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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.

SHERI BLUEBOND

Chief Judge

KATHLEEN J. CAMPBELL

Executive Officer/Clerk of 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>.

INVESTITURE OF JUDGE MARTIN R. BARASH

On Thursday, September 24, the investiture of the Honorable Martin R. Barash was held at the San Fernando Valley Division in Woodland Hills. U.S. Marshal David M. Singer gave the opening of court, Judge Barash's children, Michael, William, and Daisy led the pledge of allegiance, and Clerk of Court Kathleen J. Campbell called the calendar. Chief Bankruptcy Judge Sheri Bluebond and Chief District Judge George H. King welcomed the distinguished judges and agency heads in attendance, among them 19 active and recalled bankruptcy judges from the Central District of California.



Chief Judge King introduced Judge Barash, praising his enormous capability in dealing with corporate clients and complex chapter 7 and 11 bankruptcy cases along with his work with Public Counsel, while also noting that his intelligence, capability, and ability to solve the most complex of problems would be valued both by his litigants and his colleagues. Chief Judge Bluebond discussed Judge Barash's deep roots in the San Fernando Valley, where he attended Taft High School. She also discussed his interest in the law as a student, highlighting his early involvement in the Junior State of America (JSA), his on-campus involvement as an undergraduate at Princeton University, and his active role as the editor of UCLA Law Review.

Judge Barash earned his A.B. in 1989 from Princeton University, graduating *magna cum laude*, and in 1992 he received his J.D. from the University of California, Los Angeles, School of Law. Following law school, he served as a law clerk to the Honorable Procter R. Hug, Jr., of the U.S. Court of Appeals for the Ninth Circuit from 1992 to 1993. Judge Barash joined the firm of Klee, Tuchin, Bogdanoff & Stern LLP in Los Angeles as an associate in 1999 and became a partner in 2001; there, he primarily advised, counseled and represented corporate debtors, creditors, and other parties in chapter 11 cases, and conducted litigation in chapter 7 and chapter 11 cases. Judge Barash also worked for the law firm of Stutman, Treister & Glatt P.C. from 1994 to 1998 and served as an adjunct professor of law at California State University, Northridge from 1998 to 1999.

After Chief Judge King administered the oath, Judge Barash was enrobed by his wife, Lisa, who has also worked previously as a bankruptcy attorney, and Judge Barash joined Chief Judges King and Bluebond on the bench. The guest speakers in attendance included lifelong friends and former colleagues alike. Judge Barash's former partners Michael L. Tuchin and Lee R. Bogdanoff reflected on their past work with the judge and spoke of his kindness, patience, compassion, and love of service to the public. The Honorable Janice Rutherford, Second District Supervisor, San Bernardino County, recounted stories from their shared youth, recalling their early involvement in JSA and instances of Judge Barash's wisdom, which was evident from a young age. Professor Bruce Zucker, a high school friend of Judge Barash's and his colleague at CSU Northridge, also spoke of the judge's kindness and compassion and regaled attendees with stories from their days at Taft High School.

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For more information,
visit our web site at www.cacb.uscourts.gov.

COURT CLOSED

Wednesday, November 11—
Veterans Day

Thursday, November 26—
Thanksgiving Day

Friday, November 27—
State of California Holiday

Friday, December 25—
Christmas Day

Friday, January 1—New
Year's Day

EMERGENCY MATTERS ONLY:

Thursday, December 24

Thursday, December 31



Accessing Court Information by Twitter

The Court has been posting to its Twitter account since 2011, and has sent over 2,400 different tweets to more than 650 followers. The Court posts announcements, Notices of Sale, Public Notices, and other timely information. In March, the Court began tweeting judicial opinions.

You do not need a Twitter account to view the Court's tweets—just click on the Twitter logo on the home page of the Court's website (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. If you have a Twitter account, follow @cacbnews.

WEBSITE FEEDBACK

The U.S. Bankruptcy Court for the Central District of California continues to enhance its website based on feedback from users. Please let us know your thoughts about what is working well and what could be improved at www.cacb.uscourts.gov contact.

