

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

Tuesday, February 27, 2024

Hearing Room 5B

10:30 AM  
8:00-00000

Chapter

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

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

**Tuesday, February 27, 2024**

**Hearing Room 5B**

10:30 AM

CONT...

**Chapter**

**ZoomGov meeting number:** 161 530 8066

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

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- 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.
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- Disconnect from the meeting by clicking "Leave" when you have

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

**Tuesday, February 27, 2024**

**Hearing Room 5B**

10:30 AM

CONT...

**Chapter**

completed your appearance(s).

Docket 0

**Tentative Ruling:**

- NONE LISTED -

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

**Tuesday, February 27, 2024**

**Hearing Room 5B**

10:30 AM

**8:23-12753 Frank Ray Velasco**

**Chapter 7**

**#1.00 Motion for relief from the automatic stay PERSONAL PROPERTY**

**FINANCIAL SERVICES VEHICLE TRUST  
Vs.  
DEBTOR**

Docket 11

**Tentative Ruling:**

Tentative for February 27, 2024  
Grant as unopposed. Appearance is optional.

**Party Information**

**Debtor(s):**

Frank Ray Velasco

Represented By  
Richard W Snyder

**Movant(s):**

Financial Services Vehicle Trust

Represented By  
Cheryl A Skigin

**Trustee(s):**

Weneta M.A. Kosmala (TR)

Pro Se

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

Tuesday, February 27, 2024

Hearing Room 5B

10:30 AM

8:22-11186 Philip Gus Randazzo

Chapter 7

#2.00 Motion for relief from the automatic stay REAL PROPERTY

**WILMINGTON TRUST, NATIONAL ASSOCIATION  
Vs.  
DEBTOR**

Docket 206

**Tentative Ruling:**

Tentative for February 27, 2024

This motion for relief of stay is brought by the creditor Wilmington Trust, holding a claim of \$2,640,000 secured by the first deed of trust. The motion is brought under alternate theories of: 1. "cause", including lack of adequate protection [§362(d)1)] and/or 2. no equity and not necessary for a reorganization [§362(d)(2)]. Since this is now a chapter 7 we can safely assume the property is not necessary to a reorganization. So both prongs turn on the question of value, i.e. whether there is any equity in the property or at least whether the movant's lien is senior enough such that we are concerned primarily with whether the value behind the first trust deed is sufficient to warrant delaying foreclosure because the movant is adequately protected (at least in the absence of adequate protection payments). The evidence on the measure of that value is sketchy. We have a broker's opinion of a value @\$4,100,000. Creditor offers a valuation @\$3,580,000, taken apparently from the debtor's schedules. But even at the higher value the extent of cushion is speculative given a still slower real estate market.

The trustee's lack of any opposition can also be read as his conclusion that there is no value net of liens that could be obtained here.

Debtor offers a very vague suggestion that negotiations with the trustee to extract some value for the estate by subordinating the third deed of trust are underway. Well, maybe. More quibbles are offered having to do with a

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

Tuesday, February 27, 2024

Hearing Room

5B

10:30 AM

CONT...

**Philip Gus Randazzo**

**Chapter 7**

possible reduced sale commission. Again, maybe, as in the best case that only gives a percentage or two, hardly sufficient by itself for any further delay. The court is very skeptical particularly because nothing is heard from the trustee. But the burden of valuation is upon the movant and it is not carried here, at least not convincingly so, at this juncture because we lack an appraisal. Perhaps more importantly, there seems little or no bankruptcy purpose being fulfilled here in the absence of a clear and immediate deal of some kind with the trustee. But if debtor's scheme is to provide some reason for a delay it needs far more substance than we've seen so far. The court will give thirty more days, or thereabouts, which might be extended if adequate protection payments are also made to movant or some near prospect emerges of a deal. None are offered to date and, absent some reason to put greater faith in debtor's schemes than presented so far the stay is not likely much longer in duration. Also, movant can better solidify its case for next hearing with a formal valuation of the property.

Continue thirty days. Appearance required.

