

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

Thursday, November 9, 2023

Hearing Room 126

10:00 AM

6:20-16132 MILES D. THOMPSON

Chapter 7

Adv#: 6:20-01203 D'Aquila et al v. THOMPSON

#1.00

Hrg. on Plaintiffs' Motion For Summary Judgment

EH__

Docket 30

***** VACATED *** REASON: CONTINUED TO 12/12/23 BY ORDER
ENTERED 11/7/23**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

MILES D. THOMPSON

Represented By
Jeffrey T Gwynn

Defendant(s):

MILES D. THOMPSON

Represented By
Jeffrey T Gwynn

Movant(s):

Emory D'Aquila

Represented By
Solomon A Cheifer

Zachary D'Aquila

Represented By
Solomon A Cheifer

Plaintiff(s):

Emory D'Aquila

Represented By
Solomon A Cheifer

Zachary D'Aquila

Represented By
Solomon A Cheifer

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CONT... MILES D. THOMPSON

Chapter 7

Trustee(s):

Robert Whitmore (TR)

Pro Se

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10:00 AM

6:20-16132 MILES D. THOMPSON

Chapter 7

Adv#: 6:20-01203 D'Aquila et al v. THOMPSON

#2.00

CONT. STATUS CONFERENCE re: Complaint by Emory D'Aquila, Zachary D'Aquila against MILES D. THOMPSON for denial of discharge pursuant to 727 and determination of dischargeability pursuant to 523(a)(2)(A), (a)(4), and (a)(6)

From: 3/2/21,6/29/21, 2/1/22,2/15/22, 7/12/22, 1/10/23, 5/30/23, 9/26/23

EH_____

Docket 1

***** VACATED *** REASON: CONTINUED TO 12/12/23 BY ORDER
ENTERED 11/7/23**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

MILES D. THOMPSON

Represented By
Jeffrey T Gwynn

Defendant(s):

MILES D. THOMPSON

Represented By
Jeffrey T Gwynn

Plaintiff(s):

Emory D'Aquila

Represented By
Solomon A Cheifer

Zachary D'Aquila

Represented By
Solomon A Cheifer

Trustee(s):

Robert Whitmore (TR)

Pro Se

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

Thursday, November 9, 2023

Hearing Room 5C

11:00 AM

8:19-13560 Eagan Avenatti, LLP

Chapter 7

Adv#: 8:20-01086 Marshack v. The X-Law Group, PC, a professional corporation et

#3.00

CONT'D RULE 16 PRE-TRIAL CONFERENCE Hearing RE: Third Amended Complaint For:

- (1) Declaratory Judgment;
- (2) Quantum Meruit;
- (3) Violation Of The Automatic Stay, And Other Court Orders;
- (4) Avoidance, Recovery, And Preservation Of Fraudulent Transfer (Complaint filed 5/19/2020)

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

(Amended Complaint filed 10/26/2020)
(Rule 16 Pre-Trial Conference set per Order Entered 2/18/2021)
(Second Amended Complaint filed 2/25/2021)
(S/C set at PTC held 4/15/2021)
(Third Amended Complaint filed 8/4/2022)
(PTC set per Order Entered 12/20/2021 - docket 234)

FR: 8-4-20; 9-3-20; 9-10-20; 10-7-20; 10-21-20; 10-21-20; 1-20-21; 4-7-21; 4-15-21; 5-5-21; 6-16-21; 12-15-21; advanced from 6-16-22; 6-2-22; 7-14-22; 8-30-22; 11-29-22; 1-17-23; 3-2-22; 6-29-23

Docket 296

***** VACATED *** REASON: CONTINUED TO FEBRUARY 15, 2024 AT 11:00 A.M. PER ORDER APPROVING STIPULATION TO MODIFY SCHEDULING ORDER ENTERED 6-2-2023 - (DOCKET NO. [315])**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Eagan Avenatti, LLP

Represented By
Jack A. Reitman

Defendant(s):

The X-Law Group, PC, a

Represented By

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CONT... Eagan Avenatti, LLP

Chapter 7

Kurt Ramlo
Filippo Marchino
David B Golubchik

Filippo Marchino

Represented By
Kurt Ramlo
Filippo Marchino
David B Golubchik

Elba Hernandez, individually and as

Represented By
Filippo Marchino
Kurt Ramlo

Young Blue LLC, a limited liability

Represented By
Filippo Marchino

Sandy Le, individually and on

Represented By
Filippo Marchino

Plaintiff(s):

