Wednesday, July 17, 2024

Hearing Room 5C

Chapter 7

<u>10:00 AM</u>

8:17-12887 Dana Kim Shelton

#1.00

CONT'D Hearing RE: Trustee's Final Report And Applications For Compensation And Reimbursement Of Expenses (Final Report filed 5/6/2024)

[RE: RICHARD A. MARSHACK - Chapter 7 Trustee] [Fees: \$31,754.10 - Proposed Fees: \$15,220.05] Expenses: \$273.39 - Proposed Expenses: \$273.29]

[RE: PAGTER AND PERRY ISAACSON - Attorneys For Chapter 7 Trustee] [Fees: \$75,805.00 - Proposed Fees: \$36,334.07] [Expenses: \$1,905.40 - Proposed Expenses: \$1,017.67]

[RE: HAHN FIFE & COMPANY, LLP - Accountants For Chapter 7 Trustee] [Fees: \$1,720.00 - Proposed Fees: \$1,720.00] [Expenses: 266.80 - Proposed Expenses: \$266.80]

FR: 6-12-2024

Docket 300

Tentative Ruling:

Tentative for 7/17/24 is to overrule the objections and approve the Trustee's Final Report, as requested. As stated in the Chapter 7 Trustee's Reply [Dk. 307], which the Court adopts in full, the objecting parties' arguments regarding standing and jurisdiction have previously been raised and addressed. Further, the objections do not raise any specific or substantive opposition to the fees sought. The Chapter 7 Trustee has submitted evidence that he properly administered Debtor's property, which necessarily included a determination of the liens on the property, pursuant to 11 U.S.C. §704. Moreover, the Final Report is appropriately submitted pursuant to 11 U.S.C. §

Wednesday, July 17, 2024

Hearing Room

10:00 AM

CONT... **Dana Kim Shelton** 704(9).

Chapter 7

5C

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 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/1617567727

Meeting ID: 161 756 7727

Password: 601812

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

Wednesday, July 17, 2024

Hearing Room 5C

10:00 AM CONT... Dana Kim Shelton SYSTEM.

Chapter 7

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

Meeting ID: 161 756 7727

Password: 601812

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.

Tentative for 6/12/24:

This matter is CONTINUED to July 17, 2024, at 10:00 a.m., to permit Trustee to properly effect service upon Sharon Sims as required by FRBP 2002(f).

The Request for a 60 Day Extension of Time to respond to Trustee's Reply filed June 6, 2024 [Dk. 308] by Daniel Keith Larson is DENIED for a lack of good cause shown.

Appearances for the 6/12 hearing will not be permitted.

Party Information

Debtor(s):

Dana Kim Shelton

Represented By Christopher P. Walker

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 7

10:00 AM CONT... Dana Kim Shelton <u>Trustee(s):</u>

Richard A Marshack (TR)

Represented By Misty A Perry Isaacson

7/16/2024 4:16:38 PM

Wednesday, July 17, 2024

Hearing Room 5C

<u>10:00 AM</u>

8:19-12322 9025 Colorado Ave., LLC

Chapter 7

#2.00

Hearing RE: Trustee's Final Report And Applications For Compensation And Reimbursement Of Expenses (Final Report filed 6/18/2024)

[RE: RICHARD A. MARSHACK - Chapter 7 Trustee] [Fees: \$115,601.44; Expenses: \$1,734.28]

[RE: MARSHACK HAYS, LLP - Attorneys For Chapter 7 Trustee] [Fees: \$270,616.00; Expenses: \$12,227.52]

[RE: HAHN FIFE & COMPANY, LLP - Accountants For Chapter 7 Trustee] [Fees: \$6,037.00; Expenses: \$623.00]

[RE: MIRMAN, BUBMAN & NAHMIAS, L.L.P. - Special Counsel For Chapter 7 Trustee] [Fees: \$79,225.00; Expenses: \$576.29]

[RE: TAMAR TERZIAN - Ombudsman Health] [FeeS: \$2,730; Expenses: \$1,100]

Docket 291

Tentative Ruling:

Tentative for 7/17/24 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee 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 Trustee will be so notified.

Parties wishing to make an appearance must do so by appearing in the

Wednesday, July 17, 2024

Hearing Room 5C

<u>10:00 AM</u>

CONT... 9025 Colorado Ave., LLC Chapter 7 Courtroom or by utilizing Zoom for Government, a free service that provides audioconference capabilities, using the following information.

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

Meeting ID: 161 756 7727

Password: 601812

Parties making telephonic appearances are reminded to have all relevant filings/information easily accessible during the hearing. Parties should consult the NOTICE OF VIDEO AND TELEPHONIC APPEARANCE PROCEDURES FOR JUDGE SCOTT CLARKSON'S CASES for specific procedures and further information.

As a reminder, members of the general public wishing to *view* the hearings may do so from the Courtrooms, which remain open and accessible. Any party, however, may *listen* to the hearing by audioconference, as noted above.

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

Party Information

Debtor(s):

9025 Colorado Ave., LLC

Represented By Blake J Lindemann

Trustee(s):

Richard A Marshack (TR)

Represented By D Edward Hays Tinho Mang Brett Ramsaur Chad V Haes Michael E Bubman

Wednesday, July 17, 2024

Hearing Room 5C

<u>10:00 AM</u>

8:20-12754 DMS Marketing, Inc.

Chapter 7

#3.00

Hearing RE: Trustee's Final Report And Applications For Compensation And Reimbursement Of Expenses (Final Report filed 6/6/2024)

[RE: JEFFREY I. GOLDEN, Chapter 7 Trustee] [Fees: \$8,869.65; Expenses: \$148.05]

[RE: BRETT RAMSAUR LAW - Special Counsel For Chapter 7 Trustee] [Fees: \$15,000.00; Expenses: \$0.00]

[RE: HAHN FIFE & COMPANY, LLP - Accountant For Chapter 7 Trustee] [Fees: \$2,803.00; Expenses: \$617.30]

Docket 73

Tentative Ruling:

Tentative for 7/17/24 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee 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 Trustee will be so notified.

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

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

Meeting ID: 161 756 7727

Password: 601812

Parties making telephonic appearances are reminded to have all relevant filings/information easily accessible during the hearing. Parties should consult

Wednesday, July 17, 2024

Hearing Room 5C

<u>10:00 AM</u>

CONT... DMS Marketing, Inc. Chapter 7 the NOTICE OF VIDEO AND TELEPHONIC APPEARANCE PROCEDURES FOR JUDGE SCOTT CLARKSON'S CASES for specific procedures and further information.

As a reminder, members of the general public wishing to *view* the hearings may do so from the Courtrooms, which remain open and accessible. Any party, however, may *listen* to the hearing by audioconference, as noted above.

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

Party Information

Debtor(s):

DMS Marketing, Inc.

Represented By Thomas J Polis

Trustee(s):

Jeffrey I Golden (TR)

Represented By Brett Ramsaur

Wednesday, July 17, 2024

Hearing Room 5C

<u>10:00 AM</u>

8:21-10423 Russell Benjamin Wallace

Chapter 7

#4.00

Hearing RE: Trustee's Final Report And Applications For Compensation And Reimbursement Of Expenses (Final Report filed 6/12/2024)

[RE: JEFFREY I. GOLDEN - Chapter 7 Trustee] [Fees: \$143,506.52; Expenses: \$241.27]

[RE: JEFFREY S. SHINBROT, APLC - Attorneys For Chapter 7 Trustee] [Fees: \$126,077.50; Expenses: \$2,812.53]

[RE: HAHN FIFE & COMPANY, LLP - Accountant For Chapter 7 Trustee] [Fees: \$5,278.00; Expenses: \$285.50]

Docket 194

Tentative Ruling:

Tentative for 7/17/24:

On July 15, 2024 [Dk. 200], Trustee filed a request to continue this matter, stating that the outcome of a pending motion to approve a compromise (set to be heard on July 30, 2024) may affect the proposed distributions identified in the TFR. Accordingly, this matter is CONTINUED to August 14, 2024, at 10:00 a.m. Trustee is to file a Supplement to the TFR by no later than July 31, 2024, providing any required updates, with oppositions due by no later than August 7, 2024.

Appearances for the 7/17 hearing are excused.

Party Information

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 7

10:00 AMCONT...Russell Benjamin WallaceDebtor(s):

Russell Benjamin Wallace

Trustee(s):

Jeffrey I Golden (TR)

Andrew Edward Smyth

Represented By Jeffrey S Shinbrot

Represented By

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 7

<u>10:00 AM</u>

8:22-11755 Thomas Patrick Daly, Jr.

#5.00

Hearing RE: Trustee's Final Report And Applications For Compensation And Reimbursement Of Expenses (Final Report filed 6/3/2024)

[RE: KAREN SUE NAYLOR - Chapter 7 Trustee] [Fees: \$2,474.61; Expenses: \$330.83]

[RE: HAHN FIFE & COMPANY, LLP - Accountant For Chapter 7 Trustee] [Fees: \$1,000.00; Expenses: \$0.00]

[RE: DYNAMIS, LLP - Special Litigation Counsel For Chapter 7 Trustee] [Fees: \$6,898.43; Expenses: \$.0.00]

Docket 56

Tentative Ruling:

Tentative for 7/17/24 is to APPROVE as requested.

Note: This matter appears to be uncontested. Accordingly, no court appearance by Trustee 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 Trustee will be so notified.

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

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

Meeting ID: 161 756 7727

Password: 601812

Parties making telephonic appearances are reminded to have all relevant

Wednesday, July 17, 2024

Hearing Room 5C

10:00 AM

CONT... **Thomas Patrick Daly, Jr.**

Chapter 7 filings/information easily accessible during the hearing. Parties should consult the NOTICE OF VIDEO AND TELEPHONIC APPEARANCE PROCEDURES FOR JUDGE SCOTT CLARKSON'S CASES for specific procedures and further information.

As a reminder, members of the general public wishing to view the hearings may do so from the Courtrooms, which remain open and accessible. Any party, however, may listen to the hearing by audioconference, as noted above.

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

Party Information

Debtor(s):

Thomas Patrick Daly Jr.

Represented By Leslie K Kaufman

Trustee(s):

Karen S Naylor (TR)

Pro Se

Wednesday, July 17, 2024

Hearing Room 5C

<u>10:00 AM</u>

8:23-10839 Medici Partners, LLC

Chapter 7

#6.00

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

Nancy Tafoya, Trustee Of The Patricia Anne Hurley Trust Established June 12, 1991 vs. DEBTOR (Motion filed 5/8/2024)

[RE: Medici Partners, LLC v. Nancy Goetz Tafoya, Trustee] [Docket Number: 30-2020-011431 13-CU-BC-CJC] [Pending In: Superior Court Of California, County Of Orange]

FR: 6-12-24

Docket 45

Tentative Ruling:

Tentative for 7/17/24 is to GRANT pursuant to 11 U.S.C. § 362(d)(1).

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

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

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

Meeting ID: 161 756 7727

Password: 601812

Parties making telephonic appearances are reminded to have all relevant

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 7

<u>10:00 AM</u>

CONT... Medici Partners, LLC

filings/information easily accessible during the hearing. Parties should consult the NOTICE OF VIDEO AND TELEPHONIC APPEARANCE PROCEDURES FOR JUDGE SCOTT CLARKSON'S CASES for specific procedures and further information.

As a reminder, members of the general public wishing to *view* the hearings may do so from the Courtrooms, which remain open and accessible. Any party, however, may *listen* to the hearing by audioconference, as noted above.

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

Tentative for 6/12/24:

This matter is CONTINUED to July 17, 2024, at 10:00 a.m. to permit Movant to effectuate proper service upon Debtor, as required by Local Bankruptcy Rule 4008-1(c)(1)(C) (service is required upon Debtor *and* Debtor's attorney). Movant is to serve the motion and file a notice of continuance, with an appropriate proof of service, by no later than June 12, 2024.

Appearances for the 6/12 hearing are excused.

Party Information

Debtor(s):

Medici Partners, LLC

Represented By Kevin Tang

Represented By

Joshua Mandell

Movant(s):

Nancy Goetz Tafoya

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

Wednesday, July 17, 2024 10:00 AM 8:24-10947 **Rochel Younessi** Chapter 7 #7.00 CONT'D Hearing RE: Motion for relief from stay [Real Property] Austin Tarzana Group, LLC vs. DEBTOR (Motion filed 6/11/2024) [RE: 1170 S. Lucerne Blvd., Los Angeles, CA 90019] FR: 7-3-24

Docket 14

Tentative Ruling:

Tentative for 7/17/24:

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

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

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

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

Meeting ID: 161 756 7727

Password: 601812

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

Wednesday, July 17, 2024 H	learing Room	5C
<u>10:00 AM</u>		
CONT Rochel Younessi	Ch	napter 7
FOR JUDGE SCOTT CLARKSON'S CASES for specific procedure	es and	-
further information.		

As a reminder, members of the general public wishing to *view* the hearings may do so from the Courtrooms, which remain open and accessible. Any party, however, may *listen* to the hearing by audioconference, as noted above.

