



# COURT NEWS



Chief Judge Barry Russell

2006

Jon D. Ceretto, Executive Officer/Clerk

## Richard M. Neiter Appointed Bankruptcy Judge

The Court is pleased to welcome its newest judge, Richard M. Neiter to the Los Angeles Division. On Friday, February 17, 2006, Chief Judge Barry Russell administered the *Oath of a Bankruptcy Judge* to Judge Neiter, with February 18, 2006 as the effective date of his appointment. His formal induction will occur on March 23, 2006. Judge Neiter maintains his chambers in the Los Angeles Division. Most pending Los Angeles Division bankruptcy cases and adversary proceedings previously assigned to Judge Erithe A. Smith, who relocated her chambers to the Santa Ana Division, were reassigned to Judge Neiter.

Judge Neiter obtained his B.S. from the University of California at Los Angeles in 1959, and received his J.D. in 1962 from the University of Southern California, where he served on the Board of Editors for the *Southern California Law Review*.

Judge Neiter brings over 40 years of legal experience to the bench. Since his admission to the State Bar of California in 1963, Judge Neiter has been in private practice at Stutman, Triester & Glatt. His professional activities include chairing the Debtor/Creditor Relations and Bankruptcy Committee of the State Bar of California, and serving on the Executive Committee for the Commercial Law and Bankruptcy Section of the Los Angeles County Bar Association. Judge Neiter also served on the mediation panel for the United States Bankruptcy Court for the Central District of California. He is also active in various civic and religious organizations.



Chief Judge Barry Russell United States  
Bankruptcy Court Central District of California  
swears in Judge Richard M. Neiter

## Judge Robert W. Alberts Retires

After the completion of his 14-year term, Judge Robert W. Alberts retired from the bench on February 17, 2006. Judge Alberts was appointed to the bench in 1992 and maintained his chambers in the Santa Ana Division. Judge Alberts' pending Santa Ana Division cases and adversary proceedings were reassigned to Judge Erithe A. Smith, who has relocated from the Los Angeles Division to the Santa Ana Division.

## Case Reassignment to Judges Erithe A. Smith and Richard M. Neiter

Effective February 18, 2006, the vast majority of pending Los Angeles Division bankruptcy cases and adversary proceedings assigned to Judge Erithe A. Smith were reassigned to Judge Richard M. Neiter. For these cases and proceedings, the judge code changed from "ES" to "RN." A small number of cases and adversary proceedings were retained by Judge Smith and were transferred to the Santa Ana Division. These cases were assigned new Santa Ana numbers and the location codes were changed from "LA" to "SA."

For more information and a list of matters transferred to the Santa Ana Division and remain assigned to Bankruptcy Judge Erithe A. Smith, please see Public Notice 06-001 at <http://www.cacb.uscourts.gov> -> News/Notices/Publications -> Public Notices -> 06-001 -> Case Reassignment to Judges Erithe A. Smith and Richard M. Neiter.

Also on February 18, 2006, all pending bankruptcy cases and adversary proceedings in the Santa Ana Division assigned to Judge Robert W. Alberts were reassigned to Judge Erithe A. Smith. The judge code for these cases and proceeding numbers were changed from "RA" to "ES."

## Judge Kathleen Thompson Named Judge of the Year

On February 16, 2006, the San Fernando Valley Bar Association honored Judge Kathleen Thompson with the Judge of the Year Award. The annual Judges' Night Dinner was held at the Woodland Hills Hilton Hotel. Along with Judge Thompson's award, several retiring state court judges were also honored at this event.

Attendance at this dinner was phenomenal with significant representation of the bankruptcy bar. According to one San Fernando Valley Bar Association representative, this was one of the most well attended Judges' Night Dinners in years. Judge Thompson's family and chambers staff were also on hand to share in this special occasion.

Several Central District of California Bankruptcy Judges, as well as Jon D. Ceretto, Clerk/Executive Officer, were also in attendance. Judges Mund, Tighe, and Greenwald presented Judge Thompson with a whimsical gift, a penguin teapot, on behalf of the San Fernando Valley Division.

