

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

**Tuesday, April 23, 2024**

**Hearing Room 126**

10:00 AM

**6:21-12423 Juancarlos Navas**

**Chapter 7**

Adv#: 6:21-01094      Reyes v. Navas

**#1.00**

CONT. PRE-TRIAL CONFERENCE re: Complaint by Rick Reyes against Juan Carlos Navas - §§523(a)(2) and (a)(6)

From: 10/12/21, 4/26/22, 12/13/22, 5/16/23, 9/12/23

EH\_\_\_\_\_

Docket      1

**\*\*\* VACATED \*\*\* REASON: ORDER ENTERED 1/10/24**

**Tentative Ruling:**

- NONE LISTED -

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

Juancarlos Navas

Represented By  
Chris T Nguyen  
Yoon O Ham

**Defendant(s):**

Juan Carlos Navas

Represented By  
Yoon O Ham

**Plaintiff(s):**

Rick Reyes

Represented By  
W. Derek May

**Trustee(s):**

Robert Whitmore (TR)

Pro Se

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

**Tuesday, April 23, 2024**

**Hearing Room 126**

10:00 AM

**6:21-12912 Veronica Gutierrez**

**Chapter 7**

Adv#: 6:23-01045      Anderson v. Erasmo

**#2.00**

Cont. STATUS CONFERENCE re: Complaint by Karl T. Anderson against Elizabeth Erasmo -Complaint For: 1. Avoidance of Fraudulent Transfer; 2. Recovery of Avoided Transfer; and 3. Preservation of Avoided Transfer [11 U.S.C. §§ 544, 548, 550 and 551 and California Civil Code § 3439 et seq.]

From: 8/28/23, 10/17/23

EH\_\_\_\_\_

Docket      1

**\*\*\* VACATED \*\*\* REASON: CONTINUED TO 10/15/24 BY ORDER  
ENTERED 3/27/24**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

Veronica Gutierrez

Represented By  
Leroy Bishop Austin - DISBARRED -  
Travis M. Poteat

**Defendant(s):**

Elizabeth Erasmo

Represented By  
Michael Jay Berger

**Plaintiff(s):**

Karl T. Anderson

Represented By  
Maria L Garcia

**Trustee(s):**

Karl T Anderson (TR)

Represented By  
Maria L Garcia

**United States Bankruptcy Court  
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10:00 AM

**6:22-11311 Karla Johanna Navas**

**Chapter 7**

**#3.00**

CONT. Hrg. on Trustee's Final Report and Applications for Compensation

From: 11/7/23, 1/9/24

EH\_\_

Docket 155

**\*\*\* VACATED \*\*\* REASON: NOTICE OF VOLUNTARY DISMISSAL  
OF MOTION FILED 4/17/24**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

Karla Johanna Navas

Represented By  
Yoon O Ham

**Trustee(s):**

Charles W Daff (TR)

Represented By  
Brandon J Iskander  
Robert P Goe

**United States Bankruptcy Court  
Central District of California  
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10:00 AM

**6:22-11311 Karla Johanna Navas**

**Chapter 7**

**#4.00**

CONT. Hrg. on chapter 7 trustee's Motion RE: Objection to Claim Number 13 by Claimant CNS Delivery Services (Motion filed 2/5/24)

From: 3/12/24

EH\_\_

Docket 168

**\*\*\* VACATED \*\*\* REASON: ORDER APPROVING STIPULATION  
ENTERED 4/2/24**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

Karla Johanna Navas

Represented By  
Yoon O Ham

**Movant(s):**

Charles W Daff (TR)

Represented By  
Brandon J. Iskander  
Robert P Goe

**Trustee(s):**

Charles W Daff (TR)

Represented By  
Brandon J. Iskander  
Robert P Goe

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

Tuesday, April 23, 2024

Hearing Room 5C

10:00 AM

8:20-13014 Northern Holding, LLC

Chapter 7

#4.10

CONT'D STATUS CONFERENCE Hearing RE: Compliance With Order  
Adjudicating Mr. Codding In Contempt (Docket [424])

