# COURT NEWS

United States Bankruptcy Court Central District of California

Maureen A. Tighe, Chief Judge Kathleen J. Campbell, Executive Officer / Clerk of Court



# COURT ADJUSTS OPERATIONS AMID COVID-19 (CORONAVIRUS) PANDEMIC

Per Order of the Chief District Judge Virginia A. Phillips <u>20-042</u>, all five Divisional offices in the Central District have been closed to the public effective March 23. A subsequent <u>press release</u> extended the closures through June 1. A small team in each division will continue to dedicate a limited portion of time to processing mail, court recording with no public presence, and performing any essential duties that cannot be handled remotely. The Court's Call Center, <u>CM/ECF Support Desk</u>, and <u>Live Chat</u> will continue to be available during the Court closures.

Amended General Order 20-02 and Second Amended General Order 20-02 by Chief Bankruptcy Judge Maureen A. Tighe outlines a variety of amended procedures. Included in the orders is the suspension of mediations, all hearings that require an appearance will be done telephonically or by video appearance, and new guidelines on courtesy copies. Additional Orders and updates may be found on the Bankruptcy Court's website.

### 341(a) MEETINGS TO BE CONDUCTED TELEPHONICALLY

In a recent announcement from the United States Trustee (Region 16), all Section 341(a) Meetings of Creditors will be conducted telephonically, unless otherwise noticed for video conferencing. The Trustee conference lines and participant codes document for the 341(a) Meetings of Creditors, along with dial-in information for each division, is available on the Court's website.

#### **ELECTRONIC DROP BOX NOW AVAILABLE**

To ensure unencumbered access to justice for the self-represented litigant (SRL) who does not have access to electronic CM/ECF filing, the Central District has rolled out a new Electronic Drop Box. The Electronic Drop Box enables an SRL to submit a non-fee document electronically to the court. After the document is submitted, it is reviewed by a court clerk to determine if the document is ready to be docketed. The Electronic Drop box was originally developed by the New Mexico Bankruptcy Court and was modified by the Central District's IT Systems Integration department to conform to the District's policies and procedures. More information on the Electronic Drop Box and how to request access is available on the Bankruptcy Court's website at https://

www.cacb.uscourts.gov/request-access-electronic-drop-box.

# CHAPTER 13 ADDED TO ELECTRONIC SELFREPRESENTATION ONLINE TOOL

On April 17, the Central District added chapter 13 to Electronic Self-Representation (eSR). eSR is an online tool available to self-represented debtors to help complete the bankruptcy petition documents. eSR has been available to self-represented debtors filing chapter 7 bankruptcy since 2014. With the addition of chapter 13, eSR will provide more filing options for debtors filing bankruptcy without an attorney. For more information on eSR and other electronic filing methods available to self-represented litigants visit the Bankruptcy Court's website.



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.

Suggestions and comments are always welcome. Please email us at editor@cacb.uscourts.gov.

This issue and back issues of the Court News are available on the Court's website at http://www.cacb.uscourts.gov/publications

#### **PASSING OF JUDGE NEITER**

We are saddened by the loss of Judge Richie Neiter, who passed away January 10. He was 82.

Judge Neiter served on the bankruptcy bench for ten years from 2006 to 2016. A araduate of USC Law Center, he began his legal career in 1963 as a member of Stutman Treister & Glatt, PC, a Los Angeles based law firm. He worked on many significant reorganization cases and frequently mediated cases in Delaware and in California before becoming a judge.

Judge Neiter was active in various bar associations and professional organizations. He took a genuine interest in the well being of others and was a great mentor, friend, and counselor to many individuals.

He is survived by his wife, Lois, children, Mark and Deborah, their spouses, and his five grandsons.





#### JUDGES PARTICIPATE IN IEBF'S ASK THE JUDGES NIGHT

On February 11, Judges Mark D. Houle, Scott H. Yun, Scott C. Clarkson, and Mark S. Wallace served as panelists at the Inland Empire Bankruptcy Forum's "Ask the Judges Night" program. Held at the Marriott Riverside at the Convention Center, Judge Houle kicked off the evening by recognizing the Riverside pro bono program and volunteers. The panel took questions from IEBF Moderator, Charity Manee. The event gives attorneys, trustees, and others in the Inland Empire the opportunity to minale with their counterparts and to ask the iudaes specific questions.

#### COURT PUBLISHES SELF-REPRESENTED LITIGANTS REPORT

The U.S Bankruptcy Court for the Central District of California has produced its report on the district's self-represented litigants (SRL). Self-Represented Litigant and the Court 2017-2018 provides a comprehensive analysis of the Central District's large self-represented population, measurements of that population's impact on the Court, and an overview of services and programs that assist SRL parties throughout the district.