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

Party Information

Debtor(s):

Rochel Younessi

Represented By Richard G. Heston

Trustee(s):

Richard A Marshack (TR)

Pro Se

Wednesday, July 17, 2024 **Hearing Room**

10:00 AM

8:24-11155 Ana Cecilia Sharp

#8.00

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

Toyota Lease Trust As Serviced By Toyota Motor Credit Corporation vs. DEBTOR (Motion filed 6/21/2024)

[RE: 2021 Mazda CX-5 Touring FWD - VIN No.: JM3KFACM3M0397129]

Docket 11

Tentative Ruling:

Tentative for 7/17/24:

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

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

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

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

Meeting ID: 161 756 7727

Password: 601812

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

5C

Wednesday, July 17, 2024	Hearing Ro	om 5C
<u>10:00 AM</u> CONT Ana Cecilia Sharp FOR JUDGE SCOTT CLARKSON'S CASES for specific proced further information.	ures and	Chapter 7
As a reminder, members of the general public wishing to <i>view</i> th may do so from the Courtrooms, which remain open and access party, however, may <i>listen</i> to the hearing by audioconference, as above.	ible. Any	
Movant to lodge an order within seven (7) days.		

Party Information Debtor(s): Represented By Ana Cecilia Sharp Christopher J Langley Movant(s): Toyota Lease Trust as serviced by Represented By Kirsten Martinez Trustee(s): Jeffrey I Golden (TR) Pro Se

.

Wednesday, July 17, 2024

Hearing Room 5C

<u>10:00 AM</u>

8:24-11229 Anne Margaret West-Edrisi

Chapter 7

#9.00

CONT'D Hearing RE: First Amended Motion for relief from stay [Unlawful Detainer]

Patricia Lee Trustee Of The Patricia Lee Living Trust vs. DEBTOR (Motion filed 5/23/2024) (First Amended Motion filed 6/26/2024)

[RE: 30 Ovation, Irvine, CA 92620]

FR: 6-20-24

Docket 12

Tentative Ruling:

Tentative for 7/17/24:

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

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

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

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

Meeting ID: 161 756 7727

Password: 601812

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 7

<u>10:00 AM</u>

CONT... Anne Margaret West-Edrisi

Parties making telephonic appearances are reminded to have all relevant filings/information easily accessible during the hearing. Parties should consult the NOTICE OF VIDEO AND TELEPHONIC APPEARANCE PROCEDURES FOR JUDGE SCOTT CLARKSON'S CASES for specific procedures and further information.

As a reminder, members of the general public wishing to *view* the hearings may do so from the Courtrooms, which remain open and accessible. Any party, however, may *listen* to the hearing by audioconference, as noted above.

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

Tentative for 6/20/24:

This matter is CONTINUED to July 17, 2024, at 10:00 a.m. to permit Movant to file amendments correcting the following deficiencies: (a) the motion requests relief (§ 362(d)(1) and (d)(2)) which is not consistent with the prayer for relief (§362(d)(1)); (b) the referenced exhibits are missing from the filed motion; and (3) the proof of service does not state when the parties were served. Movant is to file and serve amendments addressing the foregoing and a Notice of Continuance by no later than June 26, 2024.

Appearances for the 6/20 hearing are excused.

Party Information

Debtor(s):

Anne Margaret West-Edrisi

Represented By Bert Briones

Movant(s):

PATRICIA LEE LIVING TRUST

Represented By John E Bouzane

Wednesday	r, July 17, 2024		Hearing Room	5 C
<u>10:00 AM</u> CONT	Anne Margaret West-Edrisi		Chaj	pter 7
<u>Trustee(s</u> Wen	<u>s):</u> eta M.A. Kosmala (TR)	Pro Se		

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 7

<u>10:00 AM</u> 8:24-11297 Joanna Zhou

#10.00

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

Freedom Mortgage Corporation vs. DEBTOR (Motion filed 6/17/2024)

[RE: 190 Cecil Place, Costa Mesa, CA 92627-1747]

Docket 15

Tentative Ruling:

Tentative for 7/17/24 is to DENY.

Movant asserts that it is owed approximately \$649,046, and that the fair market value of the property is \$1,400,000, leaving approximately \$638,953 as the value of the equity cushion exceeding its debt (which is 90% of the fair market value of the Property). [See, Dk. 15, pg. 8, ¶11.g]. In other words, sufficient equity exists to not only pay Movant's debt in full, but to pay nearly double the existing debt.

The Ninth Circuit has held that a 20% equity cushion adequately protects a creditor's security interest. *In re Mellor*, 734 F.2d 1396, 1401 (9th Cir. 1984).

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

The audio portion of each hearing will be recorded electronically by the Court

Wednesday, July 17, 2024

Hearing Room 5C

<u>10:00 AM</u>

CONT... Joanna Zhou

Chapter 7

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/1617567727Meeting ID:161 756 7727Password:601812

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

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

Meeting ID: 161 756 7727

Password: 601812

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

Wednesday, July 17, 2024

10:00 AM

CONT... Joanna Zhou 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):

Joanna Zhou

Movant(s):

Freedom Mortgage Corporation

Trustee(s):

Richard A Marshack (TR)

Represented By Peter C Wittlin

Represented By Daniel I Singer

Pro Se

Hearing Room 5C

Chapter 7

Wednesday, July 17, 2024	Hearing Room	5 C
10·00 AM		

Chapter 7

<u>10:00 AM</u>

8:24-11451 Amirhossein Aminian

#11.00

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

American Credit Acceptance LLC vs. DEBTOR (Motion filed 6/13/2024)

[RE: 2018 Mitsubishi Outlander PHEV, VIN: JA4J24A59JZ030752]

Docket 11

Tentative Ruling:

Tentative for 7/17/24:

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

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

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

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

Meeting ID: 161 756 7727

Password: 601812

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

Wednesday, July 17, 2024

<u>10:00 AM</u>

CONT... Amirhossein Aminian further information.

As a reminder, members of the general public wishing to *view* the hearings may do so from the Courtrooms, which remain open and accessible. Any party, however, may *listen* to the hearing by audioconference, as noted above.

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

Party Information		
<u>Debtor(s):</u>		
Amirhossein Aminian	Pro Se	
<u>Movant(s):</u>		
American Credit Acceptance LLC	Represented By Sheryl K Ith	
<u>Trustee(s):</u>		
Richard A Marshack (TR)	Pro Se	

Hearing Room 5C

...

Chapter 7

Wednesday, July 17, 2024

Hearing Room 5C

<u>11:00 AM</u>

8:14-14105 Randall William Blanchard Adv#: 8:24-01037 Pachulski v. Blanchard Chapter 11

#12.00

CONT'D STATUS CONFERENCE Hearing: Complaint For Breach Of Contract And Enforcement Of Debt Obligations (Complaint filed 3/15/2024) (Another Summons issued 4/30/2024)

FR: 6-12-24

Docket

1 *** VACATED *** REASON: CONTINUED TO AUGUST 28, 2024 AT **11:00 A.M. PER ORDER APPROVING STIPULATION EXTENDING** DEADLINE FOR DEFENDANT TO ANSWER THE COMPLAINT AND **CONTINUING STATUS CONFERENCE ENTERED 6-13-2024 - (DOCKET** NO. [8])

Tentative Ruling:

- NONE LISTED -

Party Information		
Debtor(s):		
Randall William Blanchard	Represented By Marc J Winthrop Garrick A Hollander Jacob C Gonzales Jonathan J Kim Teddy M Kapur	
Defendant(s):		
Randall William Blanchard	Pro Se	
<u>Plaintiff(s):</u>		
Richard M Pachulski	Represented By Jeffrey P Nolan	

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 11

<u>11:00 AM</u>

CONT... Randall William Blanchard

Trustee(s):

Richard M. Pachulski (TR)

Represented By Teddy M Kapur Jeremy V Richards Jonathan J Kim

7/16/2024 4:16:38 PM

Wednesday, July 17, 2024	Hearing Room	5 C

<u>11:00 AM</u>

8:17-11743 Cecilio Romero Murrietta and Irma Bonilla Murrietta Chapter 11

#13.00

CONT'D POST-EFFECTIVE STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 5/1/17) (PE S/C set at hrg. held 8/18/2021)

FR: 6-15-17; 6-29-17; 9-14-17; 10-5-17; 12-7-17; 12-14-17; 2-22-18; 5-31-18; 8-23-18; 1-31-19; 4-18-19; 8-15-19; 10-24-19; 1-23-20; 3-12-20; 6-11-20; 7-16-20; 10-1-20; 11-5-20; 12-17-20; 1-21-21; 3-25-21; 5-6-21; 6-30-21; 8-18-21; 1-19-22; 7-27-22; 2-8-23; 10-25-23; 4-24-24

Docket 6

*** VACATED *** REASON: OFF CALENDAR PER ORDER GRANTING MOTION OF POST-CONFIRMATION TRUSTEE FOR ORDER ISSUING FINAL DECREE AND CLOSING CASE PURSUANT TO 11 U.S.C. SECTIONS 105(a) AND 350, FEDERAL RULE 3022, AND LOCAL BANKRUPTCY RULE 3022-1 ENTERED 5-22-2024 - (DOCKET NO. [555])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Cecilio Romero Murrietta

Represented By Andrew S Bisom

Joint Debtor(s):

Irma Bonilla Murrietta

Trustee(s):

David M Goodrich (TR)

Represented By Andrew S Bisom

Represented By Jeffrey I Golden Beth Gaschen

Page 29 of 122

Wednesday	r, July 17, 2024	Hearing Room	5 C
<u>11:00 AM</u> CONT	Cecilio Romero Murrietta and Irma Bonilla Murrietta Ryan W Beall	Chap	ter 11

Wednesday, July 17, 2024

Hearing Room 5C

<u>11:00 AM</u>

8:18-14052 Kendall Frozen Fruits, Inc. Adv#: 8:21-01068 KFF Holdings, Inc. v. Kendall Chapter 11

#14.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For:

- 1. Avoidance, Recovery, And Preservation Of Actual Fraudulent Transfers [11 U.S.C. Sections 548(a)(1)(A), 550, And 551];
- Avoidance, Recovery, And Preservation Of Actual Fraudulent Transfer [11 U.S.C. Sections 544, 550, And 551]; Cal. Civ. Code Section 3439.04 Et Seq]
- Avoidance, Recovery, And Preservation Of Fraudulent Transfers [11 U.S.C. Sections 548(a)(1)(B), 550, And 551];
- Avoidance, Recovery, And Preservation Of Fraudulent Transfers [11 U.S.C. Sections 544, 550, And 551]; Cal. Civ. Code Sections 3439.05 Et Seq.]

(Complaint filed 8/4/2021)

FR: 11-17-21; 12-1-2021; 2-9-22; 4-6-22; 4-13-22; 7-13-22; 10-12-22; 1-11-23; 3-22-23; 8-15-23; 9-27-23; 11-8-23; 1-17-24; 3-13-24; 5-15-24

Docket 1 *** VACATED *** REASON: CONTINUED TO OCTOBER 16, 2024 AT 11:00 A.M. PER ORDER ENTERED 6-27-2024 - (DOCKET NO. [74])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kendall Frozen Fruits, Inc.

Represented By Steven Werth David S Kupetz

Defendant(s):

Lawrence A. Kendall

Represented By David M Goodrich Ryan W Beall

Wednesday, July 17, 2024

<u>11:00 AM</u>

CONT... Kendall Frozen Fruits, Inc. <u>Plaintiff(s):</u>

KFF Holdings, Inc.

Represented By Matthew Grimshaw Judith E Marshack David Wood

Trustee(s):

Howard B Grobstein (TR)

Represented By David Wood Matthew Grimshaw Tinho Mang Annie Y Stoops M Douglas Flahaut Aram Ordubegian

Hearing Room5C

Chapter 11

7/16/2024 4:16:38 PM

Wednesday, July 17, 2024

Hearing Room 6C

<u>11:00 AM</u>

8:19-11987Enalasys CorporationAdv#: 8:21-01005Enalasys Corporation v. Taylor et al

Chapter 11

#15.00

CONT'D Hearing RE: Motion To Compel A Shareholders' Meeting (Motion filed 3/21/2024)

FR: 6-18-24

Docket 89

*** VACATED *** REASON: CONTINUED TO AUGUST 28, 2024 AT 11:00 A.M. PER ORDER CONTINUING HEARING ON MOTION TO COMPEL A SHAREHOLDERS' MEETING ENTERED 7-5-2024 -(DOCKET NO. [102])

Represented By Sara Tidd

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Enalasys Corporation

Defendant(s):

James Eric Taylor	Pro Se
Nelson Baxley	Pro Se
ECS Alliance, LLC	Represented By Thomas S Engel
Brad Chapin	Pro Se
Joseph Werner	Pro Se
Greennet Registry, LLC	Represented By Sabrina Danielle Johnson Douglas A Pettit
John P Carrieri	Represented By

Wednesday, July 17, 2024		Hearing	g Room	6C
<u>11:00 AM</u> CONT	Enalasys Corporation	Sabrina Danielle Johnson Douglas A Pettit	Chap	ter 11
Gree	nnet IOT, LLC	Represented By Michael Jones Sara Tidd Andrew J Miller		
<u>Movant(</u>	<u>s):</u>			
Jame	es Eric Taylor	Pro Se		
<u>Plaintiff</u>	<u>(s):</u>			
Enal	asys Corporation	Represented By Tyler J Buck Sara Tidd Michael A Wallin		

Wednesday, July 17, 2024 Hearing Room

<u>11:00 AM</u>

8:19-13728 Thompson National Properties, LLC

Chapter 11

5C

#16.00

CONT'D POST-EFFECTIVE STATUS CONFERENCE Hearing RE: (1) Case Management Conference And (2) Requiring Status Report (Petition filed 9/26/19) (Post-Effective S/C set at Plan hrg. held 12/3/2020)

FR: 11-21-19; 1-9-20; 4-16-20; 8-6-20; 8-20-20; 9-24-20; 12-3-20; 3-24-21; 7-1-21; 11-3-21; 4-27-22; 9-28-22; 11-2-22; 2-15-23; 9-27-23; 2-7-24

Docket 5

Tentative Ruling:

Tentative for 7/17/24:

This matter is CONTINUED to January 8, 2025, at 11:00 a.m., with a status report due 14 days in advance.

