

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

Wednesday, November 12, 2025

Hearing Room 301

10:30 AM

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.

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Docket 0

Tentative Ruling:

- NONE LISTED -

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1:22-10545 Guarachi Wine Partners Inc.

Chapter 7

#1.00 First Interim Application Dinsmore & Shohl LLP For Allowance
and Payment of Compensation and Reimbursement of Expenses
Covering The Period From March 2, 2023 Through August 31, 2025

fr. 10/22/25

Docket 341

Tentative Ruling:

For the reasons set forth below, the Court will continue this hearing to **10:30 a.m. on December 17, 2025.**

I. BACKGROUND

On May 4, 2022, Guarachi Wine Partners Inc. ("Debtor") filed a chapter 11, subchapter V petition. During its chapter 11 case, Debtor paid secured claims in full. *See* Declaration of Todd M. Arnold, Esq., ¶¶ 6-8 [doc. 219]. The allowed fees and approved expenses of the professionals which represented Debtor, as a debtor in possession, or the Official Committee of Unsecured Creditors also have been paid in full.

A. Conversion of the Case to Chapter 7

In January 2023, unsecured creditors Miller Family Wine Company, LLC and Bodega Norton, S.A. filed a motion to convert the case to one under chapter 7 or, in the alternative, to remove Debtor as debtor in possession (the "Motion to Convert") [doc. 216]. Debtor opposed the Motion to Convert [doc. 221].

On February 28, 2023, Debtor's case was converted to a case under chapter 7 [doc. 241]. On March 2, 2023, Amy L. Goldman was appointed as the chapter 7 trustee (the "Trustee"). *See* doc. 246.

In April 2023, the Trustee filed a *Notice of Asset Case* [doc. 268]. All creditors were served with a *Notice of Possible Dividend and Order Fixing Time to File Claims*,

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stating that, unless creditors already had filed a proof of claim, creditors had to file their proofs of claim on or before July 24, 2023 [doc. 269].

In August 2024, the Trustee filed a *Notice of Chapter 11 Bar Date: October 18, 2024* [doc. 297], for entities and governmental units holding a chapter 11 administrative claim against Debtor.

In its ruling on the Motion to Convert, the Court discussed the events leading up to the conversion of that case to one under chapter 7:

Pursuant to 11 U.S.C. § 1112(b)(1) and (4)(A), (E), (F) and (H), the Court will convert this chapter 11, subchapter V case to a case under chapter 7.

To summarize the "cause" for conversion of this case, the debtor is no longer operating its business, and it has filed a liquidating plan. Consequently, there is no likelihood of rehabilitation. The debtor's estate also is experiencing continuing losses and diminution. The debtor's management has incurable conflicts involving insiders who received substantial prepetition and postpetition transfers; these transfers may be subject to avoidance. Moreover, the debtor has represented that these insiders hold large unsecured claims against the estate. Finally, the debtor has failed to comply with a Court order and to provide information timely.

...

11 U.S.C. § 1112(b)(1)

...

As set forth in the debtor's statement of financial affairs, the debtor made transfers to insiders within a year of the filing of the petition totaling \$2,571,958.43. *Statement of Financial Affairs*, doc. 51, p. 53. Alejandro Guarachi ("Mr. Guarachi") is the 100% shareholder, president and chief executive officer of the debtor. *Statement of Financial Affairs*, p. 59; *Corporate Ownership Statement Pursuant to FRBP 1007(a) (1) and 7007.1 and LBR 1007-4*, doc. 51, p. 64.

The debtor's insiders which received significant prepetition transfers

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include Mr. Guarachi, Triumph Beverage Company, LLC ("Triumph") and Titan Wine & Spirits, LLC ("Titan"). The debtor owns a 1% interest in Triumph and a 1% interest in Titan. *Statement of Financial Affairs*, p. 58. Mr. Guarachi (or an affiliate of his) owns 99% of Titan. *Debtor's Chapter 11 Liquidating Plan Dated November 1, 2022*, doc. 184, p. 9. In addition, the debtor's schedule F states that Triumph holds an unsecured claim in the amount of \$600,326.75 and that Titan holds an unsecured claim in the amount of \$592,525.00. Schedule E/F, doc. 51, pp. 31-32.

Postpetition, as set forth in the debtor's Monthly Operating Reports ("MORs"), the debtor continued to make substantial payments to Titan. For example, in August 2022, after the debtor had filed a motion, in early July 2022, stating its intention to stop selling wine in the ordinary course of business and to sell its wine inventory through an auction, the debtor paid \$118,800.00 to Titan for purchases. *See* August 2022 MOR, doc. 154, p. 11. In September 2022, the debtor paid Titan another \$118,800.00 for purchases. *See* September 2022 MOR, doc. 196, pp. 10-11.

Given the significant prepetition transfers to Mr. Guarachi, Triumph and Titan, and postpetition transfers to Titan, the potential that these constitute avoidable transfers and the existence of incurable conflicts of interest between the estate and the debtor's insiders, there is cause to convert the case pursuant to § 1112(b)(1).

11 U.S.C. § 1112(b)(4)(A)

...

Here, the debtor was in the business of purchasing and selling wine. As a result of, among other things, the debtor's postpetition "inability to stabilize relationships with its vendors and customers" and "resulting mounting operating losses and unpaid administrative expenses," Mr. Guarachi, in the exercise of his business judgment, determined that it would be best for the debtor to sell its inventory and its wine brands and related intellectual property. Declaration of Alejandro Guarachi filed in support of the debtor's Second Subchapter V Status Report, ¶¶

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6 and 12 [doc. 133].

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On July 7, 2022, the debtor filed its first motion to approve auction and bid procedures for the sale of its wine inventory and brands and to set a schedule for the sale of those assets, stating that the debtor intended to sell those assets as soon as practicable [doc. 95]. On October 14, 2022, the Court entered an order approving the sale of the debtor's remaining wine inventory and brands [doc. 163]. The winning bidder at the auction was Titan, a company owned 1% by debtor and 99% by Mr. Guarachi. Going forward, the debtor's remaining tasks are to collect its accounts receivable and to pursue any viable litigation claims. Declaration of Alejandro Guarachi, filed in support of the debtor's Second Subchapter V Status Report, ¶ 12 [doc. 133].

The debtor is no longer an operating business, and the debtor does not have positive net cash flow. As set forth in the debtor's MOR for December 2022, the debtor's net cash flow in December 2022 was -\$54,393.00 and its projected cash flow for January 2023 was -\$15,000 [doc. 233]. Nonetheless, the debtor continues to incur chapter 11 expenses, including the salaries and benefits provided to Mr. Guarachi and its other employees. Consequently, there is a continuing loss to the estate. As the debtor's operations have ceased, and it has filed a liquidating plan, there is no likelihood of rehabilitation. Therefore, there is cause to convert the case.

...

CHOICE BETWEEN CONVERSION OR DISMISSAL

...

Conversion of this case to one under chapter 7 is in the best interest of creditors and the estate in order for a chapter 7 trustee: (1) to make a distribution to creditors without incurring administrative expenses attendant to confirming a liquidating plan; (2) to assess and pursue avoidable transfers to insiders and non-insiders; and (3) to assess claims of Triumph and Titan against the estate and potentially object to those claims.

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By a preponderance of the evidence, Miller Family Wine Company,

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LLC and Bodega Norton, S.A., unsecured creditors of the debtor, have demonstrated that there is cause to convert this case. In light of the foregoing, the Court will grant the motion to convert this chapter 11, subchapter V case to one under chapter 7.

Court's ruling on the Motion to Convert or Remove Debtor in Possession, pp. 1, 3-5 and 7 [doc. 236] (footnotes omitted) (emphases in original).

B. Post-Conversion Activity

Approximately two years following the chapter 7 bar date, in March 2025, the Trustee filed a motion to approve a settlement agreement and mutual general releases (the "Motion to Approve Compromise") [doc. 329] with: (1) Alejandro Guarachi; (2) the Alejandro Guarachi 2004 Trust (the "Guarachi Trust"); (3) Titan Wine and Spirits, LLC ("Titan"); and (4) Triumph Beverage Company, LLC ("Triumph" and, collectively with Mr. Guarachi, the Guarachi Trust and Titan, the "Guarachi Parties").

