

## 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.

PETER H. CARROLL  
Chief Judge

KATHLEEN J. CAMPBELL  
Executive Officer/Clerk of Court

Suggestions and comments  
are always welcome.

Please email us at [editor@cacb.uscourts.gov](mailto:editor@cacb.uscourts.gov).

## Important Updates

## Court Website:

- Court Manual
- Public Notices



## This Issue

Investiture of Judge Neil W. Bason P. 1

"Ask the Judges" Educates and Entertains, Orange County BK Forum, New and Modified LBR Forms P. 2

Debtor Assistance Project Receives Funding, Mobile Judicial Calendar, New Filing Agent P. 3

Top 20 Cases P. 4

## INVESTITURE OF JUDGE NEIL W. BASON

On Thursday, May 31, the investiture of Judge Neil W. Bason was held at the Roybal Federal Building and Courthouse in Los Angeles. U.S. Marshal David Singer gave the opening of court, and Clerk of Court Kathleen J. Campbell called the calendar. Chief Bankruptcy Judge Peter H. Carroll and Chief District Judge Audrey B. Collins welcomed the distinguished judges and agency heads in attendance, among them 21 bankruptcy judges from the Central District of California, five bankruptcy judges visiting from the Northern District of California, and Judge Bason's father, the Honorable George F. Bason, Jr., a former bankruptcy judge from the District of Columbia.



Chief Judge Collins introduced Judge Bason as "one of the most amiable, gracious people I have ever met," and said that his intelligence and congeniality would be valued by litigants and colleagues alike. In his remarks, Chief Judge Carroll described Judge Bason's path to the bench, beginning with his early exposure to bankruptcy law as a child in Washington, D.C., where his father was a bankruptcy trustee and, later, a bankruptcy judge. Judge Bason pursued his undergraduate studies at King's College London and Johns Hopkins University, graduating from the latter in 1984 with a B.A. in Humanities. As a college student, he investigated complaints involving slum housing for a law students' program and tutored students incarcerated in Baltimore City Jail.

Judge Bason received his J.D. from Boston University School of Law in 1988, graduating *magna cum laude*. At Boston University, he worked as a note editor for *Boston University Law Review*, and counted among numerous academic honors the American Jurisprudence Award for the highest grade in both land development law and professional responsibility. He was admitted to the Massachusetts Bar in 1988 and to the District of Columbia Bar in 1990. After working for one year as law clerk to Chief Justice Paul J. Liacos of the Massachusetts Supreme Judicial Court, Judge Bason went into private practice, first in Boston, and then, following a bicycle trip through California's Napa and Sonoma Valleys, in San Francisco. There, Judge Bason worked as a contract attorney at various law firms from 1993 to 1996, and as associate at Hovis, Smith, Stewart, Lipscomb & Cross LLP from 1996 until the firm's dissolution in 1999.

From 2000 until 2008, Judge Bason served as law clerk to Northern District Bankruptcy Judge Dennis Montali, whom Judge Bason has described as "the best mentor I have ever had, and a close friend." Judge Bason returned to private practice in 2008, first as special counsel at Howard Rice Nemerovski Canady Falk & Rabkin, P.C., where he represented debtors and creditors in large chapter 11 cases, and then as special counsel at Duane Morris, LLP, where he continued his chapter 11 practice and represented trustees and receivers. Chief Judge Carroll noted Judge Bason's volunteer work delivering food to people with serious illnesses and providing *pro bono* legal assistance to people with HIV/AIDS, as well as his contributions to legal scholarship, which include his service as co-vice chair of the Insolvency Law Committee of the Business Law Section of the California State Bar and his lectures at the Hastings College of the Law.

After Judge Dennis Montali administered the oath, Judge Bason's father, the Honorable George F. Bason, Jr., enrobed him, and Judge Bason joined Judges Carroll and Collins on the bench. Two judges and two attorneys

(continued on page 2)

For more information,  
visit our web site at [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov).

