#16.00**

Hearing RE: Motion Objecting To Proof Of Claim:  
(Motion filed 12/13/2023)

Claim No. 3-1

Channel Partners Capital, LLC

\$69,207.40

Docket 122

**Tentative Ruling:**

Tentative for 1/31/24:

This matter appears to have been resolved by an agreement reached between the parties in connection with the confirmation of Debtor's plan. Accordingly, the Court hereby CONTINUES this matter to March 13, 2024 at 1:30 p.m. as a holding date. If this matter is not otherwise taken off calendar, a status report is due 14 days in advance.

Appearances for the 1/31 hearing are excused.

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

**Debtor(s):**

Shyam L Dahiya

Represented By  
Michael R Totaro  
Maureen J Shanahan  
David Wood

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

**Wednesday, January 31, 2024**

**Hearing Room      5C**

1:30 PM

**8:23-10678    Shyam L Dahiya**

**Chapter 11**

**#17.00**

Hearing RE: Motion Objecting To Proof Of Claim:  
(Motion filed 12/13/2023)

Claim No. 5-1      CA Department Of Health Care Services  
\$368,654.38

Docket      123

**\*\*\* VACATED \*\*\*    REASON: CONTINUED TO FEBRUARY 28, 2024 AT  
1:30 P.M. PER ORDER APPROVING STIPULATION TO CONTINUE  
HEARING RE: MOTION OBJECTING TO PROOF OF CLAIM 5-1  
FILED BY CA DEPARTMENT OF HEALTH CARE SERVICES ENTERED  
1-9-2024 - (DOCKET NO. [137])**

**Tentative Ruling:**

- NONE LISTED -

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

**Debtor(s):**

Shyam L Dahiya

Represented By  
Michael R Totaro  
Maureen J Shanahan  
David Wood

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

**Wednesday, January 31, 2024**

**Hearing Room**

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**8:23-11269 Reloaded Games, Inc**

**Chapter 11**

**#18.00**

Hearing RE: Motion For Entry Of An Order Approving Procedures For The Sale, Transfer, Or Abandonment Of Other IP Assets  
(Motion filed 12/21/2023)

Docket 189

**Tentative Ruling:**

Tentative for 1/31/24:

The Motion should be denied. The Motion requires the Court and parties to cross reference amended schedules (assets) with the Motion; however the schedules are not presented within the Motion and no values are provided for the assets within the Motion. The Court cannot determine whether the Motion or the proposed procedures are in the best interest of the estate.

To locate the actual identity of the intangible assets associated with the bidding procedures, the Motion directs the reader to Debtor's Schedule A/B (as amended and supplemented). Even if they were attached, this Court declines to perform the work that a counsel ought to be doing to support its motion. The Court is inclined to deny the Motion and simply convert this case to Chapter 7, permitting a Chapter 7 Trustee to properly sell or abandon the assets.

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.

**United States Bankruptcy Court  
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Santa Ana  
Scott Clarkson, Presiding  
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**Hearing Room**

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**CONT...**

**Reloaded Games, Inc**

**Chapter 11**

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Meeting ID: 161 180 1784

Password: 789232

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,

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

**Wednesday, January 31, 2024**

**Hearing Room**

**5C**

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**CONT... Reloaded Games, Inc**

**Chapter 11**

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):**

Reloaded Games, Inc

Represented By

James Andrew Hinds Jr

**Trustee(s):**

Robert Paul Goe (TR)

Pro Se

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

**Wednesday, January 31, 2024**

**Hearing Room      5C**

1:30 PM

**8:23-11357    IGIT Logistics, LLC**

**Chapter 11**

**#19.00**

Hearing RE: Motion By United States Trustee To Dismiss Case Or Convert Case To One Under Chapter 7 Pursuant To 11 U.S.C. Section 1112(b) (Motion filed 12/27/2023)

Docket      39

**Tentative Ruling:**

Tentative for 1/31/24 is to GRANT and dismiss the case.

In reviewing the schedules, and the docket as a whole, the Court notes that Debtor did not identify any assets which could be liquidated for the benefit of the estate.

