

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Robert S. Bardwil  
Bankruptcy Judge  
Modesto, California

January 7, 2009 at 10:30 a.m.

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INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

1. Matters resolved without oral argument:

Unless stated otherwise, the court will prepare a civil minute order on each matter listed. If the moving party wants a more specific order, it should submit a proposed amended order to the court. In the event a party wishes to submit such an Order it needs to be titled "Amended Civil Minute Order."

If the moving party has received a response or is aware of any reason, such as a settlement, that a response may not have been filed, the moving party must contact Nancy Williams, the Courtroom Deputy, at (916) 930-4580 at least one hour prior to the scheduled hearing.

2. The court will not continue any short cause evidentiary hearings scheduled below.
3. If a matter is denied or overruled without prejudice, the moving party may file a new motion or objection to claim with a new docket control number. The moving party may not simply re-notice the original motion.
4. If no disposition is set forth below, the matter will be heard as scheduled.

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1.	08-92100-D-7	CHARLES/ANDREA JONES	HEARING - MOTION FOR
	APN #1		RELIEF FROM AUTOMATIC STAY
	FORD MOTOR CREDIT CO., VS.		12-9-08 [19]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay by minute order. As the debtors are not making post-petition payments and the creditor's collateral is a depreciating asset, the court will also waive FRBP 4001(a)(3). There will be no further relief afforded. No appearance is necessary.

2. 08-92401-D-7 KEITH PEREZ HEARING - MOTION FOR  
PD #1 RELIEF FROM AUTOMATIC STAY  
CHASE HOME FINANCE, LLC, VS. 12-1-08 [9]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtor's Statement of Intentions indicates he will surrender the property, the court will also waive FRBP 4001(a) (3) by minute order. There will be no further relief afforded. No appearance is necessary.

3. 08-92006-D-7 DEBORAH OGILVIE HEARING - MOTION FOR  
APN #1 RELIEF FROM AUTOMATIC STAY  
FORD MOTOR CREDIT CO., VS. 12-9-08 [14]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay by minute order. As the debtor is not making post-petition payments and the creditor's collateral is a depreciating asset, the court will also waive FRBP 4001(a) (3). There will be no further relief afforded. No appearance is necessary.

4. 08-90508-D-7 RADNI YOUKHANEH HEARING - MOTION FOR  
MBB #2 RELIEF FROM AUTOMATIC STAY  
MORTGAGE ELECTRONIC REGISTRATION 12-9-08 [115]  
SYSTEMS, INC., VS.

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. The debtor received his discharge on July 1, 2008 and, as a result, the stay is no longer in effect as to the debtor (see 11 U.S.C. § 362(c) (3)). Accordingly, the motion will be denied as to the debtor as moot. The court will grant relief from stay as to the trustee and the estate, and will waive FRBP 4001(a) (3). This relief will be granted by minute order. There will be no further relief afforded. No appearance is necessary.

5. 08-92309-D-7 DOUGALS/KIMBERLY QUINTAL HEARING - ORDER  
TO SHOW CAUSE RE DISMISSAL  
OF CASE OR IMPOSITION OF  
SANCTIONS  
12-4-08 [15]

The deficiency has been corrected. As a result the court will issue a minute order discharging the order to show cause and the case will remain open. No appearance is necessary.

6. 08-92309-D-7 DOUGLAS/KIMBERLY QUINTAL HEARING - MOTION FOR  
PD #1 RELIEF FROM AUTOMATIC STAY  
AMERICAN HOME MORTGAGE 12-8-08 [18]  
SERVICING, INC., VS.

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtors' Statement of Intentions indicates they will surrender the property, the court will also waive FRBP 4001(a)(3) by minute order. There will be no further relief afforded. No appearance is necessary.

7. 08-91311-D-7 GEORGE BREDENBERG HEARING - OBJECTION  
SF #4 TO DEBTOR'S EXEMPTION CLAIMS  
11-13-08 [27]

8. 08-91212-D-7 VERRILL/JONI DEAN CONT. HEARING - OBJECTION  
SF #1 OF CHAPTER 7 TRUSTEE TO  
DEBTORS' EXEMPTION CLAIM  
IN REAL PROPERTY  
8-19-08 [13]

Hearing on this objection is continued per stipulation of the parties to February 4, 2009 at 10:30 a.m. No appearance is necessary.

9. 08-92216-D-7 RICHARD/LORI GREEN HEARING - MOTION FOR  
APN #1 RELIEF FROM AUTOMATIC STAY  
WELLS FARGO FINANCIAL, VS. 12-9-08 [17]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtors' Statement of Intentions indicates they will surrender the property, the court will also waive FRBP 4001(a)(3) by minute order. There will be no further relief afforded. No appearance is necessary.