Appearances for the 7/17 hearing are excused.

Tentative for 2/7/24:

This matter is CONTINUED to July 17, 2024, at 11:00 a.m., with a status report due 14 days in advance.

Appearances for the 2/7 hearing are excused.

Tentative for 9/27/23:

This matter is CONTINUED to February 7, 2024, at 11:00 a.m., with a status report due 14 days in advance.

Appearances for the 9/27/23 hearing are excused.

Wednesday, July 17, 2024 He	earing Room	5 C
11:00 AM CONT Thompson National Properties, LLC	-	pter 11
Tentative for 2/15/23:		
This matter is CONTINUED to September 27, 2023, at 11:00 a.m. <i>r</i> report is due 14 days in advance.	A status	
Appearances for the 2/15 hearing are excused.		

This matter is CONTINUED to February 15, 2023, at 11:00 a.m. As report is due 14 days in advance.	status	
Appearances for the 11/2 hearing are excused.		
Party Information		
<u>Debtor(s):</u>		
Thompson National Properties, LLC Represented By		

Leonard M Shulman

Wednesday, July 17, 2024

Hearing Room 5C

<u>11:00 AM</u>

8:19-13728 Thompson National Properties, LLC Adv#: 8:22-01115 Seror v. Thompson

Chapter 11

#17.00

CONT'D PRE-TRIAL CONFERENCE Hearing RE: Complaint For:

(1) Breach Of Fiduciary Duty;

(2) Avoidance Of Fraudulent Transfers Pursuant To 11 U.S.C. Section 548; Cal.
 Civ. Code Sections 3439.04, 3439.07, 3439.08, 26 U.S.C. Section 6502(a)(1);
 And;
 (2) Resource Of Avoided Transfers For Repetit Of Fotots Durawant To 11

(3) Recovery Of Avoided Transfers For Benefit Of Estate Pursuant To 11
U.S.C. Sections 550 And 551
(Complaint filed 12/30/2022)
(PTC set at S/C held 3-22-2023)

FR: 3-22-23; 3-13-24

Docket 1 *** VACATED *** REASON: CONTINUED TO SEPTEMBER 25, 2024 AT 11:00 A.M. PER ORDER APPROVING SECOND STIPULATION TO EXTEND DISCOVERY CUTOFF DATE AND RELATED DEADLINES ENTERED 3-20-2024 - (DOCKET NO. [33])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Thompson National Properties, LLC

Represented By Leonard M Shulman

Defendant(s):

Anthony Warren Thompson

Plaintiff(s):

David Seror

Represented By Jeffrey W Broker

Represented By Jessica Wellington

Wednesday, July 17, 2024

Hearing Room 5C

<u>11:00 AM</u>

8:20-11339 Rockport Development, Inc. Adv#: 8:23-01069 Teeple v. Rehabbers Financial Inc. Chapter 11

#18.00

CONT'D STATUS CONFERENCE Hearing RE: First Amended Complaint For:
(1) Avoidance, Recovery, And Preservation Of Actual Fraudulent Transfers
Under 11 U.S.C. Sections 544, 550, 551; CAL. CIV. Code Sections 3439.04, 3439.07; And
(2) Avoidance, Recovery, And Preservation Of Constructive Fraudulent
Transfers Under 11 U.S.C. Sections 544, 550, 551; CAL. CIV. Code Section 3439.05
(Complaint filed 7/5/2023)
(First Amended Complaint filed 7/24/2023)

FR: 9-27-28; 11-8-23; advanced from 1-10-24; 1-4-24; 3-13-24; 5-15-24

Docket 6 *** VACATED *** REASON: OFF CALENDAR PER ORDER APPROVING STIPULATION FOR DISMISSAL OF ADVERSARY PROCEEDING WITH PREJUDICE AND TO VACATE ALL DATES AND DEADLINES ENTERED 6-28-2024 - (DOCKET NO. [38])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Rockport Development, Inc.

Represented By Matthew Grimshaw David Wood Laila Masud

Defendant(s):

Rehabbers Financial Inc.

Plaintiff(s):

Joshua R. Teeple

Pro Se

Represented By Matthew Grimshaw

7/16/2024 4:16:38 PM

Page 38 of 122

Wednesday, July 17, 2024

Hearing Room 5C

<u>11:00 AM</u> CONT...

Rockport Development, Inc.

David Wood Sarah Rose Hasselberger Chapter 11

7/16/2024 4:16:38 PM

Wednesday, July 17, 2024

Hearing Room 5C

<u>11:00 AM</u>

8:20-11339 Rockport Development, Inc. Adv#: 8:23-01133 Teeple v. 1415 Garvey, LLC Chapter 11

#19.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For:
(1) Avoidance Recovery, And Preservation Of Actual Fraudulent Transfers Under 11 U.S.C. Sections 544, 548, 550, 551; CAL. CIV. Code Sections 3439.04, 3439.07; And
(2) Avoidance, Recovery, And Preservation Of Constructive Fraudulent Transfers Under 11 U.S.C. Sections 544, 548, 550, 551; CAL. CIV. Code Sections 3439.05, 3439.07
(Complaint filed 11/20/2023)

FR: 2-7-24; 5-1-24

Docket 1

Tentative Ruling:

Tentative for 7/17/24:

This matter is CONTINUED to January 8, 2025, at 11:00 a.m. with a status report due 14 days in advance.

Plaintiff is to file a motion for default judgment, supported by admissible evidence, by no later than September 11, 2024, which may either be set for hearing or determined without a hearing pursuant to applicable local rules, at Plaintiff's discretion. The failure to timely file a motion for default judgment may result in the Court issuing an order to show cause why this case should not be dismissed for the failure to prosecute.

Appearances for the 7/17 hearing are excused.

Tentative for 5/1/24:

This matter is CONTINUED to July 17, 2024, at 11:00 a.m., with a status report due 14 days in advance. The status report should address how Plaintiff

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 11

<u>11:00 AM</u>

CONT... Rockport Development, Inc. intends to proceed in light of Defendant's Chapter 11 filing.

Appearances for the 5/1 hearing are excused.

Tentative for 2/7/24:

This matter is CONTINUED to May 1, 2024, at 11:00 a.m. Plaintiff is to file a motion for default judgment, supported by admissible evidence, by no later than March 5, 2024, which may either be set for hearing or determined without a hearing pursuant to applicable local rules, at Plaintiff's discretion.

Appearances for the 2/7 hearing are excused.

Party Information

Debtor(s):

Rockport Development, Inc.

Represented By Matthew Grimshaw David Wood Laila Masud

Defendant(s):

1415 Garvey, LLC

Pro Se

Plaintiff(s):

Joshua R Teeple

Represented By Roger F Friedman

Wednesday, July 17, 2024

Hearing Room 5C

<u>11:00 AM</u>

8:20-11339 Rockport Development, Inc. Adv#: 8:23-01134 Teeple v. 921 Edgewood, LLC Chapter 11

#20.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For:
(1) Avoidance Recovery, And Preservation Of Actual Fraudulent Transfers Under 11 U.S.C. Sections 544, 548, 550, 551; CAL. CIV. Code Sections 3439.04, 3439.07; And
(2) Avoidance, Recovery, And Preservation Of Constructive Fraudulent Transfers Under 11 U.S.C. Sections 544, 548, 550, 551; CAL. CIV. Code Sections 3439.05, 3439.07
(Complaint filed 11/20/2023)

FR: 2-7-24; 5-1-24

Docket 1 *** VACATED *** REASON: OFF CALENDAR PER DEFAULT JUDGMENT AGAINST 921 EDGEWOOD, LLC ENTERED 5-3-2024 -(DOCKET NO. [23])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Rockport Development, Inc.

Represented By Matthew Grimshaw David Wood Laila Masud

Defendant(s):

921 Edgewood, LLC

Pro Se

Plaintiff(s):

Joshua R Teeple

Represented By Roger F Friedman

Wednesday, July 17, 2024

Hearing Room 5C

<u>11:00 AM</u>

8:21-10608 DEA Brothers Sisters LLC

Chapter 11

#21.00

CONT'D POST-CONFIRMATION STATUS CONFERENCE Hearing RE: Status Of Chapter 11 Case; And (2) Requiring Report On Status Of Chapter 11 Case [Case Transferred From ES On 9/1/2022] (Set per Amended Order Entered 1/13/2023)

FR: 5-6-21; 9-2-21; 12-16-21; 3-3-21; 3-31-22; 5-12-22; 6-9-22; 2/9/23 -ES; 2-15-23; 7-19-23; 2-14-24; 2-28-24

Docket 1

Tentative Ruling:

Tentative for 7/17/24:

In light of the tentative on related matter #22, this matter will go off calendar.

Appearances for the 7/17 hearing are excused.

Tentative for 2/28/24:

This matter is CONTINUED to July 17, 2024, at 11:00 a.m. A status report is due 14 days in advance.

Appearances for the 2/28 hearing are excused.

Tentative for 7/19/23:

This matter is CONTINUED to February 14, 2024, at 11:00 a.m. A status report is due 14 days in advance.

Appearances for the 7/19 hearing are excused.

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 11

<u>11:00 AM</u>

CONT... DEA Brothers Sisters LLC Tentative for 2/15/23:

This matter is CONTINUED to July 19, 2023, at 11:00 a.m. A status report is due 14 days in advance.

Appearances for the 2/15 hearing are excused.

Party Information

Debtor(s):

DEA Brothers Sisters LLC

Represented By John H Bauer Joon M Khang

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 11

<u>11:00 AM</u>

8:21-10608 DEA Brothers Sisters LLC

#22.00

Hearing RE: Motion In Chapter 11 Case For The Entry Of A Final Decree And Order Closing Case (Motion filed 6/25/2024)

Docket 544

Tentative Ruling:

Tentative for 7/17/24 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.

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

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

Meeting ID: 161 222 5459

Password: 279316

Parties making telephonic appearances are reminded to have all relevant filings/information easily accessible during the hearing. Parties should consult the NOTICE OF VIDEO AND TELEPHONIC APPEARANCE PROCEDURES FOR JUDGE SCOTT CLARKSON'S CASES for specific procedures and further information.

As a reminder, members of the general public wishing to *view* the hearings may do so from the Courtrooms, which remain open and accessible. Any party, however, may *listen* to the hearing by audioconference, as noted

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 11

<u>11:00 AM</u>

CONT... DEA Brothers Sisters LLC above.

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

Party Information

Debtor(s):

DEA Brothers Sisters LLC

<u>Movant(s):</u>

DEA Brothers Sisters LLC

Joon M Khang Represented By

> John H Bauer Joon M Khang

Represented By John H Bauer

7/16/2024 4:16:38 PM

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 11

<u>11:00 AM</u>

8:22-11701 Jeffrey Scott Liolios Adv#: 8:23-01016 Both et al v. Liolios

#23.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint For Determination Of Nondischargeability Of Debt [11 U.S.C. Sections 523(a)(2), (a)(4) And (a)(6)] (Complaint filed 2/23/2023)

FR: 5-17-23; 11-8-23; 5-15-24

Docket 1

Tentative Ruling:

Tentative for 7/17/24:

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

1. Discovery cutoff: October 31, 2024. Note: this is the date by which all discovery motions must be heard and resolved.

2. Motion cutoff: December 4, 2024. Note: this is the date by which all non-discovery motions must be heard and resolved.

3. Pretrial conference: January 15, 2025, at 11:00 a.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

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 11

<u>11:00 AM</u>

CONT... Jeffrey Scott Liolios

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/1612225459

Meeting ID: 161 222 5459

Password: 279316

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

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

Meeting ID:

161 222 5459

7/16/2024 4:16:38 PM

Wednesday, July 17, 2024

Hearing Room 5C

<u>11:00 AM</u>

CONT... Jeffrey Scott Liolios

Chapter 11

Password: 279316

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.

Tentative for 5/15/24:

This matter is CONTINUED to July 17, 2024, at 11:00 a.m. with a status report due 14 days in advance.

Appearances for the 5/15 hearing are excused.

Party Information

Debtor(s):

Jeffrey Scott Liolios

Represented By James E Till

Defendant(s):

Jeffrey Scott Liolios

Plaintiff(s):

Ronald Both

Represented By James E Till

Represented By Richard H Golubow

Wednesday, July 17, 2024

<u>11:00 AM</u>

CONT... Jeffrey Scott Liolios Geoffrey Plank

Represented By Richard H Golubow

Trustee(s):

Robert Paul Goe (TR)

Pro Se

Hearing Room 5C

Chapter 11

. . . .

