

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Victoria Kaufman, Presiding
Courtroom 301 Calendar**

Thursday, February 22, 2024

Hearing Room 301

1:00 PM

1: -

Chapter

#0.00 All hearings on this calendar will be conducted in Courtroom 301 at 21041 Burbank Boulevard, Woodland Hills, California, 91367. All parties in interest, members of the public and the press may attend the hearings on this calendar in person.

Additionally, (except with respect to evidentiary hearings, or as otherwise ordered by the Court) parties in interest (and their counsel) may connect by ZoomGov audio and video free of charge, using the connection information provided below. Members of the public and the press may only connect to the zoom audio feed, and only by telephone. Access to the video feed by these individuals is prohibited.

Parties in interest may participate by ZoomGov video and audio using a personal computer (equipped with camera, microphone and speaker), or a handheld mobile device (such as an iPhone or Android phone). Members of the public, the press and parties in interest may participate by audio only using a telephone (standard telephone charges may apply).

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Password: 828260

For more information on appearing before Judge Kaufman by ZoomGov, please see the information entitled "Tips for a Successful ZoomGov Court Experience" on the Court's website at: <https://www.cacb.uscourts.gov/judges/honorable-victoria-s-kaufman> under the tab "Telephonic Instructions."

Docket 0

Tentative Ruling:

- NONE LISTED -

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1:23-10664 Kane Picoy

Chapter 11

**#1.00 Debtor's Disclosure Statement Hearing Describing
Chapter 11 Plan of Reorganization**

fr. 12/21/23

Docket 70

***** VACATED *** REASON: Per Order entered 1/25/24 [Dkt. 90]
deadline for debtor to file amended disclosure statement is 2/29/24.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kane Picoy

Represented By
Matthew D. Resnik
Roksana D. Moradi-Brovia

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1:23-10664 Kane Picoy

Chapter 11

#2.00 Status conference re: chapter 11 case

fr. 7/20/23; 11/16/23

Stip to continue filed 1/22/24

Docket 1

***** VACATED *** REASON: Continued to 3/14/24 at 1:00 pm per Order
entered 1/25/24. [Dkt., 90]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kane Picoy

Pro Se

**United States Bankruptcy Court
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1:23-10696 Monica L Columbia

Chapter 11

#3.00 Debtor's Amended Disclosure Statement to Plan of Reorganization

fr. 2/15/24

Docket 107

Tentative Ruling:

The debtor should address the following:

What are the debtor's intentions with respect to the objection to confirmation filed by Ally Bank [doc. 102]?

The debtor did not properly serve the *Amended Notice of Hearing on Debtor's Amended Disclosure Statement for Plan of Reorganization and Notice of Continuance of Status Conference* (the "Notice") [doc. 103] on the IRS. Although the debtor served the IRS at its mailing address and proof of claim address, the debtor did not serve the United States Attorney and Attorney General. In accordance with The Central Guide Supplement to FRBP 5003(e), to serve the IRS properly when the IRS has a claim being paid through the chapter 11 plan, the debtor must serve the Notice on the IRS at the following addresses:

Civil Process Clerk
United States Attorney's Office
Federal Building, Room 7516
300 North Los Angeles Street
Los Angeles, CA 90012

Attorney General
United States Department of Justice
Ben Franklin Station
P.O. Box 683
Washington, DC 20044

Class 3.3: Modern Adjustment Bureau

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CONT... Monica L Columbia

Chapter 11

On June 5, 2023, Modern Adjustment Bureau ("MAB") filed a proof of claim. MAB asserts its claim is secured in the amount of \$44,731.66. The plan and the disclosure statement state the claim amount is \$47,000.00. The debtor should address this discrepancy.

On February 1, 2024, the United States Trustee filed an objection to approval of the debtor's amended disclosure statement (the "Objection") [doc. 115]. On February 8, 2024, the debtor filed a response to the Objection [doc. 117].

Based on the debtor's response to the Objection, the Court intends to continue the hearing on the adequacy of the debtor's amended disclosure statement to **1:00 p.m. on April 18, 2024.**

In accordance with Local Bankruptcy Rule 3017-1, **no later than February 23, 2024**, the debtor must file and serve on all creditors [including properly on all required addresses for the IRS] and the U.S. Trustee notice of the continued hearing, the ability of creditors to receive, on request, copies of the amended plan and related proposed second amended disclosure statement, and the deadline to file any objections to the proposed second amended disclosure statement.