**[In-Person Hearing]**

(OST Entered 10/26/2022)

**[Holding Date Only]**

FR: 2-16-23; 4-20-23; 5-11-23; 9-13-23 advanced from 6-15-23; 6-14-23;  
7-12-23; 9-13-23; 9-27-23; 10-18-23; 11-8-23; 11-16-23; 12-6-23; 1-9-24;  
1-30-24; 2-27-24; 3-12-24; 3-14-24; 3-26-24; 3-26-24; 4-9-24

Docket 359

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR PER ORDER  
MODIFYING APRIL 2 ORDER AND SETTING CONTINUED STATUS  
CONFERENCE ON CONTEMPT ENTERED 4-11-2024 - (DOCKET NO.  
[470])**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

Northern Holding, LLC

Represented By

Matthew D. Resnik

Roksana D. Moradi-Brovia

**Trustee(s):**

Richard A Marshack (TR)

Represented By

D Edward Hays

Tinho Mang

Kristine A Thagard

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

Tuesday, April 23, 2024

Hearing Room 5C

11:00 AM

8:22-11383 Hero Nutritionals, LLC

Chapter 7

#5.00

CONT'D Hearing RE: Amended Objection To Claim Pursuant To 11 U.S.C.  
Section 502(b):  
(Motion filed 3/1/2023)  
(Amended Motion filed 3/13/2023)

Claim No.: 5-1      Bank Of America, N.A.      \$331,990.00

FR: 5-3-23; 9-13-23; 1-17-24

Docket 224

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR PER NOTICE OF  
WITHDRAWAL OF AMENDED OBJECTION TO CLAIM 5-1 PURSUANT  
TO 11 U.S.C. SECTION 502(B) FILED 4-8-2024 - (DOCKET NO. [417])**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

Hero Nutritionals, LLC

Represented By  
David M Goodrich  
Sonja Hourany  
Amelia Puertas-Samara

**Movant(s):**

Hero Nutritionals, LLC

Represented By  
David M Goodrich  
Sonja Hourany  
Amelia Puertas-Samara

**Trustee(s):**

Thomas H Casey (TR)

Represented By  
Todd C. Ringstad  
Karen S. Naylor

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
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**Tuesday, April 23, 2024**

**Hearing Room 5C**

11:00 AM

**CONT... Hero Nutritionals, LLC**

Ashley M Teesdale

**Chapter 7**

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

**Tuesday, April 23, 2024**

**Hearing Room 5C**

11:00 AM

**8:22-11383 Hero Nutritionals, LLC**

**Chapter 7**

**#6.00**

CONT'D Hearing RE: Omnibus Objection Of Chapter 7 Trustee To Claims:

- |                 |                            |             |
|-----------------|----------------------------|-------------|
| 1. Claim No. 38 | Mission Power Systems LLC  | \$35,472.72 |
| 2. Claim No. 42 | Mission Power Systems, LLC | \$74,432.02 |

FR: 3-26-24

Docket 395

**Tentative Ruling:**

Tentative for 4/23/24 is to SUSTAIN.

The Court continued this matter from March 26, 2024, to permit Claimant, Mission Power Systems, LLC sufficient time to obtain legal counsel and file an opposition. Further, at the March 26, 2024, hearing, Claimant was specifically cautioned by the Court that Claimant could not appear before this Court without counsel. By an order entered March 26, 2024, the Court set a deadline for claimant to file an opposition to the Objection by no later than April 14, 2024. As of the posting of this tentative, no timely opposition has been filed; therefore, pursuant to Local Bankruptcy Rule 9013-1(h), the Court shall deem the lack of response as consent to sustaining the objection.

Appearances for the 4/23 hearing are not permitted.

\*\*\*\*\*

Tentative for 3/26/24 is to SUSTAIN.

