

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Julia Brand, Presiding  
Courtroom 1375 Calendar**

**Tuesday, April 2, 2024**

**Hearing Room 1375**

10:00 AM  
**2:07-00000**

**Chapter 0**

**#0.00**

**PLEASE REFER TO THE RECENTLY UPDATED COURT WEBSITE, "PHONE/VIDEO APPEARANCES" TAB, TO DETERMINE IF PHONE/VIDEO APPEARANCE IS PERMITTED FOR YOUR MATTER OR WHETHER IN PERSON APPEARANCE IS REQUIRED.**

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+1 646 828 7666 or 833 568 8864 (Toll Free) Meeting ID:  
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Docket 0

**Tentative Ruling:**

- NONE LISTED -

**United States Bankruptcy Court  
Central District of California  
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**Tuesday, April 2, 2024**

**Hearing Room 1375**

10:00 AM

**2:23-11394 Abel Reyes Frausto**

**Chapter 13**

**#1.00 Motion for relief from stay [PP]**

TOYOTA MOTOR CREDIT CORPORATION  
VS  
DEBTOR

Docket 32

**Tentative Ruling:**

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is secured by a security interest and lien on the debtor's 2017 Toyota Camry. The debtor has failed to pay 5 post-petition payments. Also, the debtor has not provided movant with proof of insurance on the vehicle. This is "cause" to terminate the stay under 11 U.S.C. § 362(d) (1). **Appearances waived.**

The 14-day period specified in FRBP 4001(a)(3) is waived. **All other relief is denied.**

The movant shall upload an appropriate order via the Court's LOU system.

**Party Information**

**Debtor(s):**

Abel Reyes Frausto

Represented By  
H. Jasmine Papian

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Julia Brand, Presiding  
Courtroom 1375 Calendar**

**Tuesday, April 2, 2024**

**Hearing Room 1375**

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10:00 AM

**CONT... Abel Reyes Frausto**

**Chapter 13**

**Trustee(s):**

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Julia Brand, Presiding  
Courtroom 1375 Calendar**

**Tuesday, April 2, 2024**

**Hearing Room 1375**

10:00 AM

**2:23-12704 Jose Arturo Escobar Gonzalez**

**Chapter 13**

**#2.00** Motion for relief from stay [RP]

THE BANK OF NEW YORK MELLON  
VS  
DEBTOR

Docket 62

**Tentative Ruling:**

None.

**Party Information**

**Debtor(s):**

Jose Arturo Escobar Gonzalez

Represented By  
Donald E Iwuchuku

**Movant(s):**

The Bank Of New York Mellon fka

Represented By  
Dane W Exnowski  
Joseph C Delmotte

**Trustee(s):**

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Julia Brand, Presiding  
Courtroom 1375 Calendar**

**Tuesday, April 2, 2024**

**Hearing Room 1375**

10:00 AM

**2:24-10676 Manuel Lugo**

**Chapter 13**

**#3.00** Motion for relief from stay [RP]

KARINA RAMOS  
VS  
DEBTOR  
fr. 3-12-24

Docket 20

**Tentative Ruling:**

None.

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

Manuel Lugo Pro Se

**Movant(s):**

Karina Ramos Pro Se

**Trustee(s):**

Nancy K Curry (TR) Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Julia Brand, Presiding  
Courtroom 1375 Calendar**

Tuesday, April 2, 2024

Hearing Room 1375

10:00 AM

2:24-11858 Tiffany Jana Marsh

Chapter 13

#4.00 Motion in Individual Case for Order Imposing  
a Stay or Continuing Stay as the Court Deems  
Appropriate

Docket 10

**Tentative Ruling:**

No opposition was filed.

Section 362(c)(3)(A) states that if a single or joint case is filed by or against a debtor who is an individual in a case under chapter 7, 11, or 13, and if a single or joint case of the debtor was pending within the preceding one-year period but was dismissed, other than a case refiled under a chapter other than chapter 7 after dismissal under § 707(b), the stay under § 362(a) with respect to any action taken with respect to a debt or property securing such debt or with respect to any lease shall terminate *with respect to the debtor* on the 30th day after the filing of the later case. 11 U.S.C. § 362(c)(3)(A) (emphasis added).

