

## 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.

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Chief Judge

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Suggestions and comments  
are always welcome.

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## INVESTITURE OF JUDGE JULIA W. BRAND

On Thursday, April 12, the investiture of Judge Julia W. Brand was held at the Roybal Federal Building and Courthouse in Los Angeles. The ceremony began with U.S. Marshal David Singer giving the opening of court. Judge Brand's nieces and nephews (Karina and Riley Hull; Axel, Shane, and Rudy Broome; and Matthew and Stephanie Brand) then led the Pledge of Allegiance, 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 18 bankruptcy judges from the Central District of California. Chief Judge Carroll also welcomed Judge Brand's husband, Michael; their two sons, Alex and Jeffrey; her father, Philip Wagner; and her in-laws, Helen and Abraham Brand.

In his remarks, Chief Judge Carroll noted that many of Judge Brand's colleagues praised her calm temperament and patience, as well as her intellectual powers. He traced Judge Brand's path from La Cañada High to UCLA, where she earned a B.A. in Political Science in 1981, and USC Gould School of Law, where

she received her J.D. in 1985. As a law student, Judge Brand coedited *Computer Tax Law Journal*, received the American Jurisprudence Award for labor law, and provided assistance to inmates at the Federal Correctional Institution at Terminal Island through USC's Post-Conviction Justice Project. Judge Brand entered private practice in 1985, and has since accumulated 23 years of experience in bankruptcy law. She acquired the bulk of this experience during 16 years at Katten Muchin Rosenman LLP, first as an associate, then as a partner. More recently, as a shareholder at Brownstein Hyatt Farber Schreck LLP, Judge Brand helped develop that firm's bankruptcy practice and worked on legislation to encourage mediation in chapter 9 municipality cases. That legislation, in the form of California Assembly Bill 506, was signed into law in November 2011.

After Chief Judge Collins administered the oath, Judge Brand's husband, Michael, and their sons, Alex and Jeffrey, enrobed her, and Judge Brand joined Judges Carroll and Collins on the bench. Speakers Lori Payne of Payne Financial Forensics, Daniel M. Pelliccioni, Esq., and Karol K. Denniston of Schiff Hardin LLP



described Judge Brand's calm demeanor, her high degree of legal scholarship and technical expertise, and her loving dedication to her family. In her closing remarks, Judge Brand spoke about the lessons she learned during her first years of bankruptcy practice, where she discovered "a fascinating, dynamic area of the law where good things could happen." Judge Brand said that, though most of her experience in private practice dealt with chapter 11 cases, she looks forward to dealing with the challenges posed by the Central District's high percentage of self-represented chapter 13 cases, which illustrate bankruptcy as "justice with a human face." Citing her strong work ethic, she pledged to work hard for the benefit of the public. A reception, with refreshments provided by Brownstein Hyatt Farber Schreck, LLP, followed the ceremony on the patio adjacent to Roybal Café.

## Accessing Court Information by Twitter

The Court has been posting to its Twitter account for a year now, and has sent over 430 “tweets” to about 350 followers. The Court posts announcements, Notices of Sale, Public Notices, computer status updates, and other timely information.

Many are not aware that they can view the Court’s Twitter postings *without* the need to get a Twitter account or even register. 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. For those with a Twitter account, you can use this free service to follow us @cacbnews.

## PRO SE ANNUAL REPORT

The U.S. Bankruptcy Court for the Central District of California has produced its first annual report on the district’s *pro se* litigants. *Access to Justice in Crisis: Self-Represented Parties and the Court* 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 *pro se* parties throughout the district. The report also identifies problems that beset self-represented parties and areas where more research and resources are needed. The *Pro Se Annual Report* is available on the Court’s website under [News/Notices/Publications -> Publications -> Pro Se Annual Report](#).



## JUDGE BLUEBOND INDUCTED INTO AMERICAN COLLEGE OF BANKRUPTCY

We are pleased to announce that Judge Sheri A. Bluebond was inducted into the American College of Bankruptcy in a March 16 ceremony at the United States Supreme Court Great Hall in Washington, D.C. The American College of Bankruptcy is an honorary association comprising about 650 bankruptcy and insolvency professionals who are distinguished by their outstanding professional qualifications, ethical standards, character, and scholarship, among other criteria. Judge Bluebond, one of two judges inducted in the college’s 23rd Class of Fellows, is also a member of the college’s Judicial Outreach Committee. Judge Bluebond joins a proud history of the Court’s judges that have been inducted into the American College of Bankruptcy, including Judges Donovan, Mund, Riblet, and Russell, retired Judges Ryan and Lasarow, and former Judge Fenning. Congratulations, Judge Bluebond!