Wednesday, July 17, 2024

Hearing Room 5C

<u>11:00 AM</u>

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

Chapter 11

#24.00

Hearing RE: Greyson Law Center PC's AMENDED Motion For Four Things:
(1) Evidentiary Objections To, And Requests To Strike, Portions Of Trustee
Marshack's Declaration (Docket [572] In Adv., Docket [1349] In LP Main Cae
Filed 6/17/24, Filed Per Court's Order (Docket [564], p. 3, Item 3, Entered 7/7/24
Requiring Trustee To File A Declaration In Support Of Trustee's Opposition To
Greyson's Motion (Docket [515] In Adv., Docket [1209] In LPG Main Case);
Request That Court Rule On, And Sustain, This Evidentiary Objection To,
And Request To Strike, Trustee's Declaration;
(3) Request That Court Rule On, And Sustain, Greyson's (Docket [562] In Adv.,
Docket [1308] In Main Case) Evidentiary Objection To And Request To Strike
Freedman's Declaration, Which Court Has Not Yet Ruled On; And
(4) Request That Court Modify Its Docket [564] Order, Which Denied Greyson's

(4) Request That Court Modify Its Docket [564] Order, Which Denied Greyson's Motion To Compel Production, To Instead Grant Greyson's Motion, Because, As Neither Freedman's Nor Marshack's, Declarations Are Admissible, Trustee Has Failed To Prove That There Was a Diligent And Reasonable Investigation, And Has Failed To Prove That The Seized Signed Greyson-Phoenix Contract Is Not In Possession, Custody Or Control Of Trustee/His Agents, And Greyson's Evidence Proved Signed Contract Was Seized (Motion filed 6/19/2024)

(Amended filed 6/20/2024)

Docket 1362 *** VACATED *** REASON: OFF CALENDAR PER ORDER (1) DENYING GREYSON LAW CENTER PC'S MOTION FOR RECONSIDERATION; AND (2) VACATING HEARING ENTERED ON 7-15-2024 - (DOCKET NO. [1424])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

The Litigation Practice Group P.C.

Represented By Joon M Khang

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 11

<u>11:00 AM</u>

CONT... The Litigation Practice Group P.C. <u>Movant(s):</u>

Greyson Law Center PC

Trustee(s):

Richard A Marshack (TR)

Represented By Kathleen P March

Represented By D Edward Hays Christopher Celentino Laila Masud Jonathan Serrano Christopher Ghio Yosina M Lissebeck Peter W Bowie Bradford Barnhardt Jeremy Freedman Sara Johnston Tyler Powell Kelli Ann Lee Jacob Newsum-Bothamley

Wednesday, July 17, 2024

Hearing Room 5C

<u>11:00 AM</u>

8:23-10571 The Litigation Practice Group P.C. Adv#: 8:23-01046 Marshack v. Diab et al Chapter 11

#25.00

Hearing RE: Greyson Law Center PC's Motion For Four Things:

(1) Evidentiary Objections To, And Requests To Strike, Portions Of Trustee Marshack's Declaration (Docket [572] In Adv., Docket [1349] In LP Main Cae Filed 6/17/24, Filed Per Court's Order (Docket [564], p. 3, Item 3, Entered 7/7/24 Requiring Trustee To File A Declaration In Support Of Trustee's Opposition To Greyson's Motion (Docket [515] In Adv., Docket [1209] In LPG Main Case); 2. Request That Court Rule On, And Sustain, This Evidentiary Objection To, And Request To Strike, Trustee's Declaration; (3) Request That Court Rule On, And Sustain, Grevson's (Docket [562] In Adv., Docket [1308] In Main Case) Evidentiary Objection To And Request To Strike Freedman's Declaration, Which Court Has Not Yet Ruled On; And (4) Request That Court Modify Its Docket [564] Order, Which Denied Greyson's Motion To Compel Production, To Instead Grant Greyson's Motion, Because, As Neither Freedman's Nor Marshack's, Declarations Are Admissible, Trustee Has Failed To Prove That There Was a Diligent And Reasonable Investigation, And Has Failed To Prove That The Seized Signed Greyson-Phoenix Contract Is Not In Possession, Custody Or Control Of Trustee/His Agents, And Greyson's **Evidence Proved Signed Contract Was Seized**

(Motion filed 6/19/2024)

Docket 573 *** VACATED *** REASON: OFF CALENDAR PER ORDER (1) DENYING GREYSON LAW CENTER PC'S MOTION FOR RECONSIDERATION; AND (2) VACATING HEARING ENTERED 7-15-2024 - (DOCKET NO. [1424])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

The Litigation Practice Group P.C.

Represented By Joon M Khang

Wednesday, July 17, 2024		Hearing Room	5 C
11:00 AM CONT The Litigation Practice Group Defendant(s):	p P.C.	Char	oter 11
BankUnited, N.A.	Represented By Howard Steinberg		
Revolv3, Inc.	Pro Se		
Fidelity National Information	Represented By Sweeney Kelly		
Worldpay, Inc.	Pro Se		
Worldpay Group	Represented By Sweeney Kelly		
Merit Fund, LLC	Pro Se		
Guardian	Pro Se		
The United States Postal Service	Pro Se		
Fidelity National Information	Represented By Michael T Delaney Sweeney Kelly		
Worldpay, LLC	Represented By Sweeney Kelly		
Touzi Capital, LLC	Represented By Daniel H Reiss		
Marich Bein, LLC	Represented By David S Kupetz		
Heng Taing	Pro Se		
Stripe, Inc.	Represented By Eric D Goldberg		
Seamless Chex Inc.	Pro Se		
Phoenix Law, PC	Pro Se		
Payliance, LLC	Represented By Keith Barnett		

Page 54 of 122

Wednesday, July 17, 2024

Hearing Room 5C

<u>11:00 AM</u>		<u>()</u> (11
CONT The Litigation Practice Group		Chapter 11
Maverick Management Group, LLC	Pro Se	
Guardian Processing, LLC	Pro Se	
Dwolla, Inc.	Pro Se	
Max Chou	Pro Se	
BAT Inc. dba Coast Processing	Pro Se	
Gallant Law Group	Represented By Meredith King	
OptimumBank Holdings, Inc.	Represented By Matthew A Lesnick Lisa Patel	
Eng Taing	Represented By Daniel H Reiss	
Optimumbank Holdings, Inc.	Pro Se	
World Global	Pro Se	
Jimmy Chhor	Pro Se	
Daniel S. March	Represented By Daniel S March	
Rosa Bianca Loli	Represented By Leslie A Cohen	
Lisa Cohen	Pro Se	
William Taylor Carss	Pro Se	
Eng Tang	Pro Se	
Maria Eeya Tan	Pro Se	
Jake Akers	Pro Se	
Han Trinh	Represented By Kathleen P March	

Wednesday, July 17, 2024

Hearing Room 5C

<u>11:00 AM</u>		
CONT The Litigation Practice Gro Jayde Trinh	Dup P.C. Represented By Kathleen P March	Chapter 11
Wes Thomas	Pro Se	
Scott James Eadie	Represented By Douglas A Plazak	
Authorize Net	Pro Se	
Dongliang Jiang	Pro Se	
Oakstone Law Group PC	Pro Se	
Greyson Law Center PC	Represented By Kathleen P March	
Phoenix Law Group, Inc.	Pro Se	
Maverick Management, LLC	Pro Se	
LGS Holdco, LLC	Represented By Daniel A Lev	
Consumer Legal Group, PC	Represented By Ronald N Richards Daniel A Lev	
Vulcan Consulting Group LLC	Pro Se	
B.A.T. Inc.	Pro Se	
Prime Logix, LLC	Pro Se	
Teracel Blockchain Fund II LLC	Pro Se	
EPPS	Pro Se	
Equipay	Pro Se	
Tony Diab	Pro Se	
<u>Movant(s):</u>		
Greyson Law Center PC	Represented By Kathleen P March	

Page 56 of 122

Wednesday, July 17, 2024		Hearing Room	5 C
<u>11:00 AM</u> CONT The Litigation Practice Group P.C <u>Plaintiff(s):</u>	2.	Cł	apter 11
Richard A. Marshack	Represented By Christopher Ghio Christopher Celentino Jonathan Serrano Yosina M Lissebeck Jeremy Freedman Bradford Barnhardt		
<u>Trustee(s):</u>			
Richard A Marshack (TR)	Represented By D Edward Hays Christopher Celentino Laila Masud Jonathan Serrano Christopher Ghio Yosina M Lissebeck Peter W Bowie Bradford Barnhardt Jeremy Freedman Sara Johnston Tyler Powell Kelli Ann Lee Jacob Newsum-Bothan	nley	

Wednesday, July 17, 2024

Hearing Room 5C

<u>11:00 AM</u>

8:23-10571 The Litigation Practice Group P.C. Adv#: 8:24-01023 Marshack v. CRI System, Inc. Chapter 11

#26.00

CONT'D STATUS CONFERENCE Hearing RE: First Amended Complaint For: (1) Avoidance, Recovery, And Preservation Of 2-Year Actual Fraudulent Transfers:

(2) Avoidance, Recovery, And Preservation Of 2-Year Constructive Fraudulent Transfers;

(3) Avoidance, Recovery, And Preservation Of 4-Year Actual Fraudulent Transfers;

(4) Avoidance, Recovery, And Preservation Of 4-Year Constructive Fraudulent Transfers;

(5) Avoidance, Recovery, And Preservation Of Preferential Transfer Made Within Ninety Days Of The Petition Date; And

(6) Turnover
(Complaint filed 2/9/2024)
(First Amended Complaint filed 4/5/2024)
(Another summons issued 4/23/2024)

FR: 5-1-24; 7-3-24

Docket 1 *** VACATED *** REASON: CONTINUED TO JULY 31, 2024 AT 11:00 A.M. PER ANOTHER SUMMONS ISSUED 5-8-2024 - (DOCKET NO. [16])

Tentative Ruling:

- NONE LISTED -

Party Information

<u>Debtor(s):</u>

The Litigation Practice Group P.C.

Represented By Joon M Khang

Defendant(s):

CRI System, Inc.

Pro Se

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 11

<u>11:00 AM</u>

CONT... The Litigation Practice Group P.C. <u>Plaintiff(s):</u>

Richard A. Marshack

Trustee(s):

Richard A Marshack (TR)

Represented By Jacob Newsum-Bothamley

Represented By D Edward Hays Christopher Celentino Laila Masud Jonathan Serrano Christopher Ghio Yosina M Lissebeck Peter W Bowie Bradford Barnhardt Jeremy Freedman Sara Johnston Tyler Powell Kelli Ann Lee

Wednesday, July 17, 2024

Hearing Room 5C

<u>11:00 AM</u>

8:23-11269 Reloaded Games, Inc

Chapter 11

#27.00

CONT'D POST-CONFIRMATION STATUS CONFERENCE Hearing RE: 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 6/21/2023)

FR: 8-15-23; 12-6-23; 12-13-23; 3-1-24; 4-24-24

Docket 20

Tentative Ruling:

Tentative for 7/17/24:

This matter is CONTINUED to November 6, 2024, at 11:00 a.m., with a status report due 14 days in advance.

Appearances for the 7/17 hearing are excused.

Tentative for 12/13/23 is to set a post-confirmation status conference on May 15, 2024, at 11:00 a.m., with a status report due 14 days in advance.

Appearances are required.

Tentative for 8/15/23:

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

Wednesday, July 17, 2024		Hearing Room	5 C
<u>11:00 AM</u> CONT	Reloaded Games, Inc	Cha	apter 11
1.	Deadline to file and serve the Plan – September 19, 2023 deadline)	8 (statutory	
2.	Ballots Due – October 20, 2023		
3.	Confirmation Brief Due – November 8, 2023		
4.	Oppositions to Confirmation Brief due – November 22, 20	023	
5.	Replies due – November 29, 2023		
6. 2023	Confirmation Hearing & Continued Status Conference – [, at 1:30 p.m.	December 6,	

Virtual appearances are required.

Party Information

Debtor(s):

Reloaded Games, Inc

Represented By James Andrew Hinds Jr

Trustee(s):

Robert Paul Goe (TR)

Pro Se

Wednesday, July 17, 2024	Hearing Room	5 C
<u>11:00 AM</u> 8:24-10559 TTW Transport, Inc.	Chap	ter 11
Adv#: 8:24-01046 TTW Transport, Inc. v. Direct ChassisLink, Inc.	r	

#28.00

CONT'D STATUS CONFERENCE Hearing RE: Debtor's Complaint For: 1. Avoidance Of Pre-Petition Fraudulent Conveyances Pursuant To 11 U.S.C. Section 544 And California Civil Code Section 3439;

2. Avoidance Of Pre-Petition Fraudulent Conveyances Pursuant To 11 U.S.C. Section 548; And

3. Recovery Of Avoided Transfers Pursuant To 11 U.S.C. Section 550 (Complaint filed 4/10/2024)

FR: 7-3-24

Docket 1

Tentative Ruling:

Tentative for 7/17/24:

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

1. Discovery cutoff: October 16, 2024. Note: this is the date by which all discovery motions must be heard and resolved.

2. Motion cutoff: November 13, 2024. Note: this is the date by which all non-discovery motions must be heard and resolved.

3. Pretrial conference: December 18, 2024, at 2:30 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

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 11

<u>11:00 AM</u>

CONT... TTW Transport, Inc.

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 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/1612225459

Meeting ID: 161 222 5459

Password: 279316

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.

Wednesday, July 17, 2024

Hearing Room 5C

<u>11:00 AM</u>

CONT	TTW Transp	port, Inc.	Chapter 11
Audic	conference T	el. No.: +1 (669) 254 5252 or +1 (646) 828 7666	
Meeti	ng ID:	161 222 5459	

Password: 279316

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):

TTW Transport, Inc.

Represented By Thomas J Polis

Defendant(s):

Direct ChassisLink, Inc.

Pro Se

Plaintiff(s):

TTW Transport, Inc.

