

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

**Tuesday, December 3, 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, December 3, 2024**

**Hearing Room 5B**

10:30 AM

CONT...

**Chapter**

**ZoomGov meeting number:** 160 782 6343

**Password:** 841115

**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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- Say your name every time you speak.
- 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, December 3, 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, December 3, 2024**

**Hearing Room 5B**

10:30 AM

**8:24-12494 Brandon's Diner Jr.**

**Chapter 7**

**#1.00** Motion for relief from the automatic stay UNLAWFUL DETAINER

**PRESERVES CHINO INVESTMENT 1 LLC  
Vs.  
DEBTOR**

Docket 12

**Tentative Ruling:**

Tentative for December 3, 2024  
Grant. *Appearance is optional.*

**Party Information**

**Debtor(s):**

Brandon's Diner Jr.

Represented By  
Andre A Khansari

**Movant(s):**

Preserves Chino Investment 1 LLC

Represented By  
Nicholas S Couchot

**Trustee(s):**

Karen S Naylor (TR)

Pro Se

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

**Tuesday, December 3, 2024**

**Hearing Room 5B**

10:30 AM

**8:20-13318 Aureliano Saucedo**

**Chapter 13**

**#2.00** Motion for relief from the automatic stay REAL PROPERTY

**PENNYMAC LOAN SERVICES, LLC  
Vs.  
DEBTOR**

Docket 59

**Tentative Ruling:**

Tentative for December 3, 2024

Assuming that debtor's claim to have cured all post-petition delinquencies is accurate, or becomes accurate as of the hearing, deny. Otherwise grant. Any motion to modify the plan should include conduit treatment. *Appearance required.*

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

Aureliano Saucedo

Represented By  
Joseph A Weber  
Fritz J Firman

**Movant(s):**

PennyMac Loan Services, LLC

Represented By  
Joseph C Delmotte

**Trustee(s):**

Amrane (SA) Cohen (TR)

Pro Se

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

Tuesday, December 3, 2024

Hearing Room 5B

10:30 AM

8:24-11175 Migdalia Rivera

Chapter 13

#3.00 Motion for relief from the automatic stay REAL PROPERTY  
(cont'd from 11-12-24)

**NEWREZ LLC DBA SHELLPOINT MORTGAGE SERVICING  
Vs.  
DEBTOR**

Docket 46

**Tentative Ruling:**

Tentative for December 3, 2024

Absent current status on all post-petition payments or adequate protection stipulation, grant. *Appearance required.*

-----  
Tentative for November 12, 2024

It appears the debtor is in default of the plan for failure to make post confirmation mortgage payments now due. The trustee has filed a response suggesting some modification of the plan to cure arrearages and to make the trustee disbursing agent, as an alternative to granting relief outright. With debtor's lack of participation or support for the trustee's approach, the court declines to undertake such it. Relief of stay granted.

*Appearance is optional.*

**Party Information**

**Debtor(s):**

Migdalia Rivera

Represented By  
Christopher J Langley  
Michael Smith

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

**Tuesday, December 3, 2024**

**Hearing Room 5B**

10:30 AM

**CONT... Migdalia Rivera**

**Chapter 13**

**Movant(s):**

NewRez LLC D/B/A Shellpoint

Represented By

Wendy A Locke

Joseph C Delmotte

**Trustee(s):**

Amrane (SA) Cohen (TR)

Pro Se

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

Tuesday, December 3, 2024

Hearing Room 5B

10:30 AM

8:24-11175 Migdalia Rivera

Chapter 13

#4.00 Motion for relief from the automatic stay REAL PROPERTY  
(cont'd from 11-12-24)

**E SWIFT & SHIRLEY JEAN TORRANCE IV  
Vs.  
DEBTOR**

Docket 50

**Tentative Ruling:**

Tentative for December 3, 2024  
See #3, Grant. *Appearance required.*

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Tentative for November 12, 2024  
See #2. Grant. *Appearance is optional.*

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

Migdalia Rivera

Represented By  
Christopher J Langley  
Michael Smith

**Movant(s):**

E Swift & Shirley Jean Torrance IV,

Represented By  
Arnold L Graff

**Trustee(s):**

Amrane (SA) Cohen (TR)