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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**Hearing Room 5C**

11:00 AM

**CONT... Hero Nutritionals, LLC**

**Chapter 7**

**Party Information**

**Debtor(s):**

Hero Nutritionals, LLC

Represented By  
David M Goodrich  
Sonja Hourany  
Amelia Puertas-Samara

**Movant(s):**

Thomas H Casey (TR)

Represented By  
Todd C. Ringstad  
Karen S. Naylor  
Ashley M Teesdale

**Trustee(s):**

Thomas H Casey (TR)

Represented By  
Todd C. Ringstad  
Karen S. Naylor  
Ashley M Teesdale

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

Tuesday, April 23, 2024

Hearing Room 5C

11:00 AM

8:23-10794 Tidalwave Finance Corporation

Chapter 7

#7.00

Hearing RE: Chapter 7 Trustee's Motion For Order Authorizing Sale Of Claims Pursuant To 11 U.S.C. Sections 363(b) And (f) Or, In The Alternative, Authorizing Abandonment Of Claims Pursuant To 11 U.S.C. Section 554 (Motion filed 3/20/2024)

Docket 49

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR PER NOTICE OF WITHDRAWAL OF CHAPTER 7 TRUSTEE'S MOTION FOR ORDER AUTHORIZING SALE OF CLAIMS PURSUANT TO 11 U.S.C. SECTIONS 363(b) AND (f) OR, IN THE ALTERNATIVE, AUTHORIZING ABANDONMENT OF CLAIMS PURSUANT TO 11 U.S.C. SECTION 554 FILED 4-11-2024 - (DOCKET NO. [55])**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

Tidalwave Finance Corporation

Represented By  
Christopher J Langley

**Movant(s):**

Weneta M.A. Kosmala (TR)

Represented By  
Ryan W Beall  
Jeffrey I Golden

**Trustee(s):**

Weneta M.A. Kosmala (TR)

Represented By  
Ryan W Beall  
Jeffrey I Golden

**United States Bankruptcy Court  
Central District of California  
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**Tuesday, April 23, 2024**

**Hearing Room 5C**

11:00 AM

**8:24-10661 Optimal Health and Vitality, Inc.**

**Chapter 7**

**#8.00**

Hearing RE: Order To Show Cause Why This Case Should Not Be Dismissed  
For Lack Of Counsel  
(Set per OSC Entered 3-20-2024)

Docket 4

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR PER ORDER  
DISMISSING CASE FOR LACK OF COUNSEL ENTERED 4-15-2024 -  
(DOCKET NO. [14])**

**Tentative Ruling:**

- NONE LISTED -

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

Optimal Health and Vitality, Inc.                      Pro Se

**Trustee(s):**

Thomas H Casey (TR)                                      Pro Se

**United States Bankruptcy Court  
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**Tuesday, April 23, 2024**

**Hearing Room 5C**

1:30 PM

**8:19-13858 Bruce Elieff**

**Chapter 7**

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

**#9.00**

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;  
1-16-24

Docket 1

**Tentative Ruling:**

Tentative for 4/23/24:

This matter is CONTINUED to July 30, 2024, at 1:30 p.m. as a holding date pending completion of the settlement, with a status report due 14 days in advance.

Appearances for the 4/23 hearing are excused.

\*\*\*\*\*

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

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**CONT...**

**Bruce Elieff**

**Chapter 7**

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.

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.

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**CONT... Bruce Elieff**

**Chapter 7**

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.

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>
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**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

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
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**Tuesday, April 23, 2024**

**Hearing Room 5C**

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1:30 PM

**CONT... Bruce Elieff**

**Chapter 7**

**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  
Sean A OKeefe  
Claire K Wu  
Steven Werth

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
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**Tuesday, April 23, 2024**

**Hearing Room 5C**

1:30 PM

**8:22-10496 Rodeo Investments, Inc.**

**Chapter 7**

Adv#: 8:24-01013 Golden v. SPCORP Services Inc et al

**#10.00**

STATUS CONFERENCE Hearing RE: Complaint For:

1. Avoidance Of Constructive Fraudulent Transfers (11 U.S.C. Section 548) Against SPCORP Services, Inc.;
2. Avoidance Of Constructive Fraudulent Transfers (11 U.S.C. Section 544) Against SPCORP Services, Inc.;
3. Avoidance Of Intentional Fraudulent Transfers (11 U.S.C. Section 548) Against SPCORP Services, Inc.;
4. Recovery And Preservation Of Avoided Transfers;
5. Breach Of Fiduciary Duty Against Mike RafiPoor; &
6. Alter Ego Against Mike RafiPoor.

