

**United States Bankruptcy Court
Central District of California
Santa Ana
Theodor Albert, Presiding
Courtroom 5B Calendar**

Tuesday, January 16, 2024

Hearing Room

5B

10:00 AM

8:00-000000

Chapter

#0.00 Hearings on this calendar will be conducted using ZoomGov video and audio.

For information about appearing in person (or a hybrid hearing) please visit <https://www.cacb.uscourts.gov/judges/honorable-theodor-c-albert>.

Case participants may connect to the video and audio feeds, free of charge, using the connection information provided below.

BY MANDATE OF THE ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS, MEMBERS OF THE PUBLIC AND THE MEDIA MAY ONLY CONNECT TO THE ZOOMGOV AUDIO FEED, AND ONLY BY TELEPHONE. ACCESS TO THE VIDEO FEED BY THESE INDIVIDUALS IS PROHIBITED. IN THE CASE OF A TRIAL OR EVIDENTIARY HEARING, NO AUDIO ACCESS WILL BE PROVIDED.

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Neither a Zoom nor a ZoomGov account is necessary to participate and no pre-registration is required. The audio portion of each hearing will be recorded electronically by the Court and constitutes its official record.

Video/audio web address: <https://cacb.zoomgov.com/j/1604930970>

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ZoomGov meeting number: 160 493 0970

Password: 976710

Telephone conference lines: 1 (669) 254 5252 or 1 (646) 828 7666

For more information on appearing before Judge Albert by ZoomGov, please see the "Notice of Video and Telephonic Appearance Procedures for Judge Theodor C. Albert's Cases" on the Court's website at: <https://www.cacb.uscourts.gov/judges/honorable-theodor-c-albert> under the "Telephonic Instructions" section.

To assist in creating a proper record and for the efficiency of these proceedings, please:

- Connect early so that you have time to check in.
- Change your Zoom name to include your calendar number, first initial and last name, and client name (*ex. 5, R. Smith, ABC Corp.*) if appearing by video. This can be done by clicking on "More" and "Rename" from the Participants list or by clicking on the three dots on your video tile.
- Mute your audio to minimize background noise unless and until it is your turn to speak. Consider turning your video off until it is your turn to appear.
- Say your name every time you speak.
- Disconnect from the meeting by clicking "Leave" when you have

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completed your appearance(s).

Docket 0

Tentative Ruling:

- NONE LISTED -

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8:23-12254 David Richard Lagrotta

Chapter 7

#1.00 Motion for relief from the automatic stay UNLAWFUL DETAINER

**ARNEL MANAGEMENT COMPANY
Vs.
DEBTOR**

Docket 8

Tentative Ruling:

Tentative for January 16, 2024
Grant. Appearance is optional.

Tentative for January 11, 2024

According to the status conference report Plaintiff will be asking for a continuance until after a foreclosure sale scheduled 2/7/24. A further explanation is requested, particularly as to how this claim at center of this adversary can be satisfied. Appearance required.

Party Information

Debtor(s):

David Richard Lagrotta

Represented By
Rex Tran

Movant(s):

Arnel Management Company

Represented By
Curtis Tyler Greer IV

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Trustee(s):

Jeffrey I Golden (TR)

Pro Se

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8:23-12650 Grace Thi Cam

Chapter 7

#2.00 Motion for relief from the automatic stay UNLAWFUL DETAINER

CHRISTINE LEE

Vs.

DEBTOR

Docket 6

Tentative Ruling:

Tentative for January 16, 2024
Grant. Appearance is optional.

Party Information

Debtor(s):

Grace Thi Cam

Pro Se

Movant(s):

Christine Lee

Represented By
Larry Rothman

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8:23-10433 Patricia C. Pham

Chapter 7

#3.00 Motion for relief from the automatic stay PERSONAL PROPERTY

**JPMORGAN CHASE BANK, N.A.
Vs.
DEBTOR**

Docket 55

Tentative Ruling:

Tentative for January 16, 2024
Grant. Appearance is optional.

Party Information

Debtor(s):

Patricia C. Pham

Represented By
Thomas J Polis

Movant(s):

JPMorgan Chase Bank, N.A.

Represented By
Joseph C Delmotte

Trustee(s):

Karen S Naylor (TR)

Pro Se

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8:23-10434 Shirley Q. Pham

Chapter 7

#4.00 Motion for relief from the automatic stay PERSONAL PROPERTY

**JPMORGAN CHASE BANK, N.A.
Vs.
DEBTOR**

Docket 65

Tentative Ruling:

Tentative for January 16, 2024
Grant. Appearance is optional.