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In his closing remarks, an appreciative Judge Barash thanked his speakers for his “eulogy,” and drew parallels between the history of his family, which came to America seeking a new life, and his appointment to the bench at the Bankruptcy Court, which he called “the Court of second chances and new beginnings.” He spoke fondly of his roots in the San Fernando Valley, and in Woodland Hills in particular, where he reminded those in attendance that the area flourished only after failure and scandal made way for a new beginning. Judge Barash gave his heartfelt gratitude to all who supported him throughout his career, mentioning the Junior State of America, his former partners, his wife and children, and the court staff, particularly his team and law clerks.

A reception followed the ceremony at the Warner Center Marriott in Woodland Hills.

REVISED OFFICIAL BANKRUPTCY FORMS APPROVED BY JUDICIAL CONFERENCE

For over five years, the national Forms Modernization Project has been working to make bankruptcy forms easier to understand and complete. As a result of these efforts, on December 1, 2015, nearly 100 Official Forms and Court Notices will be replaced with new versions.

Case commencement forms have been renumbered and the preceding “B” on all Official Form numbers has been removed. Individual filers’ forms are now numbered in the 100 series; forms for non-individuals are numbered in the 200 series; court notice forms are numbered in the 300 series; and all other forms are numbered in the 400 series. The National Director’s Forms now have four-digit form numbers.

In addition to the revised forms, many new Official Bankruptcy Forms will be introduced on December 1. Some notable new forms are:

- Form 101A, Initial Statement about an Eviction Judgment against You
- Form 101B, Statement about Payment of an Eviction Judgment against You
- Form 106A/B, Schedule A/B: Property
- Form 106E/F, Schedule E/F: Creditors Who Have Unsecured Claims
- Form 106J-2, Schedule J-2: Expenses for Separate Household of Debtor 2
- Form 201, Voluntary Petition for Non-Individual Debtors Filing for Bankruptcy
- Form 205, Involuntary Petition against a Non-Individual
- Form 206Sum, A Summary of Your Assets and Liabilities (non-individuals)
- Form 206A/B, Schedule A/B: Property (non-individuals)
- Form 206D, Schedule D: Creditors Who Hold Claims Secured by Property (non-individuals)
- Form 206E/F, Schedule E/F: Creditors Who Have Unsecured Claims (non-individuals)
- Form 206G, Schedule G: Executory Contracts and Unexpired Leases (non-individuals)
- Form 206H, Schedule H: Your Codebtors (non-individuals)
- Form 202, Declaration under Penalty of Perjury on Behalf of a Corporation or Partnership
- Form 207, Statement of Your Financial Affairs (non-individuals)
- Form 401, Petition for Recognition of Foreign Proceeding
- Form 4100N, Notice of Final Cure Payment
- Form 4100R, Response to Notice of Final Cure Payment

To view the revised Official Bankruptcy Forms, Advisory Committee comments, or Official Forms instructions, please visit <http://www.uscourts.gov/rules-policies/pending-rules-amendments/pending-changes-bankruptcy-forms>. Updated versions of the Court Manual, petition packages, and Local Bankruptcy Rules that reflect these revisions will be available by November 15 on the Court’s website at www.cacb.uscourts.gov/form-changes-2015.

CM/ECF CLOSURE ON NOVEMBER 30

Due to the forms changeover, CM/ECF and Lodged Order Upload (LOU) will be unavailable to electronic filers starting at 4:00 PM on Monday, November 30 until 9:00 AM on Tuesday, December 1. A public notice will be released in November with more detailed information.

COURT RELEASES ANNUAL PRO SE REPORT

The United States Bankruptcy Court for the Central District of California has released its fourth annual report about *pro se* litigants in bankruptcy. On October 9, the Court published [Access to Justice: Self-Represented Parties and the Court](#) on its website. The report 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 the services and programs that assist *pro se* parties throughout the district.

A disproportionately large number of bankruptcies filed without an attorney originate in the Central District of California. Nearly one quarter of the district's bankruptcy filings come from self-represented parties. In 2014, *pro se* debtors accounted for 13,329 of the district's 57,356 bankruptcy filings, or 16.1 percent of the nation's total *pro se* bankruptcy filings.

