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 7 Chapter 7 Trustee

8
 9 **UNITED STATES DISTRICT COURT**
CENTRAL DISTRICT OF CALIFORNIA
 10
LOS ANGELES DIVISION

11 In re
 12 WILLIAM ROBERT NORRIE,
 13
 Debtor.

Distr. Ct. No. CV 14-06211-BRO
 Case No. 2:13-bk-25751-BR
 Chapter 7

14
 15 BRAD D. KRASNOFF, Chapter 7
 Trustee,

Adv. No. 2:13-ap-02124-BR

16 Plaintiff,

**DEFAULT JUDGMENT IN FAVOR
 OF TRUSTEE AGAINST
 DEFENDANT 665 33RD STREET
 LLC**

17 vs.

18 WILLIAM ROBERT NORRIE, an
 19 individual, and 665 33RD STREET
 20 LLC, a California Limited Liability
 Corporation

**[Per Minute Order of September 2,
 2014]**

21 Defendants.

22
 23 On July 1, 2014, at 10:00 a.m., in the above captioned adversary proceeding
 24 (the “Adversary Proceeding”) pending before United States Bankruptcy Judge Barry
 25 Russell (the “Bankruptcy Court”), the Bankruptcy Court heard and considered the
 26 Motion for Entry of Default Judgment Against Defendant 665 33rd Street LLC (the
 27 “Motion”) (*docket no. 57*), filed by plaintiff Brad D. Krasnoff, the Chapter 7 trustee
 28 (“Plaintiff” or the “Trustee”) for the bankruptcy estate of William Robert Norrie (the

1 “Debtor”). The Bankruptcy Court also considered the opposition of William Robert
2 Norrie (the “Debtor”) to the Motion (*docket no. 61*), Marilyn Norrie’s opposition to
3 the Motion (*docket no. 62*), and the Trustee’s Reply in support of the Motion (*docket*
4 *no. 64*), and the Ex Parte Application of John Norrie as trustee of “The 561 Brooks
5 Avenue Trust Dated March 14, 2007” for Continuance of the Hearing on the Motion
6 (*docket no. 66*). Eric P. Israel of Danning, Gill, Diamond & Kollitz, LLP, appeared
7 on behalf of the Trustee. Elizabeth A. LaRocque of Goe & Forsythe LLP, appeared
8 on behalf of the Debtor and the Company. Alan Broidy appeared on behalf of
9 Marilyn Norrie, individually and as the guardian of her minor children, the
10 purported beneficiaries of The 561 Brooks Avenue Trust. Michael D. Kwasigroch
11 appeared on behalf of John Norrie as the purported trustee of The 561 Brooks
12 Avenue Trust Dated March 14, 2007. Paul Burns appeared on behalf of creditors
13 Kelly T. Mallen and John M. Pulos. 665 33rd Street LLC (the “Company”) is in
14 default and did not respond to the Motion.

15 The Bankruptcy Court having considered all of the evidence submitted in
16 support of and in opposition to the Motion, the papers on file in the Adversary
17 Proceeding and in the Debtor’s Bankruptcy Case, the Bankruptcy Court having
18 taken judicial notice of various facts, having considered the representations and
19 arguments of counsel at the hearing on the Motion, and good cause appearing
20 therefor, the Bankruptcy by order entered on August 5, 2014 (*adv. docket no. 79*)
21 made recommendations that the District Court enter Proposed Findings of Fact and
22 Conclusions of Law (the “Proposed Findings”) in support of a default judgment
23 (*adv. docket no. 80*) in connection with the Motion in support of a final judgment in
24 the Adversary Proceeding against the Company.

25 The matter was assigned to the United States District Court for the Central
26 District of California as case no. CV 14-06211 BRO, the Honorable Beverly Reid
27 O’Connell, United States District Judge, presiding (the “District Court”). The
28 District Court having reviewed the Motion and the record *de novo* including the

1 Proposed Findings, having adopted the Proposed Findings by its minute order
2 entered on September 2, 2014 (*district court docket no. 5*) and having entered its
3 own Findings of Fact and Conclusions of Law contemporaneously herewith, and for
4 good cause appearing, it is

5 **ORDERED, ADJUDGED AND DECREED AS FOLLOWS:**

- 6 1. The Motion is granted in its entirety.
- 7 2. Judgment in favor of the Trustee and against the Company on the
8 Trustee's First Claim for Relief.
- 9 3. The transfer of the real property commonly known as 1325 Cabrillo
10 Ave, Venice, California, assessor's parcel number 4238-004-008 (the "Property")
11 from the Debtor in favor of 665 W. 33rd Street, LLC (the "Company") as reflected in
12 a grant deed recorded on or about January 9, 2008 with the Los Angeles County
13 Recorder as instrument no. 20080045643, is avoided. The legal description of the
14 Property is attached hereto as Exhibit "A".
- 15 4. The Property is recovered by the Trustee.
- 16 5. Entry of a final judgment on the Adversary Proceeding against the
17 Company is appropriate pursuant to Fed. R. Civ. P. 54(b) because it is an ultimate
18 disposition of the Trustee's claims against the Company in the Adversary
19 Proceeding, it will resolve all issues with respect to title to the Property, and there is
20 no just reason for delay.

21 **IT IS SO ORDERED.**

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23 Dated: September 11, 2014

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26 HONORABLE BEVERLY REID O'CONNELL
27 UNITED STATES DISTRICT COURT JUDGE
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EXHIBIT "A"
(Legal Description)

Order Number:

4203-4519833

LEGAL DESCRIPTION

Real property in the City of Los Angeles, County of Los Angeles, State of California, described as follows:

LOT(S) 8, 9 AND 10 IN BLOCK 16, OF VENICE OF AMERICA TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 6 PAGE(S) 126 AND 127 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 4238-004-008