10. 06-90019-D-7 DECORATIONS FOR HEARING - APPLICATION FOR  
MGO #5 GENERATIONS, INC. APPROVAL AND PAYMENT OF FINAL  
FEES, COSTS, AND EXPENSES BY  
ACCOUNTANT FOR TRUSTEE  
(\$3,610.00 FEES; \$55.00 EXP.)  
12-11-08 [85]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the application is supported by the record. As such the court will grant the application by minute order. No appearance is necessary.

11. 06-90019-D-7 DECORATIONS FOR HEARING - APPLICATION FOR  
MGO #6 GENERATIONS, INC. APPROVAL AND PAYMENT OF FINAL  
FEES, COSTS, AND EXPENSES BY  
COUNSEL FOR TRUSTEE (\$9,582.50  
FEES; \$1,047.50 EXPENSES)  
12-11-08 [91]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the application is supported by the record. As such the court will grant the application by minute order. No appearance is necessary.

12. 08-92319-D-7 ANNA GRAVES HEARING - MOTION FOR  
MBB #1 RELIEF FROM AUTOMATIC STAY  
MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC., VS. 12-8-08 [18]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtor's Statement of Intentions indicates she will surrender the property, the court will also waive FRBP 4001(a)(3) by minute order. There will be no further relief afforded. No appearance is necessary.

13. 08-92321-D-7 ELENA ACEVEDO HEARING - MOTION FOR  
PPR #1 RELIEF FROM AUTOMATIC STAY  
GREENPOINT MORTGAGE  
FUNDING, INC., VS. 12-1-08 [10]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtor's Statement of Intentions indicates she will surrender the property, the court will also waive FRBP 4001(a)(3) by minute order. There will be no further relief afforded. No appearance is necessary.

14. 08-92523-D-7 FRANCISCO PIMENTEL, SR. HEARING - MOTION FOR  
PD #1 RELIEF FROM AUTOMATIC STAY  
WELLS FARGO HOME 12-3-08 [10]  
MORTGAGE, INC., VS.

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtor's Statement of Intentions indicates he will surrender the property, the court will also waive FRBP 4001(a) (3) by minute order. There will be no further relief afforded. No appearance is necessary.

15. 08-92025-D-7 GLORIA BOVA HEARING - MOTION FOR  
MBL #1 RELIEF FROM AUTOMATIC STAY  
WELLS FARGO BANK, N.A., VS. 12-4-08 [13]

16. 08-92425-D-7 JAMES/GEMA CAMPBELL HEARING - MOTION FOR  
WGM #1 RELIEF FROM AUTOMATIC STAY  
INDYMAC FEDERAL BANK, FSB, VS. ON REAL PROPERTY  
12-3-08 [8]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtors' Statement of Intentions indicates they will surrender the property, the court will also waive FRBP 4001(a) (3) by minute order. There will be no further relief afforded. No appearance is necessary.

17. 08-91927-D-7 TERESA OROZCO HEARING - MOTION FOR  
PD #1 RELIEF FROM AUTOMATIC STAY  
WACHOVIA MORTGAGE FSB, VS. 12-3-08 [15]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay by minute order. There will be no further relief afforded. No appearance is necessary.

18. 08-92027-D-7 SALVADOR/LEDA FARIAS HEARING - MOTION FOR  
PPR #1 RELIEF FROM AUTOMATIC STAY  
FIRST FRANKLIN, VS. 12-5-08 [12]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay by minute order. There will be no further relief afforded. No appearance is necessary.

19. 08-92229-D-7 EDNA PERALTA HEARING - ORDER  
TO SHOW CAUSE RE DISMISSAL  
OF CASE OR IMPOSITION OF  
SANCTIONS  
12-4-08 [17]

The deficiency has been corrected. As a result the court will issue a minute order discharging the order to show cause and the case will remain open. No appearance is necessary.

20. 08-91830-D-7 RAFAEL/BARBARA ALFONSO HEARING - MOTION  
JHW #1 CONFIRMING TERMINATION OF  
DAIMLERCHRYSLER FINANCIAL THE AUTOMATIC STAY  
SERVICES AMERICAS LLC, VS. 12-8-08 [20]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. The debtors received their discharge on December 8, 2008 and, as a result, the stay is no longer in effect as to the debtors (see 11 U.S.C. § 362(c)(3)). Accordingly, the motion will be denied as to the debtors as moot. The court will grant relief from stay as to the trustee and the estate, and will waive FRBP 4001(a)(3). This relief will be granted by minute order. There will be no further relief afforded. No appearance is necessary.

21. 08-92132-D-7 JAVIER/AMY BUENROSTRO CONT. HEARING - ORDER  
TO SHOW CAUSE RE DISMISSAL  
OF CASE OR IMPOSITION OF  
SANCTIONS  
10-24-08 [11]

22. 08-91834-D-7 JOSE/MARIA ESPINOZA HEARING - MOTION FOR  
APN #1 RELIEF FROM AUTOMATIC STAY  
WELLS FARGO BANK, N.A., VS. ON REAL PROPERTY  
12-9-08 [21]

23. 08-92134-D-7 PAUL IMAI HEARING - MOTION FOR  
LAZ #1 RELIEF FROM AUTOMATIC STAY  
CITIMORTGAGE, INC., VS. 12-11-08 [14]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtor's Statement of Intentions indicates he will surrender the property, the court will also waive FRBP 4001(a) (3) by minute order. There will be no further relief afforded. No appearance is necessary.