While the report finds that the bankruptcy process is generally more challenging for *pro se* debtors than for those who are represented by attorneys—last year, 82.1 percent of attorney-represented debtors obtained a discharge, compared to 48.2 percent of self-represented debtors—the rate of success for *pro se* debtors filing chapter 13 is especially discouraging. Based on cases closed in 2014, only 1.9 percent of self-represented debtors who filed chapter 13 reached the threshold of plan confirmation. By contrast, the confirmation rate for chapter 13 debtors with attorneys was over 60 percent.

"Although total case filings have dropped dramatically in the last few years, the percentage of debtors who represent themselves remains constant," Judge Maureen A. Tighe writes in the report's foreword. In response to the district's stubbornly high rate of *pro se* filings, the Court continues to take steps to increase access to justice for the district's most vulnerable residents. *Access to Justice* details the Court's ongoing creative partnerships with *pro bono* and low-cost legal services. Each of the Court's five divisions (in Los Angeles, Woodland Hills, Riverside, Santa Ana, and Santa Barbara) hosts a self-help desk that provides free legal advice to self-represented filers. Last year, the Court celebrated the contributions of *pro bono* volunteers at breakfast receptions held in their honor, and the Court's 2014 Honor Roll listed the names of all those who had volunteered throughout the district. The Honor Roll is published at the end of the report.

The report also highlights the innovative uses the Court has made of its technological resources. In the spring of 2014, the Court launched Electronic Self-Representation (eSR), software that helps self-represented parties file a chapter 7 bankruptcy petition. The online chat feature added to the Court's website last year puts users in touch with trained representatives who can answer procedural questions about bankruptcy. And, in an effort to reach the district's non-English speaking population, the Court translated its useful [bankruptcy timeline](#) aid into [Spanish](#).

Access to Justice: Self-Represented Parties and the Court is available on the Court's website at www.cacb.uscourts.gov -> Court Publications -> *Pro Se* Annual Report.

CHIEF JUDGE BLUEBOND AND JUDGE KLEIN VISIT LOS ANGELES BANKRUPTCY FORUM

On October 5, the Los Angeles Bankruptcy Forum hosted "Bankruptcy & Arbitration: Conflicting Policies, Uncertain Results." Chief Judge Sheri Bluebond kicked off the evening by discussing the state of the Court and what to expect in the coming year. Judge Sandra R. Klein and Retired Judge John Leo Wagner of Judicate West then joined attorneys David Guess of Klee, Tuchin, Bogdanoff & Stern LLP and Jeffrey Shinbrot of the Shinbrot Firm to discuss the interplay between the Federal Arbitration Act and the Bankruptcy Code. Among other things, their conversation highlighted conflicting policies and examined when arbitration agreements will be enforced in core and non-core bankruptcy matters. Judge Martin R. Barash also attended the program.

JUDGES TIGHE AND BAUER REAPPOINTED TO NINTH CIRCUIT PRO SE LITIGATION COMMITTEE

In October, Judges Maureen A. Tighe and Catherine E. Bauer were reappointed to the Ninth Circuit *Pro Se* Litigation Committee. The committee, whose members serve two-year terms, considers issues that affect self-represented litigants and makes recommendations for improving the administration of *pro se* cases.

Utilizing the Search Feature in CM/ECF

The "Search" feature located on the blue menu bar in CM/ECF is a helpful tool when searching for an event code. By clicking on "Search" and entering a keyword, such as "relief" for "relief from stay," CM will list all of the areas where the keyword can be found. This is an excellent way to verify event codes prior to filing your documents.

Requests to Be Removed from Notice of Electronic Filing (NEF)

There are different ways to file the **Request to Be Removed from Notice of Electronic Filing (NEF)**. Which one you should choose depends on your association with a case.

