

Tentative Ruling Procedures

Judge Robert N. Kwan

1. The court intends to issue tentative rulings by 4:00 p.m. on the day before the scheduled hearings.
2. The public may access Judge Kwan's tentative rulings on the court's website at www.cacb.uscourts.gov by selecting the Tentative Rulings icon on the main page of the website. Alternatively, tentative rulings may be accessed through the court's electronic filing system – CM/ECF – also located at www.cacb.uscourts.gov under Electronic Systems and Status.
3. If the particular matter is unopposed, a party or counsel may submit on the tentative ruling without an appearance. The party or counsel wishing to submit on the tentative ruling should call Judge Kwan's law clerk at (714) 338-5450 and leave a message stating:
 - a) the case name;
 - b) the calendar number and hearing time;
 - c) the name of the party submitting on the tentative; and
 - d) the phone number of a responsible party in case there are any questions from chambers.
4. If a tentative ruling is issued and no appearances are made at the hearing, the court will assume that the parties are submitting on the court's tentative ruling and the court will adopt its tentative ruling as its order. If a party submits on the tentative ruling and the court subsequently decides to consider a late-filed document or an opposing party appears, the court may continue the matter for further hearing. The party making the appearance will be responsible for providing notice of the continuance of the hearing.
5. If the particular matter is opposed or if no tentative ruling issued, appearances are required. However, parties or counsel may arrange to appear telephonically in accordance with Judge Kwan's telephonic appearance procedures.
6. If a party or counsel submits on the tentative ruling and prevails either on the merits or by default, that party or counsel is required to submit a proposed order for review and approval by the court in accordance with Local Bankruptcy Rule 9021-1.
7. The court generally will not issue tentative rulings on disclosure statements, plan confirmation, status conferences, trials, hearings on orders to show cause, or any proceeding set for hearing on shortened time.
8. Any questions regarding Judge Kwan's tentative ruling procedures should be directed to his law clerk at (714) 338-5450.