24. 08-92334-D-7 JOSE/RALENE MALDONADO HEARING - MOTION FOR  
JHW #1 RELIEF FROM AUTOMATIC STAY  
DAIMLERCHRYSLER FINANCIAL 11-25-08 [9]  
SERVICES AMERICAS LLC, VS.

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay by minute order. As the debtors are not making post-petition payments and the creditor's collateral is a depreciating asset, the court will also waive FRBP 4001(a) (3). There will be no further relief afforded. No appearance is necessary.

25. 08-91335-D-7 STEVE/CHRISTINA WHITESIDE HEARING - MOTION FOR  
PD #2 RELIEF FROM AUTOMATIC STAY  
WELLS FARGO HOME 12-3-08 [71]  
MORTGAGE, INC., VS.

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtors' Statement of Intentions indicates they will surrender the property, the court will also waive FRBP 4001(a) (3) by minute order. There will be no further relief afforded. No appearance is necessary.

26. 08-92236-D-7 MICHAEL/SANDRA FORCADE HEARING - MOTION FOR  
MBB #1 RELIEF FROM AUTOMATIC STAY  
COUNTRYWIDE HOME LOANS, INC., VS. 12-8-08 [16]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtors' Statement of Intentions indicates they will surrender the property, the court will also waive FRBP 4001(a)(3) by minute order. There will be no further relief afforded. No appearance is necessary.

27. 08-92339-D-7 GLORIA VALLES HEARING - MOTION FOR  
JHW #1 RELIEF FROM AUTOMATIC STAY  
AMERICREDIT FINANCIAL 12-8-08 [11]  
SERVICES, INC., VS.

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtor's Statement of Intentions indicates she will surrender the property, the court will also waive FRBP 4001(a)(3) by minute order. There will be no further relief afforded. No appearance is necessary.

28. 08-91447-D-7 RYAN HAMRE HEARING - MOTION BY  
08-9092 TLG #3 PLAINTIFF TO AMEND COMPLAINT  
TRICIA GALLIVAN, VS. OBJECTING TO DISCHARGE TO  
RYAN HAMRE COMPLY  
12-9-08 [8]

Further prosecution of this adversary proceeding has been stayed and the matter has been referred to the Bankruptcy Dispute Resolution Program. Accordingly, the hearing on this motion will be taken off calendar until the Bankruptcy Dispute Resolution Program process is complete. Accordingly, the matter is removed from calendar.

29. 08-91447-D-7 RYAN HAMRE HEARING - MOTION BY  
08-9092 TLG #3 PLAINTIFF FOR SUMMARY JUDGMENT  
TRICIA GALLIVAN, VS. 12-9-08 [15]  
RYAN HAMRE

Further prosecution of this adversary proceeding has been stayed and the matter has been referred to the Bankruptcy Dispute Resolution Program. Accordingly, the hearing on this motion will be taken off calendar until the Bankruptcy Dispute Resolution Program process is complete. Accordingly, the matter is removed from calendar.

30. 08-91447-D-7 RYAN HAMRE HEARING - MOTION BY  
08-9093 TLG #4 PLAINTIFF TO AMEND COMPLAINT  
TRICIA GALLIVAN, VS. BY CREDITOR FOR DETERMINATION  
RYAN HAMRE OF DISCHARGEABILITY TO COMPLY  
12-9-08 [9]

Further prosecution of this adversary proceeding has been stayed and the matter has been referred to the Bankruptcy Dispute Resolution Program. Accordingly, the hearing on this motion will be taken off calendar until the Bankruptcy Dispute Resolution Program process is complete. Accordingly, the matter is removed from calendar.

31. 08-92147-D-7 RAUL/ILDA AGUILAR HEARING - MOTION FOR  
RCO #1 RELIEF FROM AUTOMATIC STAY  
BANK OF AMERICA, N.A., VS. 11-24-08 [14]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtors' Statement of Intentions indicates they will surrender the property, the court will also waive FRBP 4001(a)(3) by minute order. There will be no further relief afforded. No appearance is necessary.

32. 05-92748-D-7 C. HALBAKKEN, INC. HEARING - APPLICATION FOR  
MGO #11 APPROVAL AND PAYMENT OF FINAL  
FEES, COSTS, AND EXPENSES BY  
ACCOUNTANT FOR TRUSTEE  
(\$6,714.00 FEES; \$55.00 EXP.)  
12-11-08 [208]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant the motion. Moving party is to submit an appropriate order. No appearance is necessary.

