

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

Tuesday, July 16, 2024

Hearing Room 5C

10:00 AM

8:24-10187 Susan Jo White

Chapter 7

#1.00

Hearing RE: Motion To Dismiss Chapter 7 Case Pursuant To Section 707(b)(2) & (3)
(Motion filed 6/12/2024)

Docket 30

Tentative Ruling:

Tentative for 7/16/24:

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

The audio portion of each hearing will be recorded electronically by the Court and constitute its official record. **By Order of the Judicial Conference of the United States, members of the general public may only view the hearings from the Courtroom, which will remain open, or access the hearing by audioconference only, as set forth below. This is a nation-wide 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/1610902559>

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

Tuesday, July 16, 2024

Hearing Room 5C

10:00 AM

CONT... Susan Jo White

Chapter 7

Meeting ID: 161 090 2559

Password: 697627

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Meeting ID: 161 090 2559

Password: 697627

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

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

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Party Information

Debtor(s):

Susan Jo White

Represented By
Anerio V Altman

Trustee(s):

**United States Bankruptcy Court
Central District of California
Santa Ana
Scott Clarkson, Presiding
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10:00 AM

CONT... **Susan Jo White**
Karen S Naylor (TR)

Pro Se

Chapter 7

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

Tuesday, July 16, 2024

Hearing Room 5C

11:00 AM

8:20-10535 ARP-Loyalton Cogen LLC

Chapter 7

#2.00

CONT'D Hearing RE: Chapter 7 Trustee's Motion For Order Objecting To Proof Of Claim:
(Motion filed 5/9/24)

Claim No. 13 Timothy Pace \$6,364.73

FR: 6-11-24

Docket 88

Tentative Ruling:

Tentative for 7/16/24 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.

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

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

Meeting ID: 160 150 9695

Password: 915192

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.

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

Hearing Room 5C

11:00 AM

CONT... ARP-Loyalton Cogen LLC

Chapter 7

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.

Tentative for 6/11/24:

This matter is CONTINUED to July 16, 2024, at 11:00 a.m. to permit Trustee to effectuate proper service. The zip code on the address where the notice of the objection was sent does not match the zip code provided by claimant on the proof of claim.

Appearances for the 6/11 hearing are excused.

Party Information

Debtor(s):

ARP-Loyalton Cogen LLC

Represented By
David B Golubchik
Todd M Arnold

Trustee(s):

Thomas H Casey (TR)

Pro Se

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

Tuesday, July 16, 2024

Hearing Room 5C

11:00 AM

8:21-10246 Texas Tire Warehouse, LLC

Chapter 7

Adv#: 8:22-01050 Naylor v. Veen

#3.00

Hearing RE: Order For Appearance And Examination Of Sanjeet Veen - Judgment Debtor - For Enforcement Of Judgment
(Set per Order Entered 5/15/2024)

Docket 40

***** VACATED *** REASON: ADVANCED TO JULY 3, 2024 AT 10:00
A.M. AT THE LAW OFFICES OF EILSON ELSER, LOCATED AT 111
NORTH ORANGE AVENUE, SUITE 1200, ORLANDO, FLORIDA, 32801
PER ORDER APPROVING STIPULATION REGARDING JUDGMENT
DEBTOR EXAMINATION ENTERED 7-1-2024 - (DOCKET NO. [47])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Texas Tire Warehouse, LLC

Represented By
Ron Bender
Todd M Arnold

Defendant(s):

Sanjeet Singh Veen

Represented By
Donald W Reid

Plaintiff(s):

Karen Sue Naylor

Represented By
Nanette D Sanders

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders

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

Tuesday, July 16, 2024

Hearing Room 5C

11:00 AM

8:22-10877 7910 Main Street Property, LLC

Chapter 7

#4.00

CONT'D Hearing RE: Chapter 7 Trustee's Continued And Amended Motion To Compel Turnover Of Property Of The Bankruptcy Estate Pursuant To 11 U.S.C. Section 542 Including Documents And Real Property
(Motion filed 5/21/2024)
(Amended Motion filed 6/20/2024)

FR: 6-11-24

Docket 184

Tentative Ruling:

Tentative for 7/16/24 is to GRANT.

