



# COURT NEWS

Chief Judge Vincent P. Zurzolo

2007

Jon D. Ceretto, Executive Officer/Clerk

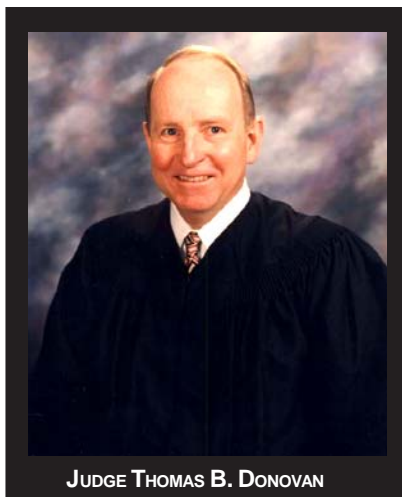
## JUDGES THOMAS B. DONOVAN AND ERITHE A. SMITH REAPPOINTED FOR A SECOND TERM

**Judge Thomas B. Donovan** has been reappointed to a second 14-year term on the U.S. Bankruptcy Court for the Central District of California. Judge Donovan came onto the bankruptcy bench in 1994 and has chambers in Los Angeles. His reappointment is effective March 21, 2008.

Prior to coming onto the bankruptcy bench, Judge Donovan was a founding partner of the San Francisco law firm of Dinkelspiel, Donovan & Reder (1969-1993). He also was with the law firm of Dinkelspiel & Dinkelspiel (1964-1969) and with Covington & Burling (1962-1963) in Washington D.C.

Judge Donovan received his B.A. in 1957 from the University of California at Berkeley, and his J.D. in 1962 from the UC Berkeley Boalt Hall School of Law, where he was associate editor of the *California Law Review*. Judge Donovan served as a first lieutenant in the U.S. Army Security Agency, 1957-1959, and was in the Army Reserves, 1959-1964.

Judge Donovan is a frequent speaker and panelist at bar and professional conferences in the Central District and nationally. He has also been active in professional and community activities in Los Angeles, including serving as a board member of the Barlow Respiratory Hospital, and a teacher and mentor in the at risk student program at Abraham Lincoln High School.



JUDGE THOMAS B. DONOVAN



JUDGE ERITHE A. SMITH

**Judge Erithe A. Smith** has been reappointed to a second 14-year term on the U.S. Bankruptcy Court for the Central District of California. Judge Smith was first appointed to the Los Angeles court in 1994 and moved her

chambers to the Santa Ana division in 2006. Her reappointment is effective May 2, 2008.

Judge Smith was a law clerk to Judge Marcus Kaufman of the California Court of Appeals from 1982-1983, and to Judge Peter Elliott of the Central District bankruptcy court in Santa Ana from 1983-1985. Her private practice experience was as an associate with McKittrick, Jackson, DeMarco & Peckenpaugh in Newport Beach from 1985-1987, and with Lobel Winthrop & Broker as an associate/partner from 1987 until her appointment to the bench.

Judge Smith received her undergraduate degree in 1979 from Loyola Marymount University and her J.D. in 1982 from the Boalt Hall School of Law at the University of California, Berkeley.

Judge Smith recently completed three years of service on the Ninth Circuit Bankruptcy Appellate Panel, which hears appeals of bankruptcy decisions from courts in nine western states. "Judge Smith has performed admirably and is an asset to her court. I am pleased to announce her reappointment," said Chief Judge Mary M. Schroeder of the U.S. Court of Appeals for the Ninth Circuit, which has statutory authority for appointments to the federal bankruptcy bench in the western states.

## AMENDMENTS TO OFFICIAL FORMS

At its September 2007 meeting, the Judicial Conference approved amendments to Bankruptcy Official Forms 1, 3A, 3B, 4, 5, 6, 7, 9, 10, 16A, 18, 19, 21, 23, and 24. The amendments to these forms will be effective on December 1, 2007. Prior to the effective date, a Public Notice will be issued once the forms have been made available on the Court's web site.

## LODGED ORDER UPLOAD (L.O.U.) TO BE IMPLEMENTED DISTRICT-WIDE

On August 20, 2007, the Court launched a pilot program, Lodged Order Upload (L.O.U), which enables attorneys to electronically lodge orders. Chief Judge Vincent P. Zurzolo and Judge Alan M. Ahart were the pilot judges. During the pilot phase, over 40 different attorneys uploaded over 75 proposed orders. Based on the success of the pilot program, the Court plans to make this feature available for cases and adversary proceedings assigned to all bankruptcy judges in the Central District of California in November. Watch for a Public Notice for effective date.