33. 05-92748-D-7 C. HALBAKKEN, INC. HEARING - APPLICATION FOR  
MGO #12 APPROVAL AND PAYMENT OF FINAL  
FEES, COSTS, AND EXPENSES BY  
COUNSEL FOR TRUSTEE  
(\$30,469.00 FEES; \$2,652.59 EXP)  
12-11-08 [215]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant the motion. Moving party is to submit an appropriate order. No appearance is necessary.

34. 02-93549-D-11 DAVID/MARGIE ROBINETTE HEARING - SEVENTH APPLICATION  
MDG #49 OF ATTORNEY FOR DEBTORS-IN-  
POSSESSION FOR COMPENSATION  
AND REIMBURSEMENT OF EXPENSES  
(\$28,340.50 FEES; \$2,905.32  
EXPENSES)  
12-8-08 [872]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant the motion. Moving party is to submit an appropriate order. No appearance is necessary.

35. 02-93549-D-11 DAVID/MARGIE ROBINETTE HEARING - APPLICATION OF  
MDG #50 REORGANIZED DEBTORS FOR  
COMPENSATION AND REIMBURSEMENT  
OF EXPENSES FOR CERTIFIED  
PUBLIC ACCOUNT (\$2,045.25)  
12-8-08 [877]

The application is denied for the following reason: the notice of hearing, which is the only document served on creditors, states that the amount requested is \$2,048.25, whereas the application itself refers to the sum of \$6,725.25 as the reasonable value of the services rendered. (The application also states that \$6,725.25 is the amount of expenses for which reimbursement is sought, whereas there are no expenses itemized in the time sheets.) Thus, creditors have not been noticed of the actual amount sought. In addition, the applicant should be cautioned that there appears to be an overlap between the fees sought in this application and the fees sought in the application filed August 20, 2007. Namely, the fees incurred between January 29, 2007 and August 15, 2007 were approved in the order on the August 20, 2007 application; thus, including them in this application would result in the same fees being paid twice. In addition, the time sheets filed with the prior application contain entries; namely, those dated between October 5, 2006 and December 15, 2007, for fees that were not included in the fees requested in that application, and thus, that appear not to have been approved. For the reasons stated the application will be denied without prejudice by minute order. No appearance is necessary.

36. 08-92249-D-7 JENNIFER LOWE HEARING - MOTION FOR  
DMM #1 RELIEF FROM AUTOMATIC STAY  
WACHOVIA MORTGAGE, FSB, VS. 12-5-08 [15]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay by minute order. There will be no further relief afforded. No appearance is necessary.

37. 08-92450-D-7 ROBERT BOCO, JR.

HEARING - ORDER  
TO SHOW CAUSE RE DISMISSAL  
OF CASE OR IMPOSITION OF  
SANCTIONS  
12-4-08 [11]

The debtor has failed to file the information required under Bankruptcy Code §521(a)(1) within 45 days of the petition date. The consequence for failing to file this information is automatic dismissal effective on the 46<sup>th</sup> day following the petition date (the 46th day is December 29, 2008). Accordingly, the court will issue a minute order confirming that the case was automatically dismissed on December 29, 2008 pursuant to section 521(i) of the Bankruptcy Code. This matter is therefore removed from calendar as moot. No appearance is necessary.

38. 08-92450-D-7 ROBERT BOCO JR.

HEARING - ORDER  
TO SHOW CAUSE RE DISMISSAL  
OF CASE OR IMPOSITION OF  
SANCTIONS  
12-10-08 [15]

The debtor has failed to file the information required under Bankruptcy Code §521(a)(1) within 45 days of the petition date. The consequence for failing to file this information is automatic dismissal effective on the 46<sup>th</sup> day following the petition date (the 46th day is December 29, 2008). Accordingly, the court will issue a minute order confirming that the case was automatically dismissed on December 29, 2008 pursuant to section 521(i) of the Bankruptcy Code. This matter is therefore removed from calendar as moot. No appearance is necessary.

39. 08-90251-D-11 DONNA ROWEN  
UST #1

HEARING - TRUSTEE'S  
MOTION FOR DISMISSAL, OR  
ALTERNATIVELY CONVERSION,  
OF CHAPTER 11 CASE  
11-26-08 [112]

40. 08-91951-D-7 AIDA PUDUCAY  
PD #1  
CITI RESIDENTIAL LENDING, INC., VS.

HEARING - MOTION FOR  
RELIEF FROM AUTOMATIC STAY  
11-26-08 [26]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtor's Statement of Intentions indicates she will surrender the property, the court will also waive FRBP 4001(a)(3) by minute order. There will be no further relief afforded. No appearance is necessary.

41. 08-92259-D-7 JEFFREY/TINA SOUZA HEARING - MOTION FOR  
PD #1 RELIEF FROM AUTOMATIC STAY  
BANK OF AMERICA MORTGAGE, VS. 12-2-08 [10]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtors' Statement of Intentions indicates they will surrender the property, the court will also waive FRBP 4001(a)(3) by minute order. There will be no further relief afforded. No appearance is necessary.