In accordance with the settlement agreement (the "Agreement"), the Guarachi Parties paid a total of \$1.3 million to the estate. In exchange, the Trustee and the Guarachi Parties provided each other with general releases. These releases included the estate giving up its 1% ownership interest and 100% profit interests in each of Titan and Triumph. See Agreement, attached to the Motion to Approve Compromise as Exh. 1, pp. 4-8. On June 5, 2025, the Court entered an order approving the Agreement [doc. 334].

C. Dinsmore's First Interim Application for Allowance of Fees and Reimbursement of Expenses

In October 2025, Dinsmore filed the *First Interim Application of Dinsmore & Shohl LLP for Allowance and Payment of Compensation and Reimbursement of Expenses Covering the Period from March 2, 2023 Through August 31, 2025* (the "Dinsmore Application") [doc. 341]. According to Dinsmore, the Trustee is holding \$2,061,350.74 in cash. The Trustee received approximately \$945,548.68 of this amount shortly following the conversion of this case and her appointment as the chapter 7 trustee. See *Trustee's Initial Chapter 7 Status Report*, p. 3 [doc. 256].

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In addition, Dinsmore asserts that, at this time, the Trustee is in the process of analyzing the various claims filed against the estate. Dinsmore further represents that it has begun communications with various claimants or their attorneys concerning the validity of the claims and potential resolution of the estate's issues with such claims.

Despite the years which have passed since the appointment of the Trustee, and the amount of unencumbered funds which the Trustee has on hand, the Trustee has not sought authorization to make an interim distribution to unsecured creditors, nor has the Trustee provided a sufficient explanation for the Trustee's delay in doing so.

**II. LACK OF COMPLIANCE WITH LOCAL BANKRUPTCY RULE
2016-1(A)**

Local Bankruptcy Rule ("LBR") 2016-1(a) provides, in part, that—

- (1) Form of Fee Application. An application for interim fees incurred or costs advanced by an attorney, accountant or other professional person, and a trustee or examiner must contain the following:

- (A) A brief narrative history and report concerning the status of the case, including the following:

...

- (ii) Chapter 7. Applicant must report the status of administration of the estate, discussing the actions taken to liquidate property of the estate, the property remaining to be administered, the reasons the estate is not in a position to be closed, and *whether it is feasible to pay an interim dividend to creditors.*

...

- (iv) Multiple Fee Applications. If more than 1 application for interim fees in a case is noticed for hearing at the same date and time, the narrative history provided in one of the applications may be incorporated by reference into the other interim fee applications to be heard contemporaneously by the court.

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(K) A statement that the applicant has reviewed the requirements of this rule and that the application complies with this rule.

LBR 2016-1(a)(1)(A)(ii), (a)(1)(A)(iv) and (a)(1)(K) (emphasis added).

In support of the Dinsmore Application, Dinsmore has submitted the Declaration of Lovee D. Sarenas (the "Sarenas Decl."). In her declaration, Ms. Sarenas states that, "[t]o the best of my knowledge, the Application complies with the United States Trustee Guidelines and Local Bankruptcy Rule 2016-1." Sarenas Decl., ¶ 2. However, despite the requirements of LBR 2016-1, the Dinsmore Application does not state whether it is feasible to pay an interim dividend to creditors.

Before the Court will grant any interim fee awards to the Trustee's professionals, the Court must be apprised of why it is not feasible to pay an interim dividend to unsecured creditors and why the Trustee did not undertake an assessment of unsecured claims against the estate **before** entering into the Settlement Agreement - which was presented to the Court for approval **more than two years** after this case was converted to one under chapter 7.

No later than 14 days prior to the continued hearing date on the Dinsmore Application, the Trustee must: (1) submit an explanation of why the Trustee cannot make an interim distribution to unsecured creditors; and (2) provide a budget as to the projected cost of the Trustee's anticipated claims analysis, along with an explanation as to how such analysis and any related litigation will be of net benefit to unsecured creditors, when taking into account the anticipated legal fees and expenses of the Trustee's professionals.

Party Information

Debtor(s):

Guarachi Wine Partners Inc.

Represented By
Ron Bender
Todd M Arnold
Beth Ann R. Young

Trustee(s):

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Amy L Goldman (TR)

Represented By

Jonathan Serrano

Peter J Mastan

Matthew J Stockl

Lovee D Sarenas

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1:22-10545 Guarachi Wine Partners Inc.

Chapter 7

#2.00 Accountant's First Interim Application for Approval of
Compensation and Reimbursement of Costs From
March 30, 2023 through August 31, 2025

fr. 10/22/25

Docket 339

Tentative Ruling:

See cal. no. 1.

Party Information

Debtor(s):

Guarachi Wine Partners Inc.

Represented By
Ron Bender
Todd M Arnold
Beth Ann R. Young

Trustee(s):

Amy L Goldman (TR)

Represented By
Jonathan Serrano
Peter J Mastan
Matthew J Stockl
Lovee D Sarenas

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1:23-10835 Stella Boghozian

Chapter 7

#3.00 Trustee's Final Report and Applications for Compensation

Nancy Zamora, Chapter 7 Trustee

Janus Law, Attorneys for Trustee

LEA Accountancy, LLP, Accountants for Trustee

fr. 10/22/25

Docket 100

Tentative Ruling:

Nancy J. Zamora, chapter 7 trustee (the "Trustee") – approve fees of \$12,500.00 and reimbursement of expenses of \$590.43.

LEA Accountancy, LLP, accountants for the Trustee – approve fees of \$2,973.50 and reimbursement of expenses of \$384.35, on a final basis.

Law Offices of Larry D. Simons, counsel for the Trustee – approve fees of \$9,002.50 and reimbursement of expenses of \$138.31, on a final basis.

The Trustee must submit the order within seven (7) days.

Note: No court appearance by the trustee or the trustee's professionals 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 the relevant applicant(s) will be so notified.

Party Information

Debtor(s):

Stella Boghozian

Represented By

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CONT... Stella Boghonian

Sevan Gorginian

Chapter 7

Trustee(s):

Nancy J Zamora (TR)

Represented By
Larry D Simons

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1:24-11563 Glory Project LLC

Chapter 11

#4.00 First and Final Application of BG Law LLP for Approval of Fees and Reimbursement of Expenses with Respect to its Representation of Glory Project LLC

fr. 10/22/25

Docket 152

Tentative Ruling:

If BG Law LLP ("BG Law"), former bankruptcy counsel to Glory Project LLC, satisfies the requirement set forth in Local Bankruptcy Rule ("LBR") 2016-1(a)(1)(J) with respect to consulting with the debtor regarding its fee application, the Court will approve fees of \$66,241.00 and reimbursement of expenses of \$1,681.75 for the period of September 18, 2024 through April 24, 2025, pursuant to 11 U.S.C. § 330. For the reasons set forth in Section II below, the Court will not approve \$66,241.00 in fees.

If the Court approves BG Law's fees and expenses, BG Law may apply the remaining retainer balance in the amount of \$30,173.00 and receive payment in full of the balance of the approved fees and the approved expenses.

I. BACKGROUND

Glory Project LLC ("Glory Project") was organized in August 2022 to purchase real property located at 19525-19527 Ventura Blvd., Tarzana, CA 91356 (the "Property"). The Property is a commercial building consisting of seven units. *Debtors' Chapter 11 Status Report*, section 1.c [doc. 44]. On October 18, 2022, Glory Project purchased and closed escrow on the Property for \$2,275,000. *Id.* Krystal Burns is the sole member and manager of the Glory Project and a practicing veterinarian.

On September 18, 2024, Glory Project, represented by BG Law, filed a chapter 11 petition, initiating case no. 1:24-bk-11563 (the "Case"). The Case was jointly administered with the chapter 11, subchapter V case of Private Animal Care Veterinary Corporation ("Private Animal Care," and together with Glory Project,

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Chapter 11

"Debtors"), case no. 1:24-bk-11564 (the "Associated Case"). *See* doc. 8.

In November 2024, the Court granted Debtors' application to employ BG Law as general bankruptcy counsel [doc. 60].