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

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Meeting ID: 160 150 9695

Password: 915192

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

Tuesday, July 16, 2024

Hearing Room 5C

11:00 AM

8:23-11152 Jesse Stephen Fisher

Chapter 7

Adv#: 8:23-01100 Brooks et al v. Fisher

#5.00

CONT'D Hearing RE: Motion For Summary Judgment
(Motion filed 4/10/2024)

FR: 5-23-24; 6-18-24

Docket 12

Tentative Ruling:

Tentative for 7/16/24:

The Court is inclined to DENY the Motion for Summary Judgment as Plaintiffs fail to provide sufficient detail and corroborating evidence to demonstrate that no genuine issue of fact exists.

Plaintiffs in their statement of undisputed facts ("SUF") provide insufficient detail as to how or when Defendant made misrepresentations about his licensing status and his intent to deceive. The evidence cited in support of the SUF was largely a self-serving declaration simply repeating the SUF asserted. Though the Ninth Circuit has stated that self-serving declarations, which may have limited weight, are still admissible at the summary judgment stage, Plaintiffs have not provided sufficient detail or evidence to support a finding that summary judgment is warranted. *See, Nigro v. Sears, Roebuck and Co.*, 784 F3d 495 (9th Cir 2015).

Defendant failed to provide admissible evidence in support of his response to the Motion, but such defect can be cured at trial. *See, McCarthy v. R.J. Reynolds Tobacco Co.*, 819 F. Supp. 2d 923, 926 (E.D. Cal. 2011). Further, Plaintiffs acknowledged in their Reply, that Defendant's statements, "[i]n fairness, [] does create a dispute of fact" [Dk. 23, pg. 2, 18-19].

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**United States Bankruptcy Court
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CONT... Jesse Stephen Fisher

Chapter 7

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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Meeting ID: 160 150 9695

Password: 915192

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

Hearing Room 5C

11:00 AM

CONT... Jesse Stephen Fisher
Password: 915192

Chapter 7

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Tenative for 5/23/24:

This matter is continued to June 18, 2024, at 1:30 p.m. to permit Plaintiffs to file supplemental pleading(s), as set forth below. The supplemental pleading(s) must be filed by no later than June 4, 2024, along with a notice of continuance. Defendant may file a response by no later than June 11, 2024.

Plaintiffs seek to have a state court default judgment in the amount of \$209,193.45 declared nondischargeable pursuant to 11 U.S.C. § 523(a)(2) through application of the doctrine of collateral estoppel.

In reviewing whether application of collateral estoppel is appropriate, the bankruptcy court looks to California law. See *Harmon v. Kobrin (In re Harmon)*, 250 F.3d 1240, 1245 (9th Cir. 2001). California permits application of issue preclusion to an existing judgment: (1) after final adjudication; (2) of an identical issue; (3) actually litigated in the former proceeding; (4) necessarily decided in the former proceeding; and (5) asserted against a party in the former proceeding or in privity with that party. See *DKN Holdings LLC v. Faerber*, 61 Cal. 4th 813, 825 (2015).

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CONT... **Jesse Stephen Fisher**

Chapter 7

A default judgment is not excluded from an application of issue preclusion; but "the issue must have been 'necessarily litigated' in the action resulting in the default judgment." *In re Harmon*, 250 F.3d at 1246 n.5 (citation omitted). This requirement, in turn, "imposes two separate conditions: the issue must have been 'actually litigated' and it must have been 'necessarily decided' by the default judgment." *Id.* (citation omitted). The party asserting preclusion bears the burden of establishing the threshold requirements. *In re Harmon*, 250 F.3d at 1245. This means providing "a record sufficient to reveal the controlling facts and pinpoint the exact issues litigated in the prior action." *Kelly v. Okoye (In re Kelly)*, 182 B.R. 255, 258 (9th Cir. BAP 1995), *aff'd*, 100 F.3d 110 (9th Cir. 1996). Ultimately, "[a]ny reasonable doubt as to what was decided by a prior judgment should be resolved against allowing the [issue preclusive] effect." *Id.*