42. 08-92459-D-7 MARK SARKIS HEARING - MOTION FOR  
MBL #1 RELIEF FROM AUTOMATIC STAY  
UBS RE SECURITIES INC., VS. 12-10-08 [10]

The matter is resolved without oral argument. This motion was noticed under LBR 9014-1(f)(2). However, the debtor's Statement of Intentions indicates he intends to surrender the collateral and the trustee has filed a Report of No Assets. Accordingly, the court finds a hearing is not necessary and will grant relief from stay by minute order. There will be no further relief afforded. No appearance is necessary.

43. 08-92461-D-7 JACK/CAROL REEL HEARING - MOTION FOR  
JMS #1 RELIEF FROM AUTOMATIC STAY  
CHASE HOME FINANCE, LLC, VS. 12-2-08 [9]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtors' Statement of Intentions indicates they will surrender the property, the court will also waive FRBP 4001(a)(3) by minute order. There will be no further relief afforded. No appearance is necessary.

44. 08-92062-D-7 GEORGE/MARY PIRO HEARING - MOTION FOR  
MBB #1 RELIEF FROM AUTOMATIC STAY  
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., VS. 11-24-08 [14]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay by minute order. There will be no further relief afforded. No appearance is necessary.

45. 08-92162-D-7 DANIEL/LAURA GARCIA HEARING - MOTION FOR  
MBL #1 RELIEF FROM AUTOMATIC STAY  
INDYMAC FEDERAL BANK, FSB, VS. 12-10-08 [15]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtors' Statement of Intentions indicates they will surrender the property, the court will also waive FRBP 4001(a) (3) by minute order. There will be no further relief afforded. No appearance is necessary.

46. 08-91764-D-7 STEVEN/LISA BURT HEARING - MOTION FOR  
MBL #1 RELIEF FROM AUTOMATIC STAY  
MORTGAGE ELECTRONIC REGISTRATION 12-10-08 [18]  
SYSTEMS, INC., VS.

The matter is resolved without oral argument. This motion was noticed under LBR 9014-1(f) (2). However, the debtors received their discharge on December 8, 2008 and, as a result, the stay is no longer in effect as to the debtors (see 11 U.S.C. § 362(c) (3)). Accordingly, the motion will be denied as to the debtors as moot. The court finds a hearing is not necessary as to the trustee because the trustee has filed a Report of No Assets and will grant relief from stay as to the trustee and the estate by minute order. There will be no further relief afforded. No appearance is necessary.

47. 08-92464-D-7 BRANDWYNNE BAUGARTNER HEARING - ORDER  
TO SHOW CAUSE RE DISMISSAL  
OF CASE OR IMPOSITION OF  
SANCTIONS  
12-10-08 [9]

48. 08-90365-D-11 DIABLO GRANDE LIMITED HEARING - SIXTH  
PARTNERSHIP INTERIM APPLICATION FOR  
COMPENSATION AND REIMBURSEMENT  
OF EXPENSES OF COUNSEL TO THE  
OFFICIAL CREDITORS' COMMITTEE  
(\$25,606.00 FEES; \$817.93 EXP.)  
12-4-08 [571]

There is no proof of service filed in support of the application. As such the hearing will be continued to January 21, 2009 at 10:30 a.m. to allow the moving party to file a proof of service no later than January 9, 2009. No appearance is necessary.

49. 08-90766-D-11 CHENEY AND ASSOCIATES INS. SERVICES, INC. CONT. HEARING - ORDER TO SHOW CAUSE WHY A CHAPTER 11 TRUSTEE SHOULD NOT BE APPOINTED IN THE CASE, OR IN THE ALTERNATIVE, WHY THIS CASE SHOULD NOT BE CONVERTED TO A CASE UNDER CHAPTER 7 OF THE BANKRUPTCY CODE  
10-31-08 [248]
50. 08-91068-D-7 PHILIP/KELLY MAJOR HEARING - ORDER TO SHOW CAUSE RE DISMISSAL OF CASE OR IMPOSITION OF SANCTIONS  
12-2-08 [35]  
**CASE DISMISSED 12-19-08**
51. 08-92271-D-7 MARK MORTENSON HEARING - MOTION TO DISMISS  
11-10-08 [10]

The motion is denied for the following reasons: (1) the motion contains a different case number (08-92256) from the case number on the notice of hearing (08-92271); (2) the original notice of hearing gives a hearing date of January 14, 2009, but one day later, the moving party filed an amended notice of hearing, advancing the hearing date to January 7, 2009; the amended notice was not identified as an amended notice, and there is no way for creditors to know which date would be the actual hearing date; (3) the moving party served the case trustee in Case No. 08-92256, but not the case trustee in this case, 08-92271; (4) the "list of creditors attached" is not attached to the proof of service, so there is no way to determine what creditors, if any, were served; (5) the proof of service purports to evidence service of a document filed September 5, 2008, which was prior to the date this case was commenced (October 23, 2008); thus, the proof of service cannot be correct; and (6) the moving party has failed to include an appropriate docket control number. See LBR 9014-1(c). For these reasons the court will deny the motion by minute order. No appearance is necessary.

