



COURT NEWS

Chief Judge Barry Russell

2004

Jon D. Ceretto, Executive Officer/Clerk

SIXTH ANNUAL MEDIATOR HONORS HELD

On October 14, 2004, the Bankruptcy Court for Central District of California, in conjunction with the District Court, once again hosted the sixth annual event honoring Bankruptcy Court Mediators and District Court Settlement Officers for the 2003-2004 term. Both Courts recognized the Mediators and Settlement Officers for their continued dedication and generous service in the rapidly growing field of Alternative Dispute Resolution (ADR). More than 100 guests attended the special luncheon held at The New Otani Hotel Golden Ballroom in Los Angeles.

Speakers included the Honorable Margaret M. Morrow, Judge, United States District Court, Central District of California, and Chair, Civil Justice Report Act and Alternative Dispute Resolution Committee; and the Honorable Barry Russell, Chief Judge, United States Bankruptcy Court, Central District of California. In attendance were Bankruptcy Judges Alan M. Ahart, Sheri Bluebond, Ellen Caroll, and Maureen A. Tighe, as well as a number of District Court and Magistrate Judges.

Judge Morrow praised all of the Settlement Officers and Mediators, stating that although not all of them received awards, they were "all winners." She also mentioned that District Court is actively recruiting additional Court Settlement Officers to handle the increasing ADR workloads, as more and more people are utilizing this alternative method to settle their disputes. Judge Morrow expressed that her goal is to "double the size of the Panel" (currently at 86 Settlement Officers) in the near future.

Judge Russell commented on the overall success of the Mediation Program and stated that "...3,025 matters have been assigned to the Program since its inception on August 1, 1995," and also noted that the Mediation Panel currently has 200 members. He further stated that "the settlement rate of matters assigned to the Mediation Program has consistently averaged 63% since the beginning of the Program." Judge Russell also mentioned that "approximately 80% of the parties stated that they would use the Mediation Program again..." based on an excellent response rate to questionnaires completed by mediation conference parties.

Judge Russell then presented award certificates to the following Bankruptcy Court Mediators for their remarkable achievements:



Chief Judge Barry Russell,
United States Bankruptcy Court
Central District of California



Judge Margaret M. Morrow
United States District Court
Central District of California

Longest mediation conference

David A. Gill (15 hours; settled)

Conference with the most parties

Herman Glatt (18 attendees; settled)

Matter involving the largest amount of money which settled

David A. Gill (\$27 Million)

Most frequently chosen Bankruptcy Court Mediator

- Entire Central District: Earle Hagen
- San Fernando Valley: Alan Nahmias
- Los Angeles: M. Jonathan Hayes
- Riverside: Michael Evnin
- Santa Ana: Thomas Casey
- Northern Division: Richard Neiter, Bernard Seigel

Mediator who settled the most number of mediations

- | | |
|--------------------------|-----------------------|
| Entire Central District: | Franklin Adams |
| | Joseph Markowitz |
| San Fernando Valley: | Alan Nahmias |
| | Bernard Shapiro |
| Los Angeles: | Joseph Markowitz |
| Riverside: | Franklin Adams |
| Santa Ana: | J. Scott Williams |
| | Elmer Dean Martin III |
| Northern Division: | Richard Neiter |

Congratulations to all the recipients of these wonderful honors.

NEED TECHNICAL ASSISTANCE WITH WEBPACER? HELP IS AVAILABLE

You may not be aware of this, but as a registered webPACER user you have access to the customer-friendly PACER Service Center. The Center is an invaluable resource and an excellent source of information that can assist you with addressing browser issues; troubleshooting connection issues; providing information on installing and using Adobe Acrobat; providing information on creating documents using Adobe Writer; helping users navigate the CM/ECF (Case Management/Electronic Case Files) sites; and informing users about chargeable items. The Center also offers online password retrieval if you lose or misplace your webPACER password. The Center, however, is unable to assist with certain matters such as obtaining an eFile login and password or responding to procedural questions. For assistance with eFile matters, you must contact the Court. To learn more about the PACER Service Center, visit <http://pacer.psc.uscourts.gov/> or call the Center at (800) 676-6856.

U.S. SUPREME COURT ADOPTS BANKRUPTCY RULES AMENDMENTS

Recently, the Supreme Court of the United States adopted three amendments to the Federal Rules of Bankruptcy Procedure that are slated to become effective on December 1, 2004, unless Congress enacts legislation to reject, modify, or defer the amendments. The amended Rules are F.R.B.P. 1011, F.R.B.P. 2002, and F.R.B.P. 9014.