A. Glory Project

1. Real Property

The Property, with a scheduled value of \$3,999,000, was Glory Project's principal asset. *See* schedule A/B [doc. 24]. In its schedule D, Glory Project disclosed that the Property was encumbered by a first deed of trust in favor of BMO Bank N.A. ("BMO Bank"), securing a debt in the amount of \$2,541,489.93 [doc. 27]. The Property also was encumbered by a second deed of trust in favor of the Clarita E. Stomel Revocable Trust (the "Stomel Trust"), securing a debt in the amount of \$299,775.00. *Id.*

2. Claims Against the Estate of Glory Project

On November 25, 2024, BMO Bank filed proof of claim no. 4-1, asserting a secured claim against Glory Project in the amount of \$2,534,877.99. On February 10, 2025, the Stomel Trust filed proof of claim no. 1-2, asserting a secured claim against Glory Project in the amount of \$339,913.65. To its proof of claim, the Stomel Trust attached copies of a promissory note and a deed of trust, both dated October 12, 2022. *See* Proof of Claim no. 1-2.

As of May 5, 2025, the date the Case was dismissed, the total amount of priority claims filed against Glory Project was \$1,676.45. The total amount of unsecured claims was \$14,558.59.

B. Private Animal Care

1. Assets

In its schedule A/B, Private Animal Care identified an interest in a number of bank accounts, office furniture and equipment, medical supplies and two leased vehicles.

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See schedule A/B, [Associated Case, doc. 21]. Private Animal Care did not identify an interest in the Property or any other real property.

2. Claims Against the Estate of Private Animal Care

In November 2024, BMO Bank filed proof of claim no. 9-1, asserting a secured claim against Private Animal Care in the amount of \$2,534,877.99. In February 2025, the Stomel Trust filed proof of claim no. 2-2, asserting an unsecured claim against Private Animal Care in the amount of \$339,913.65. According to the Stomel Trust, the basis of its claim against Private Animal Care was a guarantee. *See* Associated Case, Proof of Claim no. 2-2.

As of May 5, 2025, the date the Associated Case was dismissed, the total amount of priority claims filed against Private Animal Care was \$4,598.98. The total amount of unsecured claims, including the Stomel Trust's claim, was \$479,618.22.

C. Progress of the Case

1. Glory Project's Efforts to Sell the Property

In October 2024, Glory Project filed an application to employ Lazerus Properties & Capital (the "Broker") as its real estate broker to market and sell the Property [doc. 46]. On November 19, 2024, the Court entered an order granting that application [doc. 61].

On November 8, 2024, though the Broker, Glory Project listed the Property on the multiple listing service with a list price of \$3,899,000. Declaration of Castulo Romero (the "Romero Declaration"), ¶ 3 [doc. 84]. On December 22, 2024, Glory Project reduced the list price to \$3,200,000. *Id.*, ¶ 8. Between December 22, 2024, and January 28, 2025, Mr. Romero received six inquiries and conducted two showings of the Property. *Id.*, ¶ 9. As of late January 2025, even at the reduced list price, Mr. Romero had not received any offers on the Property. *Id.*, ¶ 11. Mr. Romero opined that Glory Project needed at least two additional months to continue to market the Property. *Id.*, ¶ 14.

2. The Chapter 11 Plan and Related Disclosure Statement

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On February 28, 2025, Debtors filed *Debtors' Chapter 11 Plan of Reorganization Dated February 28, 2025* (the "Plan") [doc. 103] and the *Disclosure Statement Describing Debtors' Chapter 11 Plan of Reorganization Dated February 28, 2025* (the "Disclosure Statement") [doc. 104]. The Court set a hearing to consider the approval of the Disclosure Statement for April 30, 2025 [doc. 105].

In the Plan and the Disclosure Statement, Debtors stated that they intended to obtain exit financing through refinancing or selling the Property, or by obtaining an equity investment. In the event Debtors could not obtain exit financing, they proposed that the Plan would be funded by Debtors' ongoing business operations as set forth in certain plan projections; however, projections were not filed with the Plan or the Disclosure Statement. *See* Plan, p. 19-20; Disclosure Statement, pp. 32-33.

In April 2025, the United States trustee (the "UST") filed an objection to the Disclosure Statement [doc. 121]. In its objection, the UST asserted that the Disclosure Statement failed to contain adequate information for a hypothetical creditor to determine the Plan's feasibility. In addition, the UST stated that the Disclosure Statement did not meet the "best interests" test because it omitted a liquidation analysis for each of the Debtors. According to the UST, hypothetical creditors could not assess how a distribution under chapter 7 would be affected if Debtors were separately liquidated. Finally, the UST contended that the Disclosure Statement and Plan inappropriately included an exculpation provision that included protections for post-petition entities and activities.

The same month, the Stomel Trust filed an objection to the Disclosure Statement [doc. 124]. The Stomel Trust represented, among other things, that the Disclosure Statement did not treat the Stomel Trust's secured claim against Glory Project's estate and the Stomel Trust's unsecured claim against Private Animal Care's estate as separate claims. In addition, the Stomel Trust stated that, although it filed proofs of claim in the Case and the Associated Case, Debtors estimated its claims for plan treatment purposes without any explanation. Finally, the Stomel Trust contended that plan projections had not been filed and that the Disclosure Statement contained no feasibility analysis.

Debtors did not file a reply to either objection. On May 5, 2025, the Court entered an order denying approval of the Disclosure Statement [doc. 134].

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Chapter 11

3. BG Law's Motion to Withdraw as Counsel and Dismissal of the Case

In March 2025, BG Law filed an unopposed motion to withdraw as Debtors' counsel [doc. 114], which the Court granted [doc. 129]. On April 23, 2025, the Court entered its *Order to Show Cause Re Dismissal* (the "OSC") [doc. 127]. The OSC provided, in relevant part—

that an officer of Glory Project LLC and an officer of Private Animal Care Veterinary Corporation (together, the "Debtors"), if any, must appear at a hearing in this case on April 30, 2025 at 1:30 p.m. to show cause and explain why this case and the jointly administered case no. 1:24-bk-11564-VK should not be dismissed as a result of the Debtors' failure to appear with counsel as required by Local Bankruptcy Rule ("LBR") 9011-2(a); and it is further

ORDERED, that, if the Debtors have engaged counsel who has agreed to represent the Debtors in their cases, a substitution of attorney must be filed and served in accordance with LBR 2091-1(b)(2) no later than April 28, 2025. If the Debtors fail to comply with the requirements set forth herein at the Order to Show Cause hearing, the Court may dismiss this case and the jointly administered case no. 1:24-bk-11564-VK[.]

OSC, pp. 1-2 (emphases omitted). Debtors did not file a substitution of attorney by the hearing on April 30, 2025. On May 5, 2025, the Court entered an order dismissing the Case and the Associated Case [doc. 135; Associated Case, doc. 40].

4. BG Law's Fee Applications

On September 8, 2025, BG Law filed its *First and Final Application of BG Law for Approval of Fees and Reimbursement of Expenses With Respect to its Representation of Glory Project, LLC* (the "Glory Project Application") [doc. 152] and its *First and Final Application of BG Law for Approval of Fees and Reimbursement of Expenses With Respect to its Representation of Private Animal Care Veterinary Corporation* (the "Private Animal Care Application" and together with the Glory Project

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Chapter 11

Application, the "Applications") [doc. 153]. In the Glory Project Application, BG Law requests approval of fees of \$132,482.00 and reimbursement of expenses of \$1,681.75. In the Private Animal Care Application, BG Law requests approval of fees of \$81,960.50 and reimbursement of expenses of \$705.06.

On October 8, 20205, Dr. Burns filed an objection to the Applications (the "Objection") [doc. 165]. On October 8, 2025, In the Objection, Dr. Burns requested that the Court continue the hearings on the Applications so that she could obtain counsel to assist in her response to the Applications. On October 15, 2025, BG Law filed a reply to the Objection [doc. 166].

II. REASONABLENESS OF REQUESTED FEES

11 U.S.C. § 330(a)(2) provides that the court may, on its own motion, award compensation that is less than the amount of the compensation that is requested.

11 U.S.C. § 330(a)(1)(A) provides that a court may award to a professional person employed under § 327 "reasonable compensation for actual, necessary services" rendered by the professional person.

In determining the amount of reasonable compensation to be awarded to the professional person, the court shall consider the nature, the extent and the value of such services, taking into account all relevant factors, including—(A) the time spent on such services; (B) the rates charged for such services; (C) whether the services were necessary to the administration of, or beneficial at the time at which the service was rendered toward the completion of, a case under this title; [and] (D) whether the services were performed within a reasonable amount of time commensurate with the complexity, importance, and nature of the problem, issue, or task addressed . . .

