



**UNITED STATES BANKRUPTCY COURT
Eastern District of California**

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

DAY: MONDAY
DATE: JULY 24, 2023
CALENDAR: 1:00 P.M. DISGORGEMENT CALENDAR

Unless otherwise ordered, all matters before Chief Judge Fredrick E. Clement shall be heard simultaneously: (1) **IN PERSON** in Courtroom 28, (2) via **ZOOMGOV VIDEO**, (3) via **ZOOMGOV TELEPHONE**, and (4) via **COURTCALL**.

You may choose any of these options unless otherwise ordered.

Parties in interest and members of the public may connect to the ZoomGov video and audio feeds, free of charge, using the connection information provided:

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To appear remotely for law and motion or status conference proceedings, you must comply with the following guidelines and procedures:

1. Review the [Pre-Hearing Dispositions](#) prior to appearing at the hearing.
2. Review the court's [Zoom Procedures and Guidelines](#) for these, and additional instructions.
3. Parties appearing via CourtCall are encouraged to review the [CourtCall Appearance Information](#).

Please join at least 10 minutes prior to the start of the calendar. You are required to give the court 24 hours advance notice on the [Court Calendar](#).

Unauthorized Recording is Prohibited: Any recording of a court proceeding held by video or teleconference, including screen shots or other audio or visual copying of a hearing is prohibited. Violation may result in sanctions, including removal of court-issued media credentials, denial of entry to future hearings, or any other sanctions deemed necessary by the court. For more information on photographing, recording, or broadcasting Judicial Proceedings, please refer to Local Rule 173(a) of the United States District Court for the Eastern District of California.

PRE-HEARING DISPOSITION INSTRUCTIONS

RULINGS

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

"No Ruling" means the likely disposition of the matter will not be disclosed in advance of the hearing. The matter will be called; parties wishing to be heard should rise and be heard.

"Tentative Ruling" means the likely disposition, and the reasons therefor, are set forth herein. The matter will be called. Aggrieved parties or parties for whom written opposition was not required should rise and be heard. Parties favored by the tentative ruling need not appear. However, non-appearing parties are advised that the court may adopt a ruling other than that set forth herein without further hearing or notice.

"Final Ruling" means that the matter will be resolved in the manner, and for the reasons, indicated below. The matter will not be called; parties and/or counsel need not appear and will not be heard on the matter.

CHANGES TO PREVIOUSLY PUBLISHED RULINGS

On occasion, the court will change its intended ruling on some of the matters to be called and will republish its rulings. The parties and counsel are advised to recheck the posted rulings after 3:00 p.m. on the next business day prior to the hearing. Any such changed ruling will be preceded by the following bold face text: **"[Since posting its original rulings, the court has changed its intended ruling on this matter]"**.

ERRORS IN RULINGS

Clerical errors of an insignificant nature, e.g., nomenclature ("2017 Honda Accord," rather than "2016 Honda Accord"), amounts, ("\$880," not "\$808"), may be corrected in (1) tentative rulings by appearance at the hearing; or (2) final rulings by appropriate ex parte application. Fed. R. Civ. P. 60(a) *incorporated by* Fed. R. Bankr. P. 9024. All other errors, including those occasioned by mistake, inadvertence, surprise, or excusable neglect, must be corrected by noticed motion. Fed. R. Bankr. P. 60(b), *incorporated by* Fed. R. Bankr. P. 9023.

1. [23-10703](#)-A-13 **IN RE: CESAR BANDA AND SILVIA PENA**
[FEC-1](#)

ORDER TO SHOW CAUSE
6-14-2023 [\[79\]](#)

ZISHAN LOKHANDWALA/ATTY. FOR DBT.
DEBTORS DISMISSED: 5/25/23

No Ruling

2. [23-20523](#)-A-13 **IN RE: LUIS GUTIERREZ**
[FEC-1](#)

ORDER TO SHOW CAUSE
6-1-2023 [\[41\]](#)

GARY FRALEY/ATTY. FOR DBT.
DEBTOR DISMISSED: 5/24/23
RESPONSIVE PLEADING

Final Ruling

The court finds that the value of the services rendered meets or exceeds the retainer collected. No disgorgement will be ordered, and the matter is dropped from calendar. No appearance is necessary. A minute order shall issue.