Docket 1

**Tentative Ruling:**

Tentative for 4/23/24:

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

1. Discovery cutoff: November 1, 2024. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: December 19, 2024. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: January 14, 2025, at 1:30 p.m.

The parties are required to follow all applicable local and federal rules. The failure to do so may subject the offending party to monetary and or non-monetary sanctions, including dismissal of the action or striking of the answer.

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



**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Scott Clarkson, Presiding  
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**Tuesday, April 23, 2024**

**Hearing Room**

**5C**

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1:30 PM

**CONT... Rodeo Investments, Inc.**

**Chapter 7**

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/1600102272>

Meeting ID: 160 010 2272

Password: 602060

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

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

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**Hearing Room 5C**

1:30 PM

**CONT... Rodeo Investments, Inc.**

**Chapter 7**

Meeting ID: 160 010 2272

Password: 602060

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.

**Party Information**

**Debtor(s):**

Rodeo Investments, Inc.

Represented By  
Henrik Mosesi

**Defendant(s):**

SPCORP Services Inc

Pro Se

Mike Rafipoor

Pro Se

**Plaintiff(s):**

Jeffrey I Golden

Represented By  
Jeffrey S Shinbrot

**Trustee(s):**

Jeffrey I Golden (TR)

Represented By  
Jeffrey S Shinbrot

**United States Bankruptcy Court  
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Santa Ana  
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**Tuesday, April 23, 2024**

**Hearing Room 5C**

1:30 PM

**8:22-10524 Bang Lien Phuoc Nguyen**  
Adv#: 8:22-01041 Nguyen v. Nguyen

**Chapter 7**

**#11.00**

CONT'D STATUS CONFERENCE Hearing RE: First Amended Complaint For:  
1. Non-Dischargeability Of Debt [11 U.S.C. Section 523(a)(2)(A)];  
2. Non-Dischargeability Of Debt [11 U.S.C. Section 523(a)(2)(B)];  
3. Declaratory Relief  
(Complaint filed 4/28/2022)  
(First Amended Complaint filed 4/28/2022)  
(PTC set at S/C held 7/26/2022)  
(PTC Converted to S/C held 10/17/2023)

FR: 7-26-22; 12-13-22; 1-10-23; 3-21-23; 5-30-23; 9-26-23; 10-17-23; 12-5-23;  
2-13-24

Docket 2

**Tentative Ruling:**

Tentative for 4/23/24:

In light of Plaintiff's unilateral status report filed April 9, 2024 [Dk. 67], indicating that settlement of this matter is expected to be finalized on or before April 15, 2024, this matter is CONTINUED to June 18, 2024, at 1:30 p.m. with a status report due 14 days in advance.

Appearances for the 4/23 hearing are excused.

\*\*\*\*\*

Tentative for 2/13/24:

This matter is CONTINUED to April 23, 2024, at 1:30 p.m., with a status report due 14 days in advance. In the event the settlement is not consummated, the status report should address how Plaintiff intends to proceed with this action.

Appearances for the 2/13 hearing are excused.

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**Tuesday, April 23, 2024**

**Hearing Room 5C**

1:30 PM

**CONT... Bang Lien Phuoc Nguyen**

**Chapter 7**

\*\*\*\*\*

Tentative for 12/5/23:

This matter is CONTINUED to February 13, 2024, at 1:30 p.m., with a status report due 14 days in advance.

Appearances for the 12/5 hearing are excused.

\*\*\*\*\*

Tentative for 10/17/23:

This matter is converted to a status conference and CONTINUED to December 5, 2023, at 1:30 p.m. If this matter is not otherwise disposed of, a status report is due 14 days in advance and should address the status of the settlement.

Appearances for the 10/17 hearing are excused.