Richard A. Marshack

Represented By
John P. Reitman
D Edward Hays
Richard L Kellner
Tinho Mang

Trustee(s):

Richard A Marshack (TR)

Represented By
Jack A. Reitman
D Edward Hays
David Wood
Judith E Marshack
John P. Reitman
Meghan C Murphey
Tinho Mang

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

Thursday, November 9, 2023

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5C

11:00 AM

8:22-12142 2nd Chance Investment Group, LLC

Chapter 11

#4.00

CONT'D Hearing RE: Disclosure Statement Describing First Amended Chapter 11 Liquidating Plan
(D.S. filed 5/10/2023)
(First Amended D.S. filed 8/8/2023)
(Second Amended D.S. to be filed by 9/28/2023)
(Second Amended D.S. to be filed by extended date 10/12/2023)
(D.S. filed 10/12/2023)

FR: 7-19-23; 9-13-23; 10-19-23

Docket 269

Tentative Ruling:

Tentative for 11/9/22 is to APPROVE the Amended Disclosure Statement, contingent upon the inclusion of language providing (1) that Debtor will have a 180-day period to market and sell Debtor's real property post-confirmation, and (2) corresponding temporary injunction and default provisions, as proposed in the status report [Dk. 287], subject to agreement by the United States Trustee and the Committee.

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

1. Deadline to file and serve Plan and D.S. – November 15, 2023
2. Ballots Due – December 21, 2023
3. Confirmation Brief Due – January 11, 2024
4. Oppositions to Confirmation Brief due – January 25, 2024
5. Replies due – February 1, 2024
6. Confirmation Hearing and status conference – Feb 8, 2024 at 11:00 a.m. A status report shall be due 14 days in advance.

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Central District of California
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5C

11:00 AM

CONT... 2nd Chance Investment Group, LLC

Chapter 11

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Hearing participants may connect to the videoconference through an Internet browser by entering the Videoconference URL shown below, as well as the meeting ID and password, when prompted.

Videoconference URL: <https://cacb.zoomgov.com/j/1607650442>

Meeting ID: 160 765 0442

Password: 774705

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.

**United States Bankruptcy Court
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Santa Ana
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Thursday, November 9, 2023

Hearing Room 5C

11:00 AM

CONT... 2nd Chance Investment Group, LLC

Chapter 11

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

Meeting ID: 160 765 0442

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<https://www.cacb.uscourts.gov/judges/honorable-scott-c-clarkson>.

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Tentative for 9/13/23:

A Second Amended Disclosure Statement must be filed addressing the objections. In light of the Committee's representations that it will work with Debtor to resolve the objections, this matter is CONTINUED to October 19, 2023, at 11:00 a.m. An Amended Disclosure Statement, an Amended Plan, which fully addresses the filed objections, and a redlined version of each, must be filed by no later than September 28, 2023. Any objection must be filed by no later than October 5, 2023, with replies filed by no later than October 12, 2023.

Debtor is to lodge a scheduling order within 7 days.

Appearances for the 9/13 hearing are excused.

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CONT... 2nd Chance Investment Group, LLC

Chapter 11

Tentative for 7/19/23:

Debtor seeks approval of its disclosure statement filed May 10, 2023 [Dk. 140], describing its liquidating plan filed May 10, 2023 [Dk. 139].

The disclosure statement and/or plan have drawn objections by Creditors Ram Bhakta and Sajan Bhakta [objection to disclosure statement - Dk. 185], Lantzman Investments, Inc. and LMF2 LP [combined objection to disclosure statement and plan - Dk. 191] and Creditor Forethought Life Insurance Company [objection to plan - Dk. 153]. Debtor's reply filed July 12, 2023 [Dk. 192] also notes that the Committee of Unsecured Creditors informally emailed objections.