## **COURT CLOSED**

Wednesday, July 4  
Independence Day



### **Accessing Court Information by Twitter**

The Court has been posting to its Twitter account for over a year now, and has sent over 600 tweets to about 390 followers. The Court posts announcements, Notices of Sale, Public Notices, computer status updates, and other timely information.

There is no need to get a Twitter account to view the Court's Twitter postings. Just click on the Twitter logo on the home page of the Court's website ([www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)). The postings are arranged in chronological order, making it easy to quickly catch up with what is going on at the Court. Those with a Twitter account can also use this free service to follow us @cacbnews.

## **INVESTITURE OF JUDGE NEIL W. BASON (cont.)**

then spoke. Northern District Bankruptcy Judges Montali and William J. Lafferty illustrated Judge Bason's congeniality, compassion, ethics, and intelligence with their recollections. Aron M. Oliner, Esq. and Phillip K. Wang, Esq., both partners at Duane Morris LLP, reflected on Judge Bason's skillful handling of complex cases and overall excellence as a bankruptcy attorney. All the speakers recognized Judge Bason's equanimity. In his closing remarks, Judge Bason expressed his gratitude to the speakers and shared memories of working with each of them. He thanked the bankruptcy judges of the Central District for their generous welcome; Clerk of Court Kathy Campbell and the Clerk's Office staff, Courtroom Deputy Sharon Sumlin, and Law Clerks Lindsay Kornfield and Kate Vo for their hard work; and his family for providing friendship and "shining examples of decency and courage." In conclusion, Judge Bason said, "There's a saying: 'We stand on the shoulders of giants.' My speakers, my colleagues, my family, and my friends: you are my giants."

A reception followed the ceremony on the patio adjacent to Roybal Café.

## **"ASK THE JUDGES" EDUCATES AND ENTERTAINS LOCAL BANKRUPTCY PRACTITIONERS**

On June 4, practitioners and judges from the Central District of California convened at the Los Angeles Marriott to participate in the annual "Ask the Judges" dinner program, presented by the Los Angeles Bankruptcy Forum in conjunction with Public Counsel. Judge Sheri Bluebond moderated the panel, which was comprised of ten of her colleagues: Chief Judge Peter H. Carroll and Judges Vincent P. Zurzolo, Richard M. Neiter, Robert Kwan, Catherine E. Bauer, Deborah J. Saltzman, Mark S. Wallace, Sandra R. Klein, Julia W. Brand, and Neil W. Bason.

The judges touched on both legal and procedural issues. Right out of the gate, Judge Bluebond brought up the recent, and somewhat controversial, Bankruptcy Appellate Panel decision *In re Friedman*, in which the BAP held that BAPCPA abolished the absolute priority rule for debtors in individual chapter 11 cases. The panel was asked, by a show of hands, who intended to follow *Friedman*, who did not intend to follow *Friedman*, and who did not wish to answer the question. The panel also addressed a number of procedural concerns, such as holographic signatures on electronically-filed documents; the proper format for the judge's copy; and pleadings with embedded graphics.

Always a popular event, the "Ask the Judges" night provides both the judges and the attorneys who appear before them an appropriate forum where opinions and concerns regarding important legal and procedural questions can be shared.

## **ORANGE COUNTY BANKRUPTCY FORUM HOSTS "JUDGES' NIGHT"**

On June 14, seven bankruptcy judges from the Central District participated in the Orange County Bankruptcy Forum program "Judges' Night: Effective Oral Advocacy," held at the Westin Hotel in Costa Mesa. Judges Erithe A. Smith, Theodor C. Albert, Catherine E. Bauer, Deborah J. Saltzman, Scott C. Clarkson, Mark S. Wallace, and Mark D. Houle all answered a questionnaire about oral advocacy that was distributed to attendees prior to the event. At the program, the judges discussed a variety of topics related to oral advocacy, including how oral argument compares to written argument; tentative rulings and what they mean; preparing a script or outline for oral argument; telephonic appearances; and how judges signal to counsel that they have heard enough.

