

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

Wednesday, May 25, 2022

Hearing Room 5C

10:00 AM

**8:15-10109 Marisa Nelson**

**Chapter 7**

Adv#: 8:15-01012 Frontline Medical Associates, Inc. et al v. Nelson et al

**#1.00**

Hearing RE: Application For Appearance And Examination RE: Enforcement Of Judgment RE: Marisa Nelson

**[In Person Hearing]**

(Application filed 4/25/2022)

(Set per Order Entered 4/26/2022)

Docket 98

**Tentative Ruling:**

Revised Tentative for 5/25/22:

In light of Judgment Creditor's status report filed 5/24/22 [Dk. 110] containing the representation that the parties have agreed to a continuance and that a stipulation is forthcoming, this matter is CONTINUED to July 14, 2022, at 11:00 a.m.

Appearances for the 5/25 hearing will not be permitted.

**Party Information**

**Debtor(s):**

Marisa Nelson

Represented By

Stephen F Biegenzahn

Alan F Broidy - DISBARRED -

**Defendant(s):**

Marisa Nelson

Represented By

Stephen F Biegenzahn

Peter William Nelson

Pro Se

**Joint Debtor(s):**

Peter William Nelson

Represented By

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

**Wednesday, May 25, 2022**

**Hearing Room 5C**

10:00 AM

**CONT... Marisa Nelson**

**Chapter 7**

Stephen F Biegenzahn

**Movant(s):**

California Company, LLC

Represented By  
James Andrew Hinds Jr

**Plaintiff(s):**

Sherwood Ventures, LLC

Represented By  
Alan F Broidy - DISBARRED -

Sherwood Financial and

Represented By  
Alan F Broidy - DISBARRED -

Sentinel Health Medical Group, Inc.

Represented By  
Alan F Broidy - DISBARRED -

Millennium Medical Group of San

Represented By  
Alan F Broidy - DISBARRED -

Spider, LLC

Represented By  
Alan F Broidy - DISBARRED -

Springboard, LLC

Represented By  
Alan F Broidy - DISBARRED -

Gestuet Eichenhain

Represented By  
Alan F Broidy - DISBARRED -

Holger Blank

Represented By  
Alan F Broidy - DISBARRED -

Farouk Ghandour

Represented By  
Alan F Broidy - DISBARRED -

Empyrean Medical Management,

Represented By  
Alan F Broidy - DISBARRED -

Kadri Uwaydah

Represented By  
Alan F Broidy - DISBARRED -

Paul Turley

Represented By  
Alan F Broidy - DISBARRED -

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

**Wednesday, May 25, 2022**

**Hearing Room 5C**

10:00 AM

**CONT... Marisa Nelson**

**Chapter 7**

|                                    |  |
|------------------------------------|--|
| Maria Turley                       | Represented By<br>Alan F Broidy - DISBARRED -                          |
| Farihan Renno Uwaydah              | Represented By<br>Alan F Broidy - DISBARRED -                          |
| Rania Mardini                      | Represented By<br>Alan F Broidy - DISBARRED -                          |
| Ali Ghandour                       | Represented By<br>Alan F Broidy - DISBARRED -                          |
| Greenline, LLC                     | Represented By<br>Alan F Broidy - DISBARRED -                          |
| Accounts Receivable Limited, Inc.  | Represented By<br>Alan F Broidy - DISBARRED -                          |
| Golden State Pharmaceuticals, LLC  | Represented By<br>Alan F Broidy - DISBARRED -                          |
| Munir Uwaydah                      | Represented By<br>Alan F Broidy - DISBARRED -                          |
| California Device Manufacturers,   | Represented By<br>Alan F Broidy - DISBARRED -                          |
| Stronghold Capital, LLC            | Represented By<br>Alan F Broidy - DISBARRED -                          |
| South Bay Surgical and Spine       | Represented By<br>Alan F Broidy - DISBARRED -                          |
| South Bay Surgical and Spine       | Represented By<br>Alan F Broidy - DISBARRED -                          |
| Frontline Medical Associates, Inc. | Represented By<br>Alan F Broidy - DISBARRED -<br>James Andrew Hinds Jr |
| Fusion Pharmaceuticals, LLC        | Represented By<br>Alan F Broidy - DISBARRED -                          |