Pro Se



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

**Tuesday, December 3, 2024**

**Hearing Room 5B**

10:30 AM

**8:24-12369 Terry Lee Gonzalez**

**Chapter 7**

**#5.00 Motion for relief from the automatic stay REAL PROPERTY**

**WILMINGTON TRUST NATIONAL ASSOCIATION  
Vs.  
DEBTOR**

Docket 12

**Tentative Ruling:**

Tentative for December 3, 2024  
Recent dismissal moots relief of stay but the court can amend dismissal order to include a bar of 180 days in light of Wilmington's §362(d)(4) request supported by evidence of multiple recent filings. *Appearance is optional.*

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

Terry Lee Gonzalez

Pro Se

**Movant(s):**

Wilmington Trust National

Represented By  
Darlene C Vigil

**Trustee(s):**

Richard A Marshack (TR)

Pro Se

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

**Tuesday, December 3, 2024**

**Hearing Room 5B**

10:30 AM

**8:23-12077 Juice Roll Upz, Inc.**

**Chapter 11**

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

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

Docket 173

**Tentative Ruling:**

Tentative for December 3, 2024  
Grant as unopposed. *Appearance is optional.*

**Party Information**

**Debtor(s):**

Juice Roll Upz, Inc.

Represented By  
Anerio V Altman

**Movant(s):**

Mercedes-Benz Financial Services

Represented By  
Randall P Mroczynski

**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, December 3, 2024**

**Hearing Room**

**5B**

10:30 AM

**8:24-11813 Alexia Lauren Castillo-Como and Jeffrey Jay Como, Jr.**

**Chapter 7**

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

**TOYOTA LEASE TRUST  
Vs.  
DEBTORS**

Docket 15

**Tentative Ruling:**

Tentative for December 3, 2024  
Grant as unopposed. *Appearance is optional.*

**Party Information**

**Debtor(s):**

Alexia Lauren Castillo-Como

Represented By  
Michael D Franco

**Joint Debtor(s):**

Jeffrey Jay Como Jr.

Represented By  
Michael D Franco

**Movant(s):**

Toyota Lease Trust as serviced by

Represented By  
Kirsten Martinez

**Trustee(s):**

Thomas H Casey (TR)

Pro Se

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

**Tuesday, December 3, 2024**

**Hearing Room 5B**

10:30 AM

**8:24-12829 Anthony Patrick Veltri**

**Chapter 13**

**#8.00 Motion In Individual Case For Order Imposing a Stay or Continuing the Automatic Stay as the Court Deems Appropriate**

Docket 7

**Tentative Ruling:**

Tentative for December 3, 2024

Debtor argues that the stay should be continued and the present case was filed in good faith because dismissal in the previous case was due to vaguely stated mistake/inadvertence in Debtor's understanding of how and when to tender plan payments. No specifics nor evidence are provided. Additionally, Debtor contends that the Property is of consequential value to the estate because the fair market value is greater than all the liens on the Property, and it is Debtor's principal residence which is necessary for Debtor's and his family's welfare. Debtor intends to tender pre and post confirmation payments for the ongoing mortgage of Mr. Cooper directly to him and proposes a repayment plan to cure all deficiencies owed to Mr. Cooper. Per the Castaneda requirements, Debtor has filed this motion and provided proper notice and hearing. The hearing is being held on December 3, 2024, which is prior to the 30 day expiration period. Finally, Debtor has rebutted the presumption of bad faith filing in showing that there is significant equity in the Property to pay off the loan through plan payments. Why these plan payments were not made the first time is unclear. Debtor claims to have not understood how to tender the plan payments and suggests that the mistake was due to his attorney's neglect. However, the specifics are not provided. Given that there is no opposition, particularity by Mr. Cooper as creditor, the court will grant the motion as unopposed, but the Debtor should use this second chance to understand his obligations in this bankruptcy or utilize the expertise of his counsel to help him to do so. Further defaults will not be treated with the same indulgence.