- A technical amendment made to **Rule 1011(a)** cross-references Rule 1004 instead of Rule 1004(b).
- The amendment to **Rule 2002(j)** states the correct Internal Revenue Service mailing address to use for mailing notices in a chapter 11 case.
- The amendment to **Rule 9014(c)** states that the mandatory disclosure requirements of Fed.R.Civ.P.26 “shall not apply in a contested matter unless the court directs otherwise.”

More detailed information on these amendments may be found at <http://www.uscourts.gov/rules/newrules6.html>

COURT CLOSURES

The holiday season is fast approaching. Mark your calendars with the following Court holiday schedule information.

Federal Holidays Court Closed	Court Open for Emergency Matters Only	Contact Information for Emergency Matters Only
Thursday, November 11, 2004 (Veteran's Day)		Los Angeles: (213) 895-8401
Thursday, November 25, 2004 (Thanksgiving Day)	Friday, November 26, 2004	Riverside: (951) 774-1102 Santa Ana: (714) 338-5330
Friday, December 24, 2004 (Christmas Day Observed)	Thursday, December 23, 2004	Santa Barbara: (805) 884-4875
Friday, December 31, 2004 (New Year's Day Observed)	Thursday, December 30, 2004	San Fernando Valley (714) 338-5330

The Clerk's Office will be open for emergency matters only on the "Emergency Matters Days" listed above. Some judges may have court calendars on these dates. If you have questions about whether hearings are being held for a particular judge, please contact the appropriate Courtroom Deputy. The eFile Support Center will be open during regular business hours (9:00 a.m. - 4:00 p.m.) on these days. If you have emergency petition or subsequent pleading to file, please contact the appropriate divisional office to make filing arrangements.

PER PAGE COST OF INTERNET WEBPACER TO INCREASE

Effective January 1, 2005, the cost to use Internet webPACER, the Court's system to access electronic records, will increase from \$0.07 per page to \$0.08 per page. This modest increase represents the first ever price hike for this service and prices are still dramatically lower than they were at the inception of webPACER, when dial-in service was \$1.00 per minute. Even at \$0.08 per page, webPACER remains an inexpensive, fast, and convenient way to view court dockets, imaged documents, case information, court calendars, and tentative rulings from your own computer using an Internet connection.



Federal Bar Association Dedicates New Central Coast Chapter

On Friday, September 17, 2004, the Federal Bar Association held a special ceremony at the Northern Division to dedicate the Association's new Central Coast Chapter for the Ventura, Santa Barbara, and San Luis Obispo counties. The ceremony included opening remarks by Bankruptcy Judge Robin L. Riblet, and speeches by Congresswoman Lois Capps, and Chief Judge Consuelo B. Marshall, U. S. District Court, Central District of California. Approximately 75 guests were in attendance, and, preceding the ceremony, there was a reception on the patio hosted by the Federal Bar Association.

For Central Coast Chapter membership information, contact Catherine Swysen of Sanger & Swysen at (805) 962-4887 or e-mail Catherine at cswysen@sangerswysen.com. For information on the Federal Bar Association visit www.fedbar.org

Chapter 12 Retroactively Extended

As the *Court News* went to press, the President signed S.2864, which retroactively extends Chapter 12 of the Bankruptcy Code for 18 months from January 1, 2004 until July 1, 2005. Watch the Court's web site www.cacb.uscourts.gov for further details.

Court Statistics January - September 2004

	2004 ANNUAL ESTIMATE	2003 TOTAL	% CHANGE 04 vs 03
Case Commencement:			
Chp. 7	55,629	65,227	-15%
Chp. 11	315	371	-15%
Chp. 13	5,558	10,088	-45%
*TOTAL	61,502	75,686	-19%
Complaints:			
Dischargeability	1,746	2,055	-15%
Recover Money/Property	4,664	3,712	26%
All Other	486	401	21%
TOTAL	6,896	6,168	12%
Motions:			
Personal Property (RFS)	4,208	6,346	-34%
Real Property (RFS)	3,841	6,525	-41%
Unlawful Detainer (RFS)	667	883	-24%
Other RFS	472	504	-6%
Dismiss	8,321	9,916	-16%
Dismiss/Convert	236	241	-2%
Fees, Employment, Expenses	9,196	11,196	-18%
TOTAL	26,941	35,611	-24%
National Filing Trends			
	12-Month period ending 06/2004	12-Month period ending 06/2003	% Change 04 vs 03
Chapter 7	1,167,101	1,165,993	0.1%
Chapter 11	11,048	10,602	4.2%
Chapter 13	457,171	472,811	-3.3%
*TOTAL	1,635,320	1,649,406	-0.9%