Here, the state court action included causes of action for: (1) Disgorgement of Monies Paid to Unlicensed Contractor, (2) Breach of Contract, (3) Violation of Contract Requirements (Business & Professions Code § 7159), (4) Fraud and Deceit (Civil Code §§ 1079, 1572 and 1710), (5) Negligent Misrepresentation (Civil Code §1710(2)), (6) Conversion, (7) Violations of Statutory Building Standards (Civil Code §§ 896, et seq.), (8) Breach of Implied Warranty, and (9) Unfair Competition (Business & Professions Code §§ 17200, et seq.). The judgment, however, is silent as to which of these claims Plaintiffs prevailed; for instance, the judgment could be based upon breach of contract or negligent misrepresentation, as opposed to fraud. On the record before it, this Court cannot find that fraud was actually litigated and necessarily decided by the state court.

Accordingly, the Motion is continued for purposes of permitting Plaintiffs to supplement the Motion by presenting additional evidence (e.g., a transcript of the default prove up hearing) establishing that fraud was actually litigated and necessarily decided by the state court or adding additional grounds under which Plaintiffs move (e.g., § 523(a)(2) directly, as opposed to by application of collateral estoppel). The supplemental pleading must be filed by no later than June 4, 2024, along with a notice of continuance. Defendant may file a response by no later than June 11, 2024.

Appearances for the 5/23 hearing are excused.

Party Information

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

Hearing Room 5C

11:00 AM

CONT... Jesse Stephen Fisher

Chapter 7

Debtor(s):

Jesse Stephen Fisher

Represented By
Misty A Perry Isaacson

Defendant(s):

Jesse Stephen Fisher

Pro Se

Movant(s):

Sarrah Brooks

Represented By
Anerio V Altman

Eric Brooks

Represented By
Anerio V Altman

Plaintiff(s):

Sarrah Brooks

Represented By
Anerio V Altman

Eric Brooks

Represented By
Anerio V Altman

Trustee(s):

Thomas H Casey (TR)

Pro Se

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

Tuesday, July 16, 2024

Hearing Room 5C

11:00 AM

8:24-10575 Ericka Lorena Perez

Chapter 7

#6.00

CONT'D Hearing RE: Motion Of The United States Trustee For Extension Of Deadline For Filing A Complaint Objecting To The Debtor's Discharge Under 11 U.S.C. Section 727 Or A Motion To Dismiss Under 11 U.S.C. Section 707(b) For The United States Trustee Only
Motion filed 5/22/2024

FR: 6-18-24

Docket 17

Tentative Ruling:

Tentative for 7/16/24 is to GRANT.

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

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

Hearing Room 5C

11:00 AM

CONT... Ericka Lorena Perez

Chapter 7

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

Tentative for 6/18/24:

This matter is CONTINUED to July 16, 2024, at 11:00 a.m. Movant, the United States Trustee, is to file a Notice of Continuance and declaration in support of the motion by no later than June 25, 2024. Debtor may respond by no later than July 2, 2024.

Appearances for the 6/18 hearing are excused.