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

**Wednesday, May 25, 2022**

**Hearing Room 5C**

10:00 AM

**CONT... Marisa Nelson Chapter 7**

Orthopaedic Devices, LLC Represented By  
Alan F Broidy - DISBARRED -

Accounts Receivable Acquisitions, Represented By  
Alan F Broidy - DISBARRED -

Bastion, LLC Represented By  
Alan F Broidy - DISBARRED -

Advanced Orthopaedic Devices Represented By  
Alan F Broidy - DISBARRED -

Los Angeles Health Partners, Inc. Represented By  
Alan F Broidy - DISBARRED -

Firstline Health, Inc. Represented By  
Alan F Broidy - DISBARRED -

Prometheus Health Imaging, Inc. Represented By  
Alan F Broidy - DISBARRED -

Munir Uwaydah MD, Inc. Represented By  
Alan F Broidy - DISBARRED -

Janek Hunt Represented By  
Alan F Broidy - DISBARRED -

California Health Partners, LLC Represented By  
Alan F Broidy - DISBARRED -

**Trustee(s):**

Jason M Rund (TR) Represented By  
Diane C Weil

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

**Wednesday, May 25, 2022**

**Hearing Room 5C**

10:00 AM

**8:15-10109 Marisa Nelson**

**Chapter 7**

Adv#: 8:15-01012 Frontline Medical Associates, Inc. et al v. Nelson et al

**#2.00**

Hearing RE: Application For Appearance And Examination RE: Enforcement  
Of Judgment RE: Peter Nelson

**[In Person Hearing]**

(Application filed 4/25/2022)

(Set per Order Entered 4/26/2022)

Docket 99

**Tentative Ruling:**

Revised Tentative for 5/25/22:

In light of Judgment Creditor's status report filed 5/24/22 [Dk. 110] containing the representation that the parties have agreed to a continuance and that a stipulation is forthcoming, this matter is CONTINUED to July 14, 2022, at 11:00 a.m.

Appearances for the 5/25 hearing will not be permitted.

**Party Information**

**Debtor(s):**

Marisa Nelson

Represented By

Stephen F Biegenzahn

Alan F Broidy - DISBARRED -

**Defendant(s):**

Marisa Nelson

Represented By

Stephen F Biegenzahn

Peter William Nelson

Pro Se

**Joint Debtor(s):**

Peter William Nelson

Represented By

Stephen F Biegenzahn

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

**Wednesday, May 25, 2022**

**Hearing Room 5C**

10:00 AM

**CONT... Marisa Nelson**

**Chapter 7**

**Movant(s):**

California Company, LLC

Represented By  
James Andrew Hinds Jr

**Plaintiff(s):**

Sherwood Ventures, LLC

Represented By  
Alan F Broidy - DISBARRED -

Sherwood Financial and

Represented By  
Alan F Broidy - DISBARRED -

Sentinel Health Medical Group, Inc.