**Party Information**

**Debtor(s):**

Bang Lien Phuoc Nguyen

Represented By  
Bert Briones

**Defendant(s):**

Bang Lien Phuoc Nguyen

Pro Se

**Plaintiff(s):**

Kim Tuyet Nguyen

Represented By  
Robert J Sutton

**Trustee(s):**

Karen S Naylor (TR)

Pro Se

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

**Tuesday, April 23, 2024**

**Hearing Room 5C**

1:30 PM

**8:22-11862 James Lawrence Pearson**

**Chapter 7**

Adv#: 8:23-01011 Nichols et al v. Pearson

**#12.00**

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Adversary Complaint For Declaratory Relief Pursuant To Federal Rule Of Bankruptcy Procedure 7001(1) To Declare Debt A Student Loan As Defined By 11 U.S.C. Section 523(a)(8) (Complaint filed 2/6/2023) (PTC set at S/C held 5/16/2023)

FR: 5-1-23; 5-2-23; 5-16-23; 11-28-23; 12-5-23; 2-6-24; 3-12-24

Docket 1

**Tentative Ruling:**

Tentative for 4/23/24:

The Court is inclined to approve the Pretrial Stipulation [Dk. 64] and has the following dates available for trial:

Monday October 28, 2024, at 9:30 a.m.

Monday November 25, 2024, at 9:30 a.m.

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  
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**Tuesday, April 23, 2024**

**Hearing Room 5C**

1:30 PM

**CONT... James Lawrence Pearson**

**Chapter 7**

**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.**

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Meeting ID: 160 010 2272

Password: 602060

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Meeting ID: 160 010 2272

Password: 602060

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

**Tuesday, April 23, 2024**

**Hearing Room 5C**

1:30 PM

**CONT... James Lawrence Pearson**

**Chapter 7**

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\*\*\*\*\*

Tentative for 5/16/23:

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

1. Discovery cutoff: July 30, 2023. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: October 2, 2023. Note: this is the date by which all non-discovery motions must be heard and resolved.
3. Pretrial conference: November 28, 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):**

James Lawrence Pearson

Represented By  
Jenny L Doling

**Defendant(s):**

James Lawrence Pearson

Represented By  
Jenny L Doling

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Courtroom 5C Calendar**

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**CONT... James Lawrence Pearson**

**Chapter 7**

**Plaintiff(s):**

Robert Nichols

Represented By  
Vanessa M Haberbush

Cora Nichols

Represented By  
Vanessa M Haberbush

**Trustee(s):**

Jeffrey I Golden (TR)

Pro Se



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**8:23-10430 Ramy Reda Abdelaziz Omar**

**Chapter 7**

Adv#: 8:23-01051 Auto Finance Solutions, LLC v. Omar

**#13.00**

Hearing RE: Plaintiff Auto Finance Solutions, LLC' Motion For Leave To File Motion For Summary Judgment And for Relief, Either: (1) Under Rule 6(b), To Extend Time To File Motions; (2) Under Rule 16(b)(4), To Modify Scheduling Order; Or (3) Under Rule 6(c), Shortening Time (Motion filed 3/28/2024)

Docket 15

**Tentative Ruling:**

Tentative for 4/23/24:

The motion is granted in part and denied in part. The Court grants Plaintiff's request to extend the deadline to file a motion for summary judgment as set forth below. The Court denies all other relief requested.

Plaintiff may file a motion for summary judgment by no later than April 30, 2024 and may self-calendar it for either June 18, 2024, at 1:30 p.m. or July 2, 2024 at 1:30 p.m., at Plaintiff's election.

The pre-trial conference set for June 11, 2024, at 1:30 p.m. is hereby continued to August 13, 2024, at 1:30 p.m.

Plaintiff is to lodge an order consistent with the foregoing within 7 days.

Appearances for the 4/23 hearing are excused and therefore Ramy Omar's request for a language interpreter is denied.