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:            161 180 1784

Password:            789232

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**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
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**CONT...      IGIT Logistics, LLC**

**Chapter 11**

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 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>
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**Debtor(s):**

IGIT Logistics, LLC

Represented By  
Onyinye N Anyama

**Movant(s):**

United States Trustee (SA)

Represented By  
Michael J Hauser



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

**Wednesday, January 31, 2024**

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**8:23-12036 INDIEV, INC.**

**Chapter 11**

**#20.00**

Hearing RE: Motion For Order Approving Sale Of Personal Property Pursuant to 11 U.S.C. 363  
(Motion filed 12/27/2023)

Docket 72

**Tentative Ruling:**

Tentative for 1/31/23:

Having considered this Motion, in addition to the overall case posture, including the pending motion for relief from stay, the Court is inclined to deny this motion and convert the case.

Debtor seeks approval to sell certain property identified on Exhibit 1 to the Motion for \$100,000, subject to an initial overbid of \$10,000, with subsequent increments of \$5,000. The Motion is supported by the declarations of Zhou Ying and Zachery Coats, which are both conclusory and lack foundation for the statements made therein. The Court notes the following issues which prevent the Court from finding that Debtor has met the requisite standards for approval of a sale under 11 U.S.C. § 363(b):

1. The Motion is silent with respect to any marketing activities performed by Debtor or how Debtor derived the \$100,000 sale price.
2. The Motion is devoid of information regarding the buyer.
3. The Motion is silent as to how the overbid amounts were derived. The amounts appear arbitrary and chilling. See, e.g., *In re Greater Miami Neighborhoods*, 2008 WL 4397425, at \*2 (Bankr. S.D. Fla. Sept. 26, 2008) (noting that the overbid requirement must be intended to compensate the debtor for the expense and effort of running an auction process); *In re Hupp Indus., Inc.*, 140 B.R. 191, 195-96 (Bankr. N.D. Ohio 1992) (noting that arbitrary and unreasonably high bidding increments are not justified).

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**CONT...**

**INDIEV, INC.**

**Chapter 11**

4. The Notice does not provide a description of potential tax consequences as required by LBR 6004-1(c)(3)(C)(I).

5. The notice does not disclose the buyer's address, as required by LBR 6004-1(c)(3)(C)(B)

The Court cannot find that Debtor has exercised its business judgment. See *In re Garmong v. Chapter 7 Trustee*, 552 Fed. App. 661, 662-663 (9th Cir. 2014) ("We do not defer to a trustee's business judgment where the trustee does not in fact exercise such judgment. *In re Lahijani*, 325 B.R. 282, 288-89 (9th Cir. BAP 2005) The bankruptcy court did not abuse its discretion when it determined that the trustee would improperly exercise its business judgment in selling Linda Garmong's limited life estate without any independent analysis of the factual or legal issues surrounding the asset.")

Moreover, without the above information, the Court cannot meet its obligation in assuring that "optimal value is realized by the estate under the circumstances". *Simantob v. Claims Prosecutor, L.L.C. (In re Lahijani)*, 325 B.R. 282, 288-89 (B.A.P. 9th Cir. 2005).

In light of the foregoing, the Court is inclined to convert the case where a Chapter 7 trustee can monetize the assets. The buyer can structure a sale with the trustee.

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.

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Santa Ana  
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**Wednesday, January 31, 2024**

**Hearing Room**

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**CONT... INDIEV, INC.**

**Chapter 11**

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Password: 789232

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Central District of California  
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**CONT... INDIEV, INC.**

**Chapter 11**

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

**Debtor(s):**

INDIEV, INC.

Represented By  
Michael Jay Berger

**Movant(s):**

INDIEV, INC.

Represented By  
Michael Jay Berger

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

**Wednesday, January 31, 2024**

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**8:23-12036 INDIEV, INC.**

**Chapter 11**

**#21.00**

Hearing RE: Motion for relief from stay [Unlawful Detainer]

WLM Showcase, LLC vs. DEBTOR  
(Motion filed 1/9/2024)  
(Amended Motion filed 1/10/2024)

**[RE: 1690 Scenic Avenue, Costa Mesa 92626]**

Docket 87

**Tentative Ruling:**

Tentative for 1/31/24:

In light of the tentative on related matter #20, the Court is inclined to continue this hearing to February 27, 2024, at 11:00 a.m. to permit the Chapter 7 Trustee to weigh in.