3. [23-21656](#)-A-13 **IN RE: WILLIE WATSON**
[FEC-1](#)

ORDER TO SHOW CAUSE
6-8-2023 [\[11\]](#)

GEORGE JONES/ATTY. FOR DBT.
DEBTOR DISMISSED: 6/5/23

Final Ruling

This matter is continued to September 11, 2023, at 1:00 p.m. Respondent George H. Jones has not complied with this court's order. Order to Show Cause ¶ 2 (file disclosure statement), ECF No. 11. The court intends to issue further orders in this matter.

4. [23-21568](#)-A-13 **IN RE: DAVID KARLESKINT**
[FEC-1](#)

ORDER TO SHOW CAUSE
6-8-2023 [\[14\]](#)

LUCAS GARCIA/ATTY. FOR DBT.
DEBTOR DISMISSED: 6/2/23

Final Ruling

This matter is continued to September 11, 2023, at 1:00 p.m. Debtor' counsel has filed a disclosure of compensation. Disclosure of Compensation, ECF No. 20. That document indicates a retainer of \$2,500. No declaration in opposition to the order to show cause was filed. To date, the record indicates that a skeletal petition and application to pay the filing fee in instatements was filed. No other documents were filed. Without more, the court cannot determine whether a \$2,500 fee was earned in this case. Not later than August 28, 2023, the respondent counsel will file a declaration explaining in detail the work undertaken on behalf of the client and, if available, records of the time spent by counsel and affiliated paraprofessionals. A civil minute order shall issue.

5. [23-21074](#)-A-13 **IN RE: JAMES GARCIA**
[FEC-1](#)

CONTINUED ORDER TO SHOW CAUSE
4-25-2023 [\[15\]](#)

MICHAEL BENAVIDES/ATTY. FOR DBT.
DEBTOR DISMISSED: 4/21/23
RESPONSIVE PLEADING

Final Ruling

The court finds that the value of the services rendered meets or exceeds the retainer collected. No disgorgement will be ordered, and the matter is dropped from calendar. No appearance is necessary. A minute order shall issue.

6. [22-22683](#)-A-13 **IN RE: MONIQUE ZE**
[FEC-1](#)

ORDER TO SHOW CAUSE
6-12-2023 [\[90\]](#)

RICHARD STURDEVANT/ATTY. FOR DBT.
DEBTOR DISMISSED: 6/8/23

Final Ruling

The court finds that the value of the services rendered meets or exceeds the retainer collected. No disgorgement will be ordered, and the matter is dropped from calendar. No appearance is necessary. A minute order shall issue.

7. [23-21088](#)-A-7 **IN RE: TAMMY OLIVE**
[FEC-1](#)

CONTINUED ORDER TO SHOW CAUSE
4-25-2023 [\[16\]](#)

JIN KIM/ATTY. FOR DBT.
DEBTOR DISMISSED: 4/24/23
RESPONSIVE PLEADING

Final Ruling

The court finds that the value of the services rendered meets or exceeds the retainer collected. No disgorgement will be ordered, and the matter is dropped from calendar. No appearance is necessary. A minute order shall issue.

8. [23-90195](#)-A-7 **IN RE: CANDIDA CAPPADOCIA**
[FEC-1](#)

ORDER TO SHOW CAUSE
5-31-2023 [\[17\]](#)

JUSTIN HARRIS/ATTY. FOR DBT.
DEBTOR DISMISSED: 5/22/23

RESPONSIVE PLEADING

Final Ruling

The court finds that the value of the services rendered meets or exceeds the retainer collected. No disgorgement will be ordered, and the matter is dropped from calendar. No appearance is necessary. A minute order shall issue.

9. [23-21498](#)-A-7 **IN RE: FOUR2NADA, INC.**
[FEC-1](#)

ORDER TO SHOW CAUSE
6-14-2023 [\[13\]](#)

OMERO BANUELOS/ATTY. FOR DBT.
DEBTOR DISMISSED: 5/26/23

Final Ruling

This matter is continued to September 11, 2023, at 1:00 p.m. Respondent counsel has indicated that the retainer received was actually \$4,000, not the \$5,500 in the disclosure statement. Not later than August 28, 2023, the respondent counsel will file: (1) an amended disclosure of compensation stating the correct amount received; and (2) a declaration explaining in detail the work undertaken on behalf of the client and, if available, records of the time spent by counsel and affiliated paraprofessionals. Without such a declaration the court will give no weight to counsel's general statements about other work performed without compensation. A civil minute order shall issue.