

UNITED STATES BANKRUPTCY COURT  
Eastern District of California

**Honorable Ronald H. Sargis**  
Chief Bankruptcy Judge  
Modesto, California

**December 3, 2020 at 2:00 p.m.**

---

1. [18-90029](#)-E-11      JEFFERY ARAMBEL      CONTINUED STATUS CONFERENCE RE:  
VOLUNTARY PETITION  
1-17-18 [1](#)

Debtor's Atty: *Pro Se*

Notes:  
Continued from August 27, 2020

<b>The Status Conference is continued to <del>XXXXXXX</del>, 2021.</b>
--

**December 3, 2020 Post-Confirmation Status Conference**

On November 30, 2020, Focus Management Group USA, Inc. filed an updated Status Report. Dckt. 1313. It is reported that required payments under the Plan and post-confirmation quarterly reports are current, subject to discussions with U.S. Bank, N.A. concerning asserted payments at issue and certain Water District payments. *Id.*, ¶2.

The Plan Administrator reports that a Notice of Termination of the Reorganizing Debtor was filed on November 23, 2020. Dckt. 1299.

At the Status Conference, ~~XXXXXXX~~

Debtors' Atty: Mark J. Hannon

Notes:

Continued from 9/10/20. Debtor represented that they will have all of the monies necessary to fund all plan payments required to be made by the Plan Administrator within 90 days of the 9/10/20 post-confirmation status conference.

[Trustee's] Status Report #12 filed 11/29/20 [Dckt 1130]

**The Status Conference is continued to ~~xxxxxxx~~, 2021.**

### DECEMBER 3, 2020 STATUS CONFERENCE

Gary Farrar, the successor Plan Administrator, filed his updated Status Report on November 29, 2020. Dckt. 130. He reports that the final plan payment was scheduled for March 31, 2020, which the Plan Administrator computes needs to be in the amount of \$23,853.11; it not having yet been made by the Debtor. *Id.*, p. 2:1-3.

Additionally, monthly payments of \$3,000.00 to USFI are in default since March 2019, and the Plan Administrator computes that unpaid amount to be an additional \$69,000.00. *Id.*, p. 2:4-6.

Additional unpaid amounts by Debtor include: \$5,160 due the Plan Administrator for fees; \$26,436.19 for the Coleman & Horowit LLP firm (which represented the creditor that was the "plan proponent" to prosecute Debtor's plan after the time period for Debtor to prosecute a plan had expired), and \$1,950.00 in U.S. Trustee fees. *Id.*, p. 2:19-24.

Post-confirmation Status Reports are past due for June 30, 2020 and September 30, 2020.

### Amended Status Report

On November 30, 2020, the Plan Administrator filed an Amended Status Report with the following updates. First, a Mr. Ziemer contacted the Plan Administrator and stated that there is a working relationship with the Debtor, but the USFI amounts remain unpaid.

Second, on November 30, 2020, the Plan Administrator received a cashier's check for \$33,300.00. The Plan Administrator requests that the court authorize the release of "the \$25,000 held for disbursements." Reference is made with respect to a stipulation for the release of the \$25,000 being attached, but there is not an attachment to the Amended Status Report. The Plan Administrator computes that all "scheduled" administrative fees and unsecured creditor plan payments can be satisfied "upon receipt of the funds held by the court."

At the Status Conference, **XXXXXXX**

3. [20-90049-E-11](#) SUN-ONE LLC

**CONTINUED STATUS CONFERENCE RE:  
VOLUNTARY PETITION  
1-21-20 [1](#)**

Debtor's Atty: David C. Johnston

Notes:  
Continued from 10/1/20

Operating Reports filed: 10/14/20, 11/18/20

[EJR-1] Order granting Motion for Relief from Automatic Stay [Adolfo and Antoinette Cabello, Jerry and Soo Jung Hong, George and Lynn Gallegos, and Glenn Thompson] filed 10/16/20 [Dckt 82]

[DCJ-2] Debtor in Possession's Motion to Dismiss Chapter 11 Case filed 11/12/20 [Dckt 83]; set for hearing 12/3/20 at 10:30 a.m.

<p><b>The court having granted the Motion to Dismiss filed by the Debtor in Possession, the Status Conference is <b>XXXXXXX</b>.</b></p>
--

## FINAL RULINGS

4. [20-90349](#)-E-11      **R. MILLENNIUM TRANSPORT, INC.**      **CONTINUED STATUS CONFERENCE RE: VOLUNTARY PETITION 5-15-20 [1]**

**Final Ruling:** No appearance at the December 3, 2020 Status Conference is required.

-----

### SUBCHAPTER V

Debtor's Atty: David C. Johnston

Notes:

Continued from 10/1/20

Operating Reports filed: 10/15/20, 11/15/20

[HRH-1] Order granting in part Motion for Relief from Automatic Stay [PNC Equipment Finance, LLC] filed 10/26/20 [Dckt 109]

[HRH-1] Order granting Motion for Relief from Automatic Stay / Adequate Protection [PNC Equipment Finance, LLC] filed 11/12/20 [Dckt 113]

<p><b>The Status Conference is continued to 2:00 p.m. on January 28, 2021.</b></p>
--

### OCTOBER 1, 2020 STATUS CONFERENCE

This Chapter 11 Subchapter V case was filed on May 15, 2020. The court extended the deadline for the Debtor in Possession/Debtor to file the Chapter 11 plan through and including September 30, 2020. In the August 2020 Monthly Operating Report filed September 24, 2020 (Dckt. 101), the Debtor in Possession/Debtor reports \$1,864,845 in cash receipts and (\$1,885,736) in cash disbursement since the commencement of this case for the Bankruptcy Estate.

At the Status Conference, counsel for the Debtor in Possession/Debtor reported that the Subchapter V plan was filed on September 30, 2020.

The Subchapter V Trustee stated that he has been assisting the Debtor and believes that this should be a consensual plan.

## **JULY 16, 2020 STATUS CONFERENCE**

The Debtor in Possession filed a Status Report on July 10, 2020. The Report discusses the estate's trucking business and the impact caused by the COVID-19 pandemic. Dckt. 57. The Debtor in Possession projects filing a plan and disclosure statement before August 13, 2020.

At the Status Conference counsel for the Debtor in Possession reported that a resolution has been reached for the claim that is the subject of the pending motion for relief from the stay, and that resolution will be the template for addressing other secured claims.

Moreover, the bookkeeper at the business is new and is working to clean up what was left by the prior bookkeeper.

The deadline for claims is in a week, and to date, no "surprise" claims have been filed. David Souza, the Subchapter V Trustee, reports that he and the Debtor in Possession counsel are working with creditors. The Subchapter V Trustee is concerned over the books and records.

There were several loans taken out by the Debtor prior to the bankruptcy, which have a substantial interest rate that may be usurious. The payments to these high interest creditors without 90 days of the filing is \$289,000.