*Excludes Chapter 9, Chapter 12, and Section 304 filings

20 Largest and Other Cases of Interest Filed in the Last 24 Months

	Debtor Name	Case Number	Date Filed	Chapter	# of Related Cases	Asset Level in Millions	Liability Level in Millions	Last Milestone
Largest Cases	USA Sogo Inc.	LA-03-18660-SB	03/31/03	7		\$177	\$314	Order granting employment of professional
	Imperial Credit Industries, Inc.	LA-03-28969-ES	07/17/03	11		\$169	\$291	Status hearing continued to 1/13/05
	Vista Hospital Systems, Inc.	RS-03-18901-DN	06/10/03	11	2	\$142	\$132	Stipulation/Order approving compromise of plan administrators claim against Auto Suture Co.
	InterDent Service Corporation	SA-03-13594-JR	05/09/03	11	1	\$139	\$348	Status Report filed on 9/21/04 (post conf.)
	Sun World International, Inc.	RS-03-11370-DN	01/30/03	11	4	\$138	\$121	Order to extend exclusive period to file plan to 12/31/04
High Profile Cases*	OAN Services, Inc.	ND-02-13720-RR	12/17/02	11	2	\$94	\$124	Multiple orders signed on 10/20/04 on Committees' objection to claims
	Illuminations.com, Inc.	LA-04-10427-SB	01/12/04	11		\$52	\$55	Trustee Richard Diamond appointed as Ch. 11 Trustee
	QualPro Corporation	SA-02-19719-JB	12/18/02	11	6	\$47	\$218	First amended joint Ch 11 plan confirmed 10/15/04
	Spectrum Restaurant Group, Inc.	SA-03-15911-RA	08/06/03	11	5	\$39	\$107	Order allowing and disallowing claims on 10/22/04
	Granada Hills Community Hospital	SV-02-20579-AG	11/26/02	11		\$35	\$32	Order granting application for interim fees of trustees and trustee's professional
	Strouds Acquisition Corporation	LA-03-23620-ER	05/20/03	11		\$27	\$36	Confirmation hearing of 2nd amended plan set 12/16/04
	Clothestime Stores, Inc.	SA-03-14555-RA	06/13/03	7		\$15	\$49	Order approving employment of Ernst Young, LLP accountant for the Trustee
	Tri-City Mental Health Center	LA-04-13167-BR	02/13/04	9		\$1-10	\$10-50	Hearing to be held on 1/10/05 for approval of disclosure statement for Tri-City's Ch. 9 plan of adjustment
	American Restaurant Group, Inc. dba Stuart Anderson's Restaurants	LA-04-30732-TD	09/28/04	11	2	\$33	\$223	Consolidation of cases ordered on 10/05/04
	Checkmate Staffing, Inc.	SA-03-19318-JR	12/29/03	11		\$22	\$31	Order granting relief from stay in a non-bankruptcy forum on 10/12/04
	Santa Paula Memorial Hospital	ND-03-13454-RR	12/22/03	11		\$18	\$6	Order granting debtor to enter into agreement with Kare Healthcare, previously opposed by Unsecured Creditors Committee
	Sega Gameworks LLC	LA-04-15404-BB	03/09/04	11		\$26	\$36	Amendment to schedules filed on 10/21/04
	Jeffrey and Nan Bennett	RS-03-26484-MG	11/14/03	11	6	\$21	\$27	Order confirming Ch 11 plan on 9/16/04
	Fujita Corporation USA	LA-04-27072-ES	08/05/04	11		\$5	\$111	Amendment to Reorganization Plan filed on 10/8/04
	Franchise Pictures, LLC	LA-04-27996-MT	08/18/04	11		\$0-50	Over \$100	Order approving extension to file schedules to 11/3/04

*based on a combination of Asset and Liability Levels, Number of creditors, high activity, and/or name recognition

Court News

is published by the United States Bankruptcy Court for the Central District of California as an informational service for the practitioners and public of our Court.

Jon D. Ceretto
Executive Officer/Clerk

Michael E. Rotberg
Chief Deputy - Operations

Kathleen J. Campbell
Chief Deputy - Administration

Suggestions and comments are always welcome.
Please call (213) 894-1175 or e-mail us at <Oscar_Sosa@cacb.uscourts.gov>.