

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA**

Honorable Fredrick E. Clement
Fresno Federal Courthouse
2500 Tulare Street, 5th Floor
Courtroom 11, Department A
Fresno, California

PRE-HEARING DISPOSITIONS

DAY: WEDNESDAY
DATE: JANUARY 13, 2016
CALENDAR: 10:00 A.M. CHAPTER 7 ADVERSARY PROCEEDINGS

GENERAL DESIGNATIONS

Each pre-hearing disposition is prefaced by the words "Final Ruling," "Tentative Ruling" or "No Tentative Ruling." Except as indicated below, matters designated "Final Ruling" will not be called and counsel need not appear at the hearing on such matters. Matters designated "Tentative Ruling" or "No Tentative Ruling" will be called.

COURT'S ERRORS IN FINAL RULINGS

If a party believes that a final ruling contains an error that would, if reflected in the order or judgment, warrant a motion under Federal Rule of Civil Procedure 60(a), as incorporated by Federal Rules of Bankruptcy Procedure 9024, then the party affected by such error shall, not later than 4:00 p.m. (PST) on the day before the hearing, inform the following persons by telephone that they wish the matter either to be called or dropped from calendar, as appropriate, notwithstanding the court's ruling: (1) all other parties directly affected by the motion; and (2) Kathy Torres, Judicial Assistant to the Honorable Fredrick E. Clement, at (559) 499-5860. Absent such a timely request, a matter designated "Final Ruling" will not be called.

1. [15-10215](#)-A-7 ERIC MCKINLEY CONTINUED STATUS CONFERENCE RE:
[15-1115](#) COMPLAINT
MANFREDO V. ROAM ET AL 9-22-15 [[1](#)]
GABRIEL WADDELL/Atty. for pl.
RESPONSIVE PLEADING

Final Ruling

This matter is continued to March 9, 2016, at 9:00 a.m. If a judgment is not in the file or the adversary proceeding dismissed, not later than 14 days prior to the date of the continued hearing the parties shall file a status report.

2. [15-10966](#)-A-7 RODNEY HARON CONTINUED STATUS CONFERENCE RE:
[15-1121](#) COMPLAINT
HARON V. ARIA RESORT & CASINO 10-18-15 [[1](#)]
HOLDINGS, LLC
TIMOTHY SPRINGER/Atty. for pl.

No tentative ruling.

3. [15-10966](#)-A-7 RODNEY HARON MOTION TO SUBSTITUTE ROBERT
[15-1121](#) FLG-1 HAWKINS, CHAPTER 7 TRUSTEE, AS
HARON V. ARIA RESORT & CASINO PLAINTIFF IN PLACE AND STEAD OF
HOLDINGS, LLC THE FORMER DEBTOR IN POSSESSION
12-1-15 [[8](#)]
GABRIEL WADDELL/Atty. for mv.

Final Ruling

Motion: Substitute Robert Hawkins, Chapter 7 Trustee, as Plaintiff in the Stead of the Former Chapter 11 Debtor in Possession Rodney Haron

Notice: LBR 9014-1(f)(1); written opposition required

Disposition: Granted

Order: Prepared by the movant

Unopposed motions are subject to the rules of default. Fed. R. Civ. P. 55, *incorporated by* Fed. R. Bankr. P. 7055, 9014(c). Written opposition to this motion was required not less than 14 days before the hearing on this motion. LBR 9014-1(f)(1)(B). None has been filed. The default of the responding party is entered. The court considers the record, accepting well-pleaded facts as true. *TeleVideo Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917-18 (9th Cir. 1987).

This case has been converted from chapter 11 to chapter 7. The present adversary proceeding to recover a preference was initiated in chapter 11 by the debtor in possession, Rodney Haron. Now, in chapter 7, the trustee is the one who has standing to pursue the action as the debtor in possession no longer exists. Pursuant to Federal Rules of Civil Procedure 17(a) and 25(c), the court will substitute Robert Hawkins, chapter 7 trustee, as the plaintiff in this action in the stead of Rodney Haron, the former debtor in possession.

