

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

**Wednesday, January 24, 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.

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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/1614787680>

**ZoomGov meeting number:**    161 478 7680

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CONT...

**Chapter**

**Password:** 345165

**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 completed your appearance(s).

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**CONT...**

**Chapter**

Docket 0

**Tentative Ruling:**

- NONE LISTED -

**United States Bankruptcy Court  
Central District of California  
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**Wednesday, January 24, 2024**

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10:00 AM

**8:09-23664    Piecemakers**

**Chapter 11**

**#1.00    STATUS CONFERENCE RE: Order To Show Cause Why Case Should Not  
ReClose  
(cont'd from 8-23-23)**

Docket      0

**Tentative Ruling:**

Tentative for January 24, 2024

Status? Is there really anything for this court to do given that the contempt motion was denied as to McKinney? *Appearance required.*

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Tentative for 8/23/23

As reported, the debtor's motions in Superior Court were denied. So, the substantive challenges to the Superior Court's judgment would seemingly be at an end. What then is left for this court to do, and what is the timetable? Appearance is required.

<b>Party Information</b>
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**Debtor(s):**

Piecemakers

Represented By  
Ralph Ascher

**United States Bankruptcy Court  
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**Wednesday, January 24, 2024**

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10:00 AM

**8:23-12086 MacArthur Court Acquisition Corp.**

**Chapter 11**

**#2.00 STATUS CONFERENCE RE: Chapter 11 Involuntary Petition Against A Non-Individual.  
(cont'd from 12-13-23)**

Docket 1

**Tentative Ruling:**

Tentative for January 24, 2024  
Deadline for completing discovery is May 1, 2024  
Last date for filing pre-trial motions is May 24, 2024  
Pre-trial conference is on June 5, 2024 at 10:00 a.m.  
Joint pre-trial stipulation and/or order due per local rules.  
*Appearance required.*

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Tentative for December 13, 2023  
Status report? Appearance required.

<b>Party Information</b>
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**Debtor(s):**

MacArthur Court Acquisition Corp.          Pro Se

**United States Bankruptcy Court  
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**Wednesday, January 24, 2024**

**Hearing Room**

**5B**

10:00 AM

**8:23-12656 XD Industries, Inc.**

**Chapter 11**

**#3.00 STATUS CONFERENCE RE: Chapter 11 Subchapter V Voluntary Petition Non-Individual. Inc.**

Docket 1

**Tentative Ruling:**

Tentative for January 24, 2024

Based on suggestion of the Subchapter V trustee disclosure statement is deemed unnecessary. When will plan be filed? Is confirmation date of March 13, 2024 at 10:00 a.m. about right? If so court will set last dates to file ballots and briefing schedule. *Appearance required.*

<b>Party Information</b>
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**Debtor(s):**

XD Industries, Inc.

Represented By  
Jeremy H Rothstein

**Trustee(s):**

Robert Paul Goe (TR)

Pro Se

**United States Bankruptcy Court  
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**Wednesday, January 24, 2024**

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**5B**

10:00 AM

**8:22-11239 Classic Refrigeration SoCal, Inc.**

**Chapter 11**

**#4.00 Motion For Final Decree Closing The Debtor's Chapter 11 Case**

Docket 351

**Tentative Ruling:**

Tentative for January 24, 2024  
Grant. *Appearance is optional.*

<b>Party Information</b>
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**Debtor(s):**

Classic Refrigeration SoCal, Inc.

Represented By  
Jeffrey Garfinkle  
Caroline Djang  
Nicholas S Couchot

**Trustee(s):**

Robert Paul Goe (TR)

Pro Se

**United States Bankruptcy Court  
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**Wednesday, January 24, 2024**

**Hearing Room**

**5B**

10:00 AM

**8:23-11905 Tuffstuff Fitness International, Inc.**

**Chapter 11**

**#5.00** Application Of Chapter 11 Debtor To Employ Riveron RTS, LLC, As Financial Advisor Pursuant To 11 U.S.C. § 327(A) With Compensation Pursuant To 11 U.S.C. §§ 330, 331

Docket 137

**Tentative Ruling:**

Tentative for January 24, 2024

There was no opposition. However, the financial advisor applicant proposes terms unusual for this District in at least two perhaps three respects: 1. Payment of a \$40k post-petition retainer, presumably to secure payment of an expected hourly based fee (with hourly rates that are not the highest but still not cheap) ; 2. Apparently in addition to the hourly fee a "success fee" of a percentage portion of any transaction arranged by the applicant and 3. An aggressive indemnification provision. While the court cannot say that such a dual or triple approach is not arguably permissible, the court will say that more justification than is shown here may be necessary for a small subchapter V case with, from what the court can tell, only a very modest cash flow. *Appearance required.*

<b>Party Information</b>
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**Debtor(s):**

Tuffstuff Fitness International, Inc.