SELF-REPRESENTED LITIGANTS AND THE COURT

2017-2018



A detailed discussion of filing data along with the Court's many SRL help offerings are among the report's features. The decline in total bankruptcy filings is accompanied by a decrease in the rate of SRL (pro se) filings during the 2017-2018 period. Even though total filings fell by 1,512 cases, self-help desks across the Court's five divisional offices remained busy, as over 3,600 people were assisted through the various pro bono and self-help projects across the District.

# BANKRUPTCY JUDGE CLARKSON AND STAFF PIVOT QUICKLY TO SAVE EXTERN POSITIONS AND ROLES BY: CHLOE CHUNG AND ALLISON MURRAY

The COVID-19 pandemic has impacted nearly every facet of our daily lives. In just a short few weeks, our communities have experienced an unprecedented flurry of change resulting from emergency stay-at-home orders and other official policy changes. Chief Judge Virginia Phillips of our Central District issued Order 20-042 (March 19, 2020) which closed all Courthouses within the Central District of California, including the Bankruptcy Court. Courts were advised to proceed telephonically, and chambers and Clerk's Office staff were advised to telework wherever possible.

These series of events began an unprecedented step into the unknown for Judge Clarkson and his staff. Recognizing the need to prioritize the health and safety of all persons and encourage compliance with stay-at-home orders, Judge Clarkson's team reviewed current processes, and quickly turned operational questions into operative solutions supporting teleworking. Together,

Chloe Chung Extern Law Clerk

the team endeavored to achieve obvious goals: making any necessary changes to the workflow as quickly

and seamlessly as possible; ensuring that normal business of the Court could and would continue in as ethical and orderly a manner as possible; and, last but not least, fulfilling the Court's commitment to ensuring that the Spring 2020 externship program was an educationally satisfying experience for Judge Clarkson's spring extern, Chloe Chung.

Ms. Chung is a second-year law student at UCLA School of Law. She sought an externship in Judge Clarkson's chambers to get up-close interaction with the legal system from a judge's perspective, whilst also obtaining academic credit.

The first eight weeks of the semester-long program exceeded Ms. Chung's expectations, and she relished the mentorship Judge Clarkson provided to her during their many interactions. Then, just as Ms. Chung was scheduled to take a week of leave for spring break, various stay-at-home orders started to be issued and it became clear that the outbreak of COVID-19 would not be quickly resolved.

Ms. Chung became concerned about what would happen to her highly valued externship. Would it be canceled completely? As court proceedings changed, would there be extern work to be done? Would she still obtain partial credit for the hours she had already given in service of the Court? Her fears escalated when she heard about other externship programs being dramatically changed to the point of near elimination.



However, Judge Clarkson's chambers ensured that Ms. Chung remained informed and confident in the security of her externship position. Before Ms. Chung returned from her spring break, Judge Clarkson's chambers implemented a new protocol which would allow her to continue working remotely, while still obtaining the guidance and mentorship that she enjoyed while working in chambers. The new policies included daily status emails and pre-scheduled, remote teleconference check-ins. Together, Ms. Chung and chambers adapted and quickly refined the newly implemented procedures so that she could continue to contribute by researching matters and drafting legal memoranda, telephonically presenting her work to Judge Clarkson, and listening to the telephonic hearings over which Judge Clarkson continues to preside. In short, thanks to quick thinking, transparency, and the adaptability of the Court, Ms. Chung's externship experience, while changed, has not been diminished.

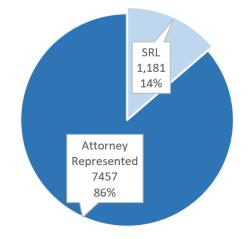
# **BANKRUPTCY STATISTICS**

The data below represents filings year to date thru March 31, 2020. Statistics based on internal filings data.

| Divisional Filings<br>YTD | Ch 7  | Ch 11 | Ch 13 | Total | % change from previous YTD |
|---------------------------|-------|-------|-------|-------|----------------------------|
| Los Angeles               | 2,688 | 55    | 815   | 3,558 | -5.6%                      |
| Northern                  | 392   | 4     | 95    | 491   | -18.9%                     |
| Riverside                 | 2,133 | 8     | 534   | 2,675 | -3.6%                      |
| San Fernando Valley       | 603   | 18    | 158   | 779   | -1.1%                      |
| Santa Ana                 | 928   | 26    | 179   | 1,133 | -9.0%                      |
| Total                     | 6744  | 111   | 1,781 | 8,636 | -6.0%                      |

| Business Filings | Ch 7 | Ch 11 | Ch 13 | Total |
|------------------|------|-------|-------|-------|
| 2020 YTD         | 308  | 80    | 22    | 410   |
| 2019 YTD         | 275  | 60    | 21    | 356   |