Represented By  
Alan F Broidy - DISBARRED -

Millennium Medical Group of San

Represented By  
Alan F Broidy - DISBARRED -

Spider, LLC

Represented By  
Alan F Broidy - DISBARRED -

Springboard, LLC

Represented By  
Alan F Broidy - DISBARRED -

Gestuet Eichenhain

Represented By  
Alan F Broidy - DISBARRED -

Holger Blank

Represented By  
Alan F Broidy - DISBARRED -

Farouk Ghandour

Represented By  
Alan F Broidy - DISBARRED -

Empyrean Medical Management,

Represented By  
Alan F Broidy - DISBARRED -

Kadri Uwaydah

Represented By  
Alan F Broidy - DISBARRED -

Paul Turley

Represented By  
Alan F Broidy - DISBARRED -

Maria Turley

Represented By

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

**Wednesday, May 25, 2022**

**Hearing Room 5C**

10:00 AM

**CONT... Marisa Nelson**

**Chapter 7**

|                                    |  |
|------------------------------------|--|
|                                    | Alan F Broidy - DISBARRED -  |
| Farihan Renno Uwaydah              | Represented By<br>Alan F Broidy - DISBARRED -                          |
| Rania Mardini                      | Represented By<br>Alan F Broidy - DISBARRED -                          |
| Ali Ghandour                       | Represented By<br>Alan F Broidy - DISBARRED -                          |
| Greenline, LLC                     | Represented By<br>Alan F Broidy - DISBARRED -                          |
| Accounts Receivable Limited, Inc.  | Represented By<br>Alan F Broidy - DISBARRED -                          |
| Golden State Pharmaceuticals, LLC  | Represented By<br>Alan F Broidy - DISBARRED -                          |
| South Bay Surgical and Spine       | Represented By<br>Alan F Broidy - DISBARRED -                          |
| South Bay Surgical and Spine       | Represented By<br>Alan F Broidy - DISBARRED -                          |
| Munir Uwaydah                      | Represented By<br>Alan F Broidy - DISBARRED -                          |
| California Device Manufacturers,   | Represented By<br>Alan F Broidy - DISBARRED -                          |
| Stronghold Capital, LLC            | Represented By<br>Alan F Broidy - DISBARRED -                          |
| Frontline Medical Associates, Inc. | Represented By<br>Alan F Broidy - DISBARRED -<br>James Andrew Hinds Jr |
| Fusion Pharmaceuticals, LLC        | Represented By<br>Alan F Broidy - DISBARRED -                          |
| Orthopaedic Devices, LLC           | Represented By   |

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

**Wednesday, May 25, 2022**

**Hearing Room**

**5C**

10:00 AM

**CONT...**

**Marisa Nelson**

**Chapter 7**

|                                   |                             |
|-----------------------------------|-----------------------------|
|                                   | Alan F Broidy - DISBARRED - |
| Accounts Receivable Acquisitions, | Represented By              |
|                                   | Alan F Broidy - DISBARRED - |
| Bastion, LLC                      | Represented By              |
|                                   | Alan F Broidy - DISBARRED - |
| Advanced Orthopaedic Devices      | Represented By              |
|                                   | Alan F Broidy - DISBARRED - |
| Los Angeles Health Partners, Inc. | Represented By              |
|                                   | Alan F Broidy - DISBARRED - |
| Firstline Health, Inc.            | Represented By              |
|                                   | Alan F Broidy - DISBARRED - |
| Prometheus Health Imaging, Inc.   | Represented By              |
|                                   | Alan F Broidy - DISBARRED - |
| Munir Uwaydah MD, Inc.            | Represented By              |
|                                   | Alan F Broidy - DISBARRED - |
| Janek Hunt                        | Represented By              |
|                                   | Alan F Broidy - DISBARRED - |
| California Health Partners, LLC   | Represented By              |
|                                   | Alan F Broidy - DISBARRED - |

**Trustee(s):**

Jason M Rund (TR)

Represented By  
Diane C Weil



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

**Wednesday, May 25, 2022**

**Hearing Room 5C**

10:00 AM

**8:19-13560 Eagan Avenatti, LLP**

**Chapter 7**

Adv#: 8:20-01051 Marshack v. Faieta dba Competition Motorsports

**#3.00**

Hearing RE: Motion For Summary Judgment  
(Motion filed 4/13/2022)

Docket 45

**Tentative Ruling:**

Tentative for 5/25/22 is to DENY.

As a preliminary matter, the below tentative pertains to all three motions for summary judgment (matters #3 – 5) on today’s calendar. Noting that the arguments raised in the motions are substantively similar, and for ease of the Court and the Parties (who are each represented by the same counsel despite being distinctively different entities/persons subject to separate adversary proceedings), the tentatives for the motions have been consolidated below.

Defendants (Robert Faieta dba as Competition Motorsports, Trackside Performance LLC., and Andrew Davis) are service providers in the motor sport industry (i.e., collectively providing driving, maintenance, tire, and track support for competition racing). Generally, Defendants provided their services to Michael Avenatti ("Avenatti") at various points between the years of 2011 and 2013, while Avenatti was the managing member of Debtor ("EA"). In payment for the services they rendered, Defendants received wire transfers from an EA account, and not from an account held by Avenatti personally ("Transfers").

Plaintiff, the Ch. 7 Trustee in the EA bankruptcy case, has filed adversary actions against each of the Defendants, seeking to avoid the Transfers pursuant to 11 U.S.C. § 544(a), (b) and Cal Civ Code §§ 3439.04(a), 3439.07, and 3439.09(a) & (c).