If the matter is not converted, the Court is inclined to grant the motion under § 362(d)(1), but deny the request for a 4001(a)(3) waiver and the extraordinary relief as Movant has not demonstrated that such relief is warranted.

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.

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Santa Ana  
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**CONT... INDIEV, INC.**

**Chapter 11**

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**CONT... INDIEV, INC.**

**Chapter 11**

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

**Debtor(s):**

INDIEV, INC.

Represented By  
Michael Jay Berger

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
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**Wednesday, January 31, 2024**

**Hearing Room**

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**8:23-12642 Guardians of Life, A California Corporation**

**Chapter 11**

**#22.00**

Hearing RE: Amended Motion for relief from stay [Unlawful Detainer]

Zeke Vogler vs. DEBTOR

(Motion filed 1/3/2024)

(Amended Motion filed 1/5/2024)

**[RE: 3121 And 3123 Broadway, Sacramento, CA 95817]**

Docket 23

**Tentative Ruling:**

Tentative for 1/31/24:

Grant pursuant to 11 U.S.C. § 362(d)(1) and § 362(d)(2) with 4001(a)(3) waiver. The extraordinary relief requested (§7, §11) is denied as Movant has not established that such relief is warranted.

Note: This matter appears to be uncontested. The Chapter 7 Trustee has filed a non-opposition [Dk. 39]. 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.

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**CONT...**

**Guardians of Life, A California Corporation**

**Chapter 11**

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

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

**Debtor(s):**

Guardians of Life, A California

Represented By  
Onyinye N Anyama

**Movant(s):**

Zeke Vogler

Represented By  
Mitchell L Abdallah

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
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**5C**

1:30 PM

**8:23-12642 Guardians of Life, A California Corporation**

**Chapter 11**

**#23.00**

Hearing RE: Motion By United States Trustee To Dismiss Case Or Convert  
Case Pursuant To 11 U.S.C. Section 1112(b)  
(Motion filed 12/27/2023)  
(Joinder by Zeke Vogler to motion filed 1/5/2024)

Docket 11

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR PER ORDER  
CONVERTING CASE TO CHAPTER 7 PURSUANT TO 11 U.S.C.  
SECTION 1112 ENTERED 1-19-2024 - (DOCKET NO. [34])**

**Tentative Ruling:**

- NONE LISTED -

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

**Debtor(s):**

Guardians of Life, A California

Represented By  
Onyinye N Anyama

**Movant(s):**

United States Trustee (SA)

Represented By  
Queenie K Ng

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
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**8:23-12642    Guardians of Life, A California Corporation**

**Chapter 11**

**#24.00**

STATUS CONFERENCE Hearing RE: (1) Case Management Conference And  
(2) Requiring Status Report  
(Petition filed 12/13/ 2023)

Docket        5

**\*\*\* VACATED \*\*\*    REASON: OFF CALENDAR PER ORDER  
CONVERTING CASE TO CHAPTER 7 PURSUANT TO 11 U.S.C.  
SECTION 1112 ENTERED 1-19-2024 - (DOCKET NO. [34])**

**Tentative Ruling:**

- NONE LISTED -

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

**Debtor(s):**

Guardians of Life, A California

Represented By  
Onyinye N Anyama

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

**Wednesday, January 31, 2024**

**Hearing Room**

**5C**

1:30 PM

**8:23-12645 Dathao Phung**

**Chapter 11**

**#25.00**

STATUS CONFERENCE Hearing RE: (1) Case Management Conference And  
(2) Requiring Status Report  
(Petition filed 12/14/ 2023)

Docket 5

**Tentative Ruling:**

Tentative for 1/31/24:

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

1. Deadline to file a Plan and Disclosure Statement: April 12, 2023 (statutory deadline).
2. Deadline to file proofs of claim: March 29, 2024, with notice to be filed and served by no later than February 5, 2024.
3. Continued status conference date: May 1, 2024, at 1:30 p.m., with a status report due 14 days in advance.
4. With respect to the removed state court action, the Court notes that the notice of removal indicates that it was originally commenced on March 5, 2020, consists solely of state claims, and involves non-debtor third parties. Accordingly, the Court is inclined to set an order to show cause why the matter should not be remanded on February 28, 2024, at 11:00 a.m., with responses due 14 days in advance.