Central District of CA - Filings YTD



The interactive Statistics Dashboard is a new feature of the Court's website that provides up-to-date filing and closing data for chapter 7, 11, and 13 cases, as well as adversary proceedings. Users can view data sorted by division or from the entire Central District, or they can choose to view only pro se or business cases. The Statistics Dashboard also displays year-by-year and month-by-month comparisons; another option compares each month of the current year to the corresponding month of the prior year. Access the "Interactive Statistics" through the link: https://ecf.cacb.uscourts.gov/ecfstatsdash/ecfstatsdash-new.html

# **TOP 10 CASES OF INTEREST\***

| Debtor  | Case Number    | Chapter | Filed    | Assets               | Liabilities           |
|---|----------------|---------|----------|----------------------|-----------------------|
| Banner Mattress Inc.                          | RS-19-13381-SC | 11      | 04/22/19 | \$1 - \$10 million   | \$1 - \$10 million    |
| Eagan Avenatti, LLP                           | SA-19-13560-CB | 7       | 09/13/19 | \$0 - \$50K          | \$500K - \$1 million  |
| Hawkeye Entertainment, LLC                    | SV-19-12102-MT | 11      | 08/21/19 | \$1 - \$10 million   | \$1 - \$10 million    |
| HVI Cat Canyon, Inc.                          | ND-19-11573-MB | 11      | 07/25/19 | \$100K - \$500K      | \$500K - \$1 million  |
| Yueting Jia                                   | LA-19-24804-VZ | 11      | 10/14/19 | \$500m - \$1 billion | \$1 - \$10 billion    |
| Kendall Frozen Fruits, Inc.                   | SA-18-14052-SC | 11      | 11/05/18 | \$1 - \$10 million   | \$1 - \$10 million    |
| Ruby's Diner, Inc. a California Corp          | SA-18-13311-CB | 11      | 09/05/18 | \$1 - \$10 million   | \$1 - \$10 million    |
| Verity Health Systems of CA, Inc.             | LA-18-20151-ER | 11      | 08/31/18 | \$500K - \$1 million | \$100 - \$500 million |
| Visiting Nurse Association of Inland Counties | RS-18-16908-MH | 11      | 08/15/18 | \$1 - \$10 million   | \$1 - \$50 million    |
| Zacky & Sons Poultry, LLC                     | LA-18-23361-RK | 11      | 11/13/18 | \$50 - \$100 million | \$50 - \$100 million  |

<sup>\*</sup>Based on a combination of asset and liability levels, and/or name recognition.

# **BANKRUPTCY FRAUD PROSECUTIONS**

The following information has been provided by the Office of the United States Trustee:

#### Richard Allen Mease

• On February 28, 2020 Richard Allen Mease was arrested on an indictment alleging four counts of making false statements in a bankruptcy proceeding. The indictment alleges that on at least four separate occasions Mease concealed his identity as a BPP on bankruptcy petitions he prepared on behalf of self-represented litigants. If convicted of all charges, Mease would face a statutory maximum sentence of 20 years in federal prison. For more information see USAO press release.

#### Operators of Grand View Financial

On October 18, 2019 three operators of Grand View Financial were arrested on a 121-count felony indictment for allegedly operating a mortgage fraud scheme throughout California. Steven Rogers, Robert Sedlar, and Audrey Gan—were indicted by a grand jury in the Sacramento Superior Court for conspiracy, grand theft, elder abuse, filing false or forged documents in a public office, and engaging in a prohibited act as a foreclosure consultant. Grand View had previously filed for Chapter 11 reorganization. For more information see California DOJ press release.

Tanya Llanes Tarver and Nana Baidoobonsoiam, aka Nana I Am

On December 11, 2019 Tanya Llanes Tarver was arrested on a 66 count felony complaint alleging conspiracy, procuring or offering a false or forged instrument, grand theft of real property and identity theft. Baidoobonsoiam was later arrested and both are currently in custody in Los Angeles County. The scheme involved a 12 year alleged scheme to defraud financial institutions through a foreclosure rescue allegedly utilizing fractionalized grant deed and the filing of "ghost" bankruptcy proceedings.

#### Zamir Siddiai

• On February 10, 2020 Zamir Siddiqi pleaded guilty to making false oaths in a bankruptcy proceeding (18 U.S.C. Section 152(2)). In his plea agreement Siddiqi admitted to concealing over \$400,000 of assets, including concealing his interest in an LLC, and selling his residence, without the trustee's knowledge or court authority, for over \$1.2M while still in a Chapter 7 bankruptcy proceeding. Defendant also concealed the prepetition sale of his interest in another LLC. Mr. Siddiqi's sentencing is set for September 28, 2020.