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

Wednesday, May 25, 2022

Hearing Room 5C

10:00 AM

CONT... Eagan Avenatti, LLP

Chapter 7

Defendants have each filed motions for summary judgment alleging, *inter alia*, that they are entitled to judgment as a matter of law, as (1) the Trustee cannot produce evidence to demonstrate that the Transfers were made with actual intent to hinder/delay/defraud creditors (a required element); (2) the Trustee cannot provide evidence to demonstrate that EA did not receive reasonably equivalent value for the Transfers (another required element); (3) Defendants are good faith transferees (a complete defense to the actions); and (4) the Trustee's complaint is not timely (another complete defense to the actions).

Summary judgment may be granted "if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law." Federal Rule of Civil Procedure (FRCP) 56(a) (incorporated by Federal Rule of Bankruptcy Procedure (FRBP) 7056); *Barboza v. New Form, Inc. (In re Barboza)*, 545 F.3d 702, 707 (9th Cir. 2008) (applying FRCP 56 summary judgment standards to adversary proceedings).

Having reviewed all the pleadings and arguments presented by both parties in each of the three adversary cases, the Court disagrees that no genuine dispute of any material fact exists, and that Defendants are entitled to judgment as a matter of law. Therefore, the Court is inclined to DENY Defendants' motions.

The pleadings reflect that the Trustee has produced evidence sufficient to demonstrate that a genuine dispute of material fact exists as to whether the Transfers were made with actual intent to hinder/delay/defraud creditors and whether EA received reasonably equivalent value for the Transfers at issue. Thus, the Trustee meets his burden to demonstrate that there is no "absence of evidence" to support his case. *Celotex Corp. v. Catrett*, 477 U.S. 317, 325 (1986).

Further, Defendants have not met their burden to demonstrate that, as a matter of law, Defendants are good faith transferees (in part due to the Trustee's proffered evidence that reasonably equivalent value is a genuinely and materially disputed issue).

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

Wednesday, May 25, 2022

Hearing Room 5C

10:00 AM

CONT... Eagan Avenatti, LLP

Chapter 7

Moreover, the Court finds Defendants' arguments regarding the untimeliness of the Trustee's complaints to be unpersuasive. Defendants assert that this Court should follow the Ninth Circuit's unpublished holding in *Jenner v. Neilson (In re Slatkin)*, 222 F. App'x 545 (9th Cir. 2007) ("*Slatkin I*"), rather than the Ninth Circuit's subsequent holding of the also unpublished *Von Gunten v. Neilson (In re Slatkin)*, 243 F. App'x 255 (9th Cir. 2007) ("*Slatkin II*") decision on the grounds that the later *Slatkin II* decision was incorrectly decided; however, it is not the role of this Court to decide that *Slatkin II* was incorrectly decided. Moreover, the Court notes that *Slatkin II* has been favorably cited on far greater occasions in the Ninth Circuit, and those decisions which have favorably cited to *Slatkin II* (including the Ninth Circuit BAP decision of *Rund v. Bank of Am. Corp. (In re EPD Inv. Co., LLC)*, 523 B.R. 680 (B.A.P. 9th Cir. 2015) quoted below) are persuasive.

A trustee's action under § 544 is also subject to the time limitations set forth in § 546(a), which provides, in relevant part, that an action or proceeding under § 544 to avoid a transfer must be commenced within "2 years after the entry of the order for relief." § 546(a)(1)(A). **Many courts, including the Ninth Circuit, have held that if the statute of limitations period governing a state-law fraudulent transfer action has not yet expired on the petition date (or the date the order for relief is entered, which is generally the same date), the trustee may bring the action under § 544(b), provided it is filed within the § 546(a) limitations period.** This rule applies even if the state statute of limitations expired while the bankruptcy case was pending. *Acequia, Inc.*, 34 F.3d at 807 (applying Idaho fraudulent transfer law and describing *Karnes v. McDowell (In re McDowell)*, 87 B.R. 554, 558 (Bankr. S.D. Ill. 1988), as holding that "a bankruptcy petition tolls the statute of limitations on a creditor's state-law fraudulent conveyance action and permits the trustee to initiate avoidance litigation even where the limitations period otherwise would have expired"); *Slatkin II*, 243 F. App'x at 258 (applying Cal. Civ. Code § 3439.09 and citing *Acequia, Inc.*); *Richardson v. Preston (In re Antex, Inc.)*, 397 B.R. 168, 174 (1st Cir. BAP 2008); *Rosania v. Haligas (In re Dry Wall Supply, Inc.)*, 111 B.R. 933, 936 (D. Colo. 1990); *Picard v. Estate of Chais (In re Bernard L. Madoff Inv. Secs. LLC)*, 445 B.R. 206, 231 (Bankr.