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

**Debtor(s):**

Philip Gus Randazzo

Pro Se

**Movant(s):**

Wilmington Trust, National

Represented By  
Jennifer C Wong

**Trustee(s):**

Jeffrey I Golden (TR)

Pro Se

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

**Tuesday, February 27, 2024**

**Hearing Room 5B**

10:30 AM

**8:22-11585 AB Capital, LLC, a California limited liability co**

**Chapter 7**

**#3.00 Motion for relief from automatic stay ACTION IN NON-BANKRUPTCY FORUM**

**40TH STREET DEVELOPMENT, LLC  
Vs.  
DEBTOR**

Docket 679

**Tentative Ruling:**

Tentative for February 27, 2024

As unopposed, grant for purposes of liquidating the claim only. Appearance is optional.

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

AB Capital, LLC, a California

Represented By  
Diana Torres-Brito

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
D Edward Hays  
Alan W Forsley  
Ryan D O'Dea  
Kristine A Thagard  
James C Bastian Jr  
Marc A Lieberman  
Rika Kido

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

Tuesday, February 27, 2024

Hearing Room

5B

10:30 AM

8:24-10114 BBQATOC, Inc.

Chapter 11

#3.10 Motion for relief from the automatic stay UNLAWFUL DETAINER  
(cont'd from 2-20-24)

**PELICAN INVESTMENTS #4, LLC  
Vs.  
DEBTOR**

Docket 15

**Tentative Ruling:**

Tentative for February 27, 2024

Where is the motion for avoidance of forfeiture? Appearance required.

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Tentative for February 20, 2024

It is not at all clear that there is still a lease here to assume, since notice to quit was given in August 14, 2023 and an unlawful detainer allegedly commenced August 28, 2023. *In re Windmill Farms*, 841 F. 2d 1467, 1471 (9th Cir. 1987). But the court presumes debtor is fighting eviction in state court for alleged breaches by landlord. None of that, however, suggests that there is even a remoted possibility of a "reorganization in prospect" here which might be grounds for preserving the stay under §362(d)(2). Indeed, full schedules were as of this reading still unfiled. The close-in analysis of lease terms and whether any of that results in any monetary recovery for debtor, and/or whether the alleged First Amendment or payment plan relieved landlord of breaches, and/or whether Debtor has a viable claim for avoidance of forfeiture, is all probably best left to the Superior Court where there is a UD action pending and those issues are already raised. Since there might be a legitimate question of the length of notice of the motion given to the initially omitted eight creditors, the court will continue the hearing to February 27 at 10:30 a.m. to see if any objection is raised. In meantime landlord might also



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

**Tuesday, February 27, 2024**

**Hearing Room 5B**

10:30 AM

**CONT...**     **BBQATOC, Inc.**  
consider a motion for abstention.

**Chapter 11**

*Appearance required.*

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

**Debtor(s):**

BBQATOC, Inc.

Represented By  
Andrew S Bisom

**Movant(s):**

Pelican Investments #4, LLC

Represented By  
Corey E Taylor

**Trustee(s):**

Mark M Sharf (TR)

Pro Se

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

**Tuesday, February 27, 2024**

**Hearing Room**

**5B**

11:00 AM

**8:23-12650 Grace Thi Cam**

**Chapter 7**

**#4.00** Order To Show Cause Why This Case Should Not Be Dismissed For Failure To Prosecute RE: [1] Chapter 7 Involuntary Petition Against an Individual.

Docket 1

**Tentative Ruling:**

Tentative for February 27, 2024  
Dismiss. Appearance is optional.

**Party Information**

**Debtor(s):**

Grace Thi Cam

Pro Se

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

**Tuesday, February 27, 2024**

**Hearing Room 5B**

11:00 AM

**8:22-11585 AB Capital, LLC, a California limited liability co**

**Chapter 7**

**#5.00 Motion To Be Relieved As Counsel To Joshua Pukini, Edmund Valasquez, 108 Avenida Serra, LLC And Luna Construction Management, LLC**

Docket 674

**Tentative Ruling:**

Tentative for February 27, 2024  
Grant. Appearance suggested.

