

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

**Monday, April 22, 2024**

**Hearing Room 5C**

9:30 AM

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

**Chapter 11**

Adv#: 8:23-01098 OHP-CDR, LP et al v. Azzure Capital LLC et al

**#1.00**

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint To Determine  
Priority Of Lien And Ownership Interest  
(Complaint filed 9/11/2023)  
(Summons issued 9/215/2023)  
(Another Summons issued on Counter-defendants 10/16/2023)  
(PTC set per Order Entered 2/21/2024 - dkt. 26)

FR: 12-6-23; 2-7-24 at 11:00 a.m.; 2-7-24

Docket 1

**Tentative Ruling:**

Tentative for 4/22/24:

Personal appearances in Courtroom 5C required.

**Party Information**

**Debtor(s):**

The Litigation Practice Group P.C.

Represented By  
Joon M Khang

**Defendant(s):**

Azzure Capital LLC

Represented By  
Sharon Z. Weiss

Richard A. Marshack

Represented By  
Yosina M Lissebeck

**Plaintiff(s):**

OHP-CDR, LP

Represented By  
Razmig Izakelian

PurchaseCo 80, LLC

Represented By

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

**Chapter 11**

Razmig Izakelian

**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

Bradford Barnhardt

Jeremy Freedman

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**Chapter 11**

Adv#: 8:24-01011 Marshack v. Bridge Funding Cap, LLC et al

**#2.00**

PRE-TRIAL STATUS CONFERENCE Hearing RE: Trustee's Complaint For:  
(1) Declaratory Judgment As To The Validity Of The Security Interest Of Defendant Bridge Funding CAP LLC;  
(2) Declaratory Judgment As To The Validity Of The Security Interest Of Defendant MNS Funding, LLC;  
(3) Declaratory Judgment As To The Validity Of The Security Interest Of Defendant Azzure Capital, LLC;  
(4) Avoidance, Recovery, And Preservation Of Fraudulent Transfer As To Diverse Capital, LLC;  
(5) Avoidance, Recovery, And Preservation Of Preferential Transfers Made Within Ninety Days Of The Petition Date As To ProofPositive, LLC, MC DVI Fund 1, LLC, MC DVI Fund 2, LLC, And Debt Validation Fund II, LLC, And Venture Partners, LLC;  
(6) Avoidance, Recovery, And Preservation Of Fraudulent Transfers As To Bridge Funding CAP, LLC; Azzure Capital, LLC; And MNS Funding, LLC;  
(7) Declaratory Judgment As To All Defendants (1) To Determine The Nature, Extent, And Priority Of Valid And Perfected Security Interests Against The Debtor Including Those Security Interests That Are Valid But Have Been Avoided And Preserved For The Benefit Of The Estate And (II) To Determine The Secured And Unsecured Amounts Of The Defendants' Claims If Not Otherwise Determined Herein.; And  
(8) Subordination Of Proof Of Claim Of Bridge Funding CAP, LLC  
(Complaint filed 1/26/2024)  
(PTC Merged with S/C per Order Entered 2-7-2024 - dk. 10)

FR: SC advanced from 4-24-24

Docket 1

**Tentative Ruling:**

Tentative for 4/22/24:

Personal appearances in Courtroom 5C required.

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

**Chapter 11**

**Party Information**

**Debtor(s):**

The Litigation Practice Group P.C.	Represented By Joon M Khang
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**Defendant(s):**

Bridge Funding Cap, LLC	Pro Se
MNS Funding LLC	Pro Se
Azzure Capital LLC	Pro Se
Marich Bein, LLC	Pro Se
Diverse Capital LLC	Pro Se
PECC Corp	Pro Se
ProofPositive LLC	Pro Se
MC DVI Fund 1, LLC	Pro Se
MC DVI Fund 2, LLC	Pro Se
Debt Validation Fund II, LLC	Pro Se
Venture Partners LLC	Pro Se

**Plaintiff(s):**

Richard A. Marshack	Represented By Tyler Powell
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**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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**CONT...**

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

Peter W Bowie  
Bradford Barnhardt

**Chapter 11**

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

**Chapter 11**

**#3.00**

CONT'D Hearing RE: Motion Of Judith Skiba's Allowance Of Administrative Claim And Order For Relief  
(Consolidated With dkt. 647 and dkt. 819)  
(Motion filed 11/8/2023)  
(S/C set per Order Entered 1/8/2024 - dkt. 818)

FR: 1-19-24; 2-29-24; 4-11-24

Docket 645

**Tentative Ruling:**

Tentative for 4/22/24 is to DENY.

Personal appearances by all parties, including the Claimant, will be REQUIRED in Courtroom 5C for this hearing.

Claimant has failed to establish facts that demonstrate that she is entitled to an administrative claim of \$20,000. Claimant entered into a post-petition agreement with a non-debtor entity. Unlike general unsecured proofs of claims, administrative claims lack presumptive validity. *In re Saxton, Inc.*, 2007 WL 7540972, at \*7 n. 12 (B.A.P. 9th Cir. July 30, 2007) (unpublished). An administrative claimant bears the initial burden of establishing that its claim "(1) arose from a transaction with the debtor-in-possession as opposed to the preceding entity (or, alternatively, that the claimant gave consideration to the debtor-in-possession); and (2) directly and substantially benefitted the estate." *In re DAK Indus., Inc.*, 66 F.3d 1091, 1094 (9th Cir. 1995). Claimant has not met the foregoing standard.

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Tentative for 4/11/24:

This matter is CONTINUED to April 22, 2024, at 9:30 a.m., personal appearances by all parties, including the Claimant, will be REQUIRED in Courtroom 5C for the cotinued hearing.

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

**Chapter 11**

Appearances for the 4/11 hearing are excused.

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Revised tentative for 2/29/24:

Virtual appearances required.

Matters #19 and #20 [Dks. 645, 647, 819] appear to be related to the same claim and will therefore be consolidated.

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

1. Opposition by Trustee due: March 21, 2024
2. Reply by Claimant due: March 28, 2024
3. Continued hearing: April 11, 2024, at 11:00 a.m. - In-person appearances by all parties, including the Claimant, will be REQUIRED in Courtroom 5C for this hearing.

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

Virtual appearances are required.

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Tentative for 2/29/24:

Matters #19 and #20 [Dks. 645, 647, 819] appear to be related to the same claim and will therefore be consolidated.

The Court hereby sets the following dates/deadlines:

1. Opposition by Trustee due: March 21, 2024
2. Reply by Claimant due: March 28, 2024
3. Continued hearing: April 11, 2024, at 11:00 a.m.

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

Appearances for the 2/29 hearing are excused.

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

**Chapter 11**

**Party Information**

**Debtor(s):**

The Litigation Practice Group P.C.

Represented By  
Joon M Khang

**Movant(s):**

Judith Skiba

Pro Se

**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  
Bradford Barnhardt  
Jeremy Freedman  
Sara Johnston