Judge Bluebond and Michael L. Cook, President of the American College of Bankruptcy



Judge Robert Nugent, Judge Sheri Bluebond, Judge Michael Deasy

## BANKRUPTCY MEDIATION PROGRAM ACCEPTING APPLICATIONS FOR PANEL OF MEDIATORS

The Bankruptcy Mediation Program of the U.S. Bankruptcy Court for the Central District of California is now accepting applications for volunteer mediators. Since 1995, the Bankruptcy Mediation Program has provided the public with effective and reliable assistance in resolving disputes without the time and expense associated with litigation. The panel, which consists of attorneys and non-attorney professionals alike, serves all five of the Central District’s divisions. For more information about applying, see Public Notice 12-005 at the Court’s website ([www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)). Click the **News/Notices/Publications** link on the home page, then follow the **Public Notices** link under the “Notices/Lists” heading.

## JUDGES ZURZOLO, NEITER, AND CLARKSON AT BANKRUPTCY BATTLEGROUND WEST

On Friday, March 16, Judges Vincent P. Zurzolo, Richard M. Neiter, and Scott C. Clarkson participated in the American Bankruptcy Institute’s 20th Annual Bankruptcy Battleground West conference at the Hyatt Regency Century Plaza. Judge Zurzolo took part in the panel discussion “Evidence and Experts in the Challenging World of Valuation,” and Judge Neiter sat on the panel that discussed “Mediation: Topics and Strategies for Efficient Dispute Resolution.” At the conclusion of the program, Judges Zurzolo, Neiter, and Clarkson all participated in “The Great Debate: Stern vs. Marshall—Article I Jurisdiction in an Article III World.”

## JUDGES' WRITTEN OPINIONS TO BE POSTED ONLINE THROUGH GOVERNMENT PRINTING OFFICE

On April 16, the Court began participating in a pilot program to post written opinions of the Court to the U.S. Government Printing Office's (GPO) searchable website. The goal is to have one searchable website where the public can go to search for written opinions from all federal courts throughout the nation. The written opinions of Central District bankruptcy judges are currently available on the Court's website (see **News/Notices/Publications -> Written Opinions**), but judges' opinions will now also be flagged when they are docketed in CM/ECF and automatically posted to the GPO website. The Clerk's Office is currently testing the program. Look for an article in the next issue of *Court News* with more detailed information about using the database.

## JUDGES AHART, ALBERT, AND CLARKSON PRESENT ON CHAPTER 11 ABSOLUTE PRIORITY RULE

On April 17, Judges Alan M. Ahart, Theodor C. Albert, and Scott C. Clarkson spoke at the Orange County Bar Association Commercial Law & Bankruptcy Section's program, "How Absolute is the Absolute Priority Rule in Individual Chapter 11 Cases?" The event was held in the City of Orange, California. Attorneys Jeffrey I. Golden of Weiland, Golden, Smiley, Wang Ekvall & Strok, LLP and Debra Grassgreen of Pachulski Stang Ziehl & Jones LLP were also part of the panel, which was moderated by attorney Richard A. Marshack of Marshack Hays LLP. The 2½-hour program was attended by Judges Erithe A. Smith, Catherine E. Bauer, and Mark D. Houle, as well as approximately 92 attorneys and law clerks. Handouts included a flowchart and diagram from Judge Ahart that served as a visual aid to the "narrow" view and "broad" view, as well as his article, "The Absolute Abolition of the Absolute Priority Rule in Individual Chapter 11 Cases," published in the *California Bankruptcy Journal*. The materials also included Judge Clarkson's Ninth Circuit BAP Opinion, *Friedman v. P+P, LLC (In re Friedman)*, and Judge Albert's Amended Order Denying Confirmation of Debtor's First Amended Chapter 11 Plan of Reorganization in *In re Kamell*. After the program, the judges answered impromptu questions from the audience. Attendees remarked that Judge Ahart made some very difficult bankruptcy concepts easy to understand, and others commented that they enjoyed the debate between Judges Albert and Clarkson. Some said it was the best continuing legal education event they had ever attended.