Party Information

Debtor(s):

Shirley Q. Pham

Represented By
Thomas J Polis

Movant(s):

JPMorgan Chase Bank, N.A.

Represented By
Joseph C Delmotte

Trustee(s):

Thomas H Casey (TR)

Pro Se

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8:23-12171 Erik Omar Rios

Chapter 7

#5.00 Motion for relief from the automatic stay PERSONAL PROPERTY

**TOYOTA MOTOR CREDIT CORPORATION
Vs.
DEBTOR**

Docket 11

Tentative Ruling:

Tentative for January 16, 2024
Grant. Appearance is optional.

Party Information

Debtor(s):

Erik Omar Rios

Represented By
Brian J Soo-Hoo

Movant(s):

Toyota Motor Credit Corporation

Represented By
Kirsten Martinez

Trustee(s):

Thomas H Casey (TR)

Pro Se

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8:23-12350 Regis Winston Hearn

Chapter 7

#6.00 Motion for relief from the automatic stay PERSONAL PROPERTY

**MERCEDES-BENZ FINANCIAL SERVICES USA LLC
Vs.
DEBTOR**

Docket 15

Tentative Ruling:

Tentative for January 16, 2024
Grant. Appearance is optional.

Party Information

Debtor(s):

Regis Winston Hearn

Pro Se

Movant(s):

Mercedes-Benz Financial Services

Represented By
Sheryl K Ith

Trustee(s):

Thomas H Casey (TR)

Pro Se

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8:23-12567 Jacob Noah Maisano

Chapter 7

#7.00 Motion for relief from the automatic stay PERSONAL PROPERTY

**TD BANK, N.A.
Vs
DEBTOR**

Docket 8

Tentative Ruling:

Tentative for January 16, 2024
Grant. Appearance is optional.

Party Information

Debtor(s):

Jacob Noah Maisano

Represented By
A Mina Tran

Movant(s):

TD Bank, N.A., successor in interest

Represented By
Sheryl K Ith

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

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8:23-12139 Tai H Tran

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#8.00 Motion in Individual Case for Order Imposing a Stay or Continuing the Automatic Stay UNLAWFUL DETAINER

**ANAHEIM MOBILE ESTATES LLC
Vs.
DEBTOR**

Docket 10

Tentative Ruling:

Tentative for January 16, 2024

This is a motion brought by the landlord on a mobile home site, 3050 W. Ball Rd. space 191, Anaheim. As alleged in the motion, the movant obtained an unlawful detainer judgment pre-petition. Therefore, in all likelihood property of the estate under the lease is no longer involved. See *In re Smith*, 105 B.R. 50 (Bankr. C.D. Cal. 1989). Debtor does not refute this yet makes an argument that the motion is procedurally improper in that the Chapter 7 trustee should have been served. Since the home is property of the estate and the trustee theoretically could have an interest in the alleged equity in the mobile home (if not in the space) debtor is correct. But in practical terms, it is very unlikely the trustee will have any interest in resisting the motion especially given the homestead exemption which would likely eclipse any value here. Debtor's advanced age and lack of an alternative abode is indeed heart rending but is not legally significant. The simple fact is that debtor has no continuing legal right to remain in space 191. Full stop. So she has to make immediate efforts to haul the mobile home away, whether temporarily or in conjunction with a sale. In order that this might be accomplished with some dignity, the court will not waive the stay of Rule 4001(a) which gives her 14 days from entry of the relief of stay order before it becomes effective and levies under state law might commence. Movant is directed in meantime to provide immediate notice to the Trustee of the motion, with a shortened time to oppose and request a hearing (before the 14-day period elapses) but only

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if the Trustee so timely requests a hearing may either he/she or the debtor ask for a further stay. There were allegations in the response that the movant has obstructed efforts to conduct a sale. This should not occur as such conduct arguably is still stayed until the 14 days has elapsed and, besides, it is in everyone's interest that debtor be able to sell the home in situ with a modicum of dignity, if possible. But debtor must accept that time is very limited and she cannot rely upon getting any more time. Appearance required.

Party Information

Debtor(s):

Tai H Tran

Represented By
Thinh V Doan

Trustee(s):

Weneta M.A. Kosmala (TR)

Pro Se