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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.

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of the Court News are
available on the Court's
website at <http://www.cacb.uscourts.gov/publications>.

REASSIGNMENT OF JUDGE RICHARD M. NEITER'S CASELOAD EFFECTIVE SEPTEMBER 8

Judge Richard M. Neiter will retire on September 10. Effective September 8, Judge Neiter's pending bankruptcy cases and related adversary proceedings will be reassigned to Los Angeles Division judges according to the terminal digit of the case number. (Please note: there are 17 cases which are not being reassigned according to this rule, listed in Exhibit A of Public Notice 16-009.)

Cases ending in the digit 0 or 1 will be reassigned to Judge Robert N. Kwan, cases ending in the digit 2 or 3 will be reassigned to Judge Ernest M. Robles, cases ending in the digit 4 or 5 will be reassigned to Judge Barry Russell, cases ending in the digit 6 or 7 will be reassigned to Judge Deborah J. Saltzman, and cases ending in the digit 8 or 9 will be reassigned to Chief Judge Sheri Bluebond.

For more information, including a list of the exceptions to the rule above, see Public Notice 16-009.

REQUEST FOR PUBLIC COMMENT ON PROPOSED NATIONAL RULES AND FORMS AMENDMENTS

The Judicial Conference Advisory Committees on Appellate, Bankruptcy, Civil and Criminal Rules have proposed amendments to their rules and forms, and requested that the proposals be circulated to the bench, bar, and public for comment. The public comment period ends February 15, 2017.

To view the proposed revisions, reports explaining the proposed changes, as well as information about submitting written comments or testimony at public hearings, please visit the [Rules & Policies](#) page on the U.S. Courts' website.

CHIEF JUDGE SHERI BLUEBOND RELOCATES TO NEW COURTROOM AND CHAMBERS

As of August 22, Chief Judge Sheri Bluebond occupies a new courtroom and chambers on the 15th floor of the Edward R. Roybal Federal Building and U.S. Courthouse. Chief Judge Bluebond now hears matters in courtroom 1539 and keeps her office in chambers 1534. Her telephone numbers have not changed.

COURT CLOSED



Monday, September 5—
Labor Day



Monday, October 10—
Columbus Day



Accessing Court Information by Twitter

The Court has tweeted over 3,000 times since 2011, and its Twitter account has nearly 700 followers. The Court tweets announcements, Notices of Sale, Public Notices, and other timely information. In March 2015, 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.

JUDGE JULIA W. BRAND APPOINTED TO NINTH CIRCUIT BANKRUPTCY APPELLATE PANEL

On July 26, Ninth Circuit Chief Judge Judge Sidney R. Thomas announced the appointment of Judge Julia W. Brand to a seven-year term on the Ninth Circuit Bankruptcy Appellate Panel (BAP), which resolves appeals arising out of bankruptcy court decisions in the western states. Judge Brand's term begins December 1.

The BAP was established in 1979 by the Judicial Council of the Ninth Circuit as an alternative forum for hearing bankruptcy appeals. Since then, it has disposed of more than 15,000 cases, including more than 5,000 decided on the merits. Based in the Richard H. Chambers U.S. Court of Appeals Building in Pasadena, the BAP has, historically, handled between 49 and 60 percent of all bankruptcy appeals originating out of bankruptcy courts throughout the Ninth Circuit.

BAP judges serve a term of seven years and are eligible for a three-year extension. Other bankruptcy judges from around the circuit also serve on appellate panels on a pro tem basis. For more information, see the Ninth Circuit's [BAP webpage](#).

JUDGE PETER H. CARROLL REAPPOINTED

On June 27, Ninth Circuit Chief Judge Judge Sidney R. Thomas announced that Judge Peter H. Carroll would be appointed to a second 14-year term on the bench. Judge Carroll's reappointment is effective August 1.

Judge Carroll has served the Court since 2002 and was its chief judge from 2011 to 2014. He has been a member of the Ninth Circuit Information Technology Committee since December 2014. He is the former director of the California Bankruptcy Forum, the former director and president of the Central California Bankruptcy Association, and a member of the American Bankruptcy Institute.

