

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

Honorable Fredrick E. Clement
Sacramento Federal Courthouse
501 I Street, 7th Floor
Courtroom 28, Department A
Sacramento, California

PRE-HEARING DISPOSITIONS

DAY: WEDNESDAY

DATE: DECEMBER 4, 2019

CALENDAR: 9:00 A.M. CHAPTERS 9, 11 AND 12 CASES

Each matter on this calendar will have one of three possible designations: No Ruling, Tentative Ruling, or Final Ruling. These instructions apply to those designations.

No Ruling: All parties will need to appear at the hearing unless otherwise ordered.

Tentative Ruling: If a matter has been designated as a tentative ruling it will be called. The court may continue the hearing on the matter, set a briefing schedule or enter other orders appropriate for efficient and proper resolution of the matter. The original moving or objecting party shall give notice of the continued hearing date and the deadlines. The minutes of the hearing will be the court's findings and conclusions.

Final Ruling: Unless otherwise ordered, there will be no hearing on these matters. The final disposition of the matter is set forth in the ruling and it will appear in the minutes. The final ruling may or may not finally adjudicate the matter. If it is finally adjudicated, the minutes constitute the court's findings and conclusions.

Orders: Unless the court specifies in the tentative or final ruling that it will issue an order, the prevailing party shall lodge an order within 14 days of the final hearing on the matter.

1. [16-10015](#)-A-9 **IN RE: SOUTHERN INYO HEALTHCARE DISTRICT
FEC-5**

ORDER TO SHOW CAUSE
11-7-2019 [[751](#)]

MICHAEL DELANEY/ATTY. FOR DBT.

No Ruling

2. [19-25117](#)-A-11 **IN RE: DONNA HEISCHOB**

CONTINUED STATUS CONFERENCE RE: VOLUNTARY PETITION
8-14-2019 [[1](#)]

MIKALAH LIVIAKIS/ATTY. FOR DBT.

No Ruling

3. [19-25117](#)-A-11 **IN RE: DONNA HEISCHOB**
MRL-2

MOTION TO VALUE COLLATERAL OF INTERNAL REVENUE SERVICE
10-28-2019 [[39](#)]

MIKALAH LIVIAKIS/ATTY. FOR DBT.

No Ruling

4. [19-25117](#)-A-11 **IN RE: DONNA HEISCHOB**
MRL-3

MOTION TO VALUE COLLATERAL OF FRANCHISE TAX BOARD
10-28-2019 [[42](#)]

MIKALAH LIVIAKIS/ATTY. FOR DBT.

No Ruling

5. [19-22025](#)-A-12 **IN RE: JEFFREY DYER AND JAN WING-DYER**

CONTINUED STATUS CONFERENCE RE: VOLUNTARY PETITION
4-1-2019 [[1](#)]

STEPHEN REYNOLDS/ATTY. FOR DBT.

No Ruling

6. [19-22025](#)-A-12 **IN RE: JEFFREY DYER AND JAN WING-DYER**
[RLC-6](#)

MOTION TO CONFIRM CHAPTER 12 PLAN
10-29-2019 [[150](#)]

STEPHEN REYNOLDS/ATTY. FOR DBT.
RESPONSIVE PLEADING

No Ruling

7. [17-20731](#)-A-11 **IN RE: CS360 TOWERS, LLC**
[DB-47](#)

MOTION FOR COMPENSATION BY THE LAW OFFICE OF DOWNEY BRAND
LLP FOR JAMIE P. DREHER, TRUSTEES ATTORNEY(S)
11-6-2019 [[766](#)]

STEPHAN BROWN/ATTY. FOR DBT.
JAMIE DREHER/ATTY. FOR MV.

Final Ruling

Application: Allowance of Post-Confirmation Compensation and Expense
Reimbursement for Counsel for Trustee Matthew Sorenson

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

Disposition: Approved

Order: Civil minute order

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 application was required not less than 14 days before the hearing on the application. 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).

COMPENSATION AND EXPENSES

In this Chapter 11 case, Downey Brand LLP, counsel for the post-confirmation trustee Matthew Sorenson, has applied for an allowance

of final compensation and reimbursement of expenses. The applicant requests that the court allow compensation in the amount of \$73,732.00 and reimbursement of expenses in the amount of \$1,897.04.

Section 330(a) of the Bankruptcy Code authorizes "reasonable compensation for actual, necessary services" rendered by counsel for the debtor in possession in a Chapter 11 case and "reimbursement for actual, necessary expenses." 11 U.S.C. § 330(a)(1). Reasonable compensation is determined by considering all relevant factors. See *id.* § 330(a)(3).

The court finds that the compensation and expenses sought are reasonable, and the court will approve the application.

CIVIL MINUTE ORDER

The court shall issue a civil minute order that conforms substantially to the following form:

Findings of fact and conclusions of law are stated in the civil minutes for the hearing.

Downey Brand LLP's application for allowance of compensation and reimbursement of expenses has been presented to the court. Having entered the default of respondent for failure to appear, timely oppose, or otherwise defend in the matter, and having considered the well-pleaded facts of the application,

IT IS ORDERED that the application is approved. The court allows final compensation in the amount of \$73,732.00 and reimbursement of expenses in the amount of \$1,897.04. The applicant is authorized to draw on any retainer held.

IT IS FURTHER ORDERED that the trustee is authorized to pay the fees allowed by this order from available funds only if the estate is administratively solvent and such payment will be consistent with the priorities of the confirmed plan.

8. [19-24759](#)-A-11 **IN RE: AK BUILDERS AND COATINGS, INC**

CONTINUED STATUS CONFERENCE RE: VOLUNTARY PETITION
7-29-2019 [[1](#)]

MICHAEL NOBLE/ATTY. FOR DBT.

No Ruling

9. [19-25064](#)-A-11 **IN RE: SLIDEBELTS INC.**
[BMR-15](#)

MOTION TO EXTEND EXCLUSIVITY PERIOD FOR FILING A CHAPTER 11
PLAN
11-14-2019 [[131](#)]

BRIAN ROTHSCHILD/ATTY. FOR DBT.

No Ruling

10. [19-25064](#)-A-11 **IN RE: SLIDEBELTS INC.**
[BMR-18](#)

MOTION TO EXTEND TIME
11-18-2019 [[153](#)]

BRIAN ROTHSCHILD/ATTY. FOR DBT.

No Ruling