## JUDGE WALLACE PARTICIPATES IN SEMINAR ON SECTION 523

On April 21, the Orange County Bankruptcy Forum held a seminar on §523 of Title 11 at Chapman University School of Law. The panel, comprising Judge Mark S. Wallace and attorneys William M. Burd, Dan E. Chambers, Robert P. Goe, D. Edward Hays, and Sean O'Keefe, discussed the dischargeability of the following types of debt: domestic support obligations; debts for death or personal injury caused by operation of a vehicle while the debtor was intoxicated; fines, penalties, or forfeitures owed to a governmental unit; orders of restitution; fees and assessments for condo or homeowners association dues that come due post-petition; debts obtained by false pretenses, false representation, or fraud; debts for fraud or defalcation, embezzlement, or larceny; debts for willful and malicious injury to another entity or its property; taxes and debts incurred to pay taxes; and debts neither listed nor scheduled in time to permit timely filing of a claim, or a request for a determination of dischargeability. The panel also discussed pre-trial and trial practice in §523 nondischargeability adversary proceedings.

## CM/ECF Tips

**REMINDER:** The address that appears on your petition PDF must match the address that is associated to your CM/ECF login. CM/ECF requires a one-to-one relationship between attorney and mailing address, and cannot accommodate multiple addresses. If an attorney practices out of more than one office, he/she is required to select a master address for the purpose of receiving manual notices from the court. This should have minimal impact on ECF users as most documents are served electronically to user email accounts in the form of a Notice of Electronic Filing (NEF).

If you change your address, you are required to file and serve a notice of change of address as per Local Bankruptcy Rule 2090-1(f). If you are an ECF user you must also notify the ECF Support Desk at [ECF\\_Support@uscourts.gov](mailto:ECF_Support@uscourts.gov).

### Changing Password Information on Third Party Software:

For attorneys who use third party software (e.g., Best Case, etc.), it is imperative that if you change your password in CM/ECF, you also update any password requirements in your software. Doing so will prevent you from being locked out of CM/ECF for unsuccessful login attempts.

### Searching for Docketing Event Codes:

To search for an event code in CM/ECF, click the **Search** hyperlink on the CM/ECF menu bar and enter a keyword to narrow your search.

### Searching for CM/ECF Step-by-Step Procedures:

To search for CM/ECF step-by-step procedures, click the **Manual** hyperlink on the CM/ECF menu bar and enter a keyword to search for a specific procedure.

## 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. 341(a) Mtg. on 5/15/12. Chapter 11 Status Conference Hrg. 6/13/12.

### **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. Hearing on 4/25/12 re Ex Parte motion for order continuing the hearing on the debtors' first amended disclosure statement, setting a status conference hearing and vacating deadline set by the Court respecting filing the first amended disclosure statement.

### **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, Amended List of Creditors filed 2/3/12. Order granting Motion for Relief signed on 2/28/12. Amended Schedules E,F, & H filed 3/6/12. Status hearing set on 5/10/12. Order Authorizing Debtor's Application to Employ General Bankruptcy Counsel signed on 4/10/12.

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

LA-10-24771-RK, Chapter 11, Filed 10/18/10. Assets and Liabilities \$50-\$100 million. Transferred to Judge Kwan in LA. The new case number is: 2:12-15665-RK.

### **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 granting Motion to Extend Exclusivity Period for Filing a Chapter 11 Plan until 3/15/12. Amended Ch.11 Plan of Reorganization and Amended Disclosure Statement filed 3/19/12. Motions for Relief from Auto. Stay, Disclosure Statement and Confirmation hearings continued to 5/15/12.

### **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. Debtors' exclusive period to obtain acceptances of the Plan is extended thru 4/10/12. Order approving Application for Debtor/Debtors in Possession to Employ Cappello & Noel, LLP as Special Litigation Counsel signed 2/8/12. Order granting Motion for Relief signed 2/14/12. Amended Chapter 11 Plan and Disclosure Statement filed 3/8/12 & 3/30/12. Disclosure & Confirmation hearing continued to 5/1/12.

