

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.

VINCENT P. ZURZOLO
Chief Judge

KATHLEEN J. CAMPBELL
Executive Officer/Clerk of Court

Suggestions and comments
are always welcome.

Please call (213) 894-3901
or email us at Vanita_Subherwal@cacb.uscourts.gov.

For information on
upcoming court
closures, please see
page 2 or refer to Public
Notice 10-015 on the
Court's website.

Important Updates

Court Website:

- Court Manual
- Public Notices



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Judge Samuel L. Bufford Retires with Nearly 25 years of Service

On August 31, 2010, Judge Samuel L. Bufford retired with almost 25 years of service at the United States Bankruptcy Court in the Central District of California. Upon his retirement from the bankruptcy court, Judge Bufford is joining the faculty at Pennsylvania State University, School of Law and School of International Relations.

Judge Bufford was appointed to the bench on November 25, 1985, and was reappointed on March 23, 2000. He presided over more than 100,000 cases and over 3,000 Chapter 11 cases. Some of his highest profile cases included Vicki Lynn Marshall (a.k.a. Anna Nicole Smith) and First Capital Holdings Corporation cases.

During his time on the bench, Judge Bufford worked with attorneys to develop Local Rules for Chapter 13 cases. He also served on the Rules Committee that rewrote the Court's Local Rules after the adoption of the present bankruptcy code. In addition, he taught law and philosophy at Ohio State University, University of Southern California, Harvard University, and Queensland University of Technology in Australia.

Judge Bufford received his J.D. from the University of Michigan School of Law in 1973, magna cum laude. Prior to his appointment to the bench, Judge Bufford practiced law in the areas of securities and anti-trust litigation. He practiced law at Paul, Weiss, Rifkind, Wharton and Garrison in New York from 1974 to 1975; at Sullivan, Jones and Archer in San Francisco from 1977 to 1979; at Musick, Peeler and Garrett in Los Angeles from 1979 to 1981; at Rifkind and Sterling in Beverly Hills from 1981 to 1982; and at Gendel, Raskoff, Shapiro and Quittner in Los Angeles from 1982 to 1985. Additionally, Judge Bufford taught at Ohio University as an assistant professor of law and adjunct professor of city and regional planning from 1975 to 1977. Since 1988, he has served as an adjunct professor of law at the University of Southern California.

We thank Judge Bufford for his contributions to the Court in the past 24 years and wish him all the best in retirement and in his future endeavors.



Judge Samuel L. Bufford

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

COURT CLOSED

Los Angeles

Friday, September 3, 2010,
from 11:45 a.m. to 1:30 p.m.

San Fernando Valley

Wednesday, September 8, 2010,
from 9:00 a.m. to 10:15 a.m.

Santa Barbara

Wednesday, September 8, 2010,
from 11:45 a.m. to 1:15 p.m.

Riverside

Tuesday, September 14, 2010,
from 11:45 a.m. to 1:15 p.m.

Santa Ana

Wednesday, September 15, 2010,
from 11:45 a.m. to 1:15 p.m.

Judge Peter H. Carroll Relocates to Los Angeles Division

As of August 23, 2010, Judge Peter H. Carroll has relocated from the Riverside Division to the Los Angeles Division. With a few exceptions, all of the judge's pending Riverside bankruptcy and adversary proceedings were reassigned to Judges Meredith A. Jury, Catherine E. Bauer, and Deborah J. Saltzman on August 13, 2010. The initials "MJ," "CB," and "DS" (for Judges Jury, Bauer, and Saltzman respectively) will now follow the case or adversary proceeding number of the reassigned matters.

The Riverside Division bankruptcy cases and adversary proceedings retained by Judge Peter Carroll will remain Riverside Division cases, but will now be heard in Courtroom 1539 in the Los Angeles Division. Judge's copies must be served to the judge at his Chambers in the Los Angeles Division, room 1534.

For the list of bankruptcy cases and adversary proceedings retained by Judge Peter Carroll, please refer to Public Notice 10-013.

Reassignment of Judge Bufford's Bankruptcy and Adversary Proceedings

As of August 23, 2010, Judge Samuel L. Bufford's pending bankruptcy and adversary proceedings were reassigned to Chief Judge Vincent P. Zurzolo and Judge Peter H. Carroll. All chapter 13 cases were reassigned to Chief Judge Zurzolo, while the majority of chapter 7, chapter 11, chapter 15, and § 304 cases were reassigned to Judge P. Carroll, except for a few cases that will be transferred to Judge P. Carroll on September 1, 2010. The initials of the successor judge for the bankruptcy and adversary proceedings are "VZ" for Chief Judge Zurzolo and "PC" for Judge Carroll.

Hearings for cases assigned to Chief Judge Vincent P. Zurzolo will be heard in Los Angeles Division Courtroom 1368 and hearings for cases assigned to Judge P. Carroll will be heard in Los Angeles Division Courtroom 1539.

For additional information regarding the reassigned cases, please refer to Public Notice 10-014.

Proposed Amendments Published for Public Comment

The Judicial Conference Advisory Committees on Bankruptcy and Criminal Rules are seeking comments on proposed amendments to the Federal Rules of Bankruptcy Procedure (FRBP) and the official bankruptcy forms.