On motion of a party in interest for *continuation* of the automatic stay and upon notice and a hearing, the Court may extend the stay in particular cases as to any and all creditors (subject to such conditions and limitations as the Court may then impose) **after notice and a hearing completed before expiration of the 30-day period** only if the party in interest demonstrates that the filing of the later case is in *good faith* as to the creditors to be stayed. 11 U.S.C. § 362(c)(3)(B) (emphases added).

In this case, debtor filed the voluntary chapter 13 petition on March 11, 2024. This motion was filed on March 12, 2024, and was noticed for a hearing to be concluded within the 30-day period following the filing of the petition. The motion is timely.

According to the evidence, debtor seeks a continuation of the automatic stay as to all creditors served with the motion as listed on the proof of service. Pursuant to the evidence presented, the Court GRANTS the relief

**United States Bankruptcy Court  
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Courtroom 1375 Calendar**

**Tuesday, April 2, 2024**

**Hearing Room 1375**

10:00 AM

**CONT... Tiffany Jana Marsh Chapter 13**

requested in the motion based upon an apparent change in the personal and financial affairs of the debtor since dismissal of the last case. **Appearances waived.**

Debtor's counsel shall upload an appropriate order via the Court's LOU system.

**Party Information**

**Debtor(s):**

Tiffany Jana Marsh

Represented By  
Rabin Pournazarian

**Movant(s):**

Tiffany Jana Marsh

Represented By  
Rabin Pournazarian

**Trustee(s):**

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Julia Brand, Presiding  
Courtroom 1375 Calendar**

**Tuesday, April 2, 2024**

**Hearing Room 1375**

10:00 AM

**2:24-10246 Erla Evelyn Pelaez**

**Chapter 7**

**#5.00** Motion for relief from stay [PP]

TOYOTA MOTOR CREDIT  
CORPORATION  
VS  
DEBTOR

Docket 8

**Tentative Ruling:**

No opposition was filed. The Court takes judicial notice of the Chapter 7 Individual Debtor's Statement of Intention filed in this case on January 12, 2024 in which the debtor stated an intention to surrender the property to movant.

The motion is GRANTED pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Since a chapter 7 case does not contemplate reorganization, the sole issue before the court when stay relief is sought under 11 U.S.C. § 362(d)(2) is whether the debtor has equity in the property. See e.g., Nev. Nat'l Bank v. Casgul of Nev., Inc. (In re Casgul of Nev., Inc.), 22 B.R. 65, 66 (9th Cir. BAP 1982); Ramco Indus. v. Preuss (In re Preuss), 15 B.R. 896 (9th Cir. BAP 1981). **Appearances waived.**

Movant is secured by a security interest and lien on the debtor's 2022 Toyota Mirai. The debtor has failed to pay 1 post-petition payments. The subject property has a value of \$18,025.00 and is encumbered by a perfected security interest in favor of the movant. That security interest secures a claim of \$41,014.02. There is no equity in the subject property and no evidence that the trustee can administer the subject property for the benefit of creditors.



**United States Bankruptcy Court  
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Courtroom 1375 Calendar**

**Tuesday, April 2, 2024**

**Hearing Room 1375**

10:00 AM

**CONT... Erla Evelyn Pelaez**

**Chapter 7**

The trustee has filed a no asset report. Also, the debtor has not provided movant with proof of insurance on the vehicle. This is "cause" to terminate the stay under 11 U.S.C. § 362(d)(1). **Appearances waived.**

The 14-day period specified in FRBP 4001(a)(3) is waived. **All other relief is denied.**

The movant shall upload an appropriate order via the Court's LOU system.

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

Erla Evelyn Pelaez

Represented By  
Francis Guilardi

**Movant(s):**

Toyota Motor Credit Corporation

Represented By  
Kirsten Martinez

**Trustee(s):**

Rosendo Gonzalez (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Julia Brand, Presiding  
Courtroom 1375 Calendar**

**Tuesday, April 2, 2024**

**Hearing Room 1375**

10:00 AM

**2:24-11811 Vernell Warren**

**Chapter 7**

**#6.00** Motion for relief from stay [UD]

USRE TRUST  
VS  
DEBTOR

Docket 8

**Tentative Ruling:**

None.