**Party Information**

**Debtor(s):**

Ramy Reda Abdelaziz Omar

Represented By

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**CONT...      Ramy Reda Abdelaziz Omar**

Brian J Soo-Hoo

**Chapter 7**

**Defendant(s):**

Ramy Reda Abdelaziz Omar

Pro Se

**Movant(s):**

Auto Finance Solutions, LLC

Represented By  
Brett K Wiseman

**Plaintiff(s):**

Auto Finance Solutions, LLC

Represented By  
Brett K Wiseman

**Trustee(s):**

Karen S Naylor (TR)

Pro Se

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1:30 PM

**8:23-10454 David G Marquez**

**Chapter 7**

Adv#: 8:23-01057 Castillo, Jr. v. Marquez et al

**#14.00**

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint  
(Complaint filed 6/20/2023)  
(PTC set at S/C held 9-12-23)

FR: 9-12-23

Docket 1

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR - ORDER APPROVING  
STIPULATION TO CONTINUE PRE-TRIAL CONFERENCE TO JULY 30,  
2024 AT 1:30 PM ENTERED 12/21/23 (DOCKET NO. 15).**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

David G Marquez

Represented By  
Arthur G Newton

**Defendant(s):**

David Marquez

Represented By  
Arthur G Newton

Laura Marquez

Pro Se

**Joint Debtor(s):**

Laura E Marquez

Represented By  
Arthur G Newton

**Plaintiff(s):**

Roy Lopez Castillo Jr.

Represented By  
Majid Foroozandeh

**United States Bankruptcy Court  
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1:30 PM

**CONT... David G Marquez**

**Chapter 7**

**Trustee(s):**

Richard A Marshack (TR)

Pro Se

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1:30 PM

**8:23-11646 Min Ho Kim**

**Chapter 7**

Adv#: 8:23-01136 AJX Distribution, Inc. et al v. Kim

**#15.00**

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine Dischargeability Of Debt And To Deny The Discharge (Complaint filed 11/27/2023)

FR: 2-13-24

Docket 1

**Tentative Ruling:**

Tentative for 4/23/24:

The Court is inclined to continue this matter to June 11, 2024, at 1:30 p.m. and issue an order to show cause why (1) Plaintiff AJX Distribution, Inc. should not be dismissed from the adversary for failure to have counsel per LBR 9011-2 and (2) why this adversary should not be dismissed for failure to prosecute and failure to comply with this Court's order entered on February 13, 2024 [Dk. 12].

The Court is inclined to set the hearing on the order to show cause for June 11, 2024, at 1:30 p.m., with a separate response by each plaintiff due 14 days in advance. Should Plaintiffs fail to file a satisfactory response to the order to show cause, the Court may vacate the June 11, 2024 hearing and dismiss this adversary without further notice or hearing.

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

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**CONT...**      **Min Ho Kim**  
further information.

**Chapter 7**

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Meeting ID:                      160 010 2272

Password:                        602060

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Password:                        602060

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**CONT... Min Ho Kim**

**Chapter 7**

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\*\*\*\*\*

Tentative for 2/13/24:

The Court notes that Plaintiff did not file a status report in connection with this status conference as required by the Instructions issued with the summons on November 28, 2023 [Dk. 3] and by the applicable local rules. The docket does not reflect activity beyond the December 1, 2023, filing of a proof of service of summons [Dk. 5].

Accordingly, the Court is inclined to direct Plaintiff to appear on March 26, 2024, at 1:30 p.m. to show cause why this case should not be dismissed for failure to prosecute, with a response due by no later 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.

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CONT... Min Ho Kim

Chapter 7

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Videoconference URL: <https://cacb.zoomgov.com/j/1606865011>

Meeting ID: 160 686 5011

Password: 121751

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Meeting ID: 160 686 5011

Password: 121751

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**CONT... Min Ho Kim**

**Chapter 7**

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**Party Information**

**Debtor(s):**

Min Ho Kim

Represented By  
Leonard Pena

**Defendant(s):**

Min Ho Kim

Pro Se

**Plaintiff(s):**

AJX Distribution, Inc.