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.

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

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**CONT...**

**Dathao Phung**

**Chapter 11**

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**United States Bankruptcy Court  
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**CONT...**

**Dathao Phung**

**Chapter 11**

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

**Debtor(s):**

Dathao Phung

Represented By  
Giovanni Orantes

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

**Santa Ana**

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

**Wednesday, January 31, 2024**

**Hearing Room**

**5C**

1:30 PM

**8:23-12657 NP Wildcat TIC 1, LLC**

**Chapter 11**

**#26.00**

Hearing RE: Motion By United States Trustee To Dismiss Case Or Convert Case To One Under Chapter 7 Pursuant To 11 U.S.C. Section 1112(b) (Motion filed 1/3/2024)

Docket 24

**Tentative Ruling:**

Tentative for 1/31/24:

The United States Trustee seeks dismissal or conversion of this Single Asset Real Estate Case filed December 15, 2023, as a result of Debtor's failure to fully comply with the U.S. Trustee's Guidelines and Requirements for Chapter 11 Debtors In Possession.

Debtor's largest secured creditor, Federal Home Loan Mortgage Corporation filed a response on January 17, 2024 [Dk. 36], noting its preference that the case be dismissed so it can proceed with a sale of the Property.

While Debtor did not file an opposition, it filed a Status Report on January 24, 2024 [Dk. 38] in which it alleges, without evidentiary support, as required by the order issued December 20, 2023 [Dk. 16], that it has complied with some of the U.S. Trustee's requirements and intends to have all such required deliverables completed in advance of this hearing.

If Debtor has not fully cured the deficiencies noted by the United States Trustee in its Motion, the Court is inclined to grant the Motion.

If the Court grants the motion, the Court would be inclined to convert the case to one under Chapter 7 pursuant to 11 USC § 1112(b). The Court notes Debtor scheduled the Property valued at \$13,000,000, scheduled two secured loans (\$7,200,000 owed to Freddie Mac, and a disputed \$2,600,000 owed to Wildcat Lender LLC) and unsecured creditors totaling \$275,000. Further, in the Status Report, Debtor states, without evidentiary support, that potential avoidance actions valued at approximately \$354,000 exist. Even

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**CONT... NP Wildcat TIC 1, LLC**

**Chapter 11**

using conservative numbers, the Court notes that converting this case could result in meaningful distributions to the unsecured creditors.

The Court would like to hear from all parties on the foregoing.

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.

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**CONT... NP Wildcat TIC 1, LLC**

**Chapter 11**

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

**Debtor(s):**

NP Wildcat TIC 1, LLC

Represented By  
Matthew I Kaplan

**Movant(s):**

United States Trustee (SA)

Represented By  
Michael J Hauser

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
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**Wednesday, January 31, 2024**

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**5C**

1:30 PM

**8:23-12657 NP Wildcat TIC 1, LLC**

**Chapter 11**

**#27.00**

STATUS CONFERENCE Hearing RE: (1) Case Management Conference And  
(2) Requiring Status Report  
(Petition filed 12/15/ 2023)

Docket 16

**Tentative Ruling:**

Tentative for 1/31/24:

The Court notes that the docket does not reflect that (a) Debtor filed a declaration and line item budget with the Status Report [Dk. 38]; or that (b) Debtor served the Order Setting Status Conference [Dk. 16], both of which were required by the Order Setting the Status Conference entered December 20, 2024 [Dk. 16].

If this case is not dismissed at the hearing on related matter #26, the Court is inclined to set the following dates and deadlines:

1. Deadline for filing a plan and disclosure statement: March 14, 2024
2. Deadline for filing of proofs of claim: April 12, 2024, with notice of the bar date to be filed and served by no later than February 9, 2024.
3. Deadline for objecting to proofs of claim: May 30, 2024
4. Continued status conference: April 10, 2024, at 1:30 p.m. with a status report due 14 days in advance.

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

**United States Bankruptcy Court  
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**CONT...**      **NP Wildcat TIC 1, LLC**  
further information.