*Grant. Appearance required.*

**Party Information**

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

**Tuesday, December 3, 2024**

**Hearing Room      5B**

10:30 AM

**CONT...      Anthony Patrick Veltri**

**Chapter 13**

**Debtor(s):**

Anthony Patrick Veltri

Represented By  
Parisa Fishback

**Movant(s):**

Anthony Patrick Veltri

Represented By  
Parisa Fishback  
Parisa Fishback

**Trustee(s):**

Amrane (SA) Cohen (TR)

Pro Se

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

Tuesday, December 3, 2024

Hearing Room

5B

10:30 AM

8:24-10861 Arturo Devora Cervantes

Chapter 7

#8.10 Motion for relief from the automatic stay REAL PROPERTY  
(OST Signed 11-21-24)

**AUGUSTA FINANCIAL, INC.  
Vs.  
DEBTOR**

Docket 23

**Tentative Ruling:**

Tentative for December 3, 2024

Absent opposition at hearing, grant on basis of bad faith filing. *Appearance required.*

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

Arturo Devora Cervantes

Pro Se

**Movant(s):**

Augusta Financial, Inc.

Represented By  
Reilly D Wilkinson

**Trustee(s):**

Karen S Naylor (TR)

Pro Se

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

**Tuesday, December 3, 2024**

**Hearing Room 5B**

11:00 AM

**8:22-11776 Elaheh Yazdi**

**Chapter 7**

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

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

**SHULMAN BASTIAN FRIEDMAN & BUI LLP, ATTORNEY FOR TRUSTEE**

**HAHN FIFE & COMPANY, LLP, OTHER FEES**

Docket 56

**Tentative Ruling:**

Tentative for December 3, 2024

Approved and allowed as prayed. *Appearance is optional.*

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

**Debtor(s):**

Elaheh Yazdi

Represented By  
Ahren A Tiller  
Donald W Reid

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
Melissa Davis Lowe

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

**Tuesday, December 3, 2024**

**Hearing Room 5B**

11:00 AM

**8:24-10621 Christine Marie Langfeldt**

**Chapter 7**

**#10.00 Trustee's Final Report And Application For Compensation**

**JEFFREY I. GOLDEN, TRUSTEE**

Docket 32

**Tentative Ruling:**

Tentative for December 3, 2024  
Approved and allowed as prayed. *Appearance is optional.*

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

**Debtor(s):**

Christine Marie Langfeldt

Represented By  
David S Hagen

**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, December 3, 2024**

**Hearing Room 5B**

11:00 AM

**8:24-11598 Rick Benjamin Thrasher**

**Chapter 7**

**#11.00 Motion To Avoid Judicial Lien With Wescom Credit Union**

Docket 10

**Tentative Ruling:**

Tentative for December 3, 2024

Under Debtor's valuation, the lien could be avoided in its entirety. Under Wescom's appraisal of \$1,200,000, the lien would not be avoided as there would still remain equity in the Property. Wescom's appraisal is more recent and reflects comps that have previously sold within the past year, where the same cannot be said for Debtor's appraisal.

Set for evidentiary hearing. *Appearance required.*

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

Rick Benjamin Thrasher

Represented By

Thomas E Brownfield

**Trustee(s):**

Richard A Marshack (TR)

Pro Se

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

**Tuesday, December 3, 2024**

**Hearing Room**

**5B**

11:00 AM

**8:20-10477 Serenity Oak Farms, LLC**

**Chapter 7**

**#12.00** First Interim Application for Award of Compensation and Reimbursement of Expenses For Period: 10/13/2021 to 9/30/2024:

**DANNING, GILL, ISRAEL & KRASNOFF, LLP, AS GENERAL COUNSEL TO  
CHAPTER 7 TRUSTEE:**

**FEE: \$602,746.65**

**EXPENSES: \$21,139.65**

Docket 120

**Tentative Ruling:**

Tentative for December 3, 2024  
Allowed as prayed. *Appearance is optional.*

**Party Information**

**Debtor(s):**

Serenity Oak Farms, LLC

Represented By  
William J Wall

**Trustee(s):**

Jeffrey I Golden (TR)