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

**Wednesday, May 25, 2022**

**Hearing Room 5C**

10:00 AM

**CONT...**

**Eagan Avenatti, LLP**

**Chapter 7**

S.D.N.Y. 2011); *Summit Secs., Inc. v. Sandifur (In re Metro. Mortg. & Secs. Co.)*, 344 B.R. 138, 141 (Bankr. E.D. Wash. 2006); *Bay State Milling Co. v. Martin (In re Martin)*, 142 B.R. 260, 265 (Bankr. N.D. Ill. 1992); *In re Mahoney, Trocki & Assocs., Inc.*, 111 B.R. at 919-20.

*In re EPD Inv. Co., LLC*, 523 B.R. 680 (B.A.P. 9th Cir. 2015) (emphasis added).

Each of the Trustee's complaints were filed well within the 2-year period following the filing of Debtor's bankruptcy petition on September 13, 2019. Accordingly, the Trustee's complaints were timely filed.

Virtual appearances are required. The courtroom will be locked; parties will not be permitted to appear in the courtroom. The hearing will take place using Zoom for Government, a free service that provides audioconference and videoconference capabilities.

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/1616473482>

Meeting ID: 161 647 3482

Password: 809693

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 following audio conference information:

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

Meeting ID: 161 647 3482

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

Wednesday, May 25, 2022

Hearing Room 5C

10:00 AM

CONT... Eagan Avenatti, LLP

Chapter 7

Password: 809693

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

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

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

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

**Debtor(s):**

Eagan Avenatti, LLP

Represented By  
Jack A. Reitman

**Defendant(s):**

Robert Faieta dba Competition

Represented By  
Christopher L Blank

**Movant(s):**

Robert Faieta dba Competition

Represented By  
Christopher L Blank

**Plaintiff(s):**

Richard A. Marshack

Represented By  
Jack A. Reitman  
John P. Reitman

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

**Wednesday, May 25, 2022**

**Hearing Room 5C**

10:00 AM

**CONT... Eagan Avenatti, LLP**

**Chapter 7**

**Trustee(s):**

Richard A Marshack (TR)

**Represented By**

Jack A. Reitman

D Edward Hays

David Wood

Judith E Marshack

John P. Reitman

Meghan C Murphey

Tinho Mang

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

**Wednesday, May 25, 2022**

**Hearing Room 5C**

10:00 AM

**8:19-13560 Eagan Avenatti, LLP**

**Chapter 7**

Adv#: 8:20-01069 Marshack v. Trackside Performance, LLC

**#4.00**

Hearing RE: Motion For Summary Judgment  
(Motion filed 4/13/2022)

Docket 36

**Tentative Ruling:**

Tentative for 5/25/22 is to DENY, for the reasons stated in the consolidated tentative on related matter #3.

Virtual appearances are required. The courtroom will be locked; parties will not be permitted to appear in the courtroom. The hearing will take place using Zoom for Government, a free service that provides audioconference and videoconference capabilities.

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/1616473482>

Meeting ID: 161 647 3482

Password: 809693

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 following audio conference information:

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

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

Wednesday, May 25, 2022

Hearing Room 5C

10:00 AM

CONT... Eagan Avenatti, LLP

Chapter 7

Meeting ID: 161 647 3482

Password: 809693

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):**

Eagan Avenatti, LLP

Represented By  
Jack A. Reitman

**Defendant(s):**

Trackside Performance, LLC

Represented By  
Christopher L Blank

**Movant(s):**

Trackside Performance, LLC

Represented By  
Christopher L Blank

**Plaintiff(s):**

Richard A. Marshack

Represented By  
Jack A. Reitman  
John P. Reitman



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

**Wednesday, May 25, 2022**

**Hearing Room 5C**

10:00 AM

**CONT... Eagan Avenatti, LLP**

**Chapter 7**

**Trustee(s):**

Richard A Marshack (TR)

**Represented By**

Jack A. Reitman

D Edward Hays

David Wood

Judith E Marshack

John P. Reitman

Meghan C Murphey

Tinho Mang

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

**Wednesday, May 25, 2022**

**Hearing Room 5C**

10:00 AM

**8:19-13560 Eagan Avenatti, LLP**  
Adv#: 8:20-01146 Marshack v. Davis

**Chapter 7**

**#5.00**

Hearing RE: Motion For Summary Judgment  
(Motion filed 4/13/2022)

Docket 30

**Tentative Ruling:**

Tentative for 5/25/22 is to DENY, for the reasons stated in the consolidated tentative on related matter #3.