CENTRAL DISTRICT CELEBRATES LGBTQ PRIDE MONTH

On July 28, as part of the district's celebration of diversity, an LGBTQ Pride Month event was held in the Roybal Federal Building and U.S. Courthouse for the Central District of California federal family: the U.S. Attorney's Office, the Federal Public Defender's Office, the Federal Bureau of Prisons, and the Bankruptcy and District Courts. The event's keynote speaker, Chief District Judge Virginia A. Phillips, discussed aspects of her groundbreaking 2010 opinion in the [Log Cabin Republicans v. United States of America](#) case, which brought an end to the military's "Don't Ask, Don't Tell" (DADT) policy.

With a bit of humor, Judge Phillips started by thanking the audience of about 100 people for allowing her to extend LGBTQ Pride Month into July (it's held in June). DADT allowed gays and lesbians to serve in the military only if they were not open about their sexual preference. Log Cabin Republicans, an LGBTQ nonprofit corporation, held that DADT limited First Amendment rights and went

Flattening and Shrinking the Document Image

All PDF files must be “flattened” before they are uploaded into CM/ECF. Otherwise, they are likely to be reproduced in poor quality. Flattening also reduces the file size of a fillable form by over 90 percent, conserving valuable resources for the Court. CM/ECF users who submit files without flattening them will be contacted and asked to resubmit these files.

To flatten an electronic file (i.e., to make the field data indistinguishable from the rest of the text in the form), print the form to PDF using the print dialog box. Then, file the resulting document. A detailed set of instructions for flattening and shrinking a PDF document is **available on the Court’s website**.

Clearing Browser History and Cache

You may want to delete the files stored in your cache to improve the speed and performance of your internet browser. To clear the browser history and cache, follow these steps:

Internet Explorer 11

1. Click on **Tools**.
2. Select **Delete Browsing History**.
3. Ensure all boxes are checked in the new window, but leave **Preserve Favorites website data unchecked**.
4. Click **Delete**.

Google Chrome

1. Open **Chrome**.
2. Click the **Chrome menu** located in the top right hand side of the browser window.
3. Select **Settings** from the list.
4. Select **History**.
5. Choose **beginning of time** to delete everything.
6. Click **Clear browsing data**.

Microsoft Edge

1. Click the **Hub icon**.
2. Click the **History icon**.
3. Click the link labeled **Clear all history**.
4. Check the boxes for each item you want to clear.
5. Click the **Clear** button.

against the Fourteenth Amendment’s due process principles. The plaintiffs did not seek monetary compensation, which would have required a jury, but requested a permanent injunction to bar enforcement of DADT.

While the defendant asserted that striking down DADT would reduce the effectiveness of the military, Judge Phillips found the opposite to be true. As many gays and lesbians serving in the military are often highly decorated and highly skilled, it would be detrimental to the military to discharge them under DADT. In one example of the impact of DADT, a gay man was discharged from the military after he wrote a letter to a friend with information about his sexual preference, and the letter was later found and turned over to an officer.

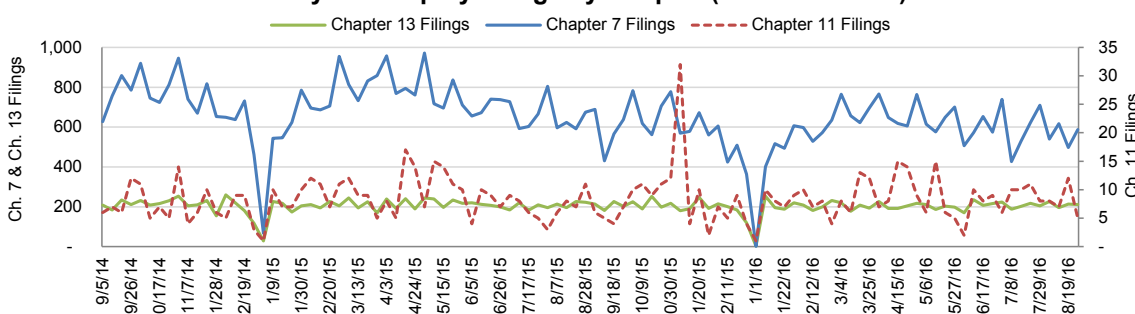


Judge Phillips found it humorous to learn that, during the case, she was the first judge to apply the admissibility of a [tweet](#). Judge Phillips said she did not write her decision with a preconceived conclusion. Instead, as is her practice in all cases, she came to her decision by synthesizing the information presented in the case during the writing of her opinion.

The day after the decision was published, a flood of phone calls took down the entire phone system at the Riverside Division where Judge Phillips maintained her chambers. Callers were angry, hateful, threatening, and often used pornographic language. She also received a large number of letters with the same vitriol. She and her courtroom deputy received death threats. While judges are protected by the U.S. Marshals, the courtroom deputy also had to be assigned to their protection.

