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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In re)	Case No. 17-27397-E-13
GEVORG GEORGE POLADYAN and)	
ARMINE ASATRYAN,)	
)	
Debtors.)	
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TAPAN TRIVEDI,)	Adv. Proc. No. 18-2014
)	
Plaintiff,)	
)	
v.)	
)	
GEVORG G. POLADYAN and)	
ARMINE ASATRYAN,)	
)	
Defendants.)	
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**This Supplemental Memorandum Decision is not appropriate for publication.
It may be cited for persuasive value on the matters addressed.**

SUPPLEMENTAL MEMORANDUM OPINION AND DECISION

The trials in Adversary Proceedings 18-2130 and 18-2014 were concluded with the court stating its Findings of Fact and Conclusions of Law orally on the record. Fed. R. Civ. P. 52(a), Fed. R. Bankr. P. 7052. The trials for the two Adversary Proceedings were jointly conducted due to the necessary determination of facts and conclusions of law that are common to both Adversary Proceedings. This Supplemental Memorandum is issued to document the Undisputed Facts as agreed by the Parties and clearly state the burden of proof/persuasion standards for the two Adversary Proceedings, and is made as part of the court's Findings and Conclusions.

1 The Parties have documented the undisputed facts in their Statement of Undisputed Facts
2 filed in Adversary Proceeding 18-2130 on July 22, 2019 (Dckt. 68), a copy of which is attached
3 hereto as Addendum "A."

4 Adversary Proceeding 19-2130 was one commenced by Gevorg Poladyan and Armine
5 Asatryan, the two Debtors in the Chapter 13 case No. 17-27397 ("Debtors"), objecting to the claim
6 filed by Tapan Trivedi, the predecessor in interest to Judith Ambrus and Emeric Ambrus
7 ("Creditors"), who were substituted in as the real parties in interest for the trial. Judith Ambrus and
8 Emeric Ambrus were asserting in Adversary Proceeding 18-2014 that the obligation represented by
9 their claim was nondischargeable.

10 For the claim asserted in Proof of Claim No. 1-1, the *prima facie* evidentiary value of Proof
11 of Claim No. 1-1 was rebutted by the two Debtors, placing the burden of proof on Creditors to
12 establish the claim by a preponderance of the evidence, as well as the alleged grounds for
13 nondischargeability of the asserted claim. *Lundell v. Anchor Constr. Specialists, Inc.*, 223 F.3d
14 1035, 1039 (9th Cir. 2000); *Grogan v. Garner*, 498 U.S. 279, 289-291 (1991).

15 As stated on the record, the court determined that Creditors failed to establish there was an
16 obligation owed upon which a claim could be asserted and for which an obligation could be
17 determined nondischargeable.

18 Judgment has been granted for Debtors in both Adversary Proceedings and against Creditors
19 on all claims therein. Separate judgments are entered by the court for each Adversary Proceeding.
20 Dated: September 16, 2019

21 /s/

22 _____
23 RONALD H. SARGIS, Chief Judge
24 United States Bankruptcy Court
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Instructions to Clerk of Court
Service List - Not Part of Order/Judgment

The Clerk of Court is instructed to send the Order/Judgment or other court generated document transmitted herewith *to the parties below*. The Clerk of Court will send the document via the BNC or, if checked _____, via the U.S. mail.

Debtors / Defendant-Debtors	Attorney for the Debtors
Bankruptcy Trustee (if appointed in the case)	Office of the U.S. Trustee Robert T. Matsui United States Courthouse 501 I Street, Room 7-500 Sacramento, CA 95814
Peter G. Macaluso, Esq. 7230 South Land Park Drive, #127 Sacramento, CA 95831	Peter L. Cianchetta, Esq. 8788 Elk Grove Blvd., Ste. 2A Elk Grove, CA 95624