**Party Information**

**Debtor(s):**

AB Capital, LLC, a California

Represented By  
Diana Torres-Brito

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
D Edward Hays  
Alan W Forsley  
Ryan D O'Dea  
Kristine A Thagard  
James C Bastian Jr  
Marc A Lieberman  
Rika Kido

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

**Tuesday, February 27, 2024**

**Hearing Room 5B**

11:00 AM

**8:23-11330 Digital Partners, LLC**

**Chapter 7**

**#6.00** Motion For Order Designating Daniel Panhwar As The Debtor Pursuant To Rule 9001(5) Of The Federal Rules Of Bankruptcy Procedure

Docket 25

**Tentative Ruling:**

Tentative for February 27, 2024  
Grant. Appearance required.

**Party Information**

**Debtor(s):**

Digital Partners, LLC

Represented By  
Thomas J Polis

**Trustee(s):**

Jeffrey I Golden (TR)

Pro Se

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

Tuesday, February 27, 2024

**Hearing Room 5B**

11:00 AM

**8:22-10954 Sixty Minute Spectacles, Inc.**

**Chapter 7**

**#7.00 Trustee's Final Report And Applications For Compensation:**

**RICHARD A. MARSHACK, CHAPTER 7 TRUSTEE**

**GOLDEN GOODRICH LLP, ATTORNEY FOR TRUSTEE**

**HAHN FIFE & COMPANY, LLP, ACCOUNTANT**

**BICHER & ASSOCIATES, OTHER FEES & EXPENSES**

**FRANCHISE TAX BOARD, OTHER FEES & EXPENSES**

Docket 68

**Tentative Ruling:**

Tentative for February 27, 2024  
Allow as prayed. Appearance is optional.

**Party Information**

**Debtor(s):**

Sixty Minute Spectacles, Inc.

Represented By  
Sundee M Teeple

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
Beth Gaschen

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

**Tuesday, February 27, 2024**

**Hearing Room**

**5B**

11:00 AM

**8:17-13482 Catherine M Haretakis**

**Chapter 7**

**#8.00 Chapter 7 Trustee's Motion For An Order Authorizing The Trustee To Make An Interim Distribution**

Docket 431

**Tentative Ruling:**

Tentative for February 27, 2024  
Grant. Appearance is optional.

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

Catherine M Haretakis

Pro Se

**Trustee(s):**

Thomas H Casey (TR)

Represented By  
Beth Gaschen

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

**Tuesday, February 27, 2024**

**Hearing Room 5B**

11:00 AM

**8:22-11712 Chyle E Beaird**

**Chapter 7**

**#9.00 Objection To Claim #9 Of Puccio Law Firm  
(cont'd from 10-31-23 per order on stipulated request to cont. hrg on obj. to  
clm #9 entered 10-24-23)**

Docket 46

**Tentative Ruling:**

Tentative for February 27, 2024  
Sustain. Appearance is optional.

**Party Information**

**Debtor(s):**

Chyle E Beaird

Represented By  
Julie J Villalobos

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
Anerio V Altman

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

**Tuesday, February 27, 2024**

**Hearing Room 5B**

11:00 AM

**8:22-11712 Chyle E Beaird**

**Chapter 7**

**#10.00** Objection To The Debtor's Claim Of Exemption

Docket 0

**Tentative Ruling:**

Tentative for February 27, 2024  
Sustain. Appearance is optional.

**Party Information**

**Debtor(s):**

Chyle E Beaird

Represented By  
Julie J Villalobos

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
Anerio V Altman



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

**Tuesday, February 27, 2024**

**Hearing Room 5B**

11:00 AM

**8:21-10534 Linda Nguyen**

**Chapter 7**

**#11.00 STATUS CONFERENCE RE: Motion For Order Sustaining Uyen Vi Thi Bui's  
Objections To Debtor's Claimed Exemptions  
(cont'd from 10-11-22) Holding Date  
(cont'd from 8-8-23)**

Docket 98

**Tentative Ruling:**

Tentative for February 27, 2024  
Continue as requested. Appearance suggested.

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Tentative for 8/8/23:  
Objecting creditor suggests a continuance until early 2024 so that trial  
testimony can be considered. Is there opposition?