Judge Phillips struck down DADT by imposing a permanent injunction that barred its enforcement. Besides being an historic milestone for the LGBTQ community, Judge Phillips’ landmark decision illustrates the important role that can be played by an independent judiciary in the field of civil rights.

Weekly Bankruptcy Filings by Chapter (9/5/14 - 8/26/16)



Top 20 Cases of Interest*

Donmetz Home LLC,

SV-16-10317-VK, Chapter 11, Filed 02/02/16. Assets \$1-10 million and Liabilities \$1-10 million. Status conference hearing continued to 8/25/16 at 1:00 p.m. Order approving stipulation regarding continuance of deadline to file Disclosure Statement describing Chapter 11 Plan of Reorganization and Chapter 11 Plan of Reorganization entered 7/27/16.

DPA Investors, LLC

SV-16-11263-MT, Chapter 11, Filed 04/27/16. Assets \$1-10 million and Liabilities \$1-10 million. Stipulation between debtor and office of U.S. Trustee regarding debtor's motion for order authorizing sale of real property and dismissal of case filed 8/11/16. Status and case management conference continued to 10/20/16 at 9:30 a.m.

Dorothy Hannah Hamilburg aka Hannah Hamilburg

ND-15-10528-PC, Chapter 11, Filed 03/16/16. Assets \$1-50 million and Liabilities \$1-10 million. Status conference hearing continued to 9/7/16 at 10 a.m. Creditor's motion to appoint a Ch. 11 Trustee hearing scheduled for 9/7/16 at 10 a.m. Status hearing re: Complaint AP15-1024PC continued to 9/8/16 at 10 a.m.

Duane Daniel Martin & Tisha Michelle Martin. Aka: Tisha Campbell-Martine

SV-16-10045-VK, Chapter 7, Filed 01/07/16. Assets \$1 million and Liabilities \$10-50 million. Order approving second stipulation by debtors to extend deadline to object to the granting of discharge (extended until 09/30/16) entered 7/11/16. Hearing regarding Trustee's motion for order disallowing debtor's claim of homestead exemption has been continued to 10/6/16 at 2:00 p.m.

East Coast Foods, Inc.

LA-16-13852-BB, Chapter 11, Filed 03/25/16. Assets \$0-\$50 million and Liabilities \$10-50 million. Order entered on 8/16/16 granting motion to allow the filing of a single proof of claim on behalf of a class of creditors or, alternatively, to extend deadline for class members to file proof of claim.

Freedom Communications Inc. AKA: Orange County Register

SA-15-15318-MW, Chapter 11, Filed 11/01/15. Assets \$10 million and Liabilities \$10 million. Order granting application for compensation--see order for ruling signed 6/13/16; motion to extend exclusivity period for filing Chapter 11 Plan and Disclosure Statement filed 6/27/16; order approving stipulation to continue hearing on motion for relief to 8/22/16 at 9 a.m.; order granting motion for an order authorizing further extension of exclusivity period on filing Chapter 11 Plan and for soliciting acceptance to the plan extended from 6/28/16 to and including 8/31/16 extended from 8/27/16 to and including 10/30/16 signed on 7/22/16; status conference continued to 12/7/16 at 9 a.m.; voluntary dismissal of motion for relief doc. 697 filed 7/28/16, hearing continued to 8/22/16 at 9 a.m.

Gardens Regional Hospital and Medical Center, Inc.

LA-16-17463-ER, Chapter 11, Filed 06/06/16. Assets \$1-10 million and Liabilities \$1-50 million. Order entered on 8/16/16 granting motion of debtor for an order authorizing the debtor to retain, employ, and compensate certain professionals utilized by the debtor in the ordinary course of business.

Georgina, LLC

SV-16-10140-MB, Chapter 11, Filed 01/18/16. Assets \$1-10 million and Liabilities \$1-10 million. Status conference hearing continued to 9/13/16 at 1:30 p.m. Status conference regarding motion for an order designating debtors case a single asset real estate case under 11 USC 101 (51B), and confirming that the debtor is subject to bankruptcy code section 362(D)(3) with respect to the automatic stay of acts against the debtors single asset real estate continued to 9/13/16 at 1:30 p.m. Status conference regarding motion for relief from stay continued to 9/13/16 at 1:30 p.m.

