



UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Christopher M. Klein
Bankruptcy Judge
Sacramento, California

November 5, 2024 at 1:30 p.m.

Unless otherwise ordered, all matters before the Honorable Christopher M. Klein shall be simultaneously: (1) **In Person**, at Sacramento Courtroom #35, (2) via **ZoomGov Video**, (3) via **ZoomGov Telephone**, and (4) via **CourtCall**.

You may choose any of these options unless otherwise ordered or stated below.

All parties who wish to appear at a hearing remotely must sign up by 4:00 p.m. **one business day** prior to the hearing. Information regarding how to sign up can be found on the **Remote Appearances** page of our website at <https://www.caeb.uscourts.gov/Calendar/RemoteAppearances>. Each party who has signed up will receive a Zoom link or phone number, meeting I.D., and password via e-mail.

If the deadline to sign up has passed, parties who wish to appear remotely must contact the Courtroom Deputy for the Department holding the hearing.

Please also note the following:

- Parties in interest may connect to the video or audio feed free of charge and should select which method they will use to appear when signing up.
- Members of the public and the press appearing by ZoomGov may only listen in to the hearing using the zoom telephone number. Video appearances are not permitted.
- Members of the public and the press may not listen in to trials or evidentiary hearings, though they may appear in person in most instances.

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. Parties appearing via CourtCall are encouraged to review the [CourtCall Appearance Information](#).

If you are appearing by ZoomGov phone or video, please join at least 10 minutes prior to the start of the calendar and wait with your microphone muted until the matter is called.

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 medical 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.

UNITED STATES BANKRUPTCY COURT
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November 5, 2024 at 1:30 p.m.

1. [24-20335](#)-C-13 KOURIN KONG MOTION FOR RELIEF FROM
[KMM](#)-1 Mohammad Mokarram AUTOMATIC STAY
9-12-24 [[19](#)]
SERVBANK, SB VS.

No Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 54 days' notice was provided. Dkt. 24.

The Motion for Relief from the Automatic Stay is xxxxxx.
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Servbank, SB as attorney in fact for Watermark Capital, Inc. ("Movant") filed this Motion seeking relief from the automatic stay as to the debtor's property commonly known as 8367 west Wing Drive, Elk Grove, CA (the "Property").

Movant argues cause for relief from stay exists pursuant to 11 U.S.C. § 362(d)(1) because the debtor is delinquent in postpetition payments in the total amount of \$6,926.00. Declaration, Dkt. 21.

DEBTOR'S CONVERSION

Debtor filed a Notice to Convert to Chapter 7 on October 24, 2024. Dkts. 30.

DISCUSSION

The case was converted to one under Chapter 7 on October 24, 2024. Geoffrey Richards has been appointed the Bankruptcy Trustee and the initial Meeting of Creditors has been scheduled for December 10, 2024. Dkt. 34.

At the hearing xxxxxxxxxx

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion for Relief from the Automatic Stay filed by Servbank, SB as attorney in fact for Watermark Capital, Inc. ("Movant") having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the motion is **xxxxxxxxxx**

2. [24-21965](#)-C-13 GREGOIRE TONOUKOUIN
[TLA](#)-1 Thomas Amberg

MOTION FOR COMPENSATION BY THE
LAW OFFICE OF AMBERG HARVEY FOR
THOMAS L. AMBERG, JR, DEBTORS
ATTORNEY(S)
10-7-24 [[38](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 29 days' notice was provided. Dkt. 43.

The Motion for Allowance of Professional Fees is granted.

Thomas L. Amberg, Jr. filed this first interim request seeking approval of compensation for attorney services provided to debtor, Gregoire Tonoukouin.

Fees are requested for the period May 7, 2024, through October 7, 2024. The movant requests fees in the amount of \$4,160.00.

DISCUSSION

Hourly Fees

The court finds that the hourly rates are reasonable and that the movant effectively used appropriate rates for the services provided. First interim fees in the amount of \$4,160.00 are approved pursuant to 11 U.S.C. § 331, and subject to final review pursuant to 11 U.S.C. § 330, and are authorized to be paid by the Chapter 13 trustee from the available funds of the Estate in a manner consistent with the order of distribution in a Chapter 13 case.

The Chapter 13 trustee is authorized to pay, the following amounts as compensation to this professional in this case:

Fees	\$4,160.00
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pursuant to this Motion as interim fees pursuant to 11 U.S.C. § 331 in this case.

The court shall issue an order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion for Allowance of Fees and Expenses filed by Thomas L. Amberg, Jr. ("Movant") having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that Movant is allowed the following fees and expenses as a professional of the Estate:

Movant, Professional employed by debtor, Gregoire Tonoukouin,

Fees in the amount of \$4,160.00

as an interim allowance of fees and expenses pursuant to 11 U.S.C. § 331 and subject to final review and allowance pursuant to 11 U.S.C. § 330.

IT IS FURTHER ORDERED that the Chapter 13 trustee is authorized to pay \$4,160.00 of the fees by this Order from the available funds of the Estate in a manner consistent with the order of distribution in a Chapter 13 case.