Appearance: required

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Tentative for 2/7/23:  
Update?

Appearance: required

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Tentatives for 10/11/22:  
Status on the question of residency predicate to the exemption?

Appearance: required

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

**Tuesday, February 27, 2024**

**Hearing Room 5B**

11:00 AM

**CONT... Linda Nguyen**

**Chapter 7**

Tentative for 5/31/22:

Sustain objection as to ring and Honda Odyssey by agreement. Continue as a contested matter regarding the homestead with rights of discovery which are to be completed by September 15, 2022. The court will hear argument as to whether the matter should be combined for disposition with the trial in adversary proceeding 21-02033TA, or instead continued to an independent date sometime after September 15.

Appearance: required

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Tentative for 5/10/22:

The court does not see an opposition, yet new counsel, Mr. Reid was recently retained. Was the objection to exemptions overlooked? Is it more appropriate to treat this as a contested matter and schedule a conference?

Appearance: required

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

**Debtor(s):**

Linda Nguyen

Represented By  
Marc A Goldbach

**Trustee(s):**

Jeffrey I Golden (TR)

Represented By  
Melissa Davis Lowe

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

**Tuesday, February 27, 2024**

**Hearing Room 5B**

11:00 AM

**: Multiple Debtors 2024, see order Chapter 0**  
Misc#: 8:24-00102 Multiple Debtors 2024, see order

**#12.00 STATUS CONFERENCE RE: Order Requiring Quall Cordot LLP to Appear  
Through Counsel at a Status Conference**

Docket 2

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR - STATMENT  
CONFIRMING REGISTRATION FOR ELECTRONIC BANKRUPTCY  
NOTICING FILED 2-23-24 - SEE DOCUMENT #6**

**Tentative Ruling:**

- NONE LISTED -

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

**Tuesday, February 27, 2024**

**Hearing Room 5B**

11:00 AM

**: Multiple Debtors 2024, see order Chapter 0**  
Misc#: 8:24-00103 Multiple Debtors 2024, see order

**#13.00 STATUS CONFERENCE RE: Order Requiring Southern California Gas to Appear Through Counsel at a Status Conference**

Docket 2

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR - STATEMENT  
CONFIRMING REGISTRATION & STATEMENT ACCEPTING  
ELECTRONIC COURT NOTICE FILED 2-23-24 - SEE DOCUMENTS #6  
& #7**

**Tentative Ruling:**

- NONE LISTED -

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

**Tuesday, February 27, 2024**

**Hearing Room 5B**

11:00 AM

: **Multiple Debtors 2024, see order**  
Misc#: 8:24-00104 Multiple Debtors 2024, see order

**Chapter 0**

**#14.00** STATUS CONFERENCE RE: Order Requiring Los Angeles Department of Water and Power to Appear Through Counsel at a Status Conference

Docket 2

**Tentative Ruling:**

Tentative for February 27, 2024

The court needs to obtain someone in authority's attention to the need for enrollment in the court's electronic notice facility. Appearance required.

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

**Tuesday, February 27, 2024**

**Hearing Room 5B**

11:00 AM

: **Multiple Debtors 2024, see order**  
Misc#: 8:24-00105 Multiple Debtors 2024, see order

**Chapter 0**

**#15.00** STATUS CONFERENCE RE: Order Requiring Progressive Management System to Appear Through Counsel at a Status Conference

Docket 2

**Tentative Ruling:**

Tentative for February 27, 2024

The court needs to obtain someone in authority's attention to the need for enrollment in the court's electronic notice facility. Appearance required.

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

**Tuesday, February 27, 2024**

**Hearing Room 5B**

11:00 AM

: **Multiple Debtors 2024, see order**  
Misc#: 8:24-00106 Multiple Debtors 2024, see order

**Chapter 0**

**#16.00** STATUS CONFERENCE RE: Order requiring LA Superior Court - Chatsworth to appear through counsel at status conference.

Docket 2

**Tentative Ruling:**

Tentative for February 27, 2024

The court needs to obtain someone in authority's attention to the need for enrollment in the court's electronic notice facility. Appearance required.