

**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: TUESDAY
DATE: DECEMBER 17, 2019
CALENDAR: 9:00 A.M. CHAPTERS 9 AND 11 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
WGG-2**

CONTINUED OBJECTION TO CLAIM OF TULARE LOCAL HEALTHCARE
DISTRICT, CLAIM NUMBER 48-1
7-8-2019 [[619](#)]

MICHAEL DELANEY/ATTY. FOR DBT.
RESPONSIVE PLEADING

Final Ruling

The objection having been withdrawn, the matter is dropped from
calendar.

2. [16-10015](#)-A-9 **IN RE: SOUTHERN INYO HEALTHCARE DISTRICT
WJH-1**

MOTION FOR ESTIMATION OF DISPUTED CLAIM
10-30-2019 [[728](#)]

MICHAEL DELANEY/ATTY. FOR DBT.
RILEY WALTER/ATTY. FOR MV.

Final Ruling

The motion having been withdrawn, the matter is dropped from
calendar.

3. [17-20731](#)-A-11 **IN RE: CS360 TOWERS, LLC
WF-1**

MOTION BY DANIEL L. EGAN TO WITHDRAW AS ATTORNEY
11-7-2019 [[771](#)]

STEPHAN BROWN/ATTY. FOR DBT.

Final Ruling

Motion: Attorney's Withdrawal from Representation of a Client

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

Disposition: Granted

Order: Prepared by movant pursuant to the instructions below

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

Under California Rule of Professional Conduct 1.16(c), "[i]f permission for termination of a representation is required by the rules of a tribunal,* a lawyer shall not terminate a representation before that tribunal* without its permission."

An attorney's withdrawal from representing a client is governed by LBR 2017-1(e) and the Rules of Professional Conduct of the State Bar of California. LBR 2017-1(e) provides that "an attorney who has appeared may not withdraw leaving the client in propria persona without leave of court upon noticed motion and notice to the client and all other parties who have appeared." This local rule also mandates that the attorney shall provide an affidavit stating the current or last known address or addresses of the client and the efforts made to notify the client of the motion to withdraw.

California Rule of Professional Conduct 1.16(b)(4) provides for permissive withdrawal if "the client by other conduct renders it unreasonably difficult for the lawyer to carry out the representation effectively." The facts asserted in the motion and supporting papers show that continued, effective representation of the client will be unreasonably difficult for the attorney to undertake, e.g. failure to pay invoices.

The court finds that the attorney's withdrawal from the representation is proper. In the order's recitals, the order shall state the client's last known address and, if known, the client's phone number. The order's substantive provisions shall include a provision requiring the attorney to comply with California Rule of Professional Conduct 1.16(e)(1), (2) upon the withdrawal.

4. [19-25064](#)-A-11 **IN RE: SLIDEBELTS INC.**
[BMR-16](#)

MOTION FOR COMPENSATION BY THE LAW OFFICE OF PARSONS BEHLE &
LATIMER FOR BRIAN M. ROTHSCHILD, DEBTORS ATTORNEY(S)
11-15-2019 [[137](#)]

BRIAN ROTHSCHILD/ATTY. FOR DBT.
RESPONSIVE PLEADING

No Ruling

5. [19-25064](#)-A-11 **IN RE: SLIDEBELTS INC.**
[BMR-17](#)

MOTION FOR COMPENSATION FOR ADVANCED CFO, FINANCIAL
ADVISOR(S)
11-15-2019 [[144](#)]

BRIAN ROTHSCHILD/ATTY. FOR DBT.

No Ruling

6. [19-25064](#)-A-11 **IN RE: SLIDEBELTS INC.**
[BMR-8](#)

CONTINUED MOTION TO USE CASH COLLATERAL AND/OR CHAPTER 11
FIRST DAY MOTION FOR APPROVAL OF DIP BUDGET
8-12-2019 [[5](#)]

BRIAN ROTHSCHILD/ATTY. FOR DBT.

No Ruling