Represented By  
John-Patrick M Fritz  
Carmela Pagay

**Trustee(s):**

Caroline Renee Djang (TR)

Pro Se



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10:00 AM

**8:23-11421 Juan Manuel Bernal**

**Chapter 11**

**#6.00** Debtor and Debtor in Possession's Emergency Motion for Order Authorizing Interim Use of Cash Collateral Pursuant to 11 U.S.C. Sections 363(c)(2) and 363(b)(1) and Rule 4001(d) of the Federal Rules of Bankruptcy Procedure; Memorandum of Points and Authorities; and Declaration of Juan Manuel Bernal in Support with Proof of Service  
**(OST Signed 7-21-2023)**  
**(cont'd from 7-27-23)**  
**(cont'd from 12-06-23)**

Docket 22

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR - ORDER APPROVING  
STIPULATION FOR ORDER AUTHORIZING USE OF CASH  
COLLATERAL CONTINUE HEARING TO MARCH 27, 2024 AT 10:00 AM  
ENTERED ON 1-22-24 SEE DOCUMENT #108**

**Tentative Ruling:**

Tentative for December 6, 2023

Interim use of cash collateral was authorized until Dec. 6 but through confirmation was discussed at that last hearing. When is confirmation likely to be? Appearance required.

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Tentative for August 30, 2023

Opposition? Appearance required.

<b>Party Information</b>
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**Debtor(s):**

Juan Manuel Bernal

Represented By  
Robert P Goe  
Reem J Bello

**Trustee(s):**

Arturo Cisneros (TR)

Represented By  
Arturo Cisneros

**United States Bankruptcy Court  
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10:00 AM

**8:23-11421 Juan Manuel Bernal**

**Chapter 11**

**#7.00 Confirmation Of Chapter 11 Subchapter V Plan  
(set from s/c hrg held on 8-23-23)  
(cont'd from 12-6-23 per order approving stip. to cont. hrg on confirmation  
of debtor's ch 11 plan entered 11-29-23)**

Docket 1

**\*\*\* VACATED \*\*\* REASON: CONTINUED TO 3-27-24 AT 10:00 A.M.  
PER ORDER APPROVING STIPULATION TO CONTINUE HEARING  
ON CONFIRMATION OF DEBTOR'S CHAPTER 11 PLAN ENTERED 1-  
17-24**

**Tentative Ruling:**

Tentative for August 23, 2023  
Separate disclosure statement not needed? Plan to be filed by 90th day.  
Confirmation to be scheduled approximately 45 days thereafter. Particulars  
at hearing. Appearance is required.

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

**Debtor(s):**

Juan Manuel Bernal

Represented By  
Robert P Goe

**Trustee(s):**

Arturo Cisneros (TR)

Represented By  
Arturo Cisneros

**United States Bankruptcy Court  
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**8:23-10612 Vici Wellness, Inc.**

**Chapter 11**

**#8.00** Post-Confirmation Status Conference Re: Debtor's Subchapter V Chapter 11  
Plan Of Reorganization  
**(set from hearing held on 8-23-23 re: mtn to confirm debtor's subchapter V  
ch 11 plan)**

Docket 42

**Tentative Ruling:**

Tentative for January 24, 2024

Continue for further status conference (if needed) to May 8, 2024 at 10:00  
a.m., with the expectation that a final decree will be sought in meantime.

*Appearance is optional.*

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Tentative for August 23, 2023

See #11.

<b>Party Information</b>
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**Debtor(s):**

Vici Wellness, Inc.

Represented By  
Michael Jay Berger

**Trustee(s):**

Mark M Sharf (TR)

Pro Se

**United States Bankruptcy Court  
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**8:23-10611 Surrender Solutions, Inc.**

**Chapter 11**

**#9.00** Post Confirmation Status Conference Re: Debtor's Subchapter V Chapter 11  
Plan Of Reorganization

Docket 53

**Tentative Ruling:**

Tentative for January 24, 2024

Continue for further status conference (if needed) to May 8, 2024 at 10:00  
a.m., with the expectation that a final decree will be sought in meantime.  
*Appearance is optional.*

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Tentative for 8/23/23  
See #9.

<b>Party Information</b>
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**Debtor(s):**

Surrender Solutions, Inc.

Represented By  
Michael Jay Berger

**Trustee(s):**

Mark M Sharf (TR)

Pro Se