## **NEW AND MODIFIED LOCAL BANKRUPTCY RULES FORMS APPROVED**

The Board of Judges for the Central District of California approved nine new and revised LBR forms that became effective on June 1. These include new forms for individual chapter 11 cases; a modified form for declaring postpetition, preconfirmation payments on deeds of trust, leases on personal property, and liens on personal property in a chapter 13 case; and revised summons, proof of service, and notice of entered order forms. For more detailed information, please consult Public Notice 12-009.

Also, the Court has updated all of the Word versions of its LBR order forms so that the forms are compatible with LOU. These order forms, posted on the Court's website, include the revised proof of service and notice of entered order.

## DEBTOR ASSISTANCE PROJECT RECEIVES FUNDING

On Saturday, April 28, the inaugural Leslie Cohen Law 5K Run/Walk took place in Santa Monica, California to benefit Public Counsel's Debtor Assistance Project (DAP). The LCL 5K was attended by hundreds of participants and included prominent members of the bankruptcy community. The event began early Saturday morning with coffee and bagels, and a great DJ who energized everyone before the race. The participants ran, jogged, and walked the stunning course route along the bluff overlooking the Pacific and up the world-famous tree-lined San Vicente Boulevard. Bankruptcy attorney Leslie Cohen generously donated her time and passion to making the event a huge success. The beneficiary of the race was Public Counsel's Debtor Assistance Project, to whom Cohen presented a donation for \$5,000. Leslie Cohen promised an even bigger and better race for next year.



## MOBILE JUDICIAL CALENDAR WITH TENTATIVE RULINGS NOW AVAILABLE

The Court's IT Department has developed a new mobile application that provides attorneys with access to judges' posted calendars and tentative rulings. Attorneys who visit <http://ecf-ciao.cacb.uscourts.gov/mtr> using a mobile device such as an iPad, iPhone, Android, or BlackBerry are now able to view calendars and tentative rulings as PDF files.

## NEW FILING AGENT FEATURE IN CM/ECF

Effective July 16, the Court will implement the Filing Agent feature in CM/ECF. The Filing Agent feature allows registered attorneys, trustees, and U.S. Trustees to assign a login and password identifier to support staff filing electronic documents on their behalf. With the implementation of the filing feature, attorneys, trustees, and U.S. Trustees will also have the ability to maintain email address information for their CM/ECF accounts.

The benefits of using the filing agent feature are:

- Registered attorney, trustee, and U.S. Trustee users will no longer need to share their personal CM/ECF password and login with employees.
- Several employees will be able to work in CM/ECF simultaneously.
- Registered users will be able to view filing activity for each filing agent using reports available in CM/ECF.

Attorneys, trustees, and U.S. Trustees may access an electronic learning module (ELM) which will be posted on the Court's training page for external users. The ELM can also be used to train attorneys' and trustees' staff. The ECF Help Desk will be available to assist with questions regarding these features at (213) 894-2365.

## CENTRAL DISTRICT ACHIEVES LOWEST BNC COSTS IN THE NATION

During 2011, the Central District had the lowest Bankruptcy Noticing Center (BNC) costs per bankruptcy case nationwide, at \$13.15 per case. Since the average for all districts is just under \$29 per case, the Central District saved the judiciary more than \$2 million in 2011, when its spending is compared to the national average. The Central District also has the highest percentage of creditors (41 percent) who receive electronic notices from the BNC instead of paper notices, which saves money on postage.

## CM/ECF Tips

### Entering the Jury Demand when Opening an Adversary Complaint

When opening an adversary proceeding, the monetary value in the "Jury Demand" field must be rounded up to the nearest thousand. For example, a Jury Demand for \$25,000 should be entered as 25 only. It is essential that the information be entered correctly so it is accurately reported to the Statistics Division of the Administrative Office (AO).

### Was Your Client's Chapter 7 Case Closed without a Discharge?

Avoid this situation by filing the Financial Management Certification (Official Form 23) within the required time of 60 days from the first day set for the meeting of creditors or after the 341(a) meeting. This will eliminate the need for you to pay a reopening fee.