Represented By Thomas J Polis

Wednesday, July 17, 2024	Hearing Room	
11.00 AM		

<u>11:00 AM</u>

8:24-10559	TTW	Transport, Inc.	
Adv#: 8:24-01	1047	TTW Transport, Inc. v. TRAC Intermodal	

Chapter 11

#29.00

CONT'D STATUS CONFERENCE Hearing RE: Debtor's Complaint For: 1. Avoidance Of Pre-Petition Fraudulent Conveyances Pursuant To 11 U.S.C. Section 544 And California Civil Code Section 3439;

2. Avoidance Of Pre-Petition Fraudulent Conveyances Pursuant To 11 U.S.C. Section 548; And

3. Recovery Of Avoided Transfers Pursuant To 11 U.S.C. Section 550 (Complaint filed 4/10/2024)

FR: 7-3-24

Docket 1

Tentative Ruling:

Tentative for 7/17/24:

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

1. Discovery cutoff: November 14, 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 15, 2025, at 11:00 a.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

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 11

<u>11:00 AM</u>

CONT... TTW Transport, Inc.

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 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/1612225459

Meeting ID: 161 222 5459

Password: 279316

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.

Wednesday, July 17, 2024

Hearing Room 5C

<u>11:00 AM</u>

CONT	TTW T	ransport, Inc.	Chapter 11
Audio	conferen	ce Tel. No.: +1 (669) 254 5252 or +1 (646) 828 7666	
Meetir	na ID:	161 222 5459	

Password: 279316

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):

TTW Transport, Inc.

Represented By Thomas J Polis

Defendant(s):

TRAC Intermodal

Represented By Alan I Nahmias

Plaintiff(s):

TTW Transport, Inc.

Represented By Thomas J Polis

Wednesday, July 17, 2024	Hearing Room		
11:00 AM			

8:24-10559 TTW Transport, Inc. Adv#: 8:24-01074 TTW Transport, Inc. v. Revolorio et al Chapter 11

#30.00

STATUS CONFERENCE Hearing RE: Debtor's Complaint For:

- 1. Breach Of Fiduciary Duty;
- 2. Conversion:
- 3. Money Had And Received;
- 4. Unjust Enrichment;
- 5. Turnover Of Property Of The Estate (11 U.S.C. 542);
- 6. Avoidance And Recovery Of Fraudulent Transfer (11 U.S.C. Section 548)

7. Avoidance And Recovery Of Fraudulent Transfer (Cal. Civil Code Section 3439(a)(1)); And

8. Violation Of California Penal Code Section 496(a) (Complaint filed 5/2/2024)

Docket 1

Tentative Ruling:

Tentative for 7/17/24:

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

Discovery cutoff: November 14, 2024. Note: this is the date by which 1. 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 15, 2025, at 11:00 a.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.

Wednesday, July 17, 2024

Hearing Room 5C

<u>11:00 AM</u>

CONT... TTW Transport, Inc.

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

Chapter 11

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 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/1612225459

Meeting ID: 161 222 5459

Password: 279316

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

Hearing Room 5C

<u>11:00 AM</u>

CONT... TTW Transport, Inc. SYSTEM.

Chapter 11

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

Meeting ID: 161 222 5459

Password: 279316

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		
<u>Debtor(s):</u>		
TTW Transport, Inc.	Represented By Thomas J Polis	
<u>Defendant(s):</u>		
David Revolorio	Pro Se	
Edgar I. Reynaga	Pro Se	
Shayla Harris	Pro Se	
Diana Livas	Pro Se	
Max Piwdee	Pro Se	
Elite Container Solutions, Inc.	Pro Se	

7/16/2024 4:16:38 PM

Wednesday, July 17, 2024			Hearing Room	5 C
<u>11:00 AM</u> CONT Reyna	TTW Transport, Inc. aga Trucking, Inc.	Pro Se	Chap	ter 11
Rey Jose Garcia		Pro Se		
Box In Motion, Inc.		Pro Se		
Plaintiff(<u>s):</u>			
TTW Transport, Inc.		Represented By Thomas J Polis		

Wednesday, July 17, 2024

Hearing Room 5C

<u>1:30 PM</u>

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

Chapter 11

#31.00

CONT'D Hearing RE: Motion Of Han Trinh For An Order Granting Allowance And Payment Of Administrative Claim, Pursuant To 11 U.S.C. Section 503(b)(1) (A)(i) (Motion filed 11/17/2023) (S/C set per Order Entered 1/8/2024 - dkt. 818)

FR: 1-19-24; 2-29-24; 4-25-24; 6-13-24 at 10:00 a.m.; 6-24-24

Docket 674

Tentative Ruling:

Tentative for 7/17/24 applies to matters ##31 -33:

The Court has carefully reviewed all pleadings and evidence and will only require discussion from the attorneys on additional matters not already contained in the record as it exists now. Counsels shall be mindful to limit their oral argument to those matters.

Before the Court are three motions requesting allowances of Administrative Claims, as follows:

- 1. Han Trinh:
 - a. Motion filed: 11/17/23 [Dk. 674]
 - b. Total amount sought: \$136,280.56.
 - i. \$63,461.54 in wages
 - ii. \$34,615.38 in penalties
 - iii. \$38,203.64 in accrued vacation
- 2. Jayde Trinh:
 - a. Motion filed: 11/17/23 [Dk. 675]
 - b. Total amount sought: \$114,825.14.
 - i. \$52,884 in wages
 - ii. \$28,846.15 in penalties
 - iii. \$31,094.35 in accrued vacation

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 11

<u>1:30 PM</u>

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

- 3. Greyson Law Center PC:
 - a. Motion filed: 11/17/23 [Dk. 676]
 - b. Total amount sought: \$5,434,633.

i. \$300,633 for the 22 of 48 Greyson clients lost due to negligence of Trustee.

ii. \$5,134,000 for the \$2,000 per case which Phoenix Law Center contacted to pay Greyson (2,567 files were serviced).

Having reviewed the parties' briefing, evidence, and the record before the bankruptcy court, the Court is inclined to deny all requests by the Movants for administrative claims.

What an appellate court will look for in a Bankruptcy Court determination of an Administrative Claim.

As a precursor to its development of its forthcoming conclusions of law and findings of facts the Court has undertaken an examination of the standards of review for these motions. The bankruptcy court's conclusions of law are reviewed de novo and its factual findings are reviewed for clear error. *Dawson v. Wash. Mut. Bank, F.A.*,367 F.3d 1174, 1177 (9th Cir. 2004); *In re Olshan*, 356 F.3d 1078, 1083 (9th Cir. 2004). A bankruptcy court's decision to award or deny administrative expense claims is reviewed for abuse of discretion. *Microsoft Corp. v. DAK Indus. (In re DAK Indus.)*, 66 F.3d 1091, 1094 (9th Cir. 1995); *Gill v. Tishman Constr. Corp. (In re Santa Monica Beach Hotel)*, 209 B.R. 722, 725 (9th Cir. BAP 1997) ("The bankruptcy court has broad discretion to determine whether to grant a section 503 claim").

Appellate Courts apply a two-part test to determine if the bankruptcy court has abused its discretion. First, the Court determines de novo whether the bankruptcy court identified the correct legal rule to apply to the relief requested. Second, if the bankruptcy court correctly applied the legal rule, then its factual findings are examined for clear error. The bankruptcy court's factual findings are affirmed unless it is determined that those findings are "(1) 'illogical,' (2) 'implausible,' or (3) without 'support in inferences that may be drawn from the facts in the record.'" *United States v. Hinkson*, 585 F.3d 1247, 1261-62, n.21-22 (9th Cir. 2009) (en banc).

Wednesday, July 17, 2024

Hearing Room 5C

1:30 PM

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

Chapter 11 In reviewing the bankruptcy court's findings of fact for clear error, "[t]his court must accept the bankruptcy court's findings of fact unless, upon review, the court is left with the definite and firm conviction that a mistake has been committed by the bankruptcy judge." In re Greene, 583 F.3d 614, 618 (9th Cir. 2009). "If two views of the evidence are possible, the [bankruptcy] judge's choice between them cannot be clearly erroneous." In re Marshall, 721 F.3d 1032, 1039 (9th Cir. 2013) (quoting Price v. Lehtinen (In re Lehtinen), 332 B.R. 404, 411 (9th Cir. BAP 2005)).

The legal standard in considering a motion requesting payment for administrative expenses.

Bankruptcy Code section 503(b)(1)(A) allows as administrative expenses "the actual, necessary costs and expenses of preserving the estate[.]" 11 U.S.C. § 503(b)(1)(A). A claimant seeking administrative expense treatment must show that the debt asserted to be an administrative expense: (a) arose postpetition: "[(b)] arose from a transaction with the debtor-in-possession as opposed to the preceding entity (or alternatively, that the claimant gave consideration to the debtor-in-possession); and [(c)] directly and substantially benefitted the estate." In re DAK Indus., Inc., 66 F.3d 1091, 1094 (9th Cir. 1995); In re Abercrombie, 139 F.3d 755, 757 (9th Cir. 1998). "The administrative expense applicant must prove entitlement to the requested reimbursement by a preponderance of the evidence." In re Nichols, BAP No. AZ-09-1325 PaDJu, 2010 Bankr. LEXIS 3168, 2010 WL 6259965, at *6 (9th Cir. BAP 2010) (citing Gull Indus. v. John Mitchell, Inc. (In re Hanna), 168 B.R. 386, 388 (9th Cir. BAP 1994)).

"As noted in the seminal Ninth Circuit case on administrative claims, Burlington Northern Railroad Co. v. Dant & Russell, Inc. (In re Dant & Russell, Inc.), 853 F.2d 700, 706 (9th Cir. 1988),

Any claim for administrative expenses and costs must be the actual and necessary costs of preserving the estate for the benefit of its creditors. [(citations omitted).] The terms "actual" and "necessary" are construed narrowly so as "to keep fees and administrative costs at a minimum." [(citations omitted).] An actual benefit must accrue to an estate. [(citations omitted).] Additionally, keeping costs to a minimum

Wednesday, July 17, 2024

Hearing Room 5C

<u>1:30 PM</u>

CONT... The Litigation Practice Group P.C. Chapter 11 serves the overwhelming concern of the Code: Preservation of the estate. [(citations omitted).] This limitation is necessary to protect the limited assets of the estate for the benefit of the unsecured interests[.]"

In re Cook Inlet Energy LLC, 583 B.R. 494, 500 (B.A.P. 9th Cir 2018).

There is a "venerable but limited exception" to the post-petition transactionfor-the-benefit-of-the-estate requirement under § 503(b)(1)(A). *See In re Abercrombie*, 139 F.3d 755, 758 (9th Cir. 1998) (citing *Reading v. Brown*, 391 U.S. 471 (1968)). The so-called *Reading* exception provides that a postpetition tort committed by the debtor-in-possession within the course and scope of its continued operation of the estate's business may, itself, be considered a cost of doing business and is, therefore, entitled to administrative expense priority under § 503(b)(1)(A). The *Reading* exception avoids a moral hazard. *See* Kenneth N. Klee, BANKRUPTCY AND THE SUPREME COURT, pg. 304 (LexisNexis, 2008) ("Although most of these expenses involve actual benefit to the estate, in order to avoid a moral hazard, the category also includes postpetition tort claims against the representative of the estate.").

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

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 11

<u>1:30 PM</u>

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

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/1608995985

Meeting ID: 160 899 5985

Password: 113748

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: 160 899 5985

Password: 113748

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

Wednesday, July 17, 2024 **Hearing Room 5**C

1:30 PM

CONT... The Litigation Practice Group P.C. imposition of monetary and non-monetary sanctions. Chapter 11

Tentative for 2/29/24:

The Court hereby sets the following dates/deadlines:

- 1. Opposition by Trustee due: April 11, 2024
- 2. Reply by Claimant due: April 18, 2024
- 3. Continued hearing: April 25, 2024, at 11:00 a.m.

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

Appearances for the 2/29 hearing are excused.

Party Information

Debtor(s):

The Litigation Practice Group P.C.

Movant(s):

Han Trinh

Trustee(s):

Richard A Marshack (TR)

Represented By Joon M Khang

Represented By Kathleen P March

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

Wednesday, July 17, 2024		Hear	ring Room	5 C
<u>1:30 PM</u>				. 11
CONT	The Litigation Practice Group P.C.		Chap	ter 11
		Sara Johnston		
		Tyler Powell		
		Kelli Ann Lee		
		Jacob Newsum-Bothamley		

Wednesday, July 17, 2024

Hearing Room 5C

<u>1:30 PM</u>

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

Chapter 11

#32.00

CONT'D Hearing RE: Motion Of Greyson Law Center PC, For An Order Granting Allowance And Payment Of Administrative Claim, Pursuant To 11 U.S.C. Section 503(b)(1)(A) (Motion filed 11/17/2023) (S/C set per Order Entered 1/8/2024 - dkt. 818)

FR: 1-19-24; 2-29-24; 4-25-24; 6-13-24 at 10:00 a.m.; 6-13-24

Docket 676

Tentative Ruling:

Tentative for 7/17/24 applies to matters ##31 -33:

The Court has carefully reviewed all pleadings and evidence and will only require discussion from the attorneys on additional matters not already contained in the record as it exists now. Counsels shall be mindful to limit their oral argument to those matters.

Before the Court are three motions requesting allowances of Administrative Claims, as follows:

- 1. Han Trinh:
 - a. Motion filed: 11/17/23 [Dk. 674]
 - b. Total amount sought: \$136,280.56.
 - i. \$63,461.54 in wages
 - ii. \$34,615.38 in penalties
 - iii. \$38,203.64 in accrued vacation
- 2. Jayde Trinh:
 - a. Motion filed: 11/17/23 [Dk. 675]
 - b. Total amount sought: \$114,825.14.
 - i. \$52,884 in wages
 - ii. \$28,846.15 in penalties
 - iii. \$31,094.35 in accrued vacation

Wednesday, July 17, 2024

Hearing Room 5C

<u>1:30 PM</u>

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

Chapter 11

- 3. Greyson Law Center PC:
 - a. Motion filed: 11/17/23 [Dk. 676]
 - b. Total amount sought: \$5,434,633.

i. \$300,633 for the 22 of 48 Greyson clients lost due to negligence of Trustee.

ii. \$5,134,000 for the \$2,000 per case which Phoenix Law Center contacted to pay Greyson (2,567 files were serviced).