Virtual appearances are required. The courtroom will be locked; parties will not be permitted to appear in the courtroom. The hearing will take place using Zoom for Government, a free service that provides audioconference and videoconference capabilities.

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/1616473482>

Meeting ID: 161 647 3482

Password: 809693

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 following audio conference information:

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

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

Wednesday, May 25, 2022

Hearing Room 5C

10:00 AM

CONT... Eagan Avenatti, LLP

Chapter 7

Meeting ID: 161 647 3482

Password: 809693

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

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

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

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

**Debtor(s):**

Eagan Avenatti, LLP

Represented By  
Jack A. Reitman

**Defendant(s):**

Andrew S. Davis

Represented By  
Christopher L Blank

**Movant(s):**

Andrew S. Davis

Represented By  
Christopher L Blank

**Plaintiff(s):**

Richard A. Marshack

Represented By  
John P. Reitman  
Jack A. Reitman

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

**Wednesday, May 25, 2022**

**Hearing Room 5C**

10:00 AM

**CONT... Eagan Avenatti, LLP**

**Chapter 7**

**Trustee(s):**

Richard A Marshack (TR)

**Represented By**

Jack A. Reitman

D Edward Hays

David Wood

Judith E Marshack

John P. Reitman

Meghan C Murphey

Tinho Mang

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

Wednesday, May 25, 2022

Hearing Room 5C

10:00 AM

8:21-12276 Summit Financial, Inc.

Chapter 11

#6.00

CONT'D Hearing RE: Confirmation Of Plan Of Reorganization For Small Business Under Chapter 11  
(Plan filed 12/17/2021)  
(Set per S/C held 11/3/2021)

FR: 2-16-22; 4-6-22; 4-13-22

Docket 72

**\*\*\* VACATED \*\*\* REASON: CONTINUED TO SEPTEMBER 14, 2022  
AT 1:30 P.M PER ORDER APPROVING STIPULATION TO EXTEND  
THE DEADLINE TO ASSUME AND REJECT LEASES AS WELL AS  
THE CONFIRMATION HEARING AND OTHER RELATED  
DEADLINES AND STATUS CONFERENCE ENTERED 5-3-2022 -  
(DOCKET NO. [149])**

**Tentative Ruling:**

- NONE LISTED -

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

**Debtor(s):**

Summit Financial, Inc.

Represented By  
M Douglas Flahaut  
Dylan J Yamamoto  
Christopher K.S. Wong

**Trustee(s):**

Mark M Sharf (TR)

Pro Se

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

Wednesday, May 25, 2022

Hearing Room 5C

10:00 AM

8:21-12276 Summit Financial, Inc.

Chapter 11

#7.00

CONT'D STATUS CONFERENCE Hearing RE : Order:  
(1) Setting Conference On Status Of Subchapter V case;  
(2) Requiring Debtor To Appear At Status Conference And File Report On Status Of Subchapter V Case, Or Face Possible (A) Conversion Of Case To Chapter 7 Or (B) Dismissal Of Case;  
(3) Requiring Subchapter V Trustee To Appear At Status Conference;  
(4) Establishing Procedure For Motion For Order Confirming Subchapter V Plan; And  
(5) Setting Date For 11 U.S. C Section 1111(b) Election  
(Petition filed 9/18/2021)  
(Set per Order Entered 9/21/2021)

FR: 11-3-21; 2-16-22; 2-16-22; 4-13-22

Docket 15

**\*\*\* VACATED \*\*\* REASON: CONTINUED TO SEPTEMBER 14, 2022  
AT 1:30 P.M PER ORDER APPROVING STIPULATION TO EXTEND  
THE DEADLINE TO ASSUME AND REJECT LEASES AS WELL AS THE  
CONFIRMATION HEARING AND OTHER RELATED DEADLINES AND  
STATUS CONFERENCE ENTERED 5-3-2022 - (DOCKET NO. [149])**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

Summit Financial, Inc.

Represented By

M Douglas Flahaut

Dylan J Yamamoto

Christopher K.S. Wong

**Trustee(s):**

Mark M Sharf (TR)

Pro Se