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Attorneys for Creditor and Party in Interest
Arcadian Vanguard LLC

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA (SAN FERNANDO VALLEY)

<p>In re</p> <p>KAST MEDIA, INC., fka Kast Media LLC, aka Sight Reading Academy, aka Kast</p> <p style="text-align: center;">Debtor.</p>	}	<p>CASE NO. 1:24-bk-10396-MB</p> <p>Chapter 11</p> <p>LIMITED OPPOSITION BY CREDITOR ARCADIAN VANGUARD LLC TO THE DEBTOR’S MOTION TO APPROVE COMPROMISE BETWEEN THE DEBTOR AND SOUNDSTACK, INC. PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 9019 [ECF # 39]</p> <p>Hearing Date: May 28, 2024 Time: 1:30 p.m. Dept.: 303 Judge: Hon. Martin R. Barash</p>
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Creditor and party in interest Arcadian Vanguard LLC (“Arcadian Vanguard”), by its attorneys of record, hereby makes this limited opposition to the motion by the Debtor Kast Media, Inc. (“Debtor”) To Approve Compromise Between the Debtor And SoundStack, Inc., pursuant To Federal Rule Of Bankruptcy Procedure 9019 (ECF #39), on the following grounds:

Arcadian Vanguard does not oppose the proposed settlement per se. However, Arcadian Vanguard is owed a substantial amount of money from the Debtor for podcast services, including advertising revenue that should have been, but was not, paid to Arcadian Vanguard by the Debtor. Specifically, Arcadian

1 Vanguard was still under the Debtor’s hosting platform in 2023 when they were
2 with SoundStack, and never received any of the programmatic advertising money
3 revenue for that period. As a result, some of the money being paid to the Debtor
4 pursuant to the settlement might belong to Arcadian Vanguard pursuant to their pre-
5 petition agreement with the Debtor.

6 To the extent that any of the monies owed to the Debtor by SoundStack
7 represent advertising income that is otherwise payable to Arcadian Vanguard, then
8 any order approving the settlement should also provide that the Debtor keep the
9 money segregated and not put into the general funds of the estate until it is
10 determined whether any other creditor – including Arcadian Vanguard – has any
11 claim to a portion of those specific proceeds related to its podcasts.

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14 Dated: May 14, 2024

Respectfully submitted,
FENNEMORE, LLP

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16 By: /s/ Gary B. Rudolph
17 Kathleen A. Cashman-Kramer
18 Gary B. Rudolph
19 Counsel for creditor and party in interest
20 Arcadian Vanguard LLC
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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
600 B Street, Suite 1700 San Diego, CA 92101

A true and correct copy of the foregoing document entitled (*specify*):

LIMITED OPPOSITION BY CREDITOR ARCADIAN VANGUARD LLC TO THE DEBTOR'S MOTION TO APPROVE COMPROMISE BETWEEN THE DEBTOR AND SOUNDSTACK, INC. PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 9019 [ECF # 39]

will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**: Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) May 14, 2014, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- **Kathleen A Cashman-Kramer** kcashman-kramer@fennemorelaw.com, theresam@psdslaw.com
- **Russell Clementson** russell.clementson@usdoj.gov
- **Leslie A Cohen** leslie@lesliecohenlaw.com, jaime@lesliecohenlaw.com;clare@lesliecohenlaw.com
- **Moriah Douglas Flahaut (TR)** douglas.flahaut@arentfox.com, C194@ecfcbis.com
- **Samuel R Maizel** samuel.maizel@dentons.com,
alicia.aguilar@dentons.com;docket.general.lit.LOS@dentons.com;tania.moyron@dentons.com;kathryn.howard@
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- **Gary B Rudolph** grudolph@fennemorelaw.com,
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kramer@fennemorelaw.com;ejames@fennemorelaw.com;james@ecf.courtdrive.com
- **United States Trustee (SV)** ustpregion16.wh.ecf@usdoj.gov

Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL:**

On (*date*) May 14, 2024, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

N/A

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

05/14/2024

Laurel Dinkins

/s/ Laurel Dinkins

Date

Printed Name

Signature