Party Information

Debtor(s):

Ericka Lorena Perez

Pro Se

Movant(s):

United States Trustee (SA)

Represented By
Kristin T Mihelic

Trustee(s):

Thomas H Casey (TR)

Pro Se

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

Tuesday, July 16, 2024

Hearing Room 5C

1:30 PM

8:18-10548 Lenore LuAnn Albert-Sheridan

Chapter 7

Adv#: 8:18-01065 Albert-Sheridan v. Farfan et al

#7.00

STATUS CONFERENCE Hearing RE: To Discuss The Issues That Have Been Ordered By The BAP To Be Considered And Adjudicated By This Court (Set per Order Entered 5/28/2024)

Docket 255

***** VACATED *** REASON: CONTINUED TO DECEMBER 17, 2024
AT 3:30 P.M. PER ORDER CONTINUING STATUS CONFERENCE
ENTERED 6-5-2024 - (DOCKET NO. [579])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Lenore LuAnn Albert-Sheridan Pro Se

Defendant(s):

Maricruz Farfan Represented By
Marc A Shapp
Suzanne C Grandt

Brandon Tady Represented By
Marc A Shapp
Suzanne C Grandt

Alex Hackert Represented By
Marc A Shapp
Suzanne C Grandt

Paul Bernardino Represented By
Marc A Shapp
Suzanne C Grandt

Yvette Roland Hon. Represented By
Marc A Shapp

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

Hearing Room 5C

1:30 PM

CONT... Lenore LuAnn Albert-Sheridan

Chapter 7

Suzanne C Grandt

State Bar Of California

Represented By
Marc A Shapp
Suzanne C Grandt
Michael von Loewenfeldt

Timothy Byer, Esq

Represented By
Marc A Shapp
Suzanne C Grandt

Nira Woods

Pro Se

Devin Lucas, Esq

Represented By
David B Lally

Plaintiff(s):

Lenore LuAnn Albert-Sheridan

Represented By
Lenore L Albert

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Jonathan A. Michaels
Eric P Israel
Aaron E. DE Leest
Sonia Singh

Jeffrey I Golden

Represented By
Matthew Veblen Van Fleet

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

Tuesday, July 16, 2024

Hearing Room 5C

1:30 PM

8:19-12507 Erin Annette Hruby

Chapter 7

Adv#: 8:24-01032 Hruby v. National Collegiate Student Loan Trust 2006-3 et a

#8.00

CONT'D STATUS CONFERENCE Hearing RE: Adversary Complaint For Declaratory Relief, To Declare Judgment Void And In Violation Of 11 U.S.C. Section 524

(Complaint filed 2/27/2024)

(Another Summons issued 4-3-2024)

FR: 5-14-24; 6-18-24

Docket 1

Tentative Ruling:

Tentative for 7/16/24:

The Court will conduct a live, in-person status conference on July 16, 2024, with personal appearances by counsel required in Courtroom 5C. No virtual appearances will be permitted.

The parties should come prepared with copies of the complaint and answer and be prepared to discuss the parties' asserted positions.

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

1. Discovery cutoff: November 26, 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 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-

**United States Bankruptcy Court
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Hearing Room 5C

1:30 PM

CONT... Erin Annette Hruby Chapter 7

monetary sanctions, including the striking of the answer and dismissal of the complaint.

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

Personal appearances required.

Party Information

Debtor(s):

Erin Annette Hruby

Represented By
Anthony B Vigil

Defendant(s):

National Collegiate Student Loan

Represented By
Kenneth Akira Ohashi

National Collegiate Student Loan

Represented By
Kenneth Akira Ohashi

Plaintiff(s):

Erin Annette Hruby

Represented By
Ian D Chowdhury

Trustee(s):

Thomas H Casey (TR)

Pro Se

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

Hearing Room 5C

1:30 PM

8:19-13560 Eagan Avenatti, LLP

Chapter 7

Adv#: 8:20-01059 Marshack v. Eisenhower Carlson PLLC

#9.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For Avoidance And Recovery Of Voidable Transfers
(Complaint filed 4/21/2020)

[Adversary transferred from CB on 7/31/2020]

(S/C set per Order Entered 8/7/2020)

(PTC set at S/C held 9/30/20)

FR: 7-7-20; 9-30-20; 4-28-21; 9-29-21; 11-3-21; 2-2-22; 2-15-22; 1-17-23;
7-11-23; 9-12-23; 12-12-23; 2-13-24; 5-14-24; 7-9-24