The deadline to file and serve objections to the second amended disclosure statement is **April 4, 2024.**

The deadline for the debtor to file and serve a response to any objections to the Court's approval of the second amended disclosure statement is **April 11, 2024.**

The Court will prepare the order.

Party Information

Debtor(s):

Monica L Columbia

Represented By
Robert M Yaspan

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1:00 PM

1:23-10696 Monica L Columbia

Chapter 11

#4.00 Status conference re Chapter 11 voluntary petition

fr. 7/13/23; 11/9/23; 12/14/23; 2/15/24

Docket 1

Tentative Ruling:

The Court intends to continue the chapter 11 case status conference to **1:00 p.m. on April 18, 2024**, the date of the hearing on the adequacy of the debtor's second amended disclosure statement. No later than **April 4, 2024**, the debtor must file and serve on all secured creditors, the 20 largest unsecured creditors and the United States Trustee a status report regarding the debtor's progress toward confirming a chapter 11 plan. The status report must be supported by evidence in the form of declarations and any supporting documents.

The Court will prepare the order.

Party Information

Debtor(s):

Monica L Columbia

Represented By
Robert M Yaspan

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1:23-10810 Alfred O. Awani

Chapter 11

#5.00 First amended disclosure statement hearing re debtor's
first amended plan of reorganization

fr. 12/21/23(stip)

Docket 63

***** VACATED *** REASON: Continued by stip to 4/18/24 at 1:00 pm**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Alfred O. Awani

Represented By
Stella A Havkin

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1:23-10810 Alfred O. Awani

Chapter 11

#6.00 Status conference re: chapter 11 case

fr. 7/27/23; 11/16/23; 12/21/23(stip)

Docket 1

***** VACATED *** REASON: Continued by stip to 4/18/24 at 1:00 pm**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Alfred O. Awani

Represented By
Stella A Havkin

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1:22-11511 Paul Lunsford and Raffaella Lunsford

Chapter 7

#7.00 Motion to dismiss joint chapter 7 petition of debtors
Paul Lunsford and Raffaella Lunsford

fr. 11/30/23(stip); 12/14/23(stip)

Stip to continue motion filed 2/7/24

Docket 47

***** VACATED *** REASON: Cont'd to 4/4/24 at 1:30 p.m. pre order #73.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Paul Lunsford

Represented By
J Scott Williams
Lisa Nelson

Joint Debtor(s):

Raffaella Lunsford

Represented By
J Scott Williams
Lisa Nelson

Trustee(s):

Nancy J Zamora (TR)

Pro Se

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1:30 PM

1:23-10270 Linda Ezor Swarzman

Chapter 11

#8.00 Chapter 11 Trustees Motion for Order: (1) Authorizing Sale of Real Property (described as 950 12th Street, San Leon, TX 77539) Free and Clear of Liens, Claims, and Interests Pursuant to 11 U.S.C. §§ 363(b) and (f); (2) Approving Overbid Procedures; (3) Approving Buyer, Successful Bidder, and Back-Up Bidder as Good-Faith Purchaser Pursuant to 11 U.S.C. § 363(m); (4) Authorizing Payment of Any Undisputed Liens, Real Estate Broker's Commissions, and Other Ordinary Costs of Sale

Docket 443

Tentative Ruling:

Grant.

Movant must submit the order within seven (7) days.

Party Information

Debtor(s):

Linda Ezor Swarzman

Pro Se

Movant(s):

David M Goodrich (TR)

Represented By
Matthew A Lesnick

Trustee(s):

David M Goodrich (TR)

Represented By
Matthew A Lesnick

**United States Bankruptcy Court
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1:23-10270 Linda Ezor Swarzman

Chapter 11

#9.00 Trustee's Motion for Order:
(1) Authorizing Sale of 1714 25th Street, Galveston, TX 77550, Free and Clear of Liens, Claims and Interests Pursuant to 11 U.S.C. §§ 363(b) and (f); (2) Approving Proposed Overbid Procedures; (3) Determining that Buyer is a Good Faith Purchaser; (4) Authorizing Payment of Costs of Sale and Certain Liens from Escrow; (5) Waiving the 14 Day Stay Prescribed by Rule 6004(h) of the Federal Rules of Bankruptcy Procedure

Docket 450

Tentative Ruling:

Grant.

Movant must submit the order within seven (7) days.