Represented By  
Eric P Israel  
Michael G D'Alba  
Uzzi O Raanan ESQ

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

**Tuesday, December 3, 2024**

**Hearing Room**

**5B**

11:00 AM

**8:20-10477 Serenity Oak Farms, LLC**

**Chapter 7**

**#13.00** Application For Compensation (Interim) Fees And Expenses For Period:  
5/20/2022 to 10/9/2024:

**GIANNA GRUENWALD, CHAPTER 7 TRUSTEE ATTORNEY:**

**FEE: \$2,595.00**

**EXPENSES: \$0.00**

Docket 124

**Tentative Ruling:**

Tentative for December 3, 2024  
Allowed as prayed. *Appearance is optional.*

**Party Information**

**Debtor(s):**

Serenity Oak Farms, LLC

Represented By  
William J Wall

**Trustee(s):**

Jeffrey I Golden (TR)

Represented By  
Eric P Israel  
Michael G D'Alba  
Uzzi O Raanan ESQ

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

**Tuesday, December 3, 2024**

**Hearing Room 5B**

11:00 AM

**8:20-10477 Serenity Oak Farms, LLC**

**Chapter 7**

**#13.10** Trustee's Motion To Approve Settlement Agreement With Defendants  
Cassandra Louise Partridge, Individually And As Trustee Of The Judith A.  
Partridge Revocable Trust, U/D/T October 3, 2002, And Camden John  
Partridge, An Individual

Docket 116

**Tentative Ruling:**

Tentative for December 3, 2024  
Grant as unopposed. *Appearance is optional.*

**Party Information**

**Debtor(s):**

Serenity Oak Farms, LLC

Represented By  
William J Wall

**Trustee(s):**

Jeffrey I Golden (TR)

Represented By  
Eric P Israel  
Michael G D'Alba  
Uzzi O Raanan ESQ

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

Tuesday, December 3, 2024

Hearing Room 5B

11:00 AM

8:23-11926 Marty Sundy

Chapter 7

#14.00 Application For Compensation For Payment Of Final Fees And/Or Expenses For Period: 4/19/2024 to 10/8/2024:  
(Cont'd from 11-05-24 per order approving stip. to cont. the hrgs on the tr's mtn to dsm the matter [doc. #89 and general counsel's aplc. for final fees and expenses [doc #86] entered 11-04-24 - see #99)

**PAGTER AND PERRY ISAACSON, GENERAL COUNSEL:**

**FEE:** **\$6,000.00**

**EXPENSES:** **\$396.60**

Docket 86

**Tentative Ruling:**

Tentative for December 3, 2024  
Allowed as prayed. *Appearance is optional.*

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Tentative for November 5, 2024  
Relying on #11 for the client declaration, approved as prayed. *Appearance is optional.*

**Party Information**

**Debtor(s):**

Marty Sundy

Represented By  
Anerio V Altman

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

**Tuesday, December 3, 2024**

**Hearing Room 5B**

11:00 AM

**CONT... Marty Sundy**

**Chapter 7**

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
Misty A Perry Isaacson

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

Tuesday, December 3, 2024

Hearing Room 5B

11:00 AM

8:23-11926 Marty Sundy

Chapter 7

#15.00 Trustee's Motion For Order Establishing Conditions And Procedures For Dismissal Of Case Under 11 U.S.C. §707(a) And Trustee's Request For Fees And Expenses  
(Cont'd from 11-05-24 per order approving stip. to cont. the hrg on the tr's mtn to dsm the matter [doc #89] and general counsel's aplc. for final fees & expenses [doc #86] entered 11-04-24 see doc #99)

Docket 89

**Tentative Ruling:**

Tentative for December 3, 2024  
Grant. *Appearance is optional.*

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Tentative for November 5, 2024  
Grant. *Appearance is required.*