4. [15-10966](#)-A-7 RODNEY HARON CONTINUED STATUS CONFERENCE RE:
[15-1122](#) COMPLAINT
HARON V. NEVADA PROPERTY 1 LLC 10-18-15 [[1](#)]
TIMOTHY SPRINGER/Atty. for pl.

No tentative ruling.

5. [15-10966](#)-A-7 RODNEY HARON MOTION TO SUBSTITUTE ROBERT
[15-1122](#) FLG-1 HAWKINS, CHAPTER 7 TRUSTEE, AS
HARON V. NEVADA PROPERTY 1 LLC PLAINTIFF IN PLACE AND STEAD OF
THE FORMER DEBTOR IN POSSESSION
12-2-15 [[9](#)]

GABRIEL WADDELL/Atty. for mv.

Final Ruling

Motion: Substitute Robert Hawkins, Chapter 7 Trustee, as Plaintiff in the Stead of the Former Chapter 11 Debtor in Possession Rodney Haron

Notice: LBR 9014-1(f)(1); written opposition required

Disposition: Granted

Order: Prepared by the movant

Unopposed motions are subject to the rules of default. Fed. R. Civ. P. 55, *incorporated by* Fed. R. Bankr. P. 7055, 9014(c). Written opposition to this motion was required not less than 14 days before the hearing on this motion. LBR 9014-1(f)(1)(B). None has been filed. The default of the responding party is entered. The court considers the record, accepting well-pleaded facts as true. *TeleVideo Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917-18 (9th Cir. 1987).

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6. [15-10966](#)-A-7 RODNEY HARON CONTINUED STATUS CONFERENCE RE:
[15-1123](#) COMPLAINT
HARON V. HRHH GAMING, LLC ET 10-18-15 [[1](#)]
AL
TIMOTHY SPRINGER/Atty. for pl.

No tentative ruling.

7. [15-10966](#)-A-7 RODNEY HARON MOTION TO SUBSTITUTE ROBERT
[15-1123](#) FLG-1 HAWKINS, CHAPTER 7 TRUSTEE, AS
HARON V. HRHH GAMING, LLC ET PLAINTIFF IN PLACE AND STEAD OF
AL THE FORMER DEBTOR IN POSSESSION
12-1-15 [8]

GABRIEL WADDELL/Atty. for mv.

Final Ruling

Motion: Substitute Robert Hawkins, Chapter 7 Trustee, as Plaintiff in the Stead of the Former Chapter 11 Debtor in Possession Rodney Haron

Notice: LBR 9014-1(f)(1); written opposition required

Disposition: Granted

Order: Prepared by the movant

Unopposed motions are subject to the rules of default. Fed. R. Civ. P. 55, *incorporated by* Fed. R. Bankr. P. 7055, 9014(c). Written opposition to this motion was required not less than 14 days before the hearing on this motion. LBR 9014-1(f)(1)(B). None has been filed. The default of the responding party is entered. The court considers the record, accepting well-pleaded facts as true. *TeleVideo Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917-18 (9th Cir. 1987).

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8. [15-10966](#)-A-7 RODNEY HARON CONTINUED STATUS CONFERENCE RE:
[15-1124](#) HARON V. HARVEYS TAHOE COMPLAINT
MANAGEMENT COMPANY, INC. 10-18-15 [1]
TIMOTHY SPRINGER/Atty. for pl.
ORDER ECF NO. 23

No tentative ruling.

9. [15-10966](#)-A-7 RODNEY HARON MOTION TO SUBSTITUTE ROBERT
[15-1124](#) FLG-1 HAWKINS, CHAPTER 7 TRUSTEE, AS
HARON V. HARVEYS TAHOE PLAINTIFF IN PLACE AND STEAD OF
MANAGEMENT COMPANY, INC. THE FORMER DEBTOR IN POSSESSION
12-2-15 [[15](#)]
- GABRIEL WADDELL/Atty. for mv.