Docket 1

*** VACATED *** REASON: CONTINUED TO OCTOBER 15, 2024 AT
1:30 P.M. PER ORDER APPROVING STIPULATION TO EXTEND
DISCOVERY CUTOFF, MOTION CUTOFF, AND PRETRIAL HEARING
DATES ENTERED 3-20-2024 - (DOCKET NO. [213])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Eagan Avenatti, LLP

Represented By
Jack A. Reitman

Defendant(s):

Eisenhower Carlson PLLC

Represented By
Steven Casselberry

Plaintiff(s):

Richard A. Marshack

Represented By
Jack A. Reitman
John P. Reitman
Monica Rieder

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

Tuesday, July 16, 2024

Hearing Room 5C

1:30 PM

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

Tuesday, July 16, 2024

Hearing Room 5C

1:30 PM

8:19-13560 Eagan Avenatti, LLP

Chapter 7

Adv#: 8:20-01060 Marshack v. Gallo Builders, Inc.

#10.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE:Complaint For Avoidance And Recovery Of Voidable Transfers
(Complaint filed 4/21/2020)

[Adversary transferred from CB on 7/31/2020]

(S/C set per Order Entered 8/7/2020)

(PTC set at S/C held 9-30-20)

FR: 7-7-20; 9-30-20; 4-28-21; 9-29-21; 11-3-21; 2-2-22; 2-15-22; 7-12-22;
1-17-23; 7-11-23; 10-24-23; 12-12-23; 2-13-24; 7-16-24

Docket 1

***** VACATED *** REASON: CONTINUED TO OCTOBER 15, 2024 AT
1:30 P.M. PER ORDER APPROVING STIPULATION TO EXTEND
DISCOVERY CUTOFF, MOTION CUTOFF, AND PRE-TRIAL HEARING
DATES ENTERED 3-26-2024 - (DOCKET NO. [207])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Eagan Avenatti, LLP

Represented By
Jack A. Reitman

Defendant(s):

Gallo Builders, Inc.

Represented By
Martin B Greenbaum

Plaintiff(s):

Richard A. Marshack

Represented By
Jack A. Reitman
John P. Reitman
Monica Rieder

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

Tuesday, July 16, 2024

Hearing Room 5C

1:30 PM

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
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Tuesday, July 16, 2024

Hearing Room 5C

1:30 PM

8:19-13560 Eagan Avenatti, LLP

Chapter 7

Adv#: 8:20-01149 Marshack v. Osborn

#11.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For Avoidance And Recovery Of Voidable Transfers
(Complaint filed 10/20/2020)
(PTC set at S/C held 3/3/2021)

FR: 1-6-21; 12-1-21; 3-23-22; 7-12-22; 1-17-23; 7-11-23; 10-24-23; 12-12-23;
2-6-24; 4-9-24

Docket 1

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 24, 2024
AT 1:30 P.M. PER ORDER CONTINUING PRE-TRIAL CONFERENCE
AND RELATED DEADLINES ENTERED 7-1-2024 - (DOCKET NO. [104])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Eagan Avenatti, LLP

Represented By
Jack A. Reitman

Defendant(s):

Simeon Osborn

Represented By
Aaron J Malo

Plaintiff(s):

Richard A. Marshack

Represented By
Jack A. Reitman
John P. Reitman
Monica Rieder

Trustee(s):

Richard A Marshack (TR)

Represented By

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

Tuesday, July 16, 2024

Hearing Room 5C

1:30 PM

CONT...

Eagan Avenatti, LLP

Chapter 7

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**

Tuesday, July 16, 2024

Hearing Room 5C

1:30 PM

8:21-10245 Tires Direct, Inc.