Represented By  
Jeffrey S Benice

Jaekwon An

Represented By  
Jeffrey S Benice

**Trustee(s):**

Richard A Marshack (TR)

Pro Se

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1:30 PM

**8:23-12317 Alexander Bar Lev**

**Chapter 7**

Adv#: 8:24-01024 WOOZILLA, LLC v. Bar Lev

**#16.00**

Hearing RE: Amended Motion To Dismiss Adversary Proceeding Pursuant To  
FRCP 12(b)(6)  
(Motion filed 3/13/2024)  
(Amended Motion filed 3/15/2024)

Docket 11

**Tentative Ruling:**

Tentative for 4/23/24:

The Court is inclined to GRANT the Motion to Dismiss with leave to amend by no later than May 14, 2024.

Plaintiff initiated this adversary proceeding by the filing of a complaint alleging a cause of action for nondischargeability of debt pursuant to § 523(a)(2)(A). Defendant asserts that the complaint should be dismissed pursuant to Federal Rule of Civil Procedure 12(b)(6) as the complaint fails to plead fraud with particularity and that it is barred by the statute of limitations.

To survive a Rule 12(b)(6) motion to dismiss, the plaintiff must allege "enough facts to state a claim to relief that is plausible on its face." *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007). This standard requires the plaintiff to allege facts that add up to "more than a sheer possibility that a defendant has acted unlawfully." *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). Plaintiff must provide "more than labels and conclusions, and a formulaic recitation of the elements of a cause of action will not do." *Id.* A complaint does not need detailed factual allegations, but "[t]hreadbare recitals of the elements of a cause of action, supported by mere conclusory statements, do not suffice." *Iqbal*, 556 U.S. at 678–79, 129 S.Ct. 1937.

Defendant's argument that the complaint is time barred since Plaintiff did not assert a fraud claim in the underlying state court proceeding is incorrect. In

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CONT...

Alexander Bar Lev

Chapter 7

*Banks v. Gill Distrib. Ctr. Inc. (In re Banks)*, 263 F.3d 862, 868 (9th Cir. 2001), the court held that the act of filing the state court action within the statutory limitation period was sufficient to "establish" the debt (*Id.* at 868) and confirmed that there is no rule that the allegations in state court must correspond to the grounds for nondischargeability in § 523. *Id.* "The question of the dischargeability of a debt under the Bankruptcy Code is a distinct issue governed solely by the limitations periods established by bankruptcy law." *In re Banks* at 868 (citing *In re McKendry*, 40 F.3d at 337).

Plaintiff's complaint, however, contains formulaic recitations and fails to address the "reliance" element required for actual fraud. Plaintiff has not previously amended the complaint and Movant failed to articulate any sound reason as to why leave to amend should be denied. Therefore, given the Ninth Circuit's extremely liberal policy on granting leave to amend (see, e.g., *Eminence Capital, LLC v. Aspeon, Inc.*, 316 F.3d 1048, 1051 (9th Cir. 2003)), it should be so granted here and require that an amendment be filed by no later than May 14, 2024.

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...**

**Alexander Bar Lev**

**Chapter 7**

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CONT... Alexander Bar Lev

Chapter 7

**Party Information**

**Debtor(s):**

Alexander Bar Lev

Represented By  
J Scott Williams

**Defendant(s):**

Alexander Bar Lev

Represented By  
J Scott Williams

**Movant(s):**

Alexander Bar Lev

Represented By  
J Scott Williams

**Plaintiff(s):**

WOOZILLA, LLC

Represented By  
Mark T Jessee

**Trustee(s):**

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court  
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**8:23-12395 Armin Medali**

**Chapter 7**

Adv#: 8:24-01029 Swift Financial, LLC v. Medali et al

**#17.00**

Hearing RE: Motion To Dismiss Adversary Proceeding For Failure To State A Claim Upon Which Relief Can Be Granted  
(Motion filed 3/25/2024)

Docket 4

**Tentative Ruling:**

Tentative for 4/23/24:

The Court is inclined to GRANT the Motion to Dismiss with leave to amend by no later than May 14, 2024.

Plaintiff initiated this adversary proceeding by the filing of a complaint alleging causes of action for nondischargeability of debt pursuant to § 523(a)(2)(A), § 523(a)(4), and §523(a)(6). Defendant asserts that the complaint should be dismissed pursuant to Federal Rule of Civil Procedure 12(b)(6) as the complaint contains conclusory allegations and fails to meet the heightened pleading standards required under FRCP 9 and *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007).