11 U.S.C. § 330(a)(3). Furthermore, "the court shall not allow compensation for—(i) unnecessary duplication of services; or (ii) services that were not—(I) reasonably likely to benefit the debtor's estate; or (II) necessary to the administration of the case."
11 U.S.C. § 330(a)(4)(A).

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This case was not a complex case. The only significant asset is a single commercial real property which Glory Project intended to sell to fund the Plan. There were few secured and unsecured creditors. Nevertheless, three partners, two associates and two paralegals billed fees for services in connection with BG Law's representation of Glory Project in the Case, as set forth in the table below:

Timekeeper	Hourly Rate (2024)	Hourly Rate (2025)	Hours	Amount
Ashley M. Teesdale (Senior Associate)	\$645.00		7.3	\$4,708.50
Jessica L. Bagdanov (Partner)	\$725.00	\$725.00	13.2	\$9,570.00
Jessica S. Wellington (Associate)	\$525.00	\$525.00	154.9	\$81,322.50
Juanita Treshinsky (Paralegal)	\$395.00		9.9	\$3,910.50
Nikola A. Fields (Paralegal)	\$325.00		2.5	\$812.50
Susan K. Seflin (Partner)	\$825.00	\$825.00	19.2	\$15,840.00
Steven T. Gubner (Equity Partner)	\$995.00	\$995.00	17.5	\$16,318.00

In total, BG Law billed 224.5 hours, for a total of \$132,482.00. Despite the noteworthy amount of time billed, nothing of significance was achieved. There was no significant litigation. Glory Project did not object to any claims or defend against any motions for relief from the automatic stay. There was no motion for use of cash

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CONT... Glory Project LLC

Chapter 11

collateral, there was no motion for approval of financing, and there were no agreements with creditors regarding their treatment in the Plan. Besides the unopposed applications to employ BG Law, the Broker and accountant Marc C. Rosenberg, Glory Project did not file any other applications to employ professionals. Moreover, Glory Project did not respond to the substantial objections by the UST and the Stomel Trust regarding the adequacy of the Disclosure Statement. In the end, the Case was dismissed without an approved disclosure statement.

It appears that the Case was over-lawyered, with no meaningful progress being achieved. For three partners, two associates and two paralegals to bill at the rates set forth in the table above with minimal, if any, benefit for the estate and creditors does not warrant fees in the amount requested. The unreasonably high amount of the fees requested is a reflection of excessive time being billed and unnecessary duplication of services.

III. BG LAW'S COMPLIANCE WITH LBR 2016-1(A)

Local Bankruptcy Rule ("LBR") 2016-1(c)(2) provides that "[a]n application for allowance and payment of final fees and expenses must contain the information required of an interim fee application under LBR 2016-1(a)(1)." Pursuant to LBR 2016-1(a)(1)—

An application for interim fees incurred or costs advanced by an attorney, accountant or other professional person, and a trustee or examiner must contain the following:

...

- (J) A separately filed declaration from the client indicating that the client has reviewed the fee application and has no objection to it. If the client refuses to provide such a declaration, the professional must file a declaration describing the steps that were taken to obtain the client's declaration and the client's response thereto.

LBR 2016-1(a)(1)(J).

In support of the Glory Project Application, BG Law has provided the Declaration of

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Steven T. Gubner ("Gubner Decl.") [doc. 154]. In his declaration, Mr. Gubner states, in relevant part:

Pursuant to Local Bankruptcy Rules 2016-1(a)(1)(J) and 2016-1(c)(2), every fee application must be accompanied by a separately filed declaration from the client indicating that the client has no objection to it or a declaration by the professional describing the steps taken to obtain the client's declaration.

Accordingly, I am providing this declaration to describe the steps taken to obtain the Debtors' declaration. BG did not contact the Debtors to request that they provide a declaration in support of the Applications because under the circumstances upon which BG sought withdrawal, BG believes that contacting the Debtors would not be productive nor result in approval of the Applications by the Debtors.

Gubner Decl., ¶¶ 3-4.

Given that BG Law made no effort to obtain a declaration of Dr. Burns regarding its fee application, the Court's evaluation is that BG Law has not satisfied its obligations under LBR 2016-1(a)(1)(J).

Party Information

Debtor(s):

Glory Project LLC

Pro Se

Trustee(s):

Moriah Douglas Flahaut (TR)

Pro Se

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1:24-11563 Glory Project LLC

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#5.00 First and Final Application of BG Law LLP for Approval of Fees and Reimbursement of Expenses with Respect to its Representation of Private Animal Care Veterinary Corporation

fr. 10/22/25

Docket 153

Tentative Ruling:

If BG Law LLP ("BG Law"), former bankruptcy counsel to Private Animal Care Veterinary Corporation ("Private Animal Care"), satisfies the requirement set forth in Local Bankruptcy Rule ("LBR") 2016-1(a)(1)(J) by consulting with the debtor regarding BG Law's fee application, the Court will approve fees of \$40,980.25 and reimbursement of expenses of \$705.06 for the period of September 18, 2024 through April 24, 2025, pursuant to 11 U.S.C. § 330. For the reasons set forth in Section II below, the Court will not approve \$40,980.25 in fees.

If the Court approves BG Law's fees and expenses, BG Law may apply the remaining retainer balance in the amount of \$30,173.00 and receive payment in full of the balance of the approved fees and the approved expenses.

I. BACKGROUND

Krystal J. Burns is the sole shareholder of Private Animal Care Veterinary Corporation ("Private Animal Care"). Dr. Burns is a veterinarian; she operates her veterinary practice through Private Animal Care. *See Motion for Order Authorizing Joint Administration of Chapter 11 Cases* [1:24-bk-11563 (the "Main Case"), doc. 7].

Ms. Burns also is the sole member and manager of Glory Project LLC ("Glory Project" and together with Private Animal Care, "Debtors"). Glory Project was organized in August 2022 to purchase real property located at 19525-19527 Ventura Blvd., Tarzana, CA 91356 (the "Property"). The Property is a commercial building consisting of seven units. *Debtors' Chapter 11 Status Report*, section 1.c [Main Case, doc. 44]. On October 18, 2022, Glory Project purchased and closed escrow on the

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Property for \$2,275,000. *Id.*

Chapter 11

On September 18, 2024, Private Animal Care, represented by BG Law, filed a chapter 11, subchapter V petition, initiating case no. 1:24-bk-11564 (the "PAC Case"). The PAC Case was jointly administered with the Main Case, case no. 1:24-bk-11563.

In November 2024, the Court granted Debtors' application to employ BG Law as general bankruptcy counsel.

A. Private Animal Care

1. Assets

In its schedule A/B, Private Animal Care identified an interest in a number of bank accounts, office furniture and equipment, medical supplies and two leased vehicles. *See* schedule A/B, [PAC Case, doc. 21]. Private Animal Care did not identify an interest in the Property or any other real property.

2. Claims Against the Estate of Private Animal Care

In November 2024, BMO Bank N.A. ("BMO Bank") filed proof of claim no. 9-1, asserting a secured claim against Private Animal Care in the amount of \$2,534,877.99. In February 2025, of the Clarita E. Stomel Revocable Trust (the "Stomel Trust") filed proof of claim no. 2-2, asserting an unsecured claim against Private Animal Care in the amount of \$339,913.65. According to the Stomel Trust, the basis of its claim against Private Animal Care was a guarantee. *See* PAC Case, Proof of Claim no. 2-2.

As of May 5, 2025, the date that the PAC Case was dismissed, the total amount of priority claims filed against Private Animal Care was \$4,598.98. The total amount of unsecured claims, including the unsecured claim of the Stomel Trust, was \$479,618.22.

B. Glory Project

1. Real Property

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The Property, with a scheduled value of \$3,999,000, was Glory Project's principal asset. *See* schedule A/B [Main Case, doc. 24]. In its schedule D, Glory Project disclosed that the Property was encumbered by a first deed of trust in favor of BMO Bank N.A. ("BMO Bank"), securing a debt in the amount of \$2,541,489.93 [Main Case, doc. 27]. The Property also was encumbered by a second deed of trust in favor of the Clarita E. Stomel Revocable Trust (the "Stomel Trust"), securing a debt in the amount of \$299,775.00. *Id.*

2. Claims Against the Estate of Glory Project

On November 25, 2024, BMO Bank filed proof of claim no. 4-1, asserting a secured claim against Glory Project in the amount of \$2,534,877.99. On February 10, 2025, the Stomel Trust filed proof of claim no. 1-2, asserting a secured claim against Glory Project in the amount of \$339,913.65. To its proof of claim, the Stomel Trust attached copies of a promissory note and a deed of trust, both dated October 12, 2022. *See* Proof of Claim no. 1-2 in the Main Case.