Chapter 7

Adv#: 8:23-01007 Sharf v. Veen et al

#12.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint:
(1) To Avoid Fraudulent Transfers Pursuant To 11 U.S.C. Section 548 And California Civil Code Sections 3439.04(a)(1) And 3439.04(a)(2);
(2) To Avoid Preferential Transfers Pursuant To 11 U.S.C. Section 547;
(3) To Recover And Preserve Fraudulent Transfers Pursuant To 11 U.S.C. Sections 550 And 551 And California Civil Code Section 3439.07;
(4) To Recover And Preserve Preferential Transfers Pursuant To 11 U.S.C. Sections 550 And 551;
(5) Unjust Enrichment;
(6) Common Count - Money Had And Received; And
(7) Turnover Pursuant To 11 U.S.C. Sections 542(a) And (b)
(Complaint filed 1/30/2023)
(PTC set at S/C held 5/30/2023)

FR: 4-18-23; 4-25-23; 5-30-23; 3-12-24; 5-14-24; 6-18-24

Docket 1

***** VACATED *** REASON: OFF CALENDAR PER JUDGMENT
ENTERED 5-22-2024 - (DOCKET NO.: [33])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Tires Direct, Inc.

Represented By
Ron Bender
Todd M Arnold

Defendant(s):

Sanjeet Veen

Represented By
Donald W Reid

Simrun Veen

Represented By

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

Tuesday, July 16, 2024

Hearing Room

5C

1:30 PM

CONT...

Tires Direct, Inc.

Chapter 7

Donald W Reid

Vask Group Holdings, LLC

Represented By
Donald W Reid

In and Out Nadeau

Represented By
Donald W Reid

In and Out Tire LLC

Represented By
Donald W Reid

Tire Super Center of Jacksonville,

Represented By
Donald W Reid

Tire Super Center of Orlando LLC

Represented By
Donald W Reid

Tire Supercenter Wholesale Inc.

Represented By
Donald W Reid

Tire Super Center of Tampa LLC

Represented By
Donald W Reid

Plaintiff(s):

Mark M Sharf

Represented By
Nathan F Smith

Trustee(s):

Mark M Sharf (TR)

Represented By
Jeremy Faith
Arturo Cisneros
Nathan F Smith

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

Tuesday, July 16, 2024

Hearing Room 5C

1:30 PM

8:21-11710 Jamie Lynn Gallian

Chapter 7

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

#13.00

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

(Complaint filed 10/18/2021)

(First Amended Complaint filed 11/16/2021)

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

(Another Summons Issued 11/19/21)

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

(Second Amended Complaint filed 1/28/2023)

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

FR:2-10-22; 6-30-22; 9-22-22; 9-22-22; 9-27-22; 11-15-22; 2-14-23; 5-16-23;
7-18-23; 1-16-24; 4-9-24

Docket 107

***** VACATED *** REASON: CONTINUED TO NOVEMBER 12, 2024**

AT 1:30 P.M. PER ORDER CONTINUING STATUS CONFERENCE

ENTERED 7-3-2024 - (DOCKET NO. [138])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jamie Lynn Gallian Pro Se

Defendant(s):

Jamie Lynn Gallian Pro Se

J-Pad, LLC Pro Se

J-Sandcastle Co LLC Pro Se

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

Tuesday, July 16, 2024

Hearing Room 5C

1:30 PM

CONT... Jamie Lynn Gallian

Chapter 7

Plaintiff(s):

Janine Jasso

Pro Se

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Aaron E. DE Leest
Eric P Israel
Shantal Malméd

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

Tuesday, July 16, 2024

Hearing Room 5C

1:30 PM

8:22-11915 Manzella Properties, LLC

Chapter 7

Adv#: 8:23-01088 Manzella v. West Coast Ventures & Resources, Inc. et al

#14.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: First Amended Complaint For:
(1) Disallowance Of Claim Of West Coast Ventures & Resources, Inc.;
(2) Declaratory Relief To Determine The Invalidity Of Defendants' Lien; And
(3) Equitable Subordination Of Claim 1 Of West Coast Ventures & Resources, Inc.
(Complaint filed 8/8/2023)
(First Amended Complaint filed 12/12/2023)
(First Amended Complaint filed 12/19/23)
(PTC set at S/C held 2/6/2024)