**Chapter 11**

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Meeting ID:                  161 180 1784

Password:                    789232

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

**Wednesday, January 31, 2024**

**Hearing Room**

**5C**

1:30 PM

**CONT... NP Wildcat TIC 1, LLC**

**Chapter 11**

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

**Debtor(s):**

NP Wildcat TIC 1, LLC

Represented By  
Matthew I Kaplan

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

**Wednesday, January 31, 2024**

**Hearing Room**

**5C**

1:30 PM

**8:22-11618 Basilio Cerrillo**

**Chapter 7**

Adv#: 8:22-01113 Doe v. Cerrillo

**#28.00**

CONT'D PRE-TRIAL CONFERENCE Hearing RE: First Amended Complaint  
For Non-Dischargeability For: (2) For Willful And Malicious Injury To Property  
[11 U.S.C. Section 523(a)(6)  
(Complaint filed 12/29/2022)  
(First Amended Complaint filed 3/21/2023)  
(PTC set at S/C held 5-2-23)

FR: 3-21-23; 5-2-23; 11-14-23; 1-17-24

Docket 16

**Tentative Ruling:**

Tentative for 1/31/24:

The Court notes that a motion for summary judgment [Dk. 36] has been filed, with the hearing set for March 28, 2024, at 10:00 a.m. and CONTINUES this matter to April 11, 2024, at 10:00 a.m.

Appearances for the 1/31 hearing are excused.

\*\*\*\*\*

Tentative for 1/17/24:

Trial in this matter has been set for May 21, 2024, at 9:30 a.m. The Court is inclined to set the deadline to file any motions in limine as April 9, 2024, to be heard on April 30, 2024, at 1:30 p.m., with any oppositions due 14 days in advance, and any replies due 7 days in advance of the hearing.

Virtual appearances are required.

\*\*\*\*\*

Tentative for 11/14/23:

**United States Bankruptcy Court  
Central District of California  
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**Wednesday, January 31, 2024**

**Hearing Room**

**5C**

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**CONT... Basilio Cerrillo**

**Chapter 7**

As of the posting of this tentative, no proposed joint pretrial statement has been filed, in contravention of Local Rule 7016-1(b). If this Court continues the pretrial hearing, it may set a continued date of January 9, 2024, at 1:30 p.m.

Virtual appearances are required.

\*\*\*\*\*

Tentative for 5/2/23:

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

1. Discovery cutoff: September 1, 2023. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: October 20, 2023. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: November 14, 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.

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

Virtual appearances are required.

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

**Debtor(s):**

Basilio Cerrillo

Represented By  
Steven A. Alexander

**Defendant(s):**

Basilio Cerrillo

Represented By  
Steven A. Alexander

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

**Chapter 7**

**Plaintiff(s):**

Jane Doe

Represented By

Diana Lopez

James Matthew Brown

**Trustee(s):**

Thomas H Casey (TR)

Pro Se

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

**Wednesday, January 31, 2024**

**Hearing Room      5C**

1:30 PM

**8:11-20448    Yan Sui**

**Chapter 7**

**#29.00**

Hearing RE: Compliance With Order Adjudicating Pei-Yu Yang In Contempt Of Court

Docket      0

**Tentative Ruling:**

Tentative for 1/31/24:

Trustee should be prepared to provide the Court and the record with an extensive oral recitation of the various rulings regarding Debtor and Ms. Yang's prior contempt holdings, the vexatious litigate orders, a summary of the age of this case, the most current contempt findings regarding the most recent pleadings, the failure to appear at the January 18, 2024 10:00 am hearing by Ms. Yang; the promise to have Ms. Yang appear at the continued 3:00 pm hearing on that same day, the calls by Debtor to the Court, and email to Trustee, advising the Court and parties that Ms. Yang would not be appearing and encouraging the Court to issue a bench warrant. Finally, the Court will want to know whether Ms. Yang will withdraw the last pleadings which were subject to contempt, or whether she will choose to remain in custody until that action is performed.

Pei-Yu Yang must physically appear in Courtroom 5C.

All other interested parties may appear either in person or 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.



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**5C**

1:30 PM

**CONT...**

**Yan Sui**

**Chapter 7**

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**CONT...**

**Yan Sui**

**Chapter 7**

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

Yan Sui

Pro Se

**Trustee(s):**

Richard A Marshack (TR)

Represented By

David M Goodrich

Martina A Slocomb

Chad V Haes

Jess R Bressi

D Edward Hays

Bradford Barnhardt