

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

Wednesday, April 17, 2024

Hearing Room 5B

10:00 AM

8:22-10754 Guy C Alexander, III

Chapter 7

Adv#: 8:22-01071 HSB Investments et al v. Alexander, III et al

- #1.00 TRIAL RE: Complaint To Determine Dischargeability Of Debt Pursuant To 11 USC Sections 523(a)(2)(A), 523(a)(4), and 523(a)(6) (Complaint filed 8/15/2022) (set from s/c hrg held on 10-06-22) (cont'd from 8-24-23) (set from pre-trial conf. hrg held on 10-12-23)**

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER RE: STIPULATION TO DISMISS ADVERSARY PROCEEDING PURSUANT TO F.R.B.P. 7041 AND F.R.C.P. 41(a)(1)(A)(ii) ENTERED 4-12-24 - SEE DOC #31**

Tentative Ruling:

Tentative for October 12, 2023
Amended Joint Pretrial Stip expected. Appearance required.

Tentative for August 24, 2023
The joint stipulation is somewhat disappointing in that numerous points that would seem obvious are not agreed (200 paragraphs) and so remain in the "to be litigated" column. Would the parties profit from a second attempt at narrowing issues? The whole point is to narrow the time, expense and difficulty of trial to those issues which are truly relevant and still disputed. If not, set for trial in about 90 days. Appearance required.

Tentative for 6/8/23:

The court continued this pre- trial conference from February 2, 2023 so that a meaningful pre-trial stipulation could be jointly composed. What the

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court received instead is plaintiff's unilateral stipulation and a declaration from defendant that he was not afforded a reasonable opportunity to contribute to the drafting, nor to review exhibits, etc. The LBRs impose the burden of moving forward upon plaintiff and the fact that plaintiff is also a lawyer does not, in this situation, put him in a good light. Generally if, as here, what results is an unusable shambles, plaintiff bears the first level of criticism. But of course, defendant owes a duty of cooperation and can be likewise sanctioned if he does not reasonably cooperate. Absent documented cooperation either side must submit a unilateral proposed stipulation (but this is not a good course of action to press in an already fraught situation). The court is not sure where the blame lies for the present fiasco but this state of affairs is unacceptable. The unilateral pre-trial stipulation we have is, predictably, very one-sided and if adopted would effectively obviate any need for a trial; so absent adopting it as a sanction, it is worthless.

The court admonishes the parties. At this point it seems the only prudent course is, unhappily, to continue the conference a third time, but with a warning. If this state of affairs persists, or more wasting of the court's time results, then terminating sanctions will be in order, i.e. either striking the answer or, alternatively, dismissing the complaint depending where the fault lies. Monetary sanctions on either or both might also be in order as a lesser sanction. The parties will meet and confer within ten days and earnestly work out a useful joint stipulation filed well in time for the continued hearing. Those facts that are not reasonably in dispute must appear in a separate heading, be clearly and simply described, as agreed, and will (likely) be adopted to lessen the time need in trial. Those factual issues still in dispute for which evidence is needed will be separately identified in the stipulation. The time for idle posturing or squabbling is passed. All of each sides exhibits will be identified and pre-labelled: numbers for plaintiff's and letters for defendant and then incorporated into 3-ring binders. At least four copies: one for each party, one for the witness and one for the court. Direct testimony will be via declaration with the declarant available for live cross and re-direct. The court will either set this matter for trial at the continued hearing, or impose sanctions as is appropriate.

Continue to August 24 @ 10.

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CONT... Guy C Alexander, III
Appearance: required

Chapter 7

Tentative for 2/2/23:
Explain why continuances are necessary and for how long those should be.

Appearance: required

Tentative for 10/6/22:
Deadline for completing discovery: January 31, 2023
Last date for filing pre-trial motions: January 3, 2023
Pre-trial conference on: Feb. 2, 2023 @ 10:00AM
Joint pre-trial stipulation and/or order due per local rules.
Refer to mediation. Order appointing mediator to be lodged by plaintiff within
10 days. One day of mediation to be completed by Nov 30, 2022.

Appearance: required

Party Information

Debtor(s):

Guy C Alexander III

Represented By
Leslie K Kaufman

Defendant(s):

Guy C Alexander III

Pro Se

Shahnaz B Alexander

Pro Se

Joint Debtor(s):

Shahnaz B Alexander

Represented By
Leslie K Kaufman

Plaintiff(s):

HSB Investments

Represented By

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The Lab, LLC

Andrew S Bisom

Represented By
Andrew S Bisom

Trustee(s):

Richard A Marshack (TR)

Represented By
Leonard M Shulman
Melissa Davis Lowe

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8:00-00000

Chapter

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

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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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Video/audio web address: <https://cacb.zoomgov.com/j/1602522242>

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ZoomGov meeting number: 160 252 2242

Password: 065967

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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1:30 PM

8:23-12605 Jamie Meredith Arnoldi

Chapter 13

**#1.00 Confirmation Of Chapter 13 Plan .
(cont'd from 3-20-24)**

Docket 7

Tentative Ruling:

Tentative for April 17, 2024

The secured portion of the claim #3 is reclassified as general unsecured (see #17). Are there any other problems with confirmation? Appearance required.