The proposed FRBP amendments affect FRBP 3001 Proof of Claim, FRBP 7054 Judgments; Costs, and FRBP 7056 Summary Judgment.

Proposed revisions will be made to the following official bankruptcy forms:

- Proof of Claim (Official Form B10)
- Plan of Reorganization in Small Business Case under Chapter 11 (Official Form B25A)

Proposed new official bankruptcy forms include:

- Mortgage Proof of Claim Attachment (Official Form B10 Attachment A)
- Notice of Mortgage Payment Change (Official Form B10 Supplement 1)
- Notice of Postpetition Mortgage Fees, Expenses, and Charges (Official Form B10 Supplement 2)

To view the complete list of proposed amendments, and related information, please visit the US Courts website at www.uscourts.gov/RulesAndPolicies/FederalRulemaking/PublishedRules.aspx. Comments should be submitted by **February 16, 2011** to Rules_Comments@ao.uscourts.gov.

Judges Provide Case Administration Tips to Santa Ana Bankruptcy Bar

On July 16, 2010, the Orange County Bankruptcy Forum hosted a discussion on expediting case management. Judges Erithe A. Smith, Theodor C. Albert, and Robert Kwan offered those in attendance tips that would help expedite the processing of their matters.

Some of the tips discussed included the timely service of judge's copies for filed documents, requesting *ex parte* and shortened time proceedings for only truly urgent matters, and completing reaffirmation agreements thoroughly to provide sufficient evidence for the judge to determine the presence or absence of undue hardship.

To review the complete list of tips, please visit the Los Angeles Bankruptcy Forum online at labankruptcyforum.org.

Revisions to the Court Manual

New revisions to the Court Manual are effective immediately. Some of the changes include:

- Table of Contents: Page numbers have been added next to each section and subsection listed.
- Section 4-4: Revised instructions regarding service lists and BNC noticing.
- Appendix F: List of exceptions to serving a judge's copy of filed documents.
- Appendix G: Section 2009-003, new helpful hint regarding invalid addresses.

The updated Court Manual is available on the Court's website at www.cacb.uscourts.gov under Forms/Rules/General Orders.

For additional information or questions regarding these changes, please contact the ECF Help Desk at (213) 894-2365 or via email at ECF_support@cacb.uscourts.gov.

CM/ECF Tips

New Docket Event Codes

Two new docket event codes have been created for external users to submit a motion to the Court to restrict access to previously filed documents containing personal data identifiers. The docket event codes are:

- **BK – Motions/Applications >** Protective Order to Restrict Access to Filed Document Containing Personal Data Identifiers (BK/AP)(motion)
- **AP – Motions >** Protective Order to Restrict Access to Filed Document Containing Personal Data Identifiers (BK/AP)(motion)

Filing Statistics

Central District of California - Percent Increase in Filings *January - August 2010* to January - August 2009*

42% ↑	0.5% ↑	35% ↑	40% ↑
2010: 72,349	2010: 764	2010: 20,314	2010: 93,427
2009: 53,199	2009: 762	2009: 15,013	2009: 68,974
Chapter 7	Chapter 11	Chapter 13	Total

National - Percent Increase in Filings

12 Mo. Period Ending June 30, 2010 to Same Period Ending June 30, 2009

34% ↑	29% ↑	12% ↑	27% ↑
2010: 1,133,320	2010: 14,272	2010: 424,242	2010: 1,572,597
2009: 907,603	2009: 13,951	2009: 384,187	2009: 1,306,315
Chapter 7	Chapter 11	Chapter 13	Total

*Based on estimated filing data for August 2010.

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

WestCliff Medical Laboratories, Inc./BioLabs, Inc.

SA-10-16743-TA, SA-10-16746-TA, Chapter 11, Filed 5/19/10. Assets and Liabilities between \$50-\$100 million. SA-10-16743TA: Status Conference set 9/2/10. SA-10-16746TA: Proof of Claim deadline due by 9/17/10, government proof of claim due by 2/7/11.

Ocean Parks Hotels - TOY LLC/Ocean Park Hotels - TOP LLC

SV-10-15358-GM, SV-10-15359-GM, Chapter 11, Filed 5/6/10. Assets and Liabilities between \$10-\$50 million. SV-10-15358-GM: Hearing for Motion for Relief from Stay re: Action in Non-BK Forum set for 8/24/10. SV-10-15359-GM: Status hearing re: voluntary petition (chapter 11) set for 10/19/10.

Bander Law Firm, LLP

LA-10-15066-AA, Chapter 7, Filed 2/12/10. Assets between \$1-100 million and Liabilities between \$500,001-\$1 million. Order granting motion for relief from stay filed by movant First Insurance Funding Corp. of California signed on 8/5/10.

The Walking Company

ND-09-15138-RR, Chapter 11, Filed 12/7/09. Assets over \$100 million and Liabilities between \$1-100 million. Hearing re: objection to claims and fee applications set for 9/14/10. Status conference hearing continued to 11/29/10.