FR: 10-24-23| 11-7-23

Docket 23

***** VACATED *** REASON: CONTINUED TO AUGUST 27, 2024 AT
1:30 P.M. PER ORDER APPROVING STIPULATION TO AMEND
SCHEDULING ORDER ENTERED 5-6-2024 - (DOCKET NO. [33])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Manzella Properties, LLC

Represented By
Tracy Green
Anthony W. Austin

Defendant(s):

West Coast Ventures & Resources,

Represented By
Sean A OKeefe

Randy Teffeteller

Represented By
Sean A OKeefe

Plaintiff(s):

Michele Manzella

Represented By

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

Tuesday, July 16, 2024

Hearing Room 5C

1:30 PM

CONT... Manzella Properties, LLC

Chapter 7

Melissa Davis Lowe

Trustee(s):

Karen S Naylor (TR)

Represented By

Nanette D Sanders

Ashley M Teesdale

William Malcolm

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

Tuesday, July 16, 2024

Hearing Room 5C

1:30 PM

8:22-11915 Manzella Properties, LLC

Chapter 7

Adv#: 8:23-01088 Manzella v. West Coast Ventures & Resources, Inc. et al

#15.00

Hearing RE: Motion For Summary Judgment On The First, Second And Third Claims For Relief Alleged By The Plaintiff
(Motion filed 6/4/2024)

Docket 35

***** VACATED *** REASON: CONTINUED TO SEPTEMBER 24, 2024
AT 1:30 P.M. PER ORDER APPROVING STIPULATION CONTINUING
MOTION FOR SUMMARY JUDGMENT ON THE FIRST, SECOND AND
THIRD CLAIMS FOR RELIEF AND PRE-TRIAL HEARING BASED
UPON SETTLEMENT ENTERED 7-11-2024 - (DOCKET NO. [43])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Manzella Properties, LLC

Represented By
Tracy Green
Anthony W. Austin

Defendant(s):

West Coast Ventures & Resources,

Represented By
Sean A OKeefe

Randy Teffeteller

Represented By
Sean A OKeefe

Movant(s):

West Coast Ventures & Resources,

Represented By
Sean A OKeefe

West Coast Ventures & Resources,

Represented By
Sean A OKeefe

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

Tuesday, July 16, 2024

Hearing Room 5C

1:30 PM

CONT... Manzella Properties, LLC

Chapter 7

Plaintiff(s):

Michele Manzella

Represented By
Melissa Davis Lowe

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Ashley M Teesdale
William Malcolm

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

Tuesday, July 16, 2024

Hearing Room 5C

1:30 PM

8:23-10065 Khushwant Sean Singh
Adv#: 8:23-01032 Rakower v. Singh

Chapter 7

#16.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine
Nondischargeability Of Debt Pursuant To 11 USC Section 523(a)(6)
(Complaint filed 4/24/2023)

FR: 7-11-23; 9-26-23; 12-5-23; 2-6-24; 4-25-24; 5-21-24

Docket 1

Tentative Ruling:

Tentative for 7/16/24:

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

1. Discovery cutoff: October 17, 2024. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: December 5, 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 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. 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

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

Hearing Room 5C

1:30 PM

CONT...