## Top 20 Cases of Interest Filed in the Last 24 Months\*

### **1<sup>st</sup> Evangelical Lutheran Church of San Fernando, CA**

SV 12-13308-AA, Chapter 11, Filed 04/04/2012. Assets \$1-10 million and Liabilities \$1-10 million. Order and notice of Dismissal for Failure to File Schedules, 4/26/12.

### **AVP Pro Beach Volleyball Tour, Inc.**

LA-10-56761-BB, Chapter 11, Filed 10/29/10. Assets between \$100,001-\$500,000 and Liabilities between \$1-\$10 million. Monthly Operating Report Number 18 for the month ending 4/30/12 was filed by the debtor-in-possession on 5/24/12.

### **A & S Booksellers, Inc.**

SV-12-10392-VK, Chapter 11, Filed 01/13/12, Assets \$0.01- 0.05 million and Liabilities \$1 - \$10 million. Scheduling Order entered setting Proposed Plan & Disclosure Statement deadline - 10/31/12; Confirmation of Plan Deadline - 4/1/13; and Ch. 11 Status Conference at 11/15/12. Order for the Official Committee of Unsecured Creditors to employ Blakeley & Blakeley LLP as counsel, entered 5/4/12.

### **Crystal Cathedral Ministries, a California non-profit corporation**

LA-10-24771-RK, Chapter 11, Filed 10/18/10. Assets and Liabilities \$50-\$100 million. Pre-trial conference set for 9/25/12 at 2:00 pm.

### **Encino Corporate Plaza, L.P.**

SV-11-14917-GM, Chapter 11, Filed 04/20/11, Assets \$10-50 million and Liabilities \$1-50 million. Order (1) Approving 2nd Disclosure Statement Re Debtor's 2nd Amended Ch 11 Plan of Reorganization (dated 3/23/12) and (2) Setting Hearing to Consider Confirmation of Debtor's 2nd Amended Ch. 11 Plan of Reorganization (Dated 5/23/12), entered 5/29/12.

### **Figueroa Tower I LP, Figueroa Tower II, LP, Figueroa Tower III, LP (jointly administered)**

SV11-18760-GM; SV11-18761-GM; SV11-17862-GM, Chapter 11, Filed 07/14/11, Assets \$50-100 million and Liabilities \$50-100 million. Amended Ch. 11 Plan & Disclosure Statement filed on 5/7/12. Order (1) Approving 3rd Amended Disclosure Statement re Debtors' 3rd Amended Joint Plan of Reorganization; (2) Establishing Deadlines with respect to Discovery and Briefing Concerning Confirmation of Debtors' 3rd Amended Joint Plan of Reorganization; and (3) Setting Hearing Date for Confirmation of Debtor's 3rd Amended Joint Plan of Reorganization, entered 5/8/12.

### **FFPE, LLC, a Delaware LLC AKA: Pat & Oscar's Restaurants**

SA-11-23246-ES, Chapter 7, Filed 9/21/2011, Assets \$0-50,000 and Liabilities \$1,000,001 - \$10 million. Motion and Order granted: requiring Trustee to abandon interest in property of the Estate entered 3/26/12, case closed 4/18/12.

### **HomeSuites, LLC**

ND-11-10163-RR, Chapter 11, Filed 01/12/11, Assets \$1-10 million and Liabilities \$1-10 million. Disclosure Statement filed 6/2/2012. Hearing on approval of Disclosure Statement scheduled for 9/12/12 at 11:00am.

### **Irwindale Speedway, LLC**

LA-12-14994-ER, Chapter 7, Filed 02/13/12, Assets \$0- 0.01 million and Liabilities \$0.5-\$1 million. Order entered on 6/11/12 approving trustee's motion to disburse of funds by the trustee.

### **Natalie Suleman**

SA-12-15375-CB Chapter 7, Filed 04/30/12, Assets \$0-0.05 million and Liabilities between \$0.05-\$1 million. Order dismissing failure to file information entered 5/15/2012.