- A.) If your party is Courtesy NEF only, you must file a "Request to be Added or Removed from Courtesy Notification of Electronic Filing (NEF)." To file this document, please use **BK – Courtesy NEF > Request for Removal from Courtesy Notice of Electronic Filing (NEF)**.
- B.) If your party is a Creditor/Client, you must draft a document in standard pleading format titled "Request to Be Removed from Notice of Electronic Filing (NEF)." To file this pleading, please use **BK – Notices > Notice**. In the modify text box, type out the full caption "Request to Be Removed from Notice of Electronic Filing."
- C.) If your party is Courtesy NEF and Creditor/Client, you must draft a document in standard pleading format titled "Request to Be Removed from Notice of Electronic Filing (NEF)" and list all names the attorney is listed as representing. To file this pleading, please use **BK – Notices > Notice**. In the modify text box, type out the full caption "Request to Be Removed from Notice of Electronic Filing."

Top 20 Cases of Interest*

American Spectrum Realty, Inc., a Maryland Corp. American Spectrum Realty, Inc.

SA-15-10721-SC, SA-15-11397-SC, Chapter 11, Filed 02/13/15 and 03/16/15, Assets Unknown. Order Granting Motion To Continue Hearing On Debtor's Motion (1) To Enforce The Automatic Stay; (2) For Order Requiring Accounting Of Funds Held In Segregated Account; And (3) For Production Of Documents Pursuant To F.R.B.P. 2004. Hearing is continued to 11/5/15 at 11 a.m. in CRTRM 5C.

Anna's Linens, Inc.

SA-15-13008-TA Chapter 11, Filed 06/14/2015, Assets \$50-100 million and Liabilities \$100-500 million. Monthly operating report #4 for the month ending 10/4/15 filed 10/20/15.

AtheroNova Operations (FKA: Z & Z Medica Holdings, Inc), (Lead Case)

Jointly Administered with AtheroNova, Inc. SA15-11053-ES SA-15-11051-ES, Chapter 11, Filed 03/25/2015. Status of chapter 11 case and requiring report on status hearing continued to 12/1/15 at 10:30 a.m., CRTRM 5A.

AVT, Inc.

RS-15-14464-MW, Chapter 11, Filed 05/01/2015. Assets \$1-10 million and Liabilities \$1-10 million. Order granting motion to extend exclusivity period for filing a chapter 11 plan and disclosure statement - the debtor shall have the exclusive right to file a plan until 11/27/15. Status conference continued to 1/21/16 @ 9 a.m. Deadline of 3/31/16 set for filing a plan and disclosure statement. Deadline for confirming a plan is 6/30/16.

Battle Creek Conservation Ventures, LLC

SV-15-11683-MT, Chapter 11, Filed 05/13/2015. Assets \$10- 50 million and Liabilities \$1 - \$10 million. Motion to Dismiss filed by Creditor Charles A Orwick III on 9/2/15. Order Granting Application to Employ Eric R Robbins As Special Consultant filed 10/5/15.

Carson Civic Center Property, LLC

SV-15-11573-MT, Chapter 11, Filed 05/04/2015. Assets \$1-10 million and Liabilities \$1-10 million. Motion to Dismiss Debtor filed by Creditor Keana Investment Holdings, LLC 9/4/15.

Green Fleet Systems, LLC

LA-15-11542-BR, Chapter 11, Filed 02/02/2015, Assets \$1-10 million and Liabilities \$1-10 million. Monthly operating report number 8 for the month ending 9/30/15 was filed on 10/15/15.

Holy Hill Community Church

LA-14-21070-WB, Chapter 11, Filed 06/05/2014, Assets \$10- 50 million and Liabilities \$1 - \$50 million. Motion of Chapter 11 trustee for order approving settlement agreement with Downtown Capital, LLC, Alpine Parking Services, LLC and 1111 Sunset, LLC set for hearing on 11/9/15 at 10 a.m.

Key Disposal

LA-15-23044-BR, Chapter 11, Filed 08/19/2015, Assets \$1-10 million and Liabilities \$1-10 million. Case was dismissed on 9/30/15 with 180 day restriction and was closed on 10/16/15.