To survive a Rule 12(b)(6) motion to dismiss, the plaintiff must allege "enough facts to state a claim to relief that is plausible on its face." *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007). This standard requires the plaintiff to allege facts that add up to "more than a sheer possibility that a defendant has acted unlawfully." *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). Plaintiff must provide "more than labels and conclusions, and a formulaic recitation of the elements of a cause of action will not do." *Id.* A complaint does not need detailed factual allegations, but "[f]hreadbare recitals of the elements of a cause of action, supported by mere conclusory statements, do not suffice." *Iqbal*, 556 U.S. at 678–79, 129 S.Ct. 1937.

Plaintiff's complaint contains formulaic recitations and conclusory allegations. Indeed, the Opposition [Dk. 6] contains additional information which is not

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CONT...

**Armin Medali**

Chapter 7

included within the complaint. With respect to the Declaration, Requests for Judicial Notice and Evidentiary Objections thereto, the Court overrules the objection. While the Court does not consider the declaration and its exhibits in determining the merits of the motion, it may review them - and give them the weight they deserve - in determining whether an amendment is appropriate.

The Court is not persuaded that an amendment would be futile. Accordingly, given the Ninth Circuit's extremely liberal policy on granting leave to amend (*see, e.g., Eminence Capital, LLC v. Aspeon, Inc.*, 316 F.3d 1048, 1051 (9th Cir. 2003)), will grant leave to amend and require that an amendment be filed by no later than May 14, 2024.

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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1:30 PM

**CONT... Armin Medali**

**Chapter 7**

Meeting ID: 160 010 2272

Password: 602060

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

**Debtor(s):**

Armin Medali

Represented By  
Wesley H Avery



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**CONT... Armin Medali**

**Chapter 7**

**Defendant(s):**

Armin Medali

Represented By  
Wesley H Avery

Gisela Medali

Represented By  
Wesley H Avery

**Joint Debtor(s):**

Gisela Medali

Represented By  
Wesley H Avery

**Movant(s):**

Armin Medali

Represented By  
Wesley H Avery

Gisela Medali

Represented By  
Wesley H Avery

**Plaintiff(s):**

Swift Financial, LLC

Represented By  
Daren M Schlecter

**Trustee(s):**

Jeffrey I Golden (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
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3:00 PM

**8:18-11997 QDOS, Inc**

**Chapter 11**

**#18.00**

STATUS CONFERENCE RE: Involuntary Petition  
(Petition filed 5/31/2018)

FR: advanced from 9-25-24

Docket 0

**Tentative Ruling:**

Tentative for 4/23/24:

Personal appearances by all counsels are required in Courtroom 5C located at 411 West Fourth Street, Santa Ana, CA 92701; no telephonic or virtual appearances will be permitted.

**Party Information**

**Debtor(s):**

QDOS, Inc

Represented By  
Damian D Capozzola  
Timothy R Laquer

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Hearing Room 5C

3:00 PM

8:18-11997 QDOS, Inc

Chapter 11

#19.00

Hearing RE: QDOS, Inc.'s Emergency Motion To Continue Trial Date  
(Motion filed 4/9/2024)  
(Set per Order Entered 4-10-2024 - dk. 420)  
**[In-Person Hearing]**

Docket 416

**Tentative Ruling:**

Tentative for 4/23/24:

Personal appearances by all counsels are required in Courtroom 5C located at 411 West Fourth Street, Santa Ana, CA 92701; no telephonic or virtual appearances will be permitted.

**Party Information**

**Debtor(s):**

QDOS, Inc

Represented By  
Damian D Capozzola  
Timothy R Laquer

**Movant(s):**

QDOS, Inc

Represented By  
Damian D Capozzola  
Damian D Capozzola  
Damian D Capozzola  
Damian D Capozzola  
Damian D Capozzola  
Timothy R Laquer  
Timothy R Laquer  
Timothy R Laquer  
Timothy R Laquer  
Timothy R Laquer