Downey Regional Medical Center-Hospital Inc

LA-09-34714-BB, Chapter 11, Filed 9/14/09. Assets over \$100 million and Liabilities between \$1-100 million. Hearing re: Motion to Disallow Claims set for 8/31/10. Hearing re: motion to allow and pay superpriority administrative expense claims set for 9/8/10.

IM Stopping Power GmbH

SV-09-21491-MT, Chapter 15, Filed 9/1/09. Assets between \$50,000-100,000 and Liabilities between \$1-100 million. Status hearing re: Petition Foreign Proceeding (Chapter 15) set for 10/25/10.

Lenny Kyle Dykstra

SV-09-18409-GM, Chapter 7, Filed 7/7/09. Assets between \$0-50,000 and Liabilities between \$1-100 million. Withdrawal/resignation of Trustee A. Cisneros. Notice of Appointment of Trustee David K. Gottlieb filed 8/11/10. Hearing for application to employ set for 8/25/10.

PPA Holdings, LLC

SA-09-16353-ES (LEAD of 22), Chapter 11, Filed 6/26/2009. Assets and Liabilities over \$100 million. Hearing re: Motion for Order: 1. Converting Debtors' cases from chapter 11 to chapter 7; 2. authorizing the continued operation of debtors' properties pending sale set for 9/2/10. Hearing re: Chapter 11 trustee's motion for order authorizing abandonment of real property set for 9/2/10.

Z Gallerie

LA-09-18400-VZ, Chapter 11, Filed 4/10/2009. Assets and Liabilities between \$1-100 million. Hearing for motion re: objection to claim filed by post-effective date committee of unsecured creditors continued to 9/7/10.

Fatburger Restaurants of California, Inc./Fatburger Restaurants of Nevada, Inc.

SV-09-13964-GM, SV-09-13965-GM, Chapter 11, Filed 4/7/2009. Assets and Liabilities between \$1-100 million. Confirmation hearing re: disclosure statement set for 9/28/10. Hearing re: Debtors' emergency motion set for 9/28/10.

Fleetwood Enterprises, Inc.

RS-09-14254-MJ (LEAD of 43), Chapter 11, Filed 3/10/2009. Assets and Liabilities over \$100 million. Status conference hearing re: stipulation filed by official committee of creditors holding unsecured claims set for 9/1/10. Hearing re: notice of motion and the U.S. motion for clarification or relief from judgment set for 9/8/10.

Bethany Holdings Austin Apartments, LLC

SA-09-11873-RK (LEAD of 15), Chapter 11, Filed 3/4/2009. Assets and Liabilities between \$1-100 million. Hearings for motions to reclassify and disallowing claims set for 9/29/10 and 10/6/10.

Right Start Acquisition Company

SV-09-11132-MT (LEAD of 2), Chapter 11, Filed 2/3/2009. Assets and Liabilities between \$1-100 million. Chapter 11 plan and disclosure statement filed. Status hearing set for 9/13/10. Hearing re: motion to disallow claims set for 9/13/10. Show cause hearing set for 9/29/10.

StarRibs North, LP

SA-08-17182-TA (LEAD of 15), Chapter 11, Filed 11/6/2008. Assets and Liabilities between \$1-100 million. Order confirming debtors' amended Chapter 11 Plan of Reorganization signed on 8/16/10. Hearing re: application for compensation set for 8/31/10.

Palmdale Hills Property, LLC

SA-08-17206-ES (LEAD of 25), Chapter 11, Filed 11/6/2008. Assets and Liabilities over \$100 million. Hearing re: motion for relief from stay set for 9/7/10. Hearing re: motion to disallow (unsecured) claims set for 9/28/10.

Karykeion Inc.

SV-08-17254-MT, Chapter 11, Filed 9/22/2008. Assets and Liabilities at \$1-100 million. Notice of referral and transmittal of appeal to USDC. Assignment Notice of USDC case/judge to Judge Perry Anderson, #CV10-5843-PA. Hearing re: application to employ set for 9/29/10.

Century City Doctors Hospital, LLC

LA-08-23318-SB, Chapter 7, Filed 8/22/2008. Assets and Liabilities between \$1-100 million. Order granting motion to extend time to assume or reject executory contracts and/or unexpired leases of intangibles extended to 9/22/10.

Woodside Group, LLC

RS-08-20682-PC (LEAD of 188), Chapter 11, Filed 8/20/2008. Hearing re: motion for relief from stay-action in non-bankruptcy forum set for 9/9/10. Hearing on debtors' second omnibus objection to claims set for 9/22/10. Hearing re: motion to disallow claims continued to 9/22/10.

IndyMac Bancorp, Inc.

LA-08-21752-BB, Chapter 7, Filed 07/31/2008. Order approving agreement and stipulation to toll avoidance claims signed on 7/30/10.

Estate Financial Mortgage Fund, LLC

ND-08-11535-RR, Chapter 11, Filed 07/01/2008. Assets over \$100 million and Liabilities between \$1-100 million. Status conference hearings for 23 newly filed adversary proceedings against jointly administered case ND-08-11457-RR set for 9/17/10.