Laurel Canyon MK2 LLC

SV-15-11763-MB, Chapter 11, Filed 05/19/2015. Assets \$1-10 million and Liabilities \$1-10 million. Order setting bar date to 9/25/15.

Local Corporation, a Delaware Corp. DBA Local.com Corporation

SA-15-13153-SC, Chapter 11, Filed 06/23/2015, Assets \$10- 50 million and Liabilities \$1 - \$50 million. Proof of claims deadline: 10/30/15.

Malibu Associates, LLC

ND-15-10477-DS, Chapter 11, Filed 03/10/2015. Assets \$50-100 million and Liabilities \$10-50 million. Order establishing bidding procedures for sale of debtor's property free and clear of all liens, claims, encumbrances and other interested entered 9/28/15. Cont'd hearing re: motion for relief from the automatic stay real property scheduled for 10/22/15 at 10 a.m. Cont'd hearing re: motion to convert case from ch. 11 to ch. 7 scheduled for 10/22/15 at 10 a.m.

MediaShift, Inc. jointly administered with Ad-Vantage Networks, Inc.

LA-15-25024-SK, LA-15-25030-SK, Chapter 11, Filed 09/30/2015, Assets \$10-50 million and Liabilities \$10-50 million. Order entered on 10/16/15 extending the time to file schedules of assets and liabilities, statement of financial affairs, and related documents.

Morgan Drexen

SA-15-12278-CB, Chapter 11, Filed 04/30/2015. Assets \$1-10 million and Liabilities \$1-10 million. Motion filed by Trustee Golden; (1) authority to establish a bar date for potential ch. 11 administrative creditors; and (2) approval of the form of the notice of claims deadline.

Net Data Centers, Inc.

LA-15-12690-BB, Chapter 11, Filed 02/23/2015. Assets \$10-50 million and Liabilities \$10-50 million. Order entered on 10/19/15 granting motion for 61-day extension of exclusivity periods.

Plaza Healthcare Center LLC

SA-14-11335-CB, Chapter 11, Filed 03/04/14, Assets \$1+ million and Liabilities \$1+ million. Hearing continued on scheduling and case management conference - status hearing to be held on 12/16/15 at 10 a.m. CRTRM 5D.

S.B. Restaurant Co. dba's: Elephant Bar Restaurant, Elephant Bar Global Grill Wok Kitchen, Texas S.B. Restaurant Co. of CA, S.B. Restaurant of Missouri Co. S.B. Restaurant Co. of Kansas, LLC S.B. Restaurant Co. of Central Florida, LLC

SA-14-13778-ES, SA-14-13780-ES, SA-14-13781-ES, Chapter 11, Filed 6/16/14, Assets \$50-\$100 million and Liabilities \$50-\$100 million. Status conference continued to 12/17/15 at 10:30 a.m. CRTRM 5A. UPDATED: Status report to be filed by 12/3/15, unless an order dismissing the case has been entered by such date.

State Fish co., Inc.

LA-15-11084-SK, Chapter 11, Filed 01/26/2015. Assets \$1-10 million and Liabilities \$1-10 million. Motion for order authorizing assumption and assignment of unexpired lease of personal property set for hearing on 11/12/15 at 9 a.m.

The Beaumont Group LLC, a California limited liability company. DBA: First Street Storage

SA-15-13344-SC, Chapter 11, Filed 07/01/2015. Assets \$1-10 million and Liabilities \$10-50 million. Status conference and case management conference hearing continued to 12/10/15 at 11 a.m., CRTRM 5C.

Wrightwood Guest Ranch, LLC

RS-15-17799-SC Chapter 11, Filed 08/05/15, Assets \$10-50 million and Liabilities \$1-10 million. Involuntary case with order for relief entered 9/1/15. Notice of appointment of creditors committee filed 9/30/15. Status conference continued to 11/3/15 @ 1:30 p.m. Notice of claims bar date 12/4/15. Deadline to object to all claims is 1/22/16. Plan and disclosure statement to be filed by 10/30/15. Disclosure statement hearing 12/8/15 @ 1:30 p.m.

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