Having reviewed the parties' briefing, evidence, and the record before the bankruptcy court, the Court is inclined to deny all requests by the Movants for administrative claims.

What an appellate court will look for in a Bankruptcy Court determination of an Administrative Claim.

As a precursor to its development of its forthcoming conclusions of law and findings of facts the Court has undertaken an examination of the standards of review for these motions. The bankruptcy court's conclusions of law are reviewed de novo and its factual findings are reviewed for clear error. *Dawson v. Wash. Mut. Bank, F.A.* 367 F.3d 1174, 1177 (9th Cir. 2004); *In re Olshan*, 356 F.3d 1078, 1083 (9th Cir. 2004). A bankruptcy court's decision to award or deny administrative expense claims is reviewed for abuse of discretion. *Microsoft Corp. v. DAK Indus. (In re DAK Indus.)*, 66 F.3d 1091, 1094 (9th Cir. 1995); *Gill v. Tishman Constr. Corp. (In re Santa Monica Beach Hotel)*, 209 B.R. 722, 725 (9th Cir. BAP 1997) ("The bankruptcy court has broad discretion to determine whether to grant a section 503 claim").

Appellate Courts apply a two-part test to determine if the bankruptcy court has abused its discretion. First, the Court determines de novo whether the bankruptcy court identified the correct legal rule to apply to the relief requested. Second, if the bankruptcy court correctly applied the legal rule, then its factual findings are examined for clear error. The bankruptcy court's factual findings are affirmed unless it is determined that those findings are "(1) 'illogical,' (2) 'implausible,' or (3) without 'support in inferences that may be drawn from the facts in the record." *United States v. Hinkson*, 585 F.3d

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 11

<u>1:30 PM</u>

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

1247, 1261-62, n.21-22 (9th Cir. 2009) (en banc).

In reviewing the bankruptcy court's findings of fact for clear error, "[t]his court must accept the bankruptcy court's findings of fact unless, upon review, the court is left with the definite and firm conviction that a mistake has been committed by the bankruptcy judge." *In re Greene*, 583 F.3d 614, 618 (9th Cir. 2009). "If two views of the evidence are possible, the [bankruptcy] judge's choice between them cannot be clearly erroneous." *In re Marshall*, 721 F.3d 1032, 1039 (9th Cir. 2013) (quoting *Price v. Lehtinen (In re Lehtinen)*, 332 B.R. 404, 411 (9th Cir. BAP 2005)).

The legal standard in considering a motion requesting payment for administrative expenses.

Bankruptcy Code section 503(b)(1)(A) allows as administrative expenses "the actual, necessary costs and expenses of preserving the estate[.]" 11 U.S.C. § 503(b)(1)(A). A claimant seeking administrative expense treatment must show that the debt asserted to be an administrative expense: (a) arose postpetition; "[(b)] arose from a transaction with the debtor-in-possession as opposed to the preceding entity (or alternatively, that the claimant gave consideration to the debtor-in-possession); and [(c)] directly and substantially benefitted the estate." *In re DAK Indus., Inc.,* 66 F.3d 1091, 1094 (9th Cir. 1995); *In re Abercrombie*, 139 F.3d 755, 757 (9th Cir. 1998). "The administrative expense applicant must prove entitlement to the requested reimbursement by a preponderance of the evidence." *In re Nichols*, BAP No. AZ-09-1325 PaDJu, 2010 Bankr. LEXIS 3168, 2010 WL 6259965, at *6 (9th Cir. BAP 2010) (citing *Gull Indus. v. John Mitchell, Inc. (In re Hanna),* 168 B.R. 386, 388 (9th Cir. BAP 1994)).

"As noted in the seminal Ninth Circuit case on administrative claims, *Burlington Northern Railroad Co. v. Dant & Russell, Inc. (In re Dant & Russell, Inc.),* 853 F.2d 700, 706 (9th Cir. 1988),

Any claim for administrative expenses and costs must be the actual and necessary costs of preserving the estate for the benefit of its creditors. [(citations omitted).] The terms "actual" and "necessary" are construed narrowly so as "to keep fees and administrative costs at a

Wednesday, July 17, 2024

Hearing Room 5C

<u>1:30 PM</u>

CONT... The Litigation Practice Group P.C. Chapter 11 minimum." [(citations omitted).] An actual benefit must accrue to an estate. [(citations omitted).] Additionally, keeping costs to a minimum serves the overwhelming concern of the Code: Preservation of the estate. [(citations omitted).] This limitation is necessary to protect the limited assets of the estate for the benefit of the unsecured interests[.]"

In re Cook Inlet Energy LLC, 583 B.R. 494, 500 (B.A.P. 9th Cir 2018).

There is a "venerable but limited exception" to the post-petition transactionfor-the-benefit-of-the-estate requirement under § 503(b)(1)(A). See In re Abercrombie, 139 F.3d 755, 758 (9th Cir. 1998) (citing Reading v. Brown, 391 U.S. 471 (1968)). The so-called Reading exception provides that a postpetition tort committed by the debtor-in-possession within the course and scope of its continued operation of the estate's business may, itself, be considered a cost of doing business and is, therefore, entitled to administrative expense priority under § 503(b)(1)(A). The Reading exception avoids a moral hazard. See Kenneth N. Klee, BANKRUPTCY AND THE SUPREME COURT, pg. 304 (LexisNexis, 2008) ("Although most of these expenses involve actual benefit to the estate, in order to avoid a moral hazard, the category also includes postpetition tort claims against the representative of the estate.").

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-

Wednesday, July 17, 2024

Hearing Room 5C

<u>1:30 PM</u>

CONT... The Litigation Practice Group P.C. Chapter 11 wide mandate and is not subject to this Court's discretion. The Court will have monitors on and viewable within the Courtroom for viewing.

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/1608995985

Meeting ID: 160 899 5985

Password: 113748

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: 160 899 5985

Password: 113748

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

Wednesday, July 17, 2024

Hearing Room 5C

<u>1:30 PM</u>

CONT... The Litigation Practice Group P.C. Chapter 11 from making any recording of court proceedings, whether by video, audio, "screenshot," or otherwise. Violation of this prohibition may result in the imposition of monetary and non-monetary sanctions.

Tentative for 2/29/24:

The Court hereby sets the following dates/deadlines:

- 1. Opposition by Trustee due: April 11, 2024
- 2. Reply by Claimant due: April 18, 2024
- 3. Continued hearing: April 25, 2024, at 11:00 a.m.

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

Appearances for the 2/29 hearing are excused.

Party Information

Debtor(s):

The Litigation Practice Group P.C.

Represented By Joon M Khang

Kathleen P March

Represented By

Movant(s):

Greyson Law Center PC

Trustee(s):

Richard A Marshack (TR)

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

Wednesday, July 17, 2024		I	Iearing Room	5 C
<u>1:30 PM</u> CONT	The Litigation Practice Group P.C.		Chap	ter 11
		Jeremy Freedman		
		Sara Johnston		
		Tyler Powell		
		Kelli Ann Lee		
		Jacob Newsum-Bothaml	ey	
			-	

Wednesday, July 17, 2024

Hearing Room 5C

<u>1:30 PM</u>

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

Chapter 11

#33.00

CONT'D Hearing RE: Motion Of Phuong (aka Jayde) Trinh For An Order Granting Allowance And Payment Of Administrative Claim, Pursuant To 11 U.S.C. Section 503(b)(1)(A) (Motion filed 11/17/2023) (S/C set per Order Entered 1/8/2024 - dkt. 818)

FR: 1-19-24; 2-29-24; 4-25-24; 6-13-24 at 10:00 a.m.; 6-13-24

Docket 675

Tentative Ruling:

Tentative for 7/17/24 applies to matters ##31 -33:

The Court has carefully reviewed all pleadings and evidence and will only require discussion from the attorneys on additional matters not already contained in the record as it exists now. Counsels shall be mindful to limit their oral argument to those matters.

Before the Court are three motions requesting allowances of Administrative Claims, as follows:

- 1. Han Trinh:
 - a. Motion filed: 11/17/23 [Dk. 674]
 - b. Total amount sought: \$136,280.56.
 - i. \$63,461.54 in wages
 - ii. \$34,615.38 in penalties
 - iii. \$38,203.64 in accrued vacation
- 2. Jayde Trinh:
 - a. Motion filed: 11/17/23 [Dk. 675]
 - b. Total amount sought: \$114,825.14.
 - i. \$52,884 in wages
 - ii. \$28,846.15 in penalties

Hearing Room 5C

<u>1:30 PM</u> CONT	The Litigation Practice Group P.C. iii. \$31,094.35 in accrued vacation	Chapter 11
3.	Greyson Law Center PC:	

- - Motion filed: 11/17/23 [Dk. 676] a.
 - Total amount sought: \$5,434,633. b.

\$300,633 for the 22 of 48 Greyson clients lost due to i. negligence of Trustee.

ii. \$5,134,000 for the \$2,000 per case which Phoenix Law Center contacted to pay Greyson (2,567 files were serviced).

Having reviewed the parties' briefing, evidence, and the record before the bankruptcy court, the Court is inclined to deny all requests by the Movants for administrative claims.

What an appellate court will look for in a Bankruptcy Court determination of an Administrative Claim.

As a precursor to its development of its forthcoming conclusions of law and findings of facts the Court has undertaken an examination of the standards of review for these motions. The bankruptcy court's conclusions of law are reviewed de novo and its factual findings are reviewed for clear error. Dawson v. Wash. Mut. Bank, F.A. 367 F.3d 1174, 1177 (9th Cir. 2004); In re Olshan, 356 F.3d 1078, 1083 (9th Cir. 2004). A bankruptcy court's decision to award or deny administrative expense claims is reviewed for abuse of discretion. Microsoft Corp. v. DAK Indus. (In re DAK Indus.), 66 F.3d 1091, 1094 (9th Cir. 1995); Gill v. Tishman Constr. Corp. (In re Santa Monica Beach Hotel), 209 B.R. 722, 725 (9th Cir. BAP 1997) ("The bankruptcy court has broad discretion to determine whether to grant a section 503 claim").

Appellate Courts apply a two-part test to determine if the bankruptcy court has abused its discretion. First, the Court determines de novo whether the bankruptcy court identified the correct legal rule to apply to the relief requested. Second, if the bankruptcy court correctly applied the legal rule, then its factual findings are examined for clear error. The bankruptcy court's factual findings are affirmed unless it is determined that those findings are "(1) 'illogical,' (2) 'implausible,' or (3) without 'support in inferences that may

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 11

<u>1:30 PM</u>

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

be drawn from the facts in the record." *United States v. Hinkson*, 585 F.3d 1247, 1261-62, n.21-22 (9th Cir. 2009) (en banc).

In reviewing the bankruptcy court's findings of fact for clear error, "[t]his court must accept the bankruptcy court's findings of fact unless, upon review, the court is left with the definite and firm conviction that a mistake has been committed by the bankruptcy judge." *In re Greene*, 583 F.3d 614, 618 (9th Cir. 2009). "If two views of the evidence are possible, the [bankruptcy] judge's choice between them cannot be clearly erroneous." *In re Marshall*, 721 F.3d 1032, 1039 (9th Cir. 2013) (quoting *Price v. Lehtinen (In re Lehtinen)*, 332 B.R. 404, 411 (9th Cir. BAP 2005)).

The legal standard in considering a motion requesting payment for administrative expenses.

Bankruptcy Code section 503(b)(1)(A) allows as administrative expenses "the actual, necessary costs and expenses of preserving the estate[.]" 11 U.S.C. § 503(b)(1)(A). A claimant seeking administrative expense treatment must show that the debt asserted to be an administrative expense: (a) arose postpetition; "[(b)] arose from a transaction with the debtor-in-possession as opposed to the preceding entity (or alternatively, that the claimant gave consideration to the debtor-in-possession); and [(c)] directly and substantially benefitted the estate." *In re DAK Indus., Inc.,* 66 F.3d 1091, 1094 (9th Cir. 1995); *In re Abercrombie*, 139 F.3d 755, 757 (9th Cir. 1998). "The administrative expense applicant must prove entitlement to the requested reimbursement by a preponderance of the evidence." *In re Nichols*, BAP No. AZ-09-1325 PaDJu, 2010 Bankr. LEXIS 3168, 2010 WL 6259965, at *6 (9th Cir. BAP 2010) (citing *Gull Indus. v. John Mitchell, Inc. (In re Hanna),* 168 B.R. 386, 388 (9th Cir. BAP 1994)).

"As noted in the seminal Ninth Circuit case on administrative claims, *Burlington Northern Railroad Co. v. Dant & Russell, Inc. (In re Dant & Russell, Inc.),* 853 F.2d 700, 706 (9th Cir. 1988),

Any claim for administrative expenses and costs must be the actual and necessary costs of preserving the estate for the benefit of its creditors. [(citations omitted).] The terms "actual" and "necessary" are

Wednesday, July 17, 2024

Hearing Room 5C

1:30 PM

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

Chapter 11 construed narrowly so as "to keep fees and administrative costs at a minimum." [(citations omitted).] An actual benefit must accrue to an estate. [(citations omitted).] Additionally, keeping costs to a minimum serves the overwhelming concern of the Code: Preservation of the estate. [(citations omitted).] This limitation is necessary to protect the limited assets of the estate for the benefit of the unsecured interests[.]"