Tentative for March 20, 2024

Continue to coincide with objection to IRS claim set for 4/17/2024 at 3:00 p.m.
Appearance required.

Tentative for February 21, 2024

Trustee's ad Americredit's opposition must be addressed. Appearance required.

Party Information

Debtor(s):

Jamie Meredith Arnoldi

Represented By
Bert Briones

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

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8:24-10139 Brian Tad Kornoelje

Chapter 13

**#2.00 Confirmation Of Chapter 13 Plan
(cont'd from 3-20-24)**

Docket 2

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Brian Tad Kornoelje

Represented By
D Justin Harelik

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
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1:30 PM

8:24-10219 Emilia Vourakis

Chapter 13

#3.00 Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - CASE DISMISSED
WITH RESTRICTION OF 180 DAYS ORDER ENTERED 3-07-24 - SEE
DOCUMENT #18**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Emilia Vourakis

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
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1:30 PM

8:24-10228 Chantell Saucedo-Belmont and Antonio Saucedo

Chapter 13

#4.00 Confirmation Of Chapter 13 Plan

Docket 3

***** VACATED *** REASON: OFF CALENDAR - CASE DISMISSED -
ORDER AND NOTICE OF DISMISSAL FOR FAILURE TO COMPLY
WITH INSTALLMENT PAYMENT SCHEDULE - SEE DOCUMENT #21**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Chantell Saucedo-Belmont	Pro Se
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Joint Debtor(s):

Antonio Saucedo	Pro Se
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Trustee(s):

Amrane (SA) Cohen (TR)	Pro Se
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1:30 PM

8:24-10350 Antonio Ramirez Tepayotl

Chapter 13

#5.00 Confirmation Of Amended Chapter 13 Plan

Docket 10

Tentative Ruling:

Tentative for April 17, 2024
Continued to May 15, 2024 at 1:30 pm for bar date and amended plan.
Appearance is optional.

Party Information

Debtor(s):

Antonio Ramirez Tepayotl

Represented By
Sunita N Sood

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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1:30 PM

8:24-10353 Babak Ramezani

Chapter 13

#6.00 Confirmation Of Chapter 13 Plan

Docket 0

***** VACATED *** REASON: OFF CALENDAR - CASE DISMISSED -
ORDER AND NOTICE OF DISMISSAL FOR FAILURE TO FILE
SCHEDULES, STATEMENTS AND/OR PLAN ENTERED 3-04-24**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Babak Ramezani

Pro Se

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
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Wednesday, April 17, 2024

Hearing Room 5B

1:30 PM

8:24-10415 Juan Manuel Torres Diaz

Chapter 13

#7.00 Confirmation Of Chapter 13 Plan

Docket 12

Tentative Ruling:

Tentative for April 17, 2024

The plan is not confirmable unless an interest rate on the cure portion of the Nearglen claim is offered. Absent other showing, that rate should match the contract rate. Appearance required.

Party Information

Debtor(s):

Juan Manuel Torres Diaz

Represented By
Michael D Franco

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Wednesday, April 17, 2024

Hearing Room 5B

3:00 PM

8:18-14071 Victor Arreola and Cindy Morelos Arreola

Chapter 13

**#8.00 Trustee's Motion To Dismiss Case Failure To Make Plan Payments.
(cont'd from 3-20-24)**

Docket 161

Tentative Ruling:

Tentative for April 17, 2024

Grant unless current or motion to modify on file. Appearance required.

Tentative for March 20, 2024

Grant unless current or modification motion on file. Appearance required.

Tentative for February 21, 2024

Grant unless current or motion to modify on file. Appearance required.

Party Information

Debtor(s):

Victor Arreola

Represented By
Christopher J Langley
Michael Smith

Joint Debtor(s):

Cindy Morelos Arreola

Represented By
Christopher J Langley
Michael Smith

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 5B

3:00 PM

8:18-14633 Leeanne Dawn Marquez

Chapter 13

**#9.00 Trustee's Motion To Dismiss Case Due To Material Default Of A Plan Provision
(cont'd from 2-21-24)**

Docket 71

Tentative Ruling:

Tentative for April 17, 2024

Dismiss unless the remaining balance was paid. Appearance required.