As of May 5, 2025, the date the Main Case was dismissed, the total amount of priority claims filed against Glory Project was \$1,676.45. The total amount of unsecured claims was \$14,558.59.

C. Progress of the PAC Case

1. Glory Project's Efforts to Sell the Property

In October 2024, Glory Project filed an application to employ Lazerus Properties & Capital (the "Broker") as its real estate broker to market and sell the Property [Main Case, doc. 46]. On November 19, 2024, the Court entered an order granting that application [Main Case, doc. 61].

On November 8, 2024, though the Broker, Glory Project listed the Property on the multiple listing service with a list price of \$3,899,000. Declaration of Castulo Romero (the "Romero Declaration"), ¶ 3 [Main Case, doc. 84]. On December 22, 2024, Glory Project reduced the list price to \$3,200,000. *Id.*, ¶ 8. Between December 22, 2024, and January 28, 2025, Mr. Romero received six inquiries and conducted two

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showings of the Property. *Id.*, ¶ 9. As of late January 2025, even at the reduced list price, Mr. Romero had not received any offers on the Property. *Id.*, ¶ 11. Mr. Romero opined that Glory Project needed at least two additional months to continue to market the Property. *Id.*, ¶ 14.

2. The Chapter 11 Plan and Related Disclosure Statement

On February 28, 2025, Debtors filed *Debtors' Chapter 11 Plan of Reorganization Dated February 28, 2025* (the "Plan") [Main Case, doc. 103] and the *Disclosure Statement Describing Debtors' Chapter 11 Plan of Reorganization Dated February 28, 2025* (the "Disclosure Statement") [Main Case, doc. 104]. The Court set a hearing to consider the approval of the Disclosure Statement for April 30, 2025 [Main Case, doc. 105].

In the Plan and the Disclosure Statement, Debtors stated that they intended to obtain exit financing through refinancing or selling the Property, or by obtaining an equity investment. In the event Debtors could not obtain exit financing, they proposed that the Plan would be funded by Debtors' ongoing business operations as set forth in certain plan projections; however, projections were not filed with the Plan or the Disclosure Statement. *See* Plan, p. 19-20; Disclosure Statement, pp. 32-33.

In April 2025, the United States trustee (the "UST") filed an objection to the Disclosure Statement [Main Case, doc. 121]. In its objection, the UST asserted that the Disclosure Statement failed to contain adequate information for a hypothetical creditor to determine the Plan's feasibility. In addition, the UST stated that the Disclosure Statement did not meet the "best interests" test because it omitted a liquidation analysis for each of the Debtors. According to the UST, hypothetical creditors could not assess how a distribution under chapter 7 would be affected if Debtors were separately liquidated. Finally, the UST contended that the Disclosure Statement and Plan inappropriately included an exculpation provision that included protections for post-petition entities and activities.

The same month, the Stomel Trust filed an objection to the Disclosure Statement [Main Case, doc. 124]. The Stomel Trust represented, among other things, that the Disclosure Statement did not treat the Stomel Trust's secured claim against Glory Project's estate and the Stomel Trust's unsecured claim against Private Animal Care's

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estate as separate claims. In addition, the Stomel Trust stated that, although it filed proofs of claim in the Main Case and the PAC Case, Debtors estimated its claims for plan treatment purposes without any explanation. Finally, the Stomel Trust contended that plan projections had not been filed and that the Disclosure Statement contained no feasibility analysis.

Debtors did not file a reply to either objection. On May 5, 2025, the Court entered an order denying approval of the Disclosure Statement [Main Case, doc. 134].

3. *BG Law's Motion to Withdraw as Counsel and Dismissal of Debtor's Cases*

In March 2025, BG Law filed an unopposed motion to withdraw as Debtors' counsel [Main Case, doc. 114], which the Court granted [Main Case, doc. 129]. On April 23, 2025, the Court entered its *Order to Show Cause Re Dismissal* (the "OSC") [Main Case, doc. 127]. The OSC provided, in relevant part—

that an officer of Glory Project LLC and an officer of Private Animal Care Veterinary Corporation (together, the "Debtors"), if any, must appear at a hearing in this case on April 30, 2025 at 1:30 p.m. to show cause and explain why this case and the jointly administered case no. 1:24-bk-11564-VK should not be dismissed as a result of the Debtors' failure to appear with counsel as required by Local Bankruptcy Rule ("LBR") 9011-2(a); and it is further

ORDERED, that, if the Debtors have engaged counsel who has agreed to represent the Debtors in their cases, a substitution of attorney must be filed and served in accordance with LBR 2091-1(b)(2) no later than April 28, 2025. If the Debtors fail to comply with the requirements set forth herein at the Order to Show Cause hearing, the Court may dismiss this case and the jointly administered case no. 1:24-bk-11564-VK[.]

OSC, pp. 1-2 (emphases omitted). Debtors did not file a substitution of attorney by the hearing on April 30, 2025. On May 5, 2025, the Court entered an order dismissing the Main Case and the PAC Case [Main Case, doc. 135; PAC Case, doc. 40].

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4. BG Law's Fee Applications

On September 8, 2025, BG Law filed its *First and Final Application of BG Law for Approval of Fees and Reimbursement of Expenses With Respect to its Representation of Glory Project, LLC* (the "Glory Project Application") [doc. 152] and its *First and Final Application of BG Law for Approval of Fees and Reimbursement of Expenses With Respect to its Representation of Private Animal Care Veterinary Corporation* (the "Private Animal Care Application" and together with the Glory Project Application, the "Applications") [doc. 153]. In the Private Animal Care Application, BG Law requests approval of fees of \$81,960.50 and reimbursement of expenses of \$705.06. In the Glory Project Application, BG Law requests approval of fees of \$132,482.00 and reimbursement of expenses of \$1,681.75.

On October 8, 2025, Dr. Burns filed an objection to the Applications (the "Objection") [doc. 165]. In the Objection, Dr. Burns requested that the Court continue the hearings on the Applications so that she could obtain counsel to assist in her response to the Applications. On October 15, 2025, BG Law filed a reply to the Objection [doc. 166].

II. REASONABLENESS OF REQUESTED FEES

11 U.S.C. § 330(a)(2) provides that the court may, on its own motion, award compensation that is less than the amount of the compensation that is requested.

11 U.S.C. § 330(a)(1)(A) provides that a court may award to a professional person employed under § 327 "reasonable compensation for actual, necessary services" rendered by the professional person.

In determining the amount of reasonable compensation to be awarded to the professional person, the court shall consider the nature, the extent and the value of such services, taking into account all relevant factors, including—(A) the time spent on such services; (B) the rates charged for such services; (C) whether the services were necessary to the administration of, or beneficial at the time at which the service was rendered toward the completion of, a case under this title; [and] (D) whether the services were performed within a reasonable amount of

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time commensurate with the complexity, importance, and nature of the problem, issue, or task addressed . . .

11 U.S.C. § 330(a)(3). Furthermore, "the court shall not allow compensation for—(i) unnecessary duplication of services; or (ii) services that were not—(I) reasonably likely to benefit the debtor's estate; or (II) necessary to the administration of the case." 11 U.S.C. § 330(a)(4)(A).

This case was not a complex case. Private Animal Care did not own any real property; its reorganization was dependent on the sale of Glory Project's single commercial real property, which Glory Project intended to sell to fund the Plan. Nevertheless, four partners, one associate and two paralegals billed fees for services in connection with BG Law's representation of Private Animal Care, as set forth in the table below:

Timekeeper	Hourly Rate Rate (2024)	Hourly Rate (2025)	Hours	Amount
Jason B. Komorsky (Partner)	\$825.00		4.9	\$4,042.50
Jessica L. Bagdanov (Partner)	\$725.00	\$725.00	5.8	\$4,205.00
Jessica S. Wellington (Associate)	\$525.00	\$525.00	114.8	\$60,270.00
Juanita Treshinsky (Paralegal)	\$395.00		9.9	\$3,910.50
Nikola A. Fields (Paralegal)	\$325.00		3.6	\$1,170.00
Susan K. Seflin (Partner)	\$825.00	\$825.00	2.9	\$2,392.50

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Steven T. Gubner (Equity Partner)	\$995.00	\$995.00	6.0	\$5,970.00
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In total, BG Law billed 147.9 hours, for a total of \$81,960.50. Despite the noteworthy amount of time billed in connection with this case, nothing of significance was achieved. There was no significant litigation. Private Animal Care did not object to any claims or defend against any motions for relief from the automatic stay; there were no motions filed regarding postpetition financing; and there were no agreements with creditors regarding their treatment in the Plan.