In re Cook Inlet Energy LLC, 583 B.R. 494, 500 (B.A.P. 9th Cir 2018).

There is a "venerable but limited exception" to the post-petition transactionfor-the-benefit-of-the-estate requirement under § 503(b)(1)(A). See In re Abercrombie, 139 F.3d 755, 758 (9th Cir. 1998) (citing Reading v. Brown, 391 U.S. 471 (1968)). The so-called *Reading* exception provides that a postpetition tort committed by the debtor-in-possession within the course and scope of its continued operation of the estate's business may, itself, be considered a cost of doing business and is, therefore, entitled to administrative expense priority under § 503(b)(1)(A). The Reading exception avoids a moral hazard. See Kenneth N. Klee, BANKRUPTCY AND THE SUPREME COURT, pg. 304 (LexisNexis, 2008) ("Although most of these expenses involve actual benefit to the estate, in order to avoid a moral hazard, the category also includes postpetition tort claims against the representative of the estate.").

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

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 11

<u>1:30 PM</u>

CONT... The Litigation Practice Group P.C. 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/1608995985

Meeting ID: 160 899 5985

Password: 113748

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: 160 899 5985

Password: 113748

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

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 11

<u>1:30 PM</u>

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

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.

Tentative for 2/29/24:

The Court hereby sets the following dates/deadlines:

- 1. Opposition by Trustee due: April 11, 2024
- 2. Reply by Claimant due: April 18, 2024
- 3. Continued hearing: April 25, 2024, at 11:00 a.m.

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

Appearances for the 2/29 hearing are excused.

Party Information

Debtor(s):

The Litigation Practice Group P.C.

Represented By Joon M Khang

Movant(s):

Phuong (Jayde) Trinh

Trustee(s):

Richard A Marshack (TR)

Represented By Kathleen P March

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

Wednesday, July 17, 2024		I	Iearing Room	5 C
<u>1:30 PM</u> CONT	The Litigation Practice Group P.C.		Chap	ter 11
		Jeremy Freedman		
		Sara Johnston		
		Tyler Powell		
		Kelli Ann Lee		
		Jacob Newsum-Bothaml	ey	
			-	

Wednesday, July 17, 2024

Hearing Room 5C

<u>1:30 PM</u>

8:23-10571	The Li	tigation Practice Group P.C.
Adv#: 8:23-01	046	Marshack v. Diab et al

Chapter 11

#34.00

CONT'D STATUS CONFERENCE Hearing RE: Fourth Amended Complaint For:

(1) Injunctive Relief:

(2) Avoidance, Recovery, And Preservation Of Two-Year Actual Fraudulent Transfers;

(3) Avoidance, Recovery, And Preservation Of Two-Year Constructive Fraudulent Transfers;

(4) Avoidance, Recovery, And Preservation Of Four-Year Actual Fraudulent Transfers;

(5) Avoidance, Recovery, And Preservation Of Four-Year Constructive Fraudulent Transfers; And

(6) Turnover; And

(7) Negligence

(Complaint filed 5/25/2023)

(Amended Complaint filed 6/15/2023)

(Another Summons issued 6/23/2023)

(Second Amended Compliant filed 10/13/2023)

(Another summons issued 10/27/2023)

(Third Amended Complaint filed 4/26/2024)

(Fourth Amended Complaint filed 6/28/2024)

[United States Parcel Service dismissed 7/24/22023 -dk. 103]

[Phoenix Law Group, Inc. dismissed 8/1/2023 - dk. 119]

[Han and Jayde Trinh dismissed 10/5/2023 - dk. 219]

[Galland Law Group, PC and Center Pointe Law, PC - dismissed 10/6/2023 - dk. 221]

[Occams Advisory, Inc.. dismissed 11-8-2023 - dk. 270]

[Teracel Blockchain Fund LLC - dismissed 11-8-2023 - dk. 270]

[Chris Winslow - dismissed 11-8-2023 - dk. 270]

[B.A.T., Inc. d/b/a Coast Processing - dismissed 11-8-2023 - dk. 270]

[Guardian - dismissed 11-8-2023 - dk. 270]

[Maverick Management, LLC - dismissed 11-8-2023 - dk. 270]

[Eng Tang - dismissed 11-8-2023 - dk. 270]

[WorldPay, Inc. - dismissed 11-8-2023 - dk. 270]

[William Taylor Carrs - dismissed 11-8-2023 - dk. 270]

Wednesday, July 17, 2024

Hearing Room 5C

<u>1:30 PM</u>

CONT... The Litigation Practice Group P.C. Chapter 11 [Maria Eeyah Tan - dismissed 11-8-2023 - dk. 270] [Jake Akers - dismissed 1/30/2024 - dk. 372] [Authorize.net - dismissed 1/30/2024 - dk. 372] [Marich Bein, LLC - dismissed w/o prejudice 3/15/2024 - dk. 446] [BankUnited, N.aA - dismissed w/o prejudice 3/15/2024 - dk. 446]

FR: 8-15-23; 8-29-23; 9-12-23; 9-14-23; 11-16-23; 1-16-24; 2-7-24; 4-24-24

Docket 583

Tentative Ruling:

Tentative for 7/17/24:

This matter is CONTINUED to October 16, 2024, at 11:00 a.m. with a status report due 14 days in advance.

Appearances for the 7/17 hearing are excused.

Tentative for 4/23/24:

This matter is CONTINUED to July 17, 2024, at 1:30 p.m.

The Court notes that pursuant to LBR 7026 and this Court's instructions issued with the summons, the deadline for early disclosures was 14 days prior to the initial status conference which date has passed. Nonetheless, for any party who did not comply, the Court hereby sets a deadline of June 20, 2024 for initial disclosures as requested by Trustee.

Trustee is to lodge an order within 7 days.

Appearances for the 4/24 hearing are excused.

Wednesday, July 17, 2024

Hearing Room 5C

<u>1:30 PM</u>

CONT... The Litigation Practice Group P.C. Tentative for 2/7/24: Chapter 11

This matter is CONTINUED to April 24, 2024, at 1:30 p.m., with a status report 14 days in advance.

Appearances for the 2/7 hearing are excused.

Tentative for 9/14/23:

The Court is inclined to set a continued status conference date of November 16, 2023, at 11:00 a.m., with a status report due 14 days in advance.

Virtual appearances are required.

Party Info	rmation
<u>Debtor(s):</u>	
The Litigation Practice Group P.C.	Represented By Joon M Khang
<u>Defendant(s):</u>	
BankUnited, N.A.	Represented By Howard Steinberg
Revolv3, Inc.	Pro Se
Fidelity National Information	Represented By Sweeney Kelly
Worldpay, Inc.	Pro Se
Worldpay Group	Represented By Sweeney Kelly
Merit Fund, LLC	Pro Se
Guardian	Pro Se
The United States Postal Service	Pro Se

Wednesday, July 17, 2024

Hearing Room	5 C
--------------	------------

<u>1:30 PM</u>		
CONT The Litigation Practice Grou Fidelity National Information	p P.C. Represented By Michael T Delaney Sweeney Kelly	Chapter 11
Worldpay, LLC	Represented By Sweeney Kelly	
Touzi Capital, LLC	Represented By Daniel H Reiss	
Marich Bein, LLC	Represented By David S Kupetz	
Heng Taing	Pro Se	
Stripe, Inc.	Represented By Eric D Goldberg	
Seamless Chex Inc.	Pro Se	
Phoenix Law, PC	Pro Se	
Payliance, LLC	Represented By Keith Barnett	
Maverick Management Group, LLC	Pro Se	
Guardian Processing, LLC	Pro Se	
Dwolla, Inc.	Pro Se	
Max Chou	Pro Se	
BAT Inc. dba Coast Processing	Pro Se	
Gallant Law Group	Represented By Meredith King	
OptimumBank Holdings, Inc.	Represented By Matthew A Lesnick Lisa Patel	
Eng Taing	Represented By Daniel H Reiss	

Wednesday, July 17, 2024

Hearing Room 5C

<u>1:30 PM</u> CONT The Litigation Practice Gro	Num P.C.	Chantor 11
CONT The Litigation Practice Gro Optimumbank Holdings, Inc.	Pro Se	Chapter 11
World Global	Pro Se	
Jimmy Chhor	Pro Se	
Rosa Bianca Loli	Represented By Leslie A Cohen	
Lisa Cohen	Pro Se	
William Taylor Carss	Pro Se	
Eng Tang	Pro Se	
Maria Eeya Tan	Pro Se	
Jake Akers	Pro Se	
Han Trinh	Represented By Kathleen P March	
Jayde Trinh	Represented By Kathleen P March	
Wes Thomas	Pro Se	
Scott James Eadie	Represented By Douglas A Plazak	
Authorize Net	Pro Se	
Daniel S. March	Represented By Daniel S March	
Dongliang Jiang	Pro Se	
Greyson Law Center PC	Represented By Kathleen P March	
Phoenix Law Group, Inc.	Pro Se	
Maverick Management, LLC	Pro Se	
LGS Holdco, LLC	Represented By Daniel A Lev Page 97 of 122	

Page 97 of 122

Wednesday, July 17, 2024		Hearing Room 50		
<u>1:30 PM</u> CONT	The Litigation Practice Grou	p P.C.	Chap	oter 11
Cor	nsumer Legal Group, PC	Represented By Ronald N Richards Daniel A Lev		
Vul	can Consulting Group LLC	Pro Se		
B.A	.T. Inc.	Pro Se		
Prir	ne Logix, LLC	Pro Se		
Tera	acel Blockchain Fund II LLC	Pro Se		
EPF	PS	Pro Se		
Equ	iipay	Pro Se		
Oak	sstone Law Group PC	Pro Se		
Ton	ny Diab	Pro Se		
<u>Plaintif</u>	<u>f(s):</u>			
Ric	hard A. Marshack	Represented By Christopher Ghio Christopher Celentino Jonathan Serrano Yosina M Lissebeck Jeremy Freedman Bradford Barnhardt)	
<u>Trustee</u>	<u>(s):</u>			
Ric	hard A Marshack (TR)	Represented By D Edward Hays Christopher Celentino Laila Masud Jonathan Serrano Christopher Ghio Yosina M Lissebeck Peter W Bowie Bradford Barnhardt Jeremy Freedman)	

Wednesday, July 17, 2024		Heari	ing Room	5 C
<u>1:30 PM</u>				4 11
CONT	The Litigation Practice Group P.C.		Chap	ter 11
		Sara Johnston		
		Tyler Powell		
		Kelli Ann Lee		
		Jacob Newsum-Bothamley		

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 11

<u>1:30 PM</u>

8:23-11778 Twenty Fifty LLC

#35.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Setting Scheduling Hearing And Case Management Conference And (2) Requiring Status Report (Petition filed 8/30/2023)

FR: 10-18-23; 3-27-24; 4-30-24

Docket 8

*** VACATED *** REASON: OFF CALENDAR PER ORDER GRANTING MOTION TO DISMISS CHAPTER 11 BANKRUPTCY CASE PURSUANT TO 11 U.S.C. SECTION 1112(b) ENTERED 5-2-2024 -(DOCKET NO. [89])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Twenty Fifty LLC

Represented By Marc C Forsythe Reem J Bello

Wednesday, July 17, 2024

Hearing Room

Chapter 11

5C

<u>1:30 PM</u>

8:23-12340 Abdu Omar Turbi

#36.00

Hearing RE: Debtor's Motion For Approval Of Disclosure Statement Describing Debtor-In-Possession's Chapter 11 Plan Of Reorganization Dated May 29, 2024 (Motion filed 5/29/2024)

> Docket 141

*** VACATED *** REASON: CONTINUED TO AUGUST 28, 2024 AT **1:30 P.M. PER ORDER APPROVING STIPULATION BETWEEN** DEBTOR AND SECURED CREDITOR BANESTO VENTURES, LLC TO **CONTINUE HEARING ON MOTION FOR ORDER CONVERTING CASE TO CHAPTER 7 AND DISCLOSURE STATEMENT AND CONTINUING** STATUS CONFERENCE ENTERED 7-2-2024 - (DOCKET NO. [162])

Tentative Ruling:

- NONE LISTED -

Party Information		
<u>Debtor(s):</u>		
Abdu Omar Turbi	Represented By Steven A Fink David Wood Martina A Slocomb	
<u>Movant(s):</u>		
Abdu Omar Turbi	Represented By Steven A Fink Steven A Fink David Wood David Wood David Wood Martina A Slocomb Martina A Slocomb	

Wednesday, July 17, 2024

Hearing Room 5C

<u>1:30 PM</u>

8:23-12340 Abdu Omar Turbi

Chapter 11

#37.00

CONT'D Hearing RE: Motion For Order Converting Case To Chapter 7 (Motion filed 5/22/2024)

FR: 6-12-24

Docket 132

*** VACATED *** REASON: CONTINUED TO AUGUST 28, 2024 AT 1:30 P.M. PER ORDER APPROVING STIPULATION BETWEEN DEBTOR AND SECURED CREDITOR BANESTO VENTURES, LLC TO CONTINUE HEARING ON MOTION FOR ORDER CONVERTING CASE TO CHAPTER 7 AND DISCLOSURE STATEMENT AND CONTINUING STATUS CONFERENCE ENTERED 7-2-2024 - (DOCKET NO. [162])

Tentative Ruling:

- NONE LISTED -

Party Information Debtor(s): Abdu Omar Turbi Represented By Steven A Fink David Wood Martina A Slocomb Martina A Slocomb