52. 08-91872-D-7 CARLOS/JULIE CORDOVA

HEARING - DEBTORS'  
EX PARTE MOTION FOR VOLUNTARY  
DISMISSAL OF CHAPTER 7  
BANKRUPTCY CASE  
11-21-08 [5]

The motion is denied for the following reasons: (1) the original notice of hearing gives a hearing date of January 14, 2009, but two days later, the moving parties filed an amended notice of hearing, advancing the hearing date to January 7, 2009; the amended notice was not identified as an amended notice, and there is no way for creditors to know which date would be the actual hearing date; (2) the "list of creditors attached" is not attached to the proof of service, so there is no way to determine what creditors, if any, were served; and (3) the moving party has failed to include an appropriate docket control number. See LBR 9014-1(c). For these reasons the court will deny the motion by minute order. No appearance is necessary.

53. 04-91873-D-7 WALTHER ELECTRIC CO., INC.  
MDM #6

HEARING - APPLICATION FOR  
APPROVAL AND PAYMENT OF FINAL  
FEES, COSTS, AND EXPENSES BY  
ACCOUNTANT FOR TRUSTEE  
(\$4,261.00 FEES; \$55.00 EXP.)  
12-2-08 [64]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant the motion. Moving party is to submit an appropriate order. No appearance is necessary.

54. 08-92274-D-7 REBECKA DUFFY  
JHW #1  
DCFS USA LLC, VS.

HEARING - MOTION FOR  
RELIEF FROM AUTOMATIC STAY  
11-25-08 [13]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay by minute order. As the debtor is not making post-petition payments and the creditor's collateral is a depreciating asset, the court will also waive FRBP 4001(a)(3). There will be no further relief afforded. No appearance is necessary.

55. 05-92376-D-7 RICHARD/MELISSA GUEVARA HEARING - AMENDED MOTION  
MBB #1 FOR RELIEF FROM THE AUTOMATIC  
COUNTRYWIDE HOME LOANS, STAY  
INC., VS. 11-24-08 [71]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay by minute order. There will be no further relief afforded. No appearance is necessary.

56. 08-91878-D-7 RICARDO/BEATRIZ LOPEZ HEARING - MOTION FOR  
DMM #1 RELIEF FROM AUTOMATIC STAY  
WACHOVIA MORTGAGE, FSB, VS. 12-5-08 [20]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. The debtors received their discharge on December 16, 2008 and, as a result, the stay is no longer in effect as to the debtors (see 11 U.S.C. § 362(c)(3)). Accordingly, the motion will be denied as to the debtors as moot. The court will grant relief from stay as to the trustee and the estate, and will waive FRBP 4001(a)(3). This relief will be granted by minute order. There will be no further relief afforded. No appearance is necessary.

57. 08-92278-D-7 JAMES/APRIL MULHEARN HEARING - MOTION FOR  
ASW #1 RELIEF FROM AUTOMATIC STAY  
NAVY FEDERAL CREDIT UNION, VS. 11-26-08 [21]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtors' Statement of Intentions indicates they will surrender the property, the court will also waive FRBP 4001(a)(3) by minute order. There will be no further relief afforded. No appearance is necessary.

58. 08-92278-D-7 JAMES/APRIL MULHEARN HEARING - MOTION FOR  
ASW #2 RELIEF FROM AUTOMATIC STAY  
NAVY FEDERAL CREDIT UNION, VS. 11-26-08 [26]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtors' Statement of Intentions indicates they will surrender the property, the court will also waive FRBP 4001(a)(3) by minute order. There will be no further relief afforded. No appearance is necessary.

59. 08-92278-D-7 JAMES/APRIL MULHEARN HEARING - MOTION FOR  
ASW #3 RELIEF FROM AUTOMATIC STAY  
NAVY FEDERAL CREDIT UNION, VS. 12-01-08 [33]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtors' Statement of Intentions indicates they will surrender the property, the court will also waive FRBP 4001(a)(3) by minute order. There will be no further relief afforded. No appearance is necessary.

60. 08-92278-D-7 JAMES/APRIL MULHEARN HEARING - MOTION FOR  
ASW #4 RELIEF FROM AUTOMATIC STAY  
NAVY FEDERAL CREDIT UNION, VS. 12-01-08 [38]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtors' Statement of Intentions indicates they will surrender the property, the court will also waive FRBP 4001(a)(3) by minute order. There will be no further relief afforded. No appearance is necessary.

61. 08-92278-D-7 JAMES/APRIL MULHEARN HEARING - MOTION FOR  
ASW #5 RELIEF FROM AUTOMATIC STAY  
NAVY FEDERAL CREDIT UNION, VS. 12-01-08 [43]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtors' Statement of Intentions indicates they will surrender the property, the court will also waive FRBP 4001(a)(3) by minute order. There will be no further relief afforded. No appearance is necessary.