**Pacific Monarch Resorts, Inc. Vacation Marketing Group, Inc; Vacation Interval Realty, Inc.; MGV Cabo, LLC; Desarrollo Cabo Azul, S. de R.L. de C.V.; Operador MGVM S. de R.L. de C.V.** SA:11-24720-ES; SA:11-24725-ES; SA:11-24727-ES; SA:11-24729-ES; SA:11-24731-ES, Chapter 11, Filed 10/24/11, Assets and Liability \$100-\$500 Million. Status conference continued 7/19/12, reports due in 14 days before. Order approving six steps. to extend the use of cash collateral adequate protection entered 5/11/12. Monthly operation report filed 5/15/12. Order approving stipulation to extend time for debtor to assume, assign or reject unexpired real property lease filed 5/21/12, Order granting first interim applications fees and expenses filed 5/22/12 and 6/5 & 6/2012.

### **Raymond P. Boucher**

SV-12-10052-MT, Chapter 11, Filed 01/03/12, Assets \$5.26 million and Liabilities \$5.51 million. Order Granting Motion for 2004 Examination and The Oral Examination of Raymond P. Boucher, entered on 4/24/12. Notice of Appointment of Creditor's Committee filed on 5/8/12 by U.S. Trustee. Transcript of hearing held 5/7/12 will be restricted through 8/13/12.

### **Rio Rancho Super Mall LLC**

RS-11-16835-MH, Chapter 11, Filed 03/02/11, Assets \$10-50 million and Liabilities \$10-50 million. Hearing on approval of the disclosure statement and chapter 11 status conference set for 8/7/12.

### **RCR Plumbing and Mechanical, Inc.**

RS-11-41853-WJ Chapter 11, Filed 10/12/2011, Assets \$10-50 million and Liabilities \$10-50 million. Hearing on approval of the disclosure statement and chapter 11 status conference set for 6/26/12.

### **Summer View Sherman Oaks Apartments. LLC, a Delaware Limited Liability Co.**

SA-11-19800-AA, Chapter 11, Filed 08/15/11, Assets \$10-50 million and Liabilities \$10-50 million. Order granting Debtor's Motion for Order Reassigning case 2:12-bk-23817-TD, Sonia Sobol dba Sonia Sobol, Trustee of the Efim Sobol Trust dated 11/18/95, dba Efim Sobol Trust dated 11/18/95 shall be reassigned to the Hon. Alan M. Ahart, entered on 5/10/12.

### **The Grande Holdings Limited**

LA-11-41459-BB, Chapter 15, Filed 7/22/11. Assets between Over \$100,000 and Liabilities over \$100. Order entered on 5/15/12 approving an application of non-resident attorney to appear in the case.

### **Toni Braxton**

LA-10-51909-BR, Chapter 7, Filed 9/30/10. Assets between \$1-10 million and Liabilities between \$10-50 million. Hearing set for 10/2/12 re first interim application for compensation and reimbursement of expenses by Danning, Gill, Diamond & Kollitz, LLP as General Counsel to Chapter 7 Trustee.

### **Verdugo Mental Health**

LA-11-22739-PC, Chapter 11, Filed 03/25/11, Assets \$1-10 million and Liabilities \$1-10 million. Hearing set for 7/11/12 re motion for objection to claim Number 8 by claimant Marlin Leasing Corporation and motion for order reducing and recharacterizing claim.

### **Westrim Inc. dba Westrim Crafts**

SV-11-15313-GM, Chapter 11, Filed 04/29/2011, Assets \$1-10 million and Liabilities \$10-50 million. No updates.

### **William Busey**

SV-12-11182-AA, Chapter 7, Filed 02/07/12, Assets \$0- 0.05 million and Liabilities \$0.5 - \$1 million. Order Extending Objection to Discharge deadline for Ch. 7 Trustee, John Wolfe to 7/10/12. 341(a) mtg. continued to 6/15/12.

\*Based on a combination of asset and liability levels, number of creditors, high activity, and/or name recognition.