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

Marty Sundy

Represented By  
Anerio V Altman

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
Misty A Perry Isaacson

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

**Tuesday, December 3, 2024**

**Hearing Room 5B**

11:00 AM

**8:23-11926 Marty Sundy**

**Chapter 7**

**#16.00** Objection To Claim Of Jefferson Capital Systems, LLC Filed As Proof Of Claim #5

Docket 94

**Tentative Ruling:**

Tentative for December 3, 2024  
Sustained. *Appearance is optional.*

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

Marty Sundy

Represented By  
Anerio V Altman

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
Misty A Perry Isaacson



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

Tuesday, December 3, 2024

Hearing Room

5B

11:00 AM

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

Chapter 7

#17.00 Chapter 7 Trustee's Motion For Order: (1) Confirming the Settlement Agreement Between Debtors Affiliate, CalPac Management, Inc., Investors, PB-1, LLC, Brian Peters, Adam Goldberg and Trustee Comports With the Second Amended Preliminary Injunction Entered in Adversary Proceeding; (2) Approving Settlement and Compromise of Disputes Under Federal Rule of Bankruptcy Procedure 9019 Between CalPac Management, Inc., Investors, PB-1, LLC, Brian Peters, Adam Goldberg and Trustee; (3) Approving Settlement and Compromise of Disputes Under Federal Rule of Bankruptcy Procedure 9019 Between Trustee and Investors; (4) Authorizing Trustee to Disburse Settlement Payment; and (5) Granting Related Relief

Docket 955

**Tentative Ruling:**

Tentative for December 3, 2024  
Grant as unopposed. *Appearance is optional.*

**Party Information**

**Debtor(s):**

AB Capital, LLC, a California

Pro Se

**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  
Brooke S Thompson

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

**Tuesday, December 3, 2024**

**Hearing Room 5B**

11:00 AM

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

**Chapter 7**

**#18.00** Trustee's Motion For Order: Authorizing Sale Of Real Property Located at 7570 To 7590 La Jolla Boulevard, La Jolla, California 92037 (A) Outside The Ordinary Course Of Business; (B) Free And Clear Of Liens, Claims, And Encumbrances; (C) Subject To Overbid; And (D) For Determination Of Good Faith Purchaser Under 11 U.S.C. §363(M)

Docket 963

**Tentative Ruling:**

Tentative for December 3, 2024  
Grant as unopposed. *Appearance is optional.*

**Party Information**

**Debtor(s):**

AB Capital, LLC, a California

Pro Se

**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  
Brooke S Thompson

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

Tuesday, December 3, 2024

Hearing Room

5B

11:00 AM

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

Chapter 7

#19.00 Fourth Interim Application For Compensation And Reimbursement Of Expenses  
For Period: 6/1/2024 to 10/31/2024:

**GROBSTEIN TEEPLE, LLP AS ACCOUNTANTS FOR CH 7 TRUSTEE**

**FEE: \$35,968.00**

**EXPENSES: \$73.05**

Docket 948

**\*\*\* VACATED \*\*\* REASON: CONTINUED TO 12-10-24 AT 11:00 A.M.  
PER ORDER GRANTING STIPULATION BETWEEN CH 7 TRUSTEE'S  
PROFESSIONALS TO CONTINUE HEARING ON INTERIM FEE  
APPLICATION ENTERED 11-13-24 - SEE DOC #972**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

AB Capital, LLC, a California

Pro Se

**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, December 3, 2024**

**Hearing Room 5B**

11:00 AM

**CONT...**

**AB Capital, LLC, a California limited liability co**  
Brooke S Thompson

**Chapter 7**

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

Tuesday, December 3, 2024

Hearing Room

5B

11:00 AM

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

Chapter 7

#20.00 Interim Application for Compensation For Period: 6/1/2024 to 10/31/2024:

**BICHER & ASSOCIATES, OTHER PROFESSIONAL:**

**FEE: \$19,237.00**

**EXPENSES: \$925.30**

Docket 962

**\*\*\* VACATED \*\*\* REASON: CONTINUED TO 12-10-24 AT 11:00 A.M.  
PER ORDER GRANTING STIPULATION BETWEEN CH 7 TRUSTEE'S  
PROFESSIONALS TO CONTINUE HEARING ON INTERIM FEE  
APPLICATION ENTERED 11-13-24 - SEE DOC #972**

**Tentative Ruling:**

- NONE LISTED -

**Party Information**

**Debtor(s):**

AB Capital, LLC, a California

Pro Se

**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

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

**Tuesday, December 3, 2024**

**Hearing Room 5B**

11:00 AM

**CONT...**

**AB Capital, LLC, a California limited liability co**

Rika Kido

Brooke S Thompson

**Chapter 7**