Final Ruling

Motion: Substitute Robert Hawkins, Chapter 7 Trustee, as Plaintiff in the Stead of the Former Chapter 11 Debtor in Possession Rodney Haron

Notice: LBR 9014-1(f)(1); written opposition required

Disposition: Granted

Order: Prepared by the movant

Unopposed motions are subject to the rules of default. Fed. R. Civ. P. 55, *incorporated by* Fed. R. Bankr. P. 7055, 9014(c). Written opposition to this motion was required not less than 14 days before the hearing on this motion. LBR 9014-1(f)(1)(B). None has been filed. The default of the responding party is entered. The court considers the record, accepting well-pleaded facts as true. *TeleVideo Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917-18 (9th Cir. 1987).

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10. [15-10966](#)-A-7 RODNEY HARON CONTINUED STATUS CONFERENCE RE:
[15-1125](#) COMPLAINT
HARON V. MANDALAY RESORT GROUP INC. 10-18-15 [[1](#)]
TIMOTHY SPRINGER/Atty. for pl.

No tentative ruling.

11. [15-10966](#)-A-7 RODNEY HARON
[15-1125](#) FLG-1
HARON V. MANDALAY RESORT GROUP
INC.

MOTION TO SUBSTITUTE ROBERT
HAWKINS, CHAPTER 7 TRUSTEE, AS
PLAINTIFF IN PLACE AND STEAD OF
THE FORMER DEBTOR IN POSSESSION
12-2-15 [8]

GABRIEL WADDELL/Atty. for mv.

Final Ruling

Motion: Substitute Robert Hawkins, Chapter 7 Trustee, as Plaintiff in the Stead of the Former Chapter 11 Debtor in Possession Rodney Haron

Notice: LBR 9014-1(f)(1); written opposition required

Disposition: Granted

Order: Prepared by the movant

Unopposed motions are subject to the rules of default. Fed. R. Civ. P. 55, *incorporated by* Fed. R. Bankr. P. 7055, 9014(c). Written opposition to this motion was required not less than 14 days before the hearing on this motion. LBR 9014-1(f)(1)(B). None has been filed. The default of the responding party is entered. The court considers the record, accepting well-pleaded facts as true. *TeleVideo Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917-18 (9th Cir. 1987).

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12. [15-10966](#)-A-7 RODNEY HARON
[15-1126](#)
HARON V. VENETIAN CASINO
RESORT, LLC
TIMOTHY SPRINGER/Atty. for pl.

CONTINUED STATUS CONFERENCE RE:
COMPLAINT
10-18-15 [1]

No tentative ruling.

13. [15-10966](#)-A-7 RODNEY HARON MOTION TO SUBSTITUTE ROBERT
[15-1126](#) FLG-1 HAWKINS, CHAPTER 7 TRUSTEE, AS
HARON V. VENETIAN CASINO PLAINTIFF IN PLACE AND STEAD OF
RESORT, LLC THE FORMER DEBTOR IN POSSESSION
12-4-15 [[10](#)]
GABRIEL WADDELL/Atty. for mv.

Final Ruling

Motion: Substitute Robert Hawkins, Chapter 7 Trustee, as Plaintiff in the Stead of the Former Chapter 11 Debtor in Possession Rodney Haron

Notice: LBR 9014-1(f)(1); written opposition required

Disposition: Granted

Order: Prepared by the movant

Unopposed motions are subject to the rules of default. Fed. R. Civ. P. 55, *incorporated by* Fed. R. Bankr. P. 7055, 9014(c). Written opposition to this motion was required not less than 14 days before the hearing on this motion. LBR 9014-1(f)(1)(B). None has been filed. The default of the responding party is entered. The court considers the record, accepting well-pleaded facts as true. *TeleVideo Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917-18 (9th Cir. 1987).

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14. [15-10966](#)-A-7 RODNEY HARON CONTINUED STATUS CONFERENCE RE:
[15-1127](#) COMPLAINT
HARON V. PARIS LAS VEGAS 10-18-15 [[1](#)]
OPERATING COMPANY, LLC
TIMOTHY SPRINGER/Atty. for pl.

No tentative ruling.