62. 08-92278-D-7 JAMES/APRIL MULHEARN HEARING - MOTION FOR  
ASW #6 RELIEF FROM AUTOMATIC STAY  
NAVY FEDERAL CREDIT UNION, VS. 12-1-08 [48]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtors' Statement of Intentions indicates they will surrender the property, the court will also waive FRBP 4001(a)(3) by minute order. There will be no further relief afforded. No appearance is necessary.

63. 08-92278-D-7 JAMES/APRIL MULHEARN HEARING - MOTION FOR  
ASW #7 RELIEF FROM AUTOMATIC STAY  
NAVY FEDERAL CREDIT UNION, VS. 12-1-08 [53]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtors' Statement of Intentions indicates they will surrender the property, the court will also waive FRBP 4001(a)(3) by minute order. There will be no further relief afforded. No appearance is necessary.

64. 08-92278-D-7 JAMES/APRIL MULHEARN HEARING - MOTION FOR  
ASW #8 RELIEF FROM AUTOMATIC STAY  
NAVY FEDERAL CREDIT UNION, VS. 12-2-08 [58]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtors' Statement of Intentions indicates they will surrender the property, the court will also waive FRBP 4001(a)(3) by minute order. There will be no further relief afforded. No appearance is necessary.

65. 08-92578-D-7 FLORA TAPPEH HEARING - APPLICATION  
FOR WAIVER OF THE CHAPTER 7  
FILING FEE OR OTHER FEE  
12-1-08 [5]

66. 08-91679-D-7 ALLAN/STACIE HEADLEY HEARING - ORDER  
TO SHOW CAUSE RE DISMISSAL  
OF CASE OR IMPOSITION OF  
SANCTIONS  
12-2-08 [59]

The deficiency has been corrected. As a result the court will issue a minute order discharging the order to show cause and the case will remain open. No appearance is necessary.

67. 08-92479-D-7 DAVID BRANCOM

HEARING - ORDER  
TO SHOW CAUSE RE DISMISSAL  
OF CASE OR IMPOSITION OF  
SANCTIONS  
12-10-08 [13]

A hearing is set for January 21, 2009 at 10:30 a.m. on the debtor's request for waiver of the filing fee. Accordingly, the hearing on this Order to Show Cause will be continued to January 21, 2009 at 10:30 a.m. No appearance is necessary.

68. 08-92181-D-7 STEVEN SANCHES  
MBL #1  
MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC., VS.

HEARING - MOTION FOR  
RELIEF FROM AUTOMATIC STAY  
12-10-08 [12]

The matter is resolved without oral argument. This motion was noticed under LBR 9014-1(f) (2). However, the debtor's Statement of Intentions indicates he intends to surrender the collateral and the trustee has filed a Report of No Assets. Accordingly, the court finds a hearing is not necessary and will grant relief from stay by minute order. There will be no further relief afforded. No appearance is necessary.

69. 08-92281-D-7 BANIPAL ENWIYA  
PD #1  
WELLS FARGO HOME  
MORTGAGE, INC., VS.

HEARING - MOTION FOR  
RELIEF FROM AUTOMATIC STAY  
11-25-08 [16]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtor's Statement of Intentions indicates he will surrender the property, the court will also waive FRBP 4001(a) (3) by minute order. There will be no further relief afforded. No appearance is necessary.

70. 07-90383-D-7 ARTHUR/LIZ CORONADO  
SSA #4

HEARING - APPLICATION OF  
STEVEN ATLMAN FOR PAYMENT OF  
FIRST AND FINAL COMPENSATION  
AND REIMBURSEMENT OF EXPENSES  
AS COUNSEL FOR THE TRUSTEE  
(\$4,750.00 FEES; \$111.27 EXP.)  
12-11-08 [55]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the application is supported by the record. As such the court will grant the application. Moving party is to submit an appropriate order. No appearance is necessary.

71. 08-92284-D-7 WILLIAM DEMMA HEARING - MOTION FOR  
MBB #1 RELIEF FROM AUTOMATIC STAY  
MORTGAGE ELECTRONIC REGISTRATION 11-25-08 [14]  
SYSTEMS, INC., VS.

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtor's Statement of Intentions indicates he will surrender the property, the court will also waive FRBP 4001(a) (3) by minute order. There will be no further relief afforded. No appearance is necessary.

72. 08-92385-D-11 INNOVATIVE STRUCTURES, INC. HEARING - ORDER  
TO SHOW CAUSE RE DISMISSAL,  
CONVERSION OR IMPOSITION OF  
SANCTIONS  
12-9-08 [29]

73. 08-91889-D-7 OMAR ESTRADA HEARING - MOTION FOR  
PD #1 RELIEF FROM AUTOMATIC STAY  
CARRINGTON MORTGAGE SERVICES, VS. 12-2-08 [14]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtor's Statement of Intentions indicates he will surrender the property, the court will also waive FRBP 4001(a) (3) by minute order. There will be no further relief afforded. No appearance is necessary.