It appears that the Case was over-lawyered with no meaningful progress being achieved.. For four partners, one associate and two paralegals to bill at the rates set forth in the table above with minimal, if any, benefit for the estate and creditors does not warrant fees in the amount requested. The high amount of fees requested are a reflection of excessive time being billed and unnecessary duplication of services.

III. BG LAW'S COMPLIANCE WITH LBR 2016-1(A)

Local Bankruptcy Rule ("LBR") 2016-1(c)(2) provides that "[a]n application for allowance and payment of final fees and expenses must contain the information required of an interim fee application under LBR 2016-1(a)(1)." Pursuant to LBR 2016-1(a)(1)—

An application for interim fees incurred or costs advanced by an attorney, accountant or other professional person, and a trustee or examiner must contain the following:

...

- (J) A separately filed declaration from the client indicating that the client has reviewed the fee application and has no objection to it. If the client refuses to provide such a declaration, the professional must file a declaration describing the steps that were taken to obtain the client's declaration and the client's response thereto.

LBR 2016-1(a)(1)(J).

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In support of the Private Animal Care Application, BG Law has provided the Declaration of Steven T. Gubner ("Gubner Decl.") [doc. 154]. In his declaration, Mr. Gubner states, in relevant part:

Pursuant to Local Bankruptcy Rules 2016-1(a)(1)(J) and 2016-1(c)(2), every fee application must be accompanied by a separately filed declaration from the client indicating that the client has no objection to it or a declaration by the professional describing the steps taken to obtain the client's declaration.

Accordingly, I am providing this declaration to describe the steps taken to obtain the Debtors' declaration. BG did not contact the Debtors to request that they provide a declaration in support of the Applications because under the circumstances upon which BG sought withdrawal, BG believes that contacting the Debtors would not be productive nor result in approval of the Applications by the Debtors.

Gubner Decl., ¶¶ 3-4.

Given that BG Law made no effort to obtain a declaration of Dr. Burns regarding its fee application, the Court's evaluation is that BG Law has not satisfied its obligations under LBR 2016-1(a)(1)(J).

Party Information

Debtor(s):

Glory Project LLC

Pro Se

Trustee(s):

Moriah Douglas Flahaut (TR)

Pro Se

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1:24-12038 Biotactics, Inc.

Chapter 11

#6.00 First Interim Application for Compensation and Reimbursement
of Expenses of Michael Jay Berger

Docket 106

Tentative Ruling:

Law Offices of Michael Jay Berger ("Applicant"), counsel to the debtor – approve fees of \$33,468.50 and reimbursement of expenses of \$1,380.30, for the period of December 7, 2024 through September 9, 2025, pursuant to 11 U.S.C. § 331.

In the debtor's monthly operating report for September 2025, the debtor represents that it had cash on hand at the end of September 2025 in the amount of \$4,471.76 and total postpetition payables in the amount of \$177,303.22 [doc. 123].

At this time, to pay the approved fees, Applicant may apply its remaining prepetition retainer of \$21,031.00 and may receive from Debtor an additional \$1,380.30 to pay 100% of the approved reimbursement of expenses. Applicant may receive payment of the balance of its approved fees on further order of the Court.

Compliance with LBR 2016-1(a)

In an application for interim fees incurred and costs advanced by a professional, LBR 2016-1(a)(1) provides that:

An application for interim fees incurred or costs advanced by an attorney, accountant or other professional person, and a trustee or examiner must contain the following:

- (A) A brief narrative history and report concerning the status of the case, including the following:
 - (i) Chapter 11. Applicant must describe the general operations of the debtor, **stating whether the business of the debtor, if any, is being operated at a profit or loss, whether the**

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Biotactics, Inc.

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business has sufficient operating cash flow, whether a plan has been filed, and if not, the prospects for reorganization and the anticipated date for the filing of a plan.

...

(iii) All Cases. Applicant must disclose **the amount of money on hand in the estate** and the estimated amount of other accrued expenses of administration. At the hearing on an application for interim fees, the applicant should be prepared to supplement the application by declaration or by testimony to inform the court of the current financial status of the debtor's estate.

...

(K) A statement that the applicant has reviewed the requirements of this rule and that the application complies with this rule.

LBR 2016-1(a)(1)(A)(i) and (iii) and (a)(1)(K) (emphases added).

In support of the Interim Fee Application, Applicant has provided the Declaration of Michael Jay Berger (the "Berger Decl."). In his declaration, Mr. Berger states, in relevant part, that:

I have reviewed this Application and it complies with LBR Rule 2016-1.

I have complied with LBR 2016-1(a)(1)(A)(i) on page 3, lines 21-28 and page 4, lines 1-8 under section II of this Application where I describe the general operations of the Debtor.

I have complied with LBR 2016-1(a)(1)(A)(iii) on pages [sic] 2, lines 26 – 28 under section I of this Application, which provides the total balance remaining in the Client Trust Account, and on page 16, lines 8 – 11 under section 8, the total balance remaining in the DIP account.

Berger Decl., ¶¶ 3-5. Contrary to LBR 2016-1(a)(1)(A)(i), the Interim Fee Application does not state whether the business of the debtor is being operated at a

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CONT... Biotactics, Inc.

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profit or loss and whether the business has sufficient operating cash flow. In addition, contrary to Mr. Berger's declaration and LBR 2016-1(a)(1)(A)(iii), the Applicant did not disclose the amount of money on hand in the estate.

Consequently, the Interim Fee Application is not in compliance with LBR 2016-1(a). Unless a fee application fully complies with LBR 2016-1(a), it should not contain the statement set forth in LBR 2016-1(a)(1)(K). Absent full compliance with LBR 2016-1(a)(1), the Court may continue or vacate a hearing on a fee application.

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

Note: No response had been filed. Accordingly, no court appearance by Applicant 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 Applicant will be so notified.

Party Information

Debtor(s):

Biotactics, Inc.

Represented By
Michael Jay Berger

Trustee(s):

Mark M Sharf (TR)

Pro Se

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1:24-12151 Herbert Francisco Oliva

Chapter 7

#7.00 Trustee's Final Report and Applications for Compensation

Nancy Zamora, Chapter 7 Trustee

fr. 10/22/25

Docket 27

Tentative Ruling:

Nancy J. Zamora, chapter 7 trustee – approve fees of \$523.44 and reimbursement of expenses in the amount of \$36.66.

The chapter 7 trustee must submit the order within seven (7) days.

Note: No court appearance by the chapter 7 trustee or her professionals 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 the relevant applicant(s) will be so notified.

Party Information

Debtor(s):

Herbert Francisco Oliva

Represented By
Tyson Takeuchi

Trustee(s):

Nancy J Zamora (TR)

Pro Se

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1:25-11102 Extensions Plus, Inc. a California Corporation

Chapter 11

#8.00 Application for Payment of First Interim Fees and Expenses (11 U.S.C. Section 331) of Steinberg, Nutter & Brent, Law Corporation attorneys for Debtor

Docket 84

Tentative Ruling:

Steinberg, Nutter & Brent, Law Corporation ("Applicant"), counsel to the debtor – approve fees of \$47,329.00 and reimbursement of expenses of \$145.86, for the period of June 24, 2025 through September 30, 2025, pursuant to 11 U.S.C. § 331. The Court will not approve \$2,926.00 in fees for the reasons set forth in Section A below.

At this time, \$38,765.00 may be applied from Applicant's remaining prepetition retainer to pay the approved fees and reimbursement of expenses. The balance of approved fees may not be paid until further order of the Court.

A. Reasonableness of Fees

11 U.S.C. § 330(a)(2) provides that the court may, on its own motion, award compensation that is less than the amount of the compensation that is requested.

11 U.S.C. § 330(a)(1)(A) provides that a court may award to a professional person employed under § 327 "reasonable compensation for actual, necessary services" rendered by the professional person.