Party Information

Debtor(s):

Linda Ezor Swarzman

Pro Se

Movant(s):

David M Goodrich (TR)

Represented By
Matthew A Lesnick

Trustee(s):

David M Goodrich (TR)

Represented By
Matthew A Lesnick

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1:23-10565 John W. Scheuplein, IV

Chapter 7

#10.00 Motion of Copy Solutions Inc. to Clarify, Or in the Alternative, to Alter or Amend, Order of Discharge

Docket 50

Tentative Ruling:

The Court will continue the hearing on the motion [doc. 50] to **March 7, 2024 at 1:30 p.m.**

Appearances on February 22, 2024 are excused.

Party Information

Debtor(s):

John W. Scheuplein IV

Represented By
James D. Hornbuckle

Movant(s):

Copy Solutions Inc.

Represented By
Zi Chao Lin
Robert Schiller Crowder

Trustee(s):

David Seror (TR)

Pro Se

**United States Bankruptcy Court
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1:30 PM

1:23-11200 Windsor Terrace Healthcare, LLC

Chapter 11

#11.00 Debtors Motion For Authority To Pay Pre- Petition Union Dues

Docket 589

Tentative Ruling:

Grant.

Movants must submit the order within seven (7) days.

Note: No response has been filed. Accordingly, no court appearance by movants is required. Should an opposing party file a late opposition or appear at the hearing, the Court will determine whether further hearing is required and movants will be so notified.

Party Information

Debtor(s):

Windsor Terrace Healthcare, LLC

Represented By
Ron Bender
Juliet Y. Oh
Monica Y Kim
Lindsey L Smith
Robert Carrasco

Movant(s):

Windsor Terrace Healthcare, LLC

Represented By
Ron Bender
Ron Bender
Juliet Y. Oh
Juliet Y. Oh
Monica Y Kim
Monica Y Kim
Lindsey L Smith
Lindsey L Smith

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Windsor Terrace Healthcare, LLC

Chapter 11

Robert Carrasco

Robert Carrasco

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2:00 PM

1:22-11514 Victor F. Alba

Chapter 11

#12.00 Status conference re: Chapter 11 Subchapter V Voluntary Petition

fr. 2/23/23; 4/20/23; 7/13/23; 10/19/23

Docket 1

Tentative Ruling:

The Court having reviewed *Debtor's Fourth Chapter 11 (Subchapter V) Status Report* (the "Status Report") [doc. 153], and the declaration of the Subchapter V trustee [doc. 154], the parties should be prepared to discuss the following:

Has the debtor has filed his 2022 income tax returns? If so, has he established that there is not a basis for the priority claim filed by the Internal Revenue Service (the "IRS")? Does the debtor intend to file an objection to proof of claim no. 6 filed by the IRS?

In the Status Report, the debtor states that he does not anticipate the need to file any objections to claims. However, in *Debtor's Second Chapter 11 (Subchapter V) Status Report* [doc. 81], the debtor asserts that the claim of Archimedes Law Group ("ALG") was untimely filed and will not be paid through the debtor's chapter 11 plan. Does the debtor intend to file an objection to ALG's proof of claim no. 12? If no objection to the claim is filed, pursuant to 11 U.S.C. § 502(a), the claim is deemed to be an allowed claim. *See In re Dynamic Brokers, Inc.*, 293 B.R. 489, 500-01 (9th Cir. BAP 2003)(reversing order disallowing claim and order confirming debtor's chapter 11 plan; "Debtor's attempt to object to the [creditor's] 'deemed allowed' claim through a provision in the plan was procedurally inadequate.")

Party Information

Debtor(s):

Victor F. Alba

Represented By
Crystle Jane Lindsey

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CONT... Victor F. Alba

Chapter 11

Trustee(s):

John-Patrick McGinnis Fritz (TR)

Pro Se

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1:24-10228 Mr. Tortilla, Inc.

Chapter 11

#13.00 Debtors Emergency Motion For Order Authorizing Interim
Use Of Cash Collateral Pursuant To 11 U.S.C. section 363

Docket 12

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mr. Tortilla, Inc.

Represented By
Michael Jay Berger

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2:00 PM

1:24-10228 Mr. Tortilla, Inc.

Chapter 11

**#14.00 Debtors Emergency Motion For Order Authorizing
Payment Of Pre-Petition Wages And Related Expenses**

Docket 14

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mr. Tortilla, Inc.

Represented By
Michael Jay Berger