In contrast to documents normally submitted through ECF, proposed orders submitted via L.O.U must be uploaded as a Microsoft WORD 2003 document. This enables the Court to edit or modify the proposed order, as applicable. Uploaded orders are reviewed by the Clerk's Office for compliance with the local rules and administrative procedures, and then routed electronically to the judge. Once the judge approves the order for entry, the judge's electronic signature will be affixed to the last page of the order and the order will be entered on the Case docket as a PDF.

For further information, please see the CM/ECF homepage within the Court's website under Electronic Systems and Status > CM/ECF home page. If you have any questions, comments or suggestions relating to electronically uploaded orders, please feel free to contact us at [ECF\\_Support@cacb.uscourts.gov](mailto:ECF_Support@cacb.uscourts.gov), or call the ECF Help Desk at (213) 894-2365

## WHAT'S NEW WITH CM/ECF RELEASE 3.1.6

A New version of CM is coming this month. Some of the functions that have changed are:

### Case upload:

- You have more choices for values associated with estimated assets and estimated liabilities,
- In the event there is a joint debtor, both debtors must have a zip code value,
- Data that exceeds the maximum size for the field will now be rejected,
- The value for "presumption" will now be verified for all chapters, and must be null for cases that are not Chapter 7 cases filed by an individual where nature of debt is "consumer".

### Case opening:

- The "estimated debts" label on the statistics screen has been changed to "estimated liabilities",
- You must now select values for both estimated assets and estimated liabilities.

### Docketing:

- The selection list for type of professional no longer defaults to "accountant".

### Query:

- The "date of last filing" is the date of the most recent event available for public viewing.



## CM/ECF TIPS!

By: Maria Soria, ECF Project Lead

### Locating the Proper Event Codes

The CM/ECF system is equipped with a search feature (Search DocEvents) that allows the user to search for a key-word or phrase that best matches the specific document being filed. This feature is located as a hyperlink in the CM/ECF blue menu and can be accessed once you log into the system.

### Avoiding Case Opening Errors

When filing an incomplete petition make sure that you answer "y" (yes) at the **Deficiencies** box at case opening.

### Electronic Filing Declaration

An *Electronic Filing Declaration* must be submitted with every petition filed electronically.

## SELF-HELP DESK OPENS IN SAN FERNANDO VALLEY DIVISION

The San Fernando Valley Division Self-Help Desk doors opened on September 17, 2007, and now provides *pro se* debtors with access to bankruptcy information, forms, and counsel. It is open on the 1<sup>st</sup> and 3<sup>rd</sup> Monday of each month, from 1:00 pm - 3:00 pm. The next scheduled dates for help is November 5<sup>th</sup> & 9<sup>th</sup> and December 3<sup>rd</sup> & 17<sup>th</sup>.



Additionally, the Self-Help Desk program provides monthly seminars where a volunteer from the bankruptcy bar provides information about filing bankruptcy. The seminars are held on the 1<sup>st</sup> Thursday of each month from 12:00 pm - 2:00 pm, with the next scheduled seminar on December 6, 2007. The seminar will provide help for debtors and creditors, information on filing requirements, the difference between chapter 7 and chapter 13, and where to find a good bankruptcy attorney.

### FILING STATISTICS

	2007 Estimate YTD Jan-Oct	2006 Actual YTD Jan-Oct	Percent Change
<b>Central District of California</b>			
Chapter 7	19,843	11,348	74.9%
Chapter 11	261	203	28.6%
Chapter 13	6,027	2,563	135.2%
Total*	26,131	14,114	85.1%

	12 Month Period Ending 6/30/07	12 Month Period Ending 6/30/06	Percent Change
<b>Nationally</b>			
Chapter 7	450,332	1,164,815	-61.3%
Chapter 11	5,586	6,224	-10.3%
Chapter 13	294,693	313,085	-5.9%
Total*	750,611	1,484,124	-49.4%

\* Excludes Chapter 9, Chapter 12, Chapter 15, and Section 304 filings

## COURT CLOSED

MONDAY, NOVEMBER 12, 2007 - VETERANS' DAY  
 THURSDAY, NOVEMBER 22, 2007 - THANKSGIVING DAY  
 FRIDAY, NOVEMBER 23, 2007 (STATE OF CALIFORNIA HOLIDAY)  
 TUESDAY, CHRISTMAS DAY - DECEMBER 25, 2007  
 TUESDAY, NEW YEARS DAY - JANUARY 1, 2007