Movant(s):

Benesto Ventures

Represented By Caroline Djang

Wednesday, July 17, 2024

Hearing Room 5C

<u>1:30 PM</u>

8:23-12657 NP Wildcat TIC 1, LLC

Chapter 11

#38.00

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

Wildcat Lender, LLC vs. Debtor (Motion filed 6/26/2024)

[RE: 1050 East 8th Street, Tucson AZ 85719]

Docket 97

*** VACATED *** REASON: CONTINUED TO SEPTEMBER 25, 2024 AT 1:30 P.M. PER ORDER APPROVING STIPULATION CONTINUING HEARINGS ON (I) FEDERAL HOME LOAN MORTGAGE CORPORATION'S AMENDED MOTION FOR (A) RELIEF ROM THE AUTOMATIC STAY UNDER 11 U.S.C. SECTION 362 (REAL PROPERTY), AND (B) RELIEF FROM TURNOVER UNDER 11 U.S.C. SECTION 543 BY PREPETITION RECEIVER OR OTHER CUSTODIAN (DOCKET NO. [74]; AND (II) WILDCAT LENDER, LLC'S MOTION FOR RELIEF FROM THE AUTOMATIC STAY UNDER 11 U.S.C. SECTION 362 ENTERED 7-16-2024 - (DOCKET NO. [106])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

NP Wildcat TIC 1, LLC

Represented By Matthew I Kaplan Thomas R Fawkes

Movant(s):

Wildcat Lender, LLC

Represented By Matthew Bouslog Alphamorlai Lamine Kebeh

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 11

<u>1:30 PM</u>

8:23-12657 NP Wildcat TIC 1, LLC

#39.00

CONT'D Hearing RE: Amended Motion For (A) Relief From The Automatic Stay Under 11 U.S.C. Section 362 [Real Property], And (B) Relief From Turnover Under 11 U.S.C. Section 543 By Prepetition Receiver Or Other Custodian

Federal Home Loan Mortgage Corporation ("Freddie Mac") vs. DEBTOR (Motion filed 5/13/2024) (Amended Motion filed 5/14/2024)

[RE: 1050 East 8th Street, Tucson, Arizona 85719]

FR: 6-20-24

Docket 74

*** VACATED *** REASON: CONTINUED TO SEPTEMBER 25, 2024 AT 1:30 P.M. PER ORDER APPROVING STIPULATION CONTINUING HEARINGS ON (I) FEDERAL HOME LOAN MORTGAGE CORPORATION'S AMENDED MOTION FOR (A) RELIEF ROM THE AUTOMATIC STAY UNDER 11 U.S.C. SECTION 362 (REAL PROPERTY), AND (B) RELIEF FROM TURNOVER UNDER 11 U.S.C. SECTION 543 BY PREPETITION RECEIVER OR OTHER CUSTODIAN (DOCKET NO. [74]; AND (II) WILDCAT LENDER, LLC'S MOTION FOR RELIEF FROM THE AUTOMATIC STAY UNDER 11 U.S.C. SECTION 362 ENTERED 7-16-2024 - (DOCKET NO. [106])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

NP Wildcat TIC 1, LLC

Represented By Matthew I Kaplan Thomas R Fawkes

Movant(s):

FEDERAL HOME LOAN

Represented By

7/16/2024 4:16:38 PM

Page 104 of 122

Wednesday, July 17, 2024	Hearing Room	
1.20 DM		

<u>1:30 PM</u> CONT...

NP Wildcat TIC 1, LLC

Marshall J Hogan

Chapter 11

Wednesday, July 17, 2024

<u>1:30 PM</u> **8:24-10044** Baakleen Capital

#40.00

CONT'D Hearing RE: Confirmation Of Debtor's First Amended Chapter 11 Plan (Plan filed 4/5/2024)

FR: 6-13-24

Docket 42

Tentative Ruling:

Tentative for 7/17/24:

The Court is inclined to DENY confirmation as the Court has reviewed Debtor's Monthly Operating Reports and notes that the actual income has been lower than the projected income by as much as 23.4%. Therefore, Debtor will be unable to make the payments proposed in the Plan.

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 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 Room 5C

Chapter 11

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 11

<u>1:30 PM</u>

CONT... Baakleen Capital

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/1608995985

Meeting ID: 160 899 5985

Password: 113748

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: 160 899 5985

Password: 113748

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.

Wednesday, July 17, 2024		Hearing Room	5 C
<u>1:30 PM</u> CONT Baakleen Capital		Chap	ter 11
	Party Information		
<u>Debtor(s):</u>			
Baakleen Capital	Represented By W. Derek May		
<u>Trustee(s):</u>			
Robert Paul Goe (TR)	Pro Se		

Wednesday, July 17, 2024

Hearing Room 5C

<u>1:30 PM</u>

8:24-10044 Baakleen Capital

Chapter 11

#41.00

CONT'D STATUS CONFERENCE Hearing RE: 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 1/6/2024)

FR: 2-28-24; 6-13-24

Docket 4

Tentative Ruling:

Tentative for 7/17/24:

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 nationwide mandate and is not subject to this Court's discretion. The Court

Wednesday, July 17, 2024

Hearing Room 5C

<u>1:30 PM</u>

CONT... Baakleen Capital Chapter 11 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/1608995985

Meeting ID: 160 899 5985

Password: 113748

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: 160 899 5985

Password: 113748

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,

Wednesday, July 17, 2024		Hearing Room 5	
	Baakleen Capital eenshot," or otherwise. Violation of this prohibition may resu psition of monetary and non-monetary sanctions.	-	pter 11
	tative for 2/28/24:	****	
The	Court is inclined to set the following dates/deadlines:		
1.	Deadline to file and serve Plan – April 5, 2024 (statutory	deadline)	
2.	Ballots Due – May 2, 2024		
3.	Confirmation Brief Due – May 16, 2024		
4.	Oppositions to Confirmation Brief due – May 30, 2024		
5.	Replies due – June 6, 2024		
6.	Confirmation Hearing & Continued Status Conference – a at 11:00 a.m. A status report shall be due 14 days in adv	-	
Virtu	al appearances are required.		
	Party Information		

Debtor(s):

Baakleen Capital

Represented By W. Derek May

Trustee(s):

Robert Paul Goe (TR)

Pro Se

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 11

<u>1:30 PM</u> 8:24 10451 Ashl

8:24-10451 Ashley Nguyen

#42.00

Hearing RE: Motion By United States Trustee To Dismiss Or Convert Case Pursuant To 11 U.S.C. Section 1112(b) (Motion filed 6/17/2024)

Docket 69

Tentative Ruling:

Tentative for 7/17/24:

The Court may convert or dismiss this case if the Debtor has not complied with the requirements set forth in the Motion.

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

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.

Wednesday	, July 17, 2024	Hearing Room 5	С
<u>1:30 PM</u> CONT	Ashley Nguyen	Chapter 1	1

Videoconference URL: https://cacb.zoomgov.com/j/1608995985

Meeting ID: 160 899 5985

Password: 113748

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: 160 899 5985

Password: 113748

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

Wednesday, July 17, 2024

<u>1:30 PM</u>

CONT... Ashley Nguyen

<u>Debtor(s):</u>

Ashley Nguyen

Movant(s):

United States Trustee (SA)

Stephen R Wade

Represented By

Represented By Kristin T Mihelic Hearing Room 5C

Chapter 11

Wednesday, July 17, 2024

<u>1:30 PM</u>

8:24-10451 Ashley Nguyen

#43.00

STATUS CONFERENCE Hearing RE: (1) Setting Scheduling Hearing And Case Management Conference And (2) Requiring Status Report (Petition filed 2/25/2024)

Docket 73

Tentative Ruling:

Tentative for 7/17/24:

If the Court does not convert or dismiss the case, the Court may adopt the deadlines proposed by Debtor in the Status Report [Dk. 91], and set the following dates/deadlines:

- 1. Deadline for filing avoidance actions: August 1, 2024
- 2. Deadline for filing claims: September 30, 2024, with notice to be served by no later than July 31, 2024
- 3. Deadline for filing objections to claims: October 31, 2024

In addition, to ensure forward progress, the Court will also set the following dates/ deadlines:

- 4. Deadline for filing of a plan/disclosure statement: September 15, 2024
- 5. A continued status conference: October 16, 2024, at 1:30 p.m. with a status report due 14 days in advance

Finally, the Court notes that this case has been pending since February 25, 2024, and Debtor's counsel has not yet obtained approval of his employment. This defect should be corrected by no later July 31, 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,

Hearing Room 5C

Chapter 11

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 11

<u>1:30 PM</u>

CONT... Ashley Nguyen

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/1608995985

Meeting ID: 160 899 5985

Password: 113748

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: 160 899 5985

Wednesday, July 17, 2024

Hearing Room 5C

1:30 PMCONT...Ashley Nguyen

Chapter 11

Password: 113748

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

<u>Debtor(s):</u>

Ashley Nguyen

Represented By Stephen R Wade

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 11

<u>1:30 PM</u>

8:24-11238 CKM Shining Stars, LLC

#44.00

Hearing RE: Motion To Designate Debtor As A Single Asset Real Estate Debtor (Motion filed 6/26/2024)

Docket 35

*** VACATED *** REASON: OFF CALENDAR PER ORDER GRANTING MOTION TO DESIGNATE DEBTOR AS A SINGLE ASSET REAL ESTATE DEBTOR ENTERED 7-12-2024 - (DOCKET NO. [47])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

CKM Shining Stars, LLC

Represented By Robert P Goe Reem J Bello

Movant(s):

Terri Coffey

Robert Coffey

Represented By D Edward Hays Laila Masud

Represented By D Edward Hays Laila Masud

Wednesday, July 17, 2024

Hearing Room 5C

Chapter 11

<u>1:30 PM</u>

8:24-11422 Pierre Sawaya

#45.00

STATUS CONFERENCE Hearing RE: (1) Setting Scheduling Hearing And Case Management Conference And (2) Requiring Status Report (Petition filed 6/3/2024)

Docket 11

*** VACATED *** REASON: CONTINUED TO JULY 31, 2024 AT 1:30 P.M. PER ORDER (1) DIRECTING DEBTOR TO SHOW CAUSE WHY CASE SHOULD NOT BE CONVERTED OR DISMISSED FOR FAILURE TO COMPLY WITH COURT ORDER; AND (2) CONTINUING STATUS CONFERENCE ENTERED 7-12-2024 - (DOCKET NO. [26])

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Pierre Sawaya

Pro Se

7/16/2024 4:16:38 PM

Wednesday, July 17, 2024

<u>1:30 PM</u> 8:24-11556 ARQ, LLC

#46.00

CONT'D Hearing RE: Emergency Motion For Order Authorizing Use Of Cash Collateral (Motion filed 6/24/2024)

FR: 7-3-24

Docket 6

Tentative Ruling:

Tentative for 7/17/24 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.

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: 160 899 5985

Password: 113748

Parties making telephonic appearances are reminded to have all relevant filings/information easily accessible during the hearing. Parties should consult the NOTICE OF VIDEO AND TELEPHONIC APPEARANCE PROCEDURES FOR JUDGE SCOTT CLARKSON'S CASES for specific procedures and further information.

As a reminder, members of the general public wishing to *view* the hearings

Hearing Room 5C

Chapter 11

Wednesday, July 17, 2024	Hearing Roo	om	5 C
<u>1:30 PM</u> CONT ARQ, LLC may do so from the Courtrooms, which remain open and access party, however, may <i>listen</i> to the hearing by audioconference, a above.	sible. Any	Chapte	r 11
Movant to lodge an order within seven (7) days.			

Appearances for the 7/17 hearing are excused.

Tentative for 7/3/24:

The Court notes that no Statement of Finance Form or proof of service were filed in connection with this motion. Debtor is required to file a Statement of Finance Form and the proof of service by no later than July 2, 2024, at 3:00 p.m.

Virtual appearances are required.

Party Information		
<u>Debtor(s):</u>		
ARQ, LLC	Represented By Andy C Warshaw Martha A. Warriner	
<u>Movant(s):</u>		
ARQ, LLC	Represented By Andy C Warshaw Andy C Warshaw Andy C Warshaw Martha A. Warriner Martha A. Warriner Martha A. Warriner	
<u>Trustee(s):</u>		
Robert Paul Goe (TR)	Pro Se	

Wednesday, July 17, 2024

Hearing Room 5C

<u>1:30 PM</u>

8:24-11557 Elysium Axis LLC

Chapter 11

#47.00

Hearing RE: Motion for relief from [Unlawful Detainer]

The Amett Trust UDT 01-08-2024, Ron Wood As Trustee vs. DEBTOR (Motion filed 6/26/2024)

[RE: 13222 Chapman Avenue Garden Grove CA 92840]

Docket 12 *** VACATED *** REASON: CONTINUED TO NOVEMBER 13, 2024 AT 1:30 P.M. PER ORDER APPROVING STIPULATION BETWEEN DEBTOR AND CREDITOR THE ARNETT TRUST TO CONTINUE THE HEARING ON THE MOTION FOR RELIEF FROM THE AUTOMATIC STAY AND RELATED DEADLINES ENTERED 7-10-2024 - (DOCKET NO. [39])

Tentative Ruling:

- NONE LISTED -

Party Information				
<u>Debtor(s):</u>				
Elysium Axis LLC	Represented By Michael Jay Berger			
<u>Movant(s):</u>				
The Arnett Trust	Represented By David L Prince			
<u>Trustee(s):</u>				
John-Patrick McGinnis Fritz (TR)	Pro Se			