Tentative for February 21, 2024

Debtor wants an extension on a 60 month plan that has come to term in December. That is not procedurally appropriate. But given the relatively small balance owing, the court will grant the motion to dismiss unless payment in full is achieved by March 31, 2024. After that date the trustee may submit either a dismissal order or process as a completed case, whichever correctly applies. Appearance is optional.

Party Information

Debtor(s):

Leeanne Dawn Marquez

Represented By
Matthew D. Resnik

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 5B

3:00 PM

8:21-13012 Jack David Swerda, Jr.

Chapter 13

#10.00 Trustee's Motion To Dismiss Case Failure To Make Plan Payments.

Docket 47

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
VOLUNTARY DISMISSAL OF MOTION FILED 4-08-24 SEE DOC #55**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jack David Swerda Jr.

Represented By
Anthony B Vigil

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 5B

3:00 PM

8:22-10004 Barry Wright

Chapter 13

#11.00 Trustee's Motion To Dismiss Case Failure To Make Plan Payments.

Docket 146

Tentative Ruling:

Tentative for April 17, 2024

Grant unless current or motion to modify/suspend on file. Appearance required.

Party Information

Debtor(s):

Barry Wright

Represented By
Sundee M Teeple

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 5B

3:00 PM

8:22-11931 Elizabeth Michele Burianek

Chapter 13

#12.00 Trustee's Motion To Dismiss Case Failure To Make Plan Payments.

Docket 79

Tentative Ruling:

Tentative for April 17, 2024

Grant unless current or motion to modify on file. Appearance required.

Party Information

Debtor(s):

Elizabeth Michele Burianek

Represented By
Christopher J Langley
Michael Smith

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 5B

3:00 PM

8:23-11518 America Maria Hernandez

Chapter 13

#13.00 Trustee's Motion to Dismiss Case failure to make plan payments

Docket 43

Tentative Ruling:

Tentative for April 17, 2024

Dismiss unless plan payments brought current. Appearance required.

Party Information

Debtor(s):

America Maria Hernandez

Represented By
Daniel King

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
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Wednesday, April 17, 2024

Hearing Room 5B

3:00 PM

8:23-11549 Carlos Omar Arronte Tenorio and Elizabeth Crystal

Chapter 13

#14.00 Trustee's Motion To Dismiss Case Failure To Make Plan Payments
(cont'd from 3-20-24)

Docket 30

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
VOLUNTARY DISMISSAL OF TRUSTEE'S MOTION FOR ORDER
DISMISSING CHAPTER 13 (11 USC-1307(C) FILED 4-10-24 SEE
DOCUMENT #48**

Tentative Ruling:

Tentative for March 20, 2024
Deny if current, ad Debtor represents. Appearance required.

Tentative for February 21, 2024
Deny if current, as represented by debtor. Appearance required.

Party Information

Debtor(s):

Carlos Omar Arronte Tenorio	Represented By Kevin Tang
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Joint Debtor(s):

Elizabeth Crystal Arronte	Represented By Kevin Tang
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Trustee(s):

Amrane (SA) Cohen (TR)	Pro Se
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**United States Bankruptcy Court
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Hearing Room 5B

3:00 PM

8:23-11862 Jose Oscar Magana

Chapter 13

#15.00 Trustee's Motion To Dismiss Case Failure To Make Plan Payments

Docket 44

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
VOLUNTARY DISMISSAL OF TRUSTEE'S MOTION FOR ORDER
DISMISSING CHAPTER 13 (11 USC 1307(C) FILED 4-10-24 SEE
DOCUMENT #51**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jose Oscar Magana

Represented By
Michael D Franco

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

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3:00 PM

8:23-12046 Jeffrey Adams Gomez

Chapter 13

#16.00 Application To Employ Patrick A. McCall As Special Counsel For Debtor

Docket 81

Tentative Ruling:

Tentative for April 17, 2024

Approve provided the two conditions raised by the Trustee are met, i.e. payment of fees to be supervised by the trustee and no lien on causes of action or judgment. Appearance required.

Party Information

Debtor(s):

Jeffrey Adams Gomez

Represented By
Richard G. Heston

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
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3:00 PM

8:23-12605 Jamie Meredith Arnoldi

Chapter 13

#17.00 Debtor's Objection To Claim #3 Filed By Internal Revenue Service

Docket 41

Tentative Ruling:

Tentative for April 17, 2024

The debtor failed to attach a copy of the claim to the objection; but so as to not delay things further, the court will sustain the objection and reclassify #3 as general unsecured. Appearance required.

Party Information

Debtor(s):

Jamie Meredith Arnoldi

Represented By
Bert Briones

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se