**EMERGENCY MATTERS ONLY**  
 MONDAY, DECEMBER 24, 2007  
 MONDAY DECEMBER 31, 2007



**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	Latest Milestone
APX Holdings, LLC	LA-06-10875-EC	3/16/2006	7	Over \$100	Over \$100	Hearing on 12/12/07 re professional interim fee application
Marion Knight, aka Suge Knight	LA-06-11187-VZ	4/4/2006	11	\$4	\$137	Hearing on 12/6/07 re professional intern fee application.
Death Row Records, Inc	LA-06-11205-VZ	4/4/2006	11	Undetermined	\$111	Order entered on 10/15/07 granting motion to approve settlement agreement.
Thorpe Insulation Company	LA07-19271-BB	10/15/2007	11	Over \$100	Over \$100	Motion filed by Creditor Continental Insurance Company on 10/19/07 to transfer case to the Southern Division.
Alert Cellular, LC	ND-07-10918-RR	7/3/2007	11	\$1-100	\$1-100	Motion to extend exclusivity period for filing a Ch. 11 Plan and disclosure statement; and motion for order extending deadline to assume nonresidential real property hearings; Motion to set bar date to file claims filed.
Los Osos Community Services District	ND-06-10548-RR	8/25/2006	9	\$1-10	Less than \$1	Order authorizing debtor to obtain credit entered 9/25/07; Motion for relief from automatic stay Action in non-bankruptcy forum hearing continued; three adversary cases pending.
Santa Barbara Beach Holding, LLC	ND-06-10887-RR	11/22/2006	11	\$54	Over \$75	Order dismissing Ch. 11 case, and reserving jurisdiction with respect to specific matters entered 9/19/07.
Great Circle Family Foods, LLC, DBA: Krispy Kreme Doughnuts	SA-07-12600-ES (LEAD of 6)	8/22/2007	11	\$1-100	\$1-100	Order authorizing debtor to use cash collateral signed on 10/24/07. Status Conference Order Signed on 10/23/2007, continued to 2/7/08. 12/28/07 shall be fixed as the last date by which proofs of claim and interest shall be filed.
People's Choice Home Loan, Inc., a Wyoming corporation	SA-07-10765-RK (LEAD of 3)	3/7/2007	11	Over \$100	Over \$100	Order Granting Motion for extending the time periods during which the Debtors have the exclusive right to file a plan of reorganization to 9/28/07 signed on 9/14/07.
Real Estate Partners, Inc. DBA: Coldwell Banker Commercial REP	SA-07-13239-TA (LEAD of 8)	10/8/2007	11	\$1 - 100	\$1 - 100	Order granting Emergency Motion for Joint Administration of Related Cases in lead case Real Estate Partners, Inc - SA 07-13239 TA signed 10/12/07. Order Granting Motion To Extend Deadline by 11/20/07 signed on 10/24/07.
MTI Technology Corporation	SA-07-13347-ES	10/15/2007	11	\$1 - 100	\$1 - 100	BNC certificate of mailing serviced 10/21/07.
Robert Blake, aka Michael J. Gubitosi	SV-06-10125-GM	2/3/2006	11	\$1	\$50-100	Order granting application for compensation on 8/24/07. Stipulation and order amending order approving final professional fee application on 8/24/07.
PureBeauty, Inc.	SV-06-10545-KT	4/18/2006	11	\$10-50	\$50	Motion to Extend Deadline to File Objection to Claims hearing on 10/30/07.
Bodies in Motion, Inc.	SV-06-10931-GM	6/20/2006	11	\$10-50	\$50	Order granting Motion to Approve Compromise on 8/31/07.
Ownit Mortgage Solutions Inc	SV-06-12579-KT	12/28/2006	11	\$698.0	\$819	94 Motions for Relief filed during this period & assigned hearing dates. Amended Disclosure Statement and Plan filed 9/10/07 - hearing continued to 12/19/07.
Ronco Corporation	SV-07-12000-GM	6/14/2007	11	Unknown	Unknown	Final report of post-petition debts filed 9/19/07. Motion for Relief hearing on 11/1/07. 341(a) meeting continued to 10/26/07.
Ronco Marketing	SV-07-12001-GM	6/14/2007	11	Unknown	Unknown	Notice of Appointment of Trustee Diane Weil on 8/29/07. 341(a) meeting continued to 10/26/07.
Specialty International Inc.	SV-07-12715-KT	8/2/2007	11	Unknown	Unknown	Proof of Claim deadline set for 11/15/07. Unsecured Creditors Committee appointed 10/15/07.
California TD Investments LLC	SV-07-13003-GM (LEAD of 3)	8/21/2007	11	\$13.0	\$117	341(a) meeting held 9/25/07. Order granted for joint administration with cases SV07-13004 & SV 07-13005 on 9/17/2007.
Quality Home Loans	SV-07-13006-GM	8/21/2007	11	\$130.0	\$177	341(a) meeting held 9/25/07. 5 Motions for Relief were filed during this period & assigned hearing dates.

\*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.  
Please call (213) 894-3778 or e-mail us at <Sidra\_Golwala@cacb.uscourts.gov>.