In determining the amount of reasonable compensation to be awarded to the professional person, the court shall consider the nature, the extent and the value of such services, taking into account all relevant factors, including—(A) the time spent on such services; (B) the rates charged for such services; (C) whether the services were necessary to the administration of, or beneficial at the time at which the service was rendered toward the completion of, a case under this title; [and] (D) whether the services were performed within a reasonable amount of time commensurate with the complexity, importance, and nature of the problem, issue, or task addressed . . .

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11 U.S.C. § 330(a)(3). Furthermore, "the court shall not allow compensation for—(i) unnecessary duplication of services; or (ii) services that were not—(I) reasonably likely to benefit the debtor's estate; or (II) necessary to the administration of the case." 11 U.S.C. § 330(a)(4)(A).

In addition, Local Bankruptcy Rule ("LBR") 2016-1(a)(1)(E) provides, in relevant part, that:

Unless employment has been approved on a fixed fee, percentage fee, or contingent fee basis, the application must contain a detailed listing of all time spent by the professional on matters for which compensation is sought, including the following:

...
(iii) Amount of Time Spent. A summary is not adequate. Time spent must be accounted for in tenths of an hour and broken down in detail by the specific task performed. Lumping of services is not satisfactory[.]

LBR 2016-1(a)(1)(E)(iii).

1. Excessive Fees

Regarding the below billing entries, Applicant billed an excessive amount of time. As a result, the Court will adjust the hours billed for each entry as set forth in the table below, which will reduce the fees sought by \$1,282.50.

Invoice Date	Timekeeper	Description	Reduced Hours	Rate	Amount
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7/14/25	Peter T. Steinberg	Work on OUST 7-day package and ancillary information; Email and telephone conference w/ Helen Stahl re: completion of package; Upload to OUST; Upload 2023 and 2024 Federal and State income tax returns by separate upload to OUST	1.5	\$475.00	\$712.50
7/28/25	Peter T. Steinberg	Preparation of amended notice of hearing re: cash collateral motion to approve stipulation w/ SBA (per court order)	0.4	\$475.00	\$190.00
9/9/25	Peter T. Steinberg	Email from Helene w/ her signed declaration; Final proofing and AOK for filing and service	0.2	\$475.00	\$95.00
9/22/25	Peter T. Steinberg	Preparation of declaration of no opposition re: Debtor's employment application re: accountant; Preparation of order approving retention of accountant and NOL	0.6	\$475.00	\$285.00

2. Inappropriate Lumping

In addition to violating the Local Bankruptcy Rules, lumped or blocked billing is generally frowned upon by courts because it prevents the court from "fairly evaluating whether individual tasks were expeditiously performed within a reasonable time frame." *In re Thomas*, 2009 WL 7751299, *5 (9th Cir. BAP July 6, 2009), *quoting In re Hudson*, 364 B.R. 875, 880 (Bankr. N.D. N.Y. 2007). When fee applications contain lumped billing, courts disallow or reduce the lumped entries. *See In re Breeden*, 180 B.R. 802, 810 (Bankr. N.D. W.Va. 1995) (court disallowed all lumped fee entries solely because their format); *Welch v. Metropolitan Life Ins. Co.*, 480 F.3d 942, 948 (9th Cir. 2007) (court may properly impose a reduction for block billing).

Several of Applicant's time entries, as set forth in the table below and totaling \$5,605.00, contain entries with lumped services. Accordingly, this Court will reduce the fees based on lumped billing by 20%, which will reduce the fees sought by

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\$1,121.00. *See e.g. Thomas*, *7 (upheld 10% reduction of fees from lumped billing); *Darling Intern., v. Baywood Partners, Inc.*, 2007 WL 4532233, *9 (N.D. Cal. Dec. 19, 2007) ("courts typically make an adjustment ranging from 5% to over 30%"); *In re SAIF, Inc.*, 2009 WL 6690966, *2 (Bankr. S.D. Cal. Sept. 25, 2009) (due to substantial lumping, court reduced the fees sought by 10%); *In re Stewart*, 2008 WL 8462960, *6 (9th Cir. BAP Mar. 14, 2008) (upheld 20% reduction for inappropriate lumping).

Invoice Date	Timekeeper	Description	Hours	Rate	Amount
7/2/25	Peter T. Steinberg	Review of 6 emails from Helene w/ information for schedules and statement of affairs; Annotating schedules and statement of affairs; (Numerous) Telephone conferences w/ Helen re: information and 3 redrafts of schedules, etc.; (2) Telephone conferences w/ Helene from Hope Bank	5.0	\$475.00	\$2,375.00
7/14/25	Peter T. Steinberg	Work on OUST 7-day package and ancillary information; Email and telephone conference w/ Helen Stahl re: completion of package; Upload to OUST; Upload 2023 and 2024 Federal and State income tax returns by separate upload to OUST	1.5 [FN1]	\$475.00	\$712.50
8/20/25	Peter T. Steinberg	Preparation of notice of and motion to assume Debtor's lease of real property at 5424 – 28 Reseda Blvd., Tarzana, and stipulation thereon, declaration of Helene S.; Review and revise draft and setting of hearing date; Letter to Helen and Marin re: same	2.5	\$475.00	\$1,187.50

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9/8/25	Peter T. Steinberg	Draft of continued Chapter 11 status report and declarations of Helene Stahl and Peter T. Steinberg; Redraft 2x for proposed final; Emailed to Helene for review and approval	2.8	\$475.00	\$1,330.00
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3. Noncompensable Fees for Secretarial and/or Clerical Work

Lastly, Applicant has sought compensation for services which are noncompensable, *i.e.*, secretarial work. Secretarial/clerical work is noncompensable under 11 U.S.C. § 330. *See In re Schneider*, 2008 WL 4447092, *11 (Bankr. N.D. Cal. Sept. 26, 2008) (court disallowed billing for services including: monitoring and reviewing the docket; electronically distributing documents; preparing services packages, serving pleadings, updating service lists and preparing proofs of service; and e-filing and uploading pleadings); *In re Ness*, 2007 WL 1302611, * 1 (Bankr. E.D. Cal. Apr. 27, 2007) (data entry noncompensable as secretarial in nature); *In re Dimas*, 357 B.R. 563, 577 (Bankr. N.D. Cal. 2006) ("Services that are clerical in nature are not properly chargeable to the bankruptcy estate. They are not in the nature of professional services and must be absorbed by the applicant's firm as an overhead expense. Fees for services that are purely clerical, ministerial, or administrative should be disallowed."), *aff'd in part, rev'd in part on other grounds In re Dimas, LLC*, 2009 WL 7809032, at *1 (9th Cir. BAP Feb. 25, 2009).

Because the services described are secretarial and noncompensable, the Court will not allow the fees arising from the following time entries, totaling \$522.50:

Invoice Date	Timekeeper	Description	Hours	Rate	Amount
7/15/25	Peter T. Steinberg	Proofing of SN&B application to be employed for filing	0.3	\$475.00	\$142.50
8/21/25	Peter T. Steinberg	Finalizing MOR #2 for filing and service	0.3	\$475.00	\$142.50

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9/3/25	Peter T. Steinberg	Proofing of final notice of application to employ accountant for filing and service; Judge's copy – approved for filing and service	0.5	\$475.00	\$237.50
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B. Compliance with LBR 2016-1(a)

In an application for interim fees incurred and costs advanced by a professional, LBR 2016-1(a)(1)(A)(i) provides that:

Applicant must describe the general operations of the debtor, **stating whether the business of the debtor, if any, is being operated at a profit or loss, whether the business has sufficient operating cash flow**, whether a plan has been filed, and if not, the prospects for reorganization and the anticipated date for the filing of a plan.

LBR 2016-1(a)(1)(A)(i) (emphasis added).

In future fee applications, Applicant must include a statement addressing whether the debtor's business is being operated at a profit or loss and whether the business has sufficient operating cash flow, as required by LBR 2016-1(a)(1)(A)(i).

Applicant to submit the order within seven (7) days.

Note: No response had been filed. Accordingly, no court appearance by Applicant 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 Applicant will be so notified.

FOOTNOTES

FN1: The hours billed for this task are adjusted in accordance with Section A.1.

Party Information

Debtor(s):

Extensions Plus, Inc. a California

Represented By

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Extensions Plus, Inc. a California Corporation

Peter T Steinberg

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1:00 PM

1:24-10228 Mr. Tortilla, Inc.

Chapter 11

#9.00 Order to Show Cause Why This Case Should Not Be Dismissed
Or Converted To One Under chapter 7 Pursuant to 11 U.S.C. §§
105(a) and 1112(b)

Docket 389

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mr. Tortilla, Inc.

