

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

Wednesday, March 26, 2025

Hearing Room 301

10:00 AM

1:23-10324 Lisa Fancher

Chapter 13

Adv#: 1:23-01026 Mayorga v. Fancher et al

#1.00 Trial Date Set re: First Amended Complaint for Nondischargeability and Objecting to Discharge

Docket 24

Tentative Ruling:

For the reasons stated on the record on March 23, 2025, the Court will deny defendant's motion in limine "G" to exclude plaintiff's exhibit 83 [doc. 183].

The Court will deny defendant's motion in limine "D" to exclude Mr. Martorell's declaration [doc. 180], motion in limine "E" [doc. 181] and motion in limine "F" [182].

The Court will overrule all of Defendant's evidentiary objections [doc. 167] to the Declaration of Cedar Boschan [doc. 157]

Regarding the evidentiary objections to the identified paragraphs in the declarations below, the Court will rule as set forth below.

Defendant's Evidentiary Objections to Declaration of Louis Mayorga [doc. 158]

paras. 4, 17 ("*and found clear evidence that she had miscalculated my royalties. This confirmed that she had concealed streaming revenue that should have been paid to me.*"), 20 (except as to the authentication of Trial Exhibit 4), 21, 23 (lns. 16-18): sustain

paras. 5, 7, 8, 9 (ln. 18), 10 (lns. 23-26), 11 (lns. 3-5), 12, 14, 16 (lns. 6-9), 18, 19, 22, 26: overrule

Defendant's Evidentiary Objections to Reply Declaration of Louis Mayorga [doc. 173]

paras. 5, 7, 11-15, 17, 18: sustain

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paras. 3, 4 ("*That is not what she told me at the time.*"), 6, 8-10, 16: overrule

Defendant's Evidentiary Objections to Declaration of Eduardo Martorell [doc. 159-1]

paras. 2 -9: overrule

Plaintiff's Evidentiary Objections to Declaration of Lisa Fancher [doc. 165]

paras. 5, 10, 12 (p. 3, lns. 22-27, p. 4, lns. 1-7,), 14 (lns. 14-24), 15, 16, 17, 18 (lns. 20-21), 20, 22, 23, 24, 29, 30, 31 ("*Therefore, my statement was not knowingly false as Mayorga asserts.*"), 32, 34, 36 ("*so again, not far off despite Mayorga's hyperbolic claims which have never been supported by any credible or actual evidence.*"), 38, 41 (second sentence), 43, 46 (last sentence), 47 ("*However, my lawyers advised that the Civil Code Section 2501 did not require that.*"), 48 ("*even though third party documents were not required pursuant to the express language of Civil Code Section 2501*"), 51, 55, 60, 61 (first sentence and "*because California Civil Code Section 2501 does not order the production of third party documents*"), 62, 65: sustain

paras. 6 (lns. 21-22), 7, 8, 9, 11, 13, 19, 21, 25, 26, 27 (lns. 18-24), 28, 33, 35, 37 ("*None of the royalty calculations I did included digital streaming royalties.*"), 39, 40, 41 (first sentence), 42, 44, 46 ("*In July 2020, my attorney, Michael Ackerman wrote to Plaintiff's counsel, offering to show documents regarding physical sales, digital downloads, and synchronization license revenues . . . for three years, but not digital streaming documents. I was copied on this correspondence.*"), 49, 50, 52, 53, 54, 56, 57, 58, 59, 61 ("*On advice of counsel, I refused to supply third party documents*" and "*I did not have third party documents anyway. Thus, I prepared and provided only the books and records belonging to Frontier Records.*"): overrule

Plaintiff's Evidentiary Objections to Declaration of A. Eric Bjorgum [doc. 170]

paras. 6-8, 9 (and fn. 1 thereto), 10-21, 23 (and fn. 2 thereto), 24-31: sustain

paras. 22, 24, 25: overrule

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*Mr. Bjorgum's declaration contains two paragraphs numbered as para. 10. Only the first para. 10 is subject to an evidentiary objection.

Plaintiff's Evidentiary Objections to Declaration of David Hirshland [doc. 164]

para. 6, 8 (first two sentences, lns. 24-27), 9 (second sentence), 10 (third and fourth sentences, lns. 10-14), 12 (last sentence), 14 ("*and presumably statements were sent consistently without interruption from the time Fancher/American Lesion Music entered into the agreement with Bug Music*"), 15, 18-30: sustain

paras. 8 ("*At some point prior to my employment at Bug Music, Bug Music entered into an agreement with Fancher/American Lesion Music.*"), 9 ("*Because I dealt with the business relationship later, I understand the relationship to be that Bug, and later BMG, would administer the songs published by American Lesion Music.*"), 10 (first and second sentences), 11, 12 (lns. 22-27), 13, 14 ("*Bug and BMG paid Louis Mayorga for his shares of Suicidal Tendencies song revenues and sent statements quarterly showing any activity for those songs. Statements were sent consistently without interruption from the time I began at Bug Music*"), 16, 17: overrule

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| Party Information |
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Debtor(s):

Lisa Fancher

Represented By
James R Selth

Defendant(s):

Lisa Fancher

Represented By
James R Selth

BMG Rights Management (US)

Pro Se

Plaintiff(s):

Louis Mayorga

Represented By
Eduardo Martorell

Trustee(s):

Elizabeth (SV) F Rojas (TR)

Pro Se

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