



NOT FOR PUBLICATION

**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION**

In re:

ARTURO GONZALEZ,

Debtor.

Case No. 2:15-bk-25283-RK

Chapter 7

**ORDER DENYING DEBTOR’S MOTION FOR
LEAVE OF COURT TO FILE CLAIMS
AGAINST VARIOUS PARTIES**

Date: November 6, 2018
Time: 2:30 p.m.
Courtroom: 1675

A hearing on Debtor Arturo Gonzalez’s Motion for Leave of Court to File Claim in Civil Court Against Discover, Unify Credit Union fka Western Federal Credit Union, Broker Pinnacle Estate Properties Broker for Richard Pena, Broker Cal American Homes Broker for Aaron Juarez, International City Mortgage, Gregory Wells, and Carlos C. Farfan the Buyer for Debtor’s Property Motion for Leave of Court to File Negligent Complaint Against Debtor’s Former Attorney Anerio Altman (“Motion”) (Docket No. 353), filed on October 17, 2018, was held on November 6, 2018 at 2:30 p.m. Brett Curlee of the Law Offices of Brett Curlee appeared on behalf of the Chapter 7 Trustee, Wesley H. Avery, Stella Havkin of Havkin & Shrago Attorneys at Law appeared on behalf of Aaron Juarez and Cal American Homes, and Debtor represented himself. Having considered


1 the motion, as well as, the oppositions filed by Chapter 7 Trustee Wesley Avery (Docket
2 No. 356) and Unify Financial Credit Union fka Western Federal Credit Union (Docket
3 No. 357), and joinder filed by Aaron Juarez and Cal American Homes (Docket No. 358)
4 and the arguments made at the hearing on the motion, the court rules as follows.

5 The court denies debtor's motion for leave to file claims in civil court against
6 certain parties because there is no authority showing that leave of court is required
7 since the court has not issued a prefiling order restricting debtor from filing lawsuits
8 under the standards of *Ringgold-Lockhart v. County of Los Angeles*, 761 F.3d 1057 (9th
9 Cir. 2014). The court does not pass on the merits of any claim that debtor may have
10 against these parties, but as noted in *Ringgold-Lockhart*, the court has authority to
11 impose sanctions for frivolous or baseless claims under authorities such as Federal
12 Rule of Civil Procedure 11. The court denies the requests of trustee and creditors for
13 such a prefiling order restricting debtor from filing lawsuits since they need to bring a
14 motion for such affirmative relief meeting the standards of *Ringgold-Lockhart*.

15 IT IS SO ORDERED.

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25 Date: November 9, 2018

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Robert Kwan
United States Bankruptcy Judge