Harlequins Web LLC

SV-16-10783-MT, Chapter 11, Filed 03/17/16. Assets \$500-1 million. Case management conference hearing continued to 10/20/16 at 9:30 a.m. Order granting motion to dismiss Chapter 11 case entered 8/22/16.

Henderson Holdings 1 LLC

SV-16-10685-MT, Chapter 11, Filed 03/09/16. Assets \$1- 10 million and Liabilities \$1 - \$10 million. Scheduling and case management conference hearing continued to 1/12/17 at 9:30 a.m.

Majestic Air Inc

SV-16-11538-MT, Chapter 11, Filed 05/23/16. Assets \$1-10 million and Liabilities \$1-10 million. Judge Geraldine Mund assigned to case, involvement of Judge Maureen Tighe terminated on 8/1/16. Status and case management conference continued to 8/30/16 at 10 a.m.

Metropolitan Automotive Warehouse, Inc.

RS-16-10105-MJ, Chapter 11, Filed 01/06/2016. Assets \$10-50 million and Liabilities \$10-50 million. Monthly operating report #7 filed 8/16/16; status report filed 8/9/16 by debtor; motion for payment of administrative expenses by creditor Ryder Truck Rental hearing 8/23/16 at 1 p.m.

Miyagi Sushi, Inc.

RS-16-16990-MJ, Chapter 11, Filed 08/07/16, Assets \$50-100 million and Liabilities \$500-1 million. Order/notice of status conference entered 8/5/16; hearing scheduled 9/7/16 at 2:30 p.m.; meeting of creditors 9/7/16 at 2:30 p.m.

Olin Virtual Academy

SV-16-11187-MB, Chapter 11, Filed 04/20/16. Assets \$1-10 million. Scheduling and case management conference continued to 8/23/16 at 1:30 p.m. Order granting motion for a new bar date for filing proofs of claim and approving the form and manner of notice thereof entered 8/15/16. Order granting debtor's motion for an order extending the deadline to assume or reject lease or executory contract entered 8/17/16. Order granting debtor's motion for an order extending the exclusivity periods to file its Chapter 11 Plan of Reorganization and secure acceptance of its plan or reorganization pursuant to 11 U.S.C. Sec 1121(d) entered 8/17/16.

Osher and Osher, Inc

SV-16-10069-MT, Chapter 11, Filed 01/11/16. Assets \$1-10 million and Liabilities \$1-10 million. Scheduling and case management conference to be held on 11/3/16 at 9:30 a.m. Order (1) Granting in part, denying in part, emergency motion to alter/amend order granting motion for order (A) Authorizing sale of real property outside of the ordinary course of business under 11 USC Sec. 363(B) Authorizing payment of undisputed liens, costs and sale and property taxes; (C) Finding that purchaser is a good faith purchaser under 11 USC Sec. 363(M); and (D) Waiving 14 day stay period under FRBP 6004(H); and (2) Vacating hearing on motion the emergency motion for order authorizing withholding of default interest portion of sale proceeds to Lone Oak Funds entered 6/9/16.

Petaluma Family

SA-16-12035-ES, Chapter 11, Filed 05/03/16, Assets \$0-50 million and Liabilities \$1-10 million. Case dismissed on 6/30/16 and closed on 8/1/16.

Pollyanna Properties, LLC

SV-16-11430-MT Chapter 11, Filed 05/11/16, Assets \$1-10 million and Liabilities \$1-10 million. Status and case management conference continued to 9/8/16 at 9:30 a.m.

Real Estate Short Sale, Inc.

SV-16-11387-MT Chapter 11, Filed 05/06/16, Assets \$1-10 million and Liabilities \$1-10 million. Judge Geraldine Mund assigned to case, involvement of Judge Maureen Tighe terminated on 7/7/16. Status and case management conference continued to 8/30/16 at 10 a.m. Voluntary dismissal of U.S. Trustee motion to dismiss or convert case with an order directing payment of quarterly fees and for judgment thereon filed 6/22/16.

Star Auto Parts, LLC

RS-16-10105-WJ, Chapter 11, Filed 01/06/16. Assets \$1-10 million and Liabilities \$1-10 million. No updates.

Stronghold Asset Management Corp.

SV-16-11961-MT, Chapter 11, Filed 07/06/16. Assets \$1-10 million and Liabilities \$1-10 million. Scheduling and case management conference to be held on 9/1/16 at 9:30 a.m.

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