**Party Information**

**Debtor(s):**

Vernell Warren

Pro Se

**Movant(s):**

USRE Trust

Represented By  
Edward T Weber

**Trustee(s):**

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Julia Brand, Presiding  
Courtroom 1375 Calendar**

**Tuesday, April 2, 2024**

**Hearing Room 1375**

10:00 AM

**2:24-11154 Simon William Saeterhaug**

**Chapter 13**

**#7.00** Motion for relief from stay [UD]

SELEH ENTERPRISES LLC  
VS  
DEBTOR

Docket 22

**Tentative Ruling:**

No opposition was filed.

The motion is GRANTED pursuant to 11 U.S.C. §§ 362(d)(1) and (d) (2). The stay is terminated as to the debtor and the debtor's bankruptcy estate with respect to the movant, its successors, transferees and assigns. Movant may enforce its remedies to obtain possession of the property in accordance with applicable law, but may not pursue a deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. **Appearances waived.**

Movant and debtor executed a residential lease agreement. Pursuant to the terms of the lease, debtor agreed to pay rent in the amount of \$840.00 per month, due on the first day of each and every month. Debtor has failed to pay rent due since April 1, 2023 and has defaulted on the lease.

Movant served the debtor with a three-day notice to quit the premises on September 29, 2023. Movant filed an unlawful detainer complaint on October 17, 2023. Debtor filed the bankruptcy petition on February 16, 2024 in an apparent effort to stay the unlawful detainer action. This motion has been filed to proceed with the unlawful detainer action. This action must go forward because the debtor's right to possess the premises must be determined. This does not change simply because a bankruptcy petition was filed.

The 14-day period specified in FRBP 4001(a)(3) is waived. **All other relief is denied.**

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Julia Brand, Presiding  
Courtroom 1375 Calendar**

**Tuesday, April 2, 2024**

**Hearing Room 1375**

10:00 AM

**CONT... Simon William Saeterhaug**

**Chapter 13**

The movant shall upload an appropriate order via the Court's LOU system.

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

**Debtor(s):**

Simon William Saeterhaug

Pro Se

**Movant(s):**

SELEH ENTERPRISES LLC

Represented By  
Helen G Long

**Trustee(s):**

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Julia Brand, Presiding  
Courtroom 1375 Calendar**

**Tuesday, April 2, 2024**

**Hearing Room 1375**

10:00 AM

**2:23-14002 Charles Byron Williams**

**Chapter 13**

**#8.00** Motion for relief from stay [RP]

LOGIX FEDERAL CREDIT UNION  
VS  
DEBTOR  
fr. 3-12-24, 3-26-24

Docket 34

**\*\*\* VACATED \*\*\* REASON: O/E 3-27-24 SETTLED BY STIPULATION**

**Tentative Ruling:**

- NONE LISTED -

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

**Debtor(s):**

Charles Byron Williams

Represented By  
Gregory M Shanfeld

**Movant(s):**

Logix Federal Credit Union

Represented By  
Diana Torres-Brito  
Lee S Raphael

**Trustee(s):**

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
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**Tuesday, April 2, 2024**

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2:00 PM  
**2:07-00000**

**Chapter 0**

**#0.00**

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Docket 0

**Tentative Ruling:**

- NONE LISTED -

**United States Bankruptcy Court  
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Courtroom 1375 Calendar**

**Tuesday, April 2, 2024**

**Hearing Room 1375**

2:00 PM

**2:21-13523 Urban Commons LLC**

**Chapter 7**

Adv#: 2:23-01204 Dye v. Woods

- #1.00** Status Conference re Complaint for  
(1) avoidance and recovery of fraudulent transfers  
(2) avoidance and recovery of preferential transfers  
(3) preservation of fraudulent and preferential transfers, and  
(4) disallowance of claims

fr 12-5-23; 1-23-24

Docket 1

**Tentative Ruling:**

None.