Khushwant Sean Singh

Chapter 7

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 nation-wide 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/1609786667>

Meeting ID: 160 978 6667

Password: 281304

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

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

Meeting ID: 160 978 6667

Password: 281304

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

Tuesday, July 16, 2024

Hearing Room 5C

1:30 PM

CONT... Khushwant Sean Singh

Chapter 7

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):

Khushwant Sean Singh	Pro Se
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Defendant(s):

Khushwant Sean Singh	Pro Se
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Plaintiff(s):

Stephen R. Rakower	Represented By William K Crowe
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Trustee(s):

Karen S Naylor (TR)	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Scott Clarkson, Presiding
Courtroom 5C Calendar**

Tuesday, July 16, 2024

Hearing Room 5C

1:30 PM

8:23-11152 Jesse Stephen Fisher

Chapter 7

Adv#: 8:23-01100 Brooks et al v. Fisher

#17.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint To Determine Nondischargeability Of Debt Pursuant To 11 U.S.C. Section 523 (Complaint filed 9/14/2023) (PTC set at S/C held 12/5/2023)

FR: 12-5-23

Docket 1

***** VACATED *** REASON: CONTINUED TO AUGUST 27, 2024 AT 1:30 P.M. PER ORDER RE: EMERGENCY EXTENSION FOR RESPONSE TO SUPPLEMENTAL DECLARATION AND CONTINUING HEARING ON MOTION FOR SUMMARY JUDGMENT AND PRE-TRIAL CONFERENCE ENTERED 6-12-2024 - (DOCKET NO. [22])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jesse Stephen Fisher

Represented By
Misty A Perry Isaacson

Defendant(s):

Jesse Stephen Fisher

Pro Se

Plaintiff(s):

Sarrah Brooks

Represented By
Anerio V Altman

Eric Brooks

Represented By
Anerio V Altman

Trustee(s):

Thomas H Casey (TR)

Pro Se

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

Tuesday, July 16, 2024

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1:30 PM

CONT... Jesse Stephen Fisher

Chapter 7

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

Hearing Room 5C

1:30 PM

8:23-11489 True Pharmastrip, Inc.

Chapter 7

#18.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Chapter 7 Involuntary Petition
(Petition filed 7/24/2023)
(PTC set per Order Entered 2-12-2024 -dk. 87]

FR: 9-12-23; 9-14-23; 10-26, 23; 12-14-23; 1-4-24; 2-1-24; 6-18-24

Docket 1

***** VACATED *** REASON: CONTINUED TO JULY 30, 2024 AT 11:00
A.M. PER ORDER (1) DIRECTING ALLEGED DEBTOR TO APPEAR
AND SHOW CAUSE WHY ITS ANSWER SHOULD NOT BE STRICKEN
FOR THE FAILURE TO OBTAIN COUNSEL AND PARTICIPATE IN
PROCEEDING AND (2) CONTINUING PRE-TRIAL CONFERENCE
ENTERED 7-10-2024 - (DOCKET NO. [115])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

True Pharmastrip, Inc.

Represented By
Michael W Kinney

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

Tuesday, July 16, 2024

Hearing Room 5C

1:30 PM

8:24-10110 Marco A. Hernandez

Chapter 7

Adv#: 8:24-01072 Hernandez v. Hernandez

#19.00

STATUS CONFERENCE Hearing RE: Complaint To Determine Dischargeability
Of Debt
(Complaint filed 4/29/2024)
(Another summons issued 5/1/2024)

Docket 1

Tentative Ruling:

Tentative for 7/16/24:

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

1. Discovery cutoff: October 17, 2024. Note: this is the date by which all discovery motions must be heard and resolved.
2. Motion cutoff: December 5, 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 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. The hearing will take place using Zoom for Government, a free service that provides audioconference and videoconference

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

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CONT...

Marco A. Hernandez

Chapter 7

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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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/1609786667>

Meeting ID: 160 978 6667

Password: 281304

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

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

Meeting ID: 160 978 6667

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

Tuesday, July 16, 2024

Hearing Room 5C

1:30 PM

CONT... Marco A. Hernandez

Chapter 7

Password: 281304

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):

Marco A. Hernandez

Represented By
Christopher J Langley

Defendant(s):

Marco A. Hernandez

Pro Se

Plaintiff(s):

Janice Hernandez

Represented By
Naveen Madala

Trustee(s):

Weneta M.A. Kosmala (TR)

Pro Se