Judge Thompson accepted her award with grace and dignity, her acceptance speech was thoughtful and poignant.

*Congratulations Judge Thompson!*



Judge Thompson (r) with Richard A. Lewis, President of the San Fernando Valley Bar Association



Judge Thompson with Judge Russell

## Pro Bono Attorneys Honored with William J. Lasarow Awards

On January 18, 2006, three of the over 100 attorneys who provide *pro bono* services to debtors served by the Los Angeles and San Fernando Valley divisions were awarded the *William J. Lasarow Award for Outstanding Pro Bono Service in Bankruptcy* at a special ceremony held on the rooftop of the Standard Hotel in downtown Los Angeles. The three *pro bono* attorneys honored were Marisa H. Hawkins, Esq., an in-house volunteer for Public Counsel; Philomena N. Nzegge, Esq., from the Law Offices of Philomena N. Nzegge; and Jason Wallach, Esq., from the Law Firm of Berger Kahn.

Retired Judge Lasarow, Chief Judge Russell, Judge Donovan, and Judge Zurzolo, presented the awards and acknowledged the professional and tireless efforts of the award winners as well as the many other volunteer attorneys. This award is named after Judge Lasarow who initiated the Court's *pro bono* program during his term as the first Chief Bankruptcy Judge for our district. The *pro bono* program is part of Public Counsel's Debtor Assistance Project (DAP). In 2005, over 1100 individuals with bankruptcy issues received assistance from the project.



From (left to right): Judge Thomas Donovan, Retired Judge William J. Lasarow, Philomena Nzegge, Chief Judge Barry Russell, Jason Wallach, Marisa Hawkins, Judge Vincent Zurzolo



(Top left): Philomena Nzegge with Judge Zurzolo; (Top right): Chief Judge Russell with Marissa Hawkins; (Bottom left): Jason Wallach with Judge Donovan

## Court Unveils New Website Design

On February 6, 2006, the Court unveiled a sleek new website design which improves upon the appearance, functionality, and organization of the previous website. Public users, including debtor's and legal professionals, can find answers to many questions by accessing the website. The Court's website enables visitors to find court location and hours, public notices, local rules and forms, announcements, and other relevant information. Users can download forms and publications, and access other legal and government websites through the links provided.

Among the improvements to the website are a new section, "Don't Have an Attorney?," which contains information especially useful for *pro se* users of the Court; a "Self Service Center," which contains FAQ's and other information about the Court; and an easy to find section called, "Judges," where users can view procedural and self-calendar information for that particular judge. Additionally, many areas, such as Court forms and local rules have been reorganized for easier, more user-friendly access.

Please visit us at our new website at <http://www.cacb.uscourts.gov>.



## eFile Available for Relief from Stay Motions and Adversary Proceedings



On January 24, 2006, *eFile* once again became available in all five divisions for the submission of Motions for Relief from Stay re: Real Property, Personal Property and Unlawful Detainer. As of February 27, 2006, the *eFile* module for Complaints became available district-wide.

## Court Statistics January - February 2006

	2006	2005	% CHANGE
	ANNUAL ESTIMATE	TOTAL	% Change 06 vs 05
<b>Case Commencement:</b>			
Chapter 7	12,428	79,948	-84%
Chapter 11	243	268	-9%
Chapter 13	2,046	4,028	-49%
<b>*TOTAL</b>	<b>14,717</b>	<b>84,244</b>	<b>-83%</b>
	12-Month period ending 9/2005	12-Month period ending 9/2004	% Change 05 vs 04
<b>National Filing Trends</b>			
Chapter 7	1,346,201	1,153,865	16.7%
Chapter 11	6,637	10,368	-36.0%
Chapter 13	429,316	454,412	-5.5%
<b>*TOTAL</b>	<b>1,782,154</b>	<b>1,618,645</b>	<b>10.1%</b>