The objections generally asserting the following:

1. The liquidating plan does not contain a drop dead date by which Debtor's properties must be sold. It is the Court's view that under the facts of this case, the 365 day injunction provided for in the plan is insufficient. Alternatively, if the Court were to depart from this view at the hearing, Debtor may be required to more fully explain the impact of the 365 day injunction in the D.S. itself.
2. The liquidating plan eliminates the secured creditors' rights to credit bid. While Debtor's reply indicates that this issue was resolved with Lantzman, it is silent as to Forethought.
3. The disclosure statement and liquidating plan references the Bhakta creditors as insiders, despite including these claims within Class 4 (General Unsecured Claims). The disclosure statement should be amended to reflect the Bhakta Creditors' position on this issue.
4. Committee concerns regarding post-confirmation power, which appear to be resolved pursuant to Debtor's reply.

If the Court requires an amended disclosure statement, the following dates will be required:

1. Amended D.S. due: August 1, 2023
2. Opposition deadline: August 15, 2023

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CONT... 2nd Chance Investment Group, LLC

Chapter 11

3. Reply deadline: August 22, 2023
4. Continued hearing on D.S.: August 29, 2023, at 10:30 a.m.

Alternatively, if the Court is inclined to approve the disclosure statement at the 7/19 hearing, the following dates will be set:

1. Deadline to serve D.S. and plan: August 1, 2023
2. Ballots due: September 1, 2023
3. Confirmation brief due: September 20, 2023
3. Opposition deadline: October 4, 2023
4. Reply deadline: October 11, 2023
5. Plan Confirmation and Continued Status Conference: October 18, 2023, at 1:30 p.m.

Virtual appearances are required.

Party Information

Debtor(s):

2nd Chance Investment Group, LLC

Represented By

Amanda G. Billyard

Andy C Warshaw

Richard L. Sturdevant

David M Goodrich

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8:22-12142 2nd Chance Investment Group, LLC

Chapter 11

#5.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Setting Scheduling Hearing And Case Management Conference And (2) Requiring Status Report (Petition filed 12/21/2022)

FR: 2-8-23; 5-31-23; 7-19-23; 9-13-23; 10-19-23

Docket 9

Tentative Ruling:

Tentative for 11/9/23:

The Court will set a continued status conference date of Feb 8, 2024 at 11:00 a.m., to trail the confirmation hearing. A status report shall be due 14 days in advance.

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

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CONT... 2nd Chance Investment Group, LLC

Chapter 11

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**United States Bankruptcy Court
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CONT... 2nd Chance Investment Group, LLC

Chapter 11

imposition of monetary and non-monetary sanctions.

Tentative for 9/13/23:

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

Appearances for the 9/13 hearing are excused.

Tentative for 7/19/23:

The Court will set a continued date to trail the disclosure statement and/or plan confirmation hearing set in matter #17.

Virtual appearances are required.

Tentative for 5/31/23:

This matter is continued to July 19, 2023, at 1:30 p.m., to be heard concurrently with the hearing on Debtor's disclosure statement. No status report shall be required.

Appearances for the 5/31 hearing are excused.

Tentative for 2/8/23:

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

1. Deadline to file Plan and D.S. – May 10, 2023, which corresponds with the exclusivity period under § 1121.
2. Continued Status Conference – May 31, 2023 at 1:30 p.m. A status report shall be due 14 days in advance.

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11:00 AM

CONT... 2nd Chance Investment Group, LLC

Chapter 11

Virtual appearances are required.

Party Information

Debtor(s):

2nd Chance Investment Group, LLC

Represented By

Amanda G. Billyard

Andy C Warshaw

Richard L. Sturdevant

David M Goodrich

**United States Bankruptcy Court
Central District of California
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Thursday, November 9, 2023

Hearing Room 5C

11:00 AM

8:23-12243 EQUALTOX, LLC

Chapter 11

#6.00

Hearing RE: Debtor's Emergency Motion For Order Authorizing (A) Payment of Pre-Petition Wages; And (B) Honoring of Pre-Petition Paid Time Off (Motion filed 11/7/2023)

Docket 44

Tentative Ruling:

Tentative for 11/9/23:

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CONT... EQUALTOX, LLC

Chapter 11

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Party Information

Debtor(s):

EQUALTOX, LLC

Represented By
Robert S Marticello
Timothy W Evanston

**United States Bankruptcy Court
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11:00 AM

CONT... EQUALTOX, LLC

Chapter 11

Michael Simon

Movant(s):

EQUALTOX, LLC

Represented By

Robert S Marticello

Robert S Marticello

Timothy W Evanston

Timothy W Evanston

Michael Simon

Michael Simon