### **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. Trustee File Report of No Distribution. Case Closed 4/18/2012.

### **HomeSuites, LLC**

ND-11-10163-RR, Chapter 11, Filed 01/12/11, Assets \$1-10 million and Liabilities \$1-10 million. Order authorizing debtor to enter into lease agreement with C&M Victoria Lane, Inc. to provide assisted care services entered 4/12/12. Stipulation regarding debtor's use of cash collateral filed 4/13/12.

### **Irwindale Speedway, LLC**

LA-12-14994-ER, Chapter 7, Filed 02/13/12, Assets \$0- 0.01 million and Liabilities \$0.5-\$1 million, Hearing on 5/2/12 re motion for order (1) authorizing sale of estate's right, title and interest in personal property (2) approving overbid procedure and (3) authorizing payment of broker.

### **Natalie Suleman**

SA-12-15375-CB Chapter 7, Filed 04/30/12, Assets \$0-0.05 million and Liabilities between \$0.05-\$1 million. Meeting of Creditors with 341(a) meeting to be held on 06/14/2012 at 08:00 AM at RM 3-110, 411 W Fourth St., Santa Ana, CA 92701. Objections for Discharge due by 08/13/2012. Cert. of Financial Management due by 08/13/2012 for Debtor and Joint Debtor (if joint case)

**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 hearing continued to 5/10/2012 at 10am. Status report due 4/6/2012. Debtors' exclusive period to solicit acceptances of a chapter 11 plan is extended through and including July 25, 2012.

### **Raymond P. Boucher**

SV-12-10052-MT, Chapter 11, Filed 01/03/12, Assets \$5.26 million and Liabilities \$5.51 million. Order Temporarily Granting Debtor's Motion for a Protective Order signed 2/22/12. Amendment to Schedule B & F filed 2/25/12. Amendment to Schedule B filed 2/27/12. Order Granting Application to Employ Paul Alan Beck signed 3/8/12. Transcript of hearing held 3/1/12 will be restricted thru 6/6/12. Amended Schedule J filed 3/14/12. Transcript of hearing held 3/12/12 will be restricted thru 6/13/12. Transcript of hearing held 3/21/12 will be restricted thru 6/29/12. Adversary case 1:12-ap-01111, complaint by Christine Roberts vs. Raymond P. Boucher filed 4/2/12. Motion for Relief filed 2/8/12, hearing on 5/7/12.

### **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 disclosure statement set for June 5, 2012. Stipulation between debtor and Wilshire State Bank re use of cash collateral and adequate protection through May 31, 2012.

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

RS-11-41853-WJ Chapter 11, Filed 10/12/2011, Assets \$10-50 million and Liabilities \$10-50 million. Chapter 11 status conference set for May 15, 2012. Hearings on allowance of reclamation claims and administrative expenses set for May 1, 2012, and May 15, 2012. Order approving stipulation to extend the deadline to the debtor's motion for approval of the retention plan for non-insider operations employees and incentive plan for key insiders.

### **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 Order Confirming Chapter 11 Plan signed 3/13/12. Post-Confirmation status conference to be held 5/9/12.

### **The Grande Holdings Limited**

LA-11-41459-BB, Chapter 15, Filed 7/22/11. Assets between Over \$100,000 and Liabilities over \$100. Status conference continued to 8/8/12. Status report due by 7/20/12.

### **Toni Braxton**

LA-10-51909-BR, Chapter 7, Filed 9/30/10. Assets between \$1-10 million and Liabilities between \$10-50 million. Notice of change of address filed by Trustee David A. Gill on 11/28/11.

### **Verdugo Mental Health**

LA-11-22739-PC, Chapter 11, Filed 03/25/11, Assets \$1-10 million and Liabilities \$1-10 million. Monthly Operating Report Number 13 filed by debtor-in-possession on 4/10/12.

### **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, Schedules, Statement of Financial Affairs and Means Test filed 2/15/12. 341(a) Mtg. continued to 4/20/12 at 1:30 PM. Order granting Application to Employ Shulman Hodges & Bastian LLP as general counsel signed 4/11/12. Trustee's Notification of Asset Case filed 4/18/12. Proofs of Claims due 7/23/12.

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