Represented By
Giovanni Orantes

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1:24-10228 Mr. Tortilla, Inc.

Chapter 11

#10.00 First Amended Disclosure Statement Describing Chapter 11
Plan of Reorganization

fr. 9/24/25; 10/8/25

Docket 371

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mr. Tortilla, Inc.

Represented By
Giovanni Orantes

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1:00 PM

1:24-10228 Mr. Tortilla, Inc.

Chapter 11

#11.00 Status conference re: chapter 11 case

fr. 4/11/24, 6/27/24, 8/1/24; 12/12/24; 12/11/24; 1/15/25; 3/5/25; 6/4/25; 6/4/25;
9/24/25; 10/8/25

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mr. Tortilla, Inc.

Represented By
Michael Jay Berger

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1:30 PM

1:24-10859 Krystal Heedly Cain

Chapter 7

#12.00 Motion to Approve Compromise with Anthony Cain

Docket 43

***** VACATED *** REASON: Hearing continued to 11/26/25 at 1:30 PM.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Krystal Heedly Cain

Represented By
Stella A Havkin

Movant(s):

David Keith Gottlieb (TR)

Represented By
Laila Rais
Tinho Mang

Trustee(s):

David Keith Gottlieb (TR)

Represented By
Laila Rais
Tinho Mang

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1:30 PM

1:25-11111 Ostendo Technologies, Inc.

Chapter 11

#13.00 Debtor's Motion For An Order: (1) Approving Sale Of Substantially All Of The Debtors Assets Free And Clear of All Liens, Claims, Encumbrances And Interests; (2) Approving Assumption And Assignment Of Unexpired Leases And Executory Contracts And Determining Cure Amounts; (3) Waiving The 14- Day Stay Periods Of Bankruptcy Rules 6004(H) And 6006(D); And (4) Granting Related Relief

[Continued as to equipment]

fr. 10/22/25

Docket 136

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ostendo Technologies, Inc.

Represented By
Ron Bender
Krikor J Meshefejian
Robert Carrasco

Movant(s):

Ostendo Technologies, Inc.

Represented By
Ron Bender
Krikor J Meshefejian
Robert Carrasco

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1:25-11111 Ostendo Technologies, Inc.

Chapter 11

**#14.00 Debtors Motion For Entry Of An Order Authorizing Debtor To
Release Equipment To Pre-Petition Purchaser Of Equipment**

fr. 10/8/25(stip)

Docket 117

***** VACATED *** REASON: Continued by Stipulation to 11/26/25 at 1:30
pm [dkt.#170]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ostendo Technologies, Inc.

Represented By
Ron Bender
Krikor J Meshefejian
Robert Carrasco

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1:25-11111 Ostendo Technologies, Inc.

Chapter 11

#15.00 Status conference re chapter 11 case

fr. 8/20/25; 8/27/25; 10/22/25

Docket 1

Tentative Ruling:

Continued chapter 11 case status conference to be held at **1:00 p.m. on April 1, 2025.**

The debtor in possession or any appointed chapter 11 trustee must file a status report, addressing the debtor's progress to confirming a chapter 11 plan, to be served on the Official Committee of Unsecured Creditors, all secured creditors and the United States Trustee, **no later than 14 days** before the continued status conference. The status report must be supported by evidence in the form of declarations and supporting documents.

The Court will prepare the order continuing the status conference and providing for the filing of an updated chapter 11 case status report.

Party Information

Debtor(s):

Ostendo Technologies, Inc.

Represented By
Ron Bender
Krikor J Meshefejian

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1:25-11682 Jason Emanul Mirzaie

Chapter 7

#16.00 Debtor's Motion to Convert Case From Chapter 7 to 13

Docket 13

Tentative Ruling:

Deny.

The debtor has not complied with the Court's order entered on October 28, 2025 [doc. 14], and it appears that the debtor is not seeking to convert this chapter 7 case to one under chapter 13 in good faith.

The Court will prepare the order.

Party Information

Debtor(s):

Jason Emanul Mirzaie

Represented By
Kevin T Simon

Trustee(s):

Sandra McBeth (TR)

Pro Se

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1:30 PM

1:23-11082 Philip M. Lawrence, II

Chapter 7

#16.01 Global One Financial, A Division Of Synovus Bank Motion
 To Quash 2004 Subpoena And For A Protective Order

Docket 414

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Philip M. Lawrence II

Represented By

Robert M Yaspan - SUSPENDED BK -
Jeffrey S Kwong

Trustee(s):

David Keith Gottlieb (TR)

Represented By

Ron Bender
Jeffrey S Kwong
Joseph M Rothberg

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2:00 PM

1:24-12038 Biotactics, Inc.

Chapter 11

#17.00 Order to Show Cause Why This Case Should Not Be Dismissed Or
Converted To One Under Chapter 7 Pursuant to 11 U.S.C. §§ 105(a)
and 1112(b)

fr. 11/5/25

Docket 112

Tentative Ruling:

The 5-year projections attached as Exhibit C to the debtor's second amended plan of reorganization (the "Plan") [doc. 135] do not include the plan payments for the Internal Revenue Service, i.e., \$877.35 per month, and do not include correct plan payments for the Franchise Tax Board and the Employment Development Department, i.e., \$62.68 per month and \$229.39 per month, respectively.

Even with the incorrect lower plan payments, and projected monthly income that significantly exceeds the income generated postpetition [see Exhibit D to the Plan], the debtor has projected negative cash flow for seven months in 2026.

Party Information

Debtor(s):

Biotactics, Inc.

Represented By
Michael Jay Berger

Trustee(s):

Mark M Sharf (TR)

Pro Se

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1:24-12038 Biotactics, Inc.

Chapter 11

**#17.01 Hearing re Stipulation for Adequate Protection and Continued
 Use of Cash Collateral**

Docket 103

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Biotactics, Inc.

Represented By
Michael Jay Berger

Trustee(s):

Mark M Sharf (TR)

Pro Se

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1:24-12038 Biotactics, Inc.

Chapter 11

#18.00 Motion for an Order Authorizing Debtor to Enter Into
Management Agreement

Docket 97

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Biotactics, Inc.

Represented By
Michael Jay Berger

Movant(s):

Biotactics, Inc.

Represented By
Michael Jay Berger

Trustee(s):

Mark M Sharf (TR)

Pro Se

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2:00 PM

1:25-11423 Sevak Khudanyan

Chapter 11

#19.00 Status Conference re: Chapter 11 Subchapter V Case

fr. 9/24/25

Docket 1

Tentative Ruling:

Proposed dates and deadlines regarding confirmation of the *Plan of Reorganization for Small Business Under Chapter 11* [doc. 36] (the "Plan")

Hearing on confirmation of the Plan: **January 14, 2026 at 2:00 p.m.**

Deadline for the debtor to mail the Plan, ballots for acceptance or rejection of the Plan and to file and serve notice of: (1) the confirmation hearing and (2) the deadlines to file objections to confirmation and to return completed ballots to the debtor's counsel: **November 19, 2025.**

The debtor must serve the notice and the other materials (with the exception of the ballots, which should be sent only to creditors in impaired classes) on all creditors, the Subchapter V Trustee and the United States Trustee.

Deadline to return completed ballots to the debtor: **December 10, 2025.**

Deadline for the debtor to file and serve the debtor's brief and evidence, including declarations and the returned ballots, in support of confirmation: **December 17, 2025.** Among other things, the debtor's brief must address whether the requirements for confirmation set forth in 11 U.S.C. § 1191 are satisfied. These materials must be served on the Subchapter V Trustee, the U.S. Trustee and any creditor who returns a ballot rejecting the Plan.

Deadline to file and serve any objections to confirmation: **December 24, 2025.**

Deadline for the debtor to file and serve any reply to objections to confirmation: **January 5, 2025.**

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CONT... Sevak Khudanyan

Chapter 11

Continued chapter 11 case status conference to be held at **2:00 p.m. on January 14, 2026.**

If the Court sets the dates and deadlines regarding confirmation of the Plan as outlined above, the debtor must submit the order continuing the status conference and the confirmation scheduling order within seven (7) days.

Party Information

Debtor(s):

Sevak Khudanyan

Represented By
Michael Jay Berger

Trustee(s):

Moriah Douglas Flahaut (TR)

Pro Se