**Party Information**

**Debtor(s):**

Urban Commons LLC

Represented By  
Miguel A Munoz

**Defendant(s):**

Taylor R. Woods

Represented By  
Daniel King

**Plaintiff(s):**

Carolyn Dye

Represented By  
Leonard Pena

**Trustee(s):**

Carolyn A Dye (TR)

Represented By  
Leonard Pena

**United States Bankruptcy Court  
Central District of California  
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**Tuesday, April 2, 2024**

**Hearing Room 1375**

2:00 PM

**2:21-13523 Urban Commons LLC**

**Chapter 7**

Adv#: 2:23-01234 Dye v. EY US

**#2.00** Status Conference re Complaint for  
(1) avoidance and recovery of fraudulent transfers  
(2) preservation of fraudulent and transfers, and  
(3) disallowance of claims

fr 12-12-23; 2-6-24

Docket 1

**Tentative Ruling:**

None.

**Party Information**

**Debtor(s):**

Urban Commons LLC

Represented By  
Miguel A Munoz

**Defendant(s):**

EY US

Pro Se

**Plaintiff(s):**

Carolyn Dye

Represented By  
Leonard Pena

**Trustee(s):**

Carolyn A Dye (TR)

Represented By  
Leonard Pena



**United States Bankruptcy Court  
Central District of California  
Los Angeles  
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Courtroom 1375 Calendar**

**Tuesday, April 2, 2024**

**Hearing Room 1375**

2:00 PM

**2:21-13523 Urban Commons LLC**

**Chapter 7**

Adv#: 2:23-01314 Dye v. Pasadena Investment Capital LLC

- #3.00** Status Conference re Complaint for  
(1) avoidance and recovery of fraudulent transfers  
(2) preservation of fraudulent transfers, and  
(3) disallowance of claims

fr 1-23-24

Docket 1

**Tentative Ruling:**

None.

**Party Information**

**Debtor(s):**

Urban Commons LLC

Represented By  
Miguel A Munoz

**Defendant(s):**

Pasadena Investment Capital LLC

Represented By  
Daniel King

**Plaintiff(s):**

Carolyn A Dye

Represented By  
Leonard Pena

**Trustee(s):**

Carolyn A Dye (TR)

Represented By  
Leonard Pena

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Julia Brand, Presiding  
Courtroom 1375 Calendar**

**Tuesday, April 2, 2024**

**Hearing Room 1375**

2:00 PM

**2:23-16688 Marvin V Acuna**

**Chapter 13**

Adv#: 2:24-01024 Plant Craft Foods Inc. v. Acuna

**#4.00** Status Conference re Complaint of  
Plant Craft Foods, Inc.: (1) to determine  
dischargeability of debt; and (2) objecting  
to discharge  
[11 U.S.C. §§523(a)(4), 523(a)(2)(A) and  
727(a)(2), 727(a)(3) and 727(a)(4)]

Docket 1

**Tentative Ruling:**

None.

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

Marvin V Acuna

Represented By  
Michael Jay Berger

**Defendant(s):**

Marvin V Acuna

Pro Se

**Plaintiff(s):**

Plant Craft Foods Inc.

Represented By  
Sanjiv N Singh

**Trustee(s):**

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Julia Brand, Presiding  
Courtroom 1375 Calendar**

**Tuesday, April 2, 2024**

**Hearing Room 1375**

2:00 PM

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**Chapter 11**

Adv#: 2:24-01026      Michelman & Robinson, LLP v. Penner et al

**#5.00**      Motion to Transfer Venue of adversary proceeding  
fr. 3-5-24

Docket      4

**\*\*\* VACATED \*\*\* REASON: O/E 4-1-24 MOTION DENIED AS MOOT**

**Tentative Ruling:**

- NONE LISTED -

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

Michael Penner

Represented By  
Van C Durrer II

Girisha Chandraraj

Represented By  
Van C Durrer II

Partners Group (USA), Inc.

Represented By  
Anne Johnson Palmer

**Plaintiff(s):**

Michelman & Robinson, LLP

Represented By  
Daniel H Reiss