\*Excludes Chapter 9, Chapter 12, and Section 304 filings



**20 Largest and Other Cases of Interest Filed in the Last 24 Months\***

Debtor Name	Case Number	Date Filed	Chapter	Asset Level in Millions	Liability Level in Millions	Last Milestone
Jill Kelly Productions, Inc.	SV-05-15389-KT	08/08/05	11	\$1-10	\$1-10	Third Supplemental of debtor in possession to use cash collateral.
Sierra Nevada Public Financing - City of San Joaquin	LA-05-27696-BR	08/03/05	9	\$1-10	\$10-50	Hearing set for 3/28/06 re: approval of the disclosure statement and order for filing a plan of reorganization.
Burstein Technologies	LA-05-23985-EC	06/16/05	11	Over \$100	\$10-50	Final Applications for fees awarded.
Trigem Texas Inc.	SA-05-14047-JB	06/08/05	11	Over \$100	Over \$100	Hearing to be held on 4/6/2006 for Professional Fee Application.
Trigem America Corp.	SA-05-13972-RA	06/03/05	11	Over \$100	Over \$100	Disclosure Statement and Plan filed 2/6/06. Disclosure Statement hearing set for 3/14/06.
Tradex LTD	LA-05-20537-ES	05/10/05	Sect 304	Over \$100	Over \$100	Status conference continued to 4/20/06.
WattsHealth Foundation, dba UHP Healthcare	LA-05-22627-TD	05/31/05	11	\$55	\$45	Stipulation and ORDER Extending the exclusive periods to file a plan of reorganization and disclosure statement; GRANTED; Continued to March 15, 2006.
GSM Wireless	SA-05-13514-JR	05/19/05	11	\$10-50	\$10-50	Order entered 2/22/06 extending exclusivity periods to 4/6/06.
Queen's Seaport Development	LA-05-15175-VZ	03/16/05	11	\$47	\$29	Hearing for the third application of interim fees and expenses set for 4/13/06.
Rancho Las Flores Development	RS-05-12224-MG	03/11/05	11	\$11	\$8	A hearing on the disclosure statement is set for 3/7/06.
Brett Livingston Strong	SV-05-10137-KT	01/11/05	7	\$184	\$21	341(a) meeting continued to 3/13/06 @ 9:00 a.m.
American Restaurant Group, Inc. dba Stuart Anderson's Restaurants	LA-04-30732-TD	09/28/04	11	\$33	\$223	Order approving the stipulation to resolve the objection to claims entered on 2/9/06.
Franchise Pictures, LLC	SV-05-13855-MT	08/18/04	11	\$0-50	Over \$100	Stipulation and ORDER thereon THIRD - among and between debtors extending bar date for filing proofs of claim or interests in debtors' bankruptcy cases by 120 days to May 9, 2006
Sega Gameworks LLC	LA-04-15404-BB	03/09/04	11	\$26	\$36	Evidentiary objections to fees awarded on 12/5/06 filed in January 2006.
Tri-City Mental Health Center	LA-04-13167-BR	02/13/04	9	\$1-10	\$10-50	Hearing on Disclosure Statement continued to 3/28/06.
Aaron Tonken	LA-04-12883-EC	02/10/04	7	\$1-10	\$10-50	Trustee Report of No Asset case filed on 2/8/06.
Illuminations.com, Inc.	LA-04-10427-SB	01/12/04	11	\$52	\$55	Status conference continued to 4/5/06.
Michael J Gubitosi, aka Robert Blake	SV-06-10125-GM	02/03/06	11	\$0.5	\$50-100	Status conference hearing set for 3/21/06 @ 10:00 a.m.; 341(a) Meeting scheduled for 3/24/06 @ 10:00 a.m.
Window Rock Entertainment, dba Cortislim	SA-05-50048-JR	11/23/05	11	\$18	\$162	Debtor's major issues & timetable report explaining the detail of its business operations and subsequent financial problems was filed on 1/6/06.
Persistence Capital, LLC	SV-05-16450-KT	09/13/05	11	\$85	\$29	Motion to appoint Chapter 11 Trustee filed 01/27/06.

\*based on a combination of Asset and Liability Levels, Number of creditors, high activity, and/or name recognition

**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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Suggestions and comments are always welcome.  
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