74. 08-92190-D-7 ABEL/TINA RODRIGUEZ HEARING - MOTION FOR  
MBB #1 RELIEF FROM AUTOMATIC STAY  
COUNTRYWIDE BANK, FSB, VS. 12-5-08 [20]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay by minute order. There will be no further relief afforded. No appearance is necessary.

75. 08-92091-D-7 DAVID/MARIA DAVID HEARING - MOTION FOR  
DMD #1 RECONSIDERATION  
12-10-08 [22]
76. 08-92491-D-7 KATHERINE/RONALD HOILAND HEARING - ORDER  
TO SHOW CAUSE RE DISMISSAL  
OF CASE OR IMPOSITION OF  
SANCTIONS  
12-9-08 [9]
77. 08-92293-D-7 JEFFREY/CRISTINA MARCOS HEARING - MOTION FOR  
PD #1 RELIEF FROM AUTOMATIC STAY  
NATIONAL CITY MORTGAGE  
CO., VS. 12-3-08 [12]

**The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay. As the debtors' Statement of Intentions indicates they will surrender the property, the court will also waive FRBP 4001(a)(3) by minute order. There will be no further relief afforded. No appearance is necessary.**

78. 08-91294-D-7 ANATOLIY TYNDA HEARING - APPLICATION  
KLR #2 AND MOTION FOR DISMISSAL  
OF BANKRUPTCY  
11-25-08 [16]

**The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the case will be dismissed by minute order. There will be no further relief afforded. The moving party is free to seek reimbursement of the filing fee from the Clerk of the Court. No appearance is necessary.**

79. 08-92298-D-7 JANN ANDERSON HEARING - MOTION FOR  
MWP #1 RELIEF FROM AUTOMATIC STAY  
DOWNEY SAVINGS AND 12-10-08 [21]  
LOAN ASSOC., VS.

**The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay by minute order. There will be no further relief afforded. No appearance is necessary.**

80. 08-91101-D-7 MICHELLE LACY AND HEARING - MOTION  
SF #5 FRANK STANLEY TO COMPROMISE CONTROVERSY WITH  
DEBTORS RE TURNOVER OF PERSONAL  
PROPERTY AND DEBTORS' EXEMPTION  
CLAIMS PERSONAL PROPERTY  
12-16-08 [62]

81. 08-92303-D-7 JIMMIE PATTERSON HEARING - ORDER  
TO SHOW CAUSE RE DISMISSAL  
OF CASE OR IMPOSITION OF  
SANCTIONS  
12-15-08 [21]

**This case was dismissed on December 19, 2008. As a result the order to show cause will be removed from calendar as moot. No appearance is necessary.**

82. 08-92405-D-7 ABE/LINDA COLWELL HEARING - MOTION FOR  
LAZ #1 RELIEF FROM AUTOMATIC STAY  
MORTGAGE ELECTRONIC REGISTRATION 12-19-08 [14]  
SYSTEMS, INC., VS.

**The matter is resolved without oral argument. This motion was noticed under LBR 9014-1(f)(2). However, the debtors' Statement of Intentions indicates they intend to surrender the collateral and the trustee has filed a Report of No Assets. Accordingly, the court finds a hearing is not necessary and will grant relief from stay by minute order. There will be no further relief afforded. No appearance is necessary.**

83. 08-92511-D-7 ASHOK/PEENA KUMAR HEARING - MOTION FOR  
PD #1 RELIEF FROM AUTOMATIC STAY  
EMC MORTGAGE CORP., VS. 12-22-08 [15]

The matter is resolved without oral argument. This motion was noticed under LBR 9014-1(f) (2). However, the debtors' Statement of Intentions indicates they intend to surrender the collateral and the trustee has filed a Report of No Assets. Accordingly, the court finds a hearing is not necessary and will grant relief from stay by minute order. There will be no further relief afforded. No appearance is necessary.

84. 08-92312-D-7 ROCK/MARIA BOWDEN HEARING - MOTION FOR  
MBL #1 RELIEF FROM AUTOMATIC STAY  
LASALLE BANK, N.A., VS. 12-16-08 [12]

The matter is resolved without oral argument. This motion was noticed under LBR 9014-1(f) (2). However, the debtors' Statement of Intentions indicates they intend to surrender the collateral and the trustee has filed a Report of No Assets. Accordingly, the court finds a hearing is not necessary and will grant relief from stay by minute order. There will be no further relief afforded. No appearance is necessary.

85. 08-92218-D-7 MYRON/CONNIE CAMPBELL HEARING - ORDER  
TO SHOW CAUSE RE DISMISSAL  
OF CASE OR IMPOSITION OF  
SANCTIONS  
12-19-08 [22]

The deficiency has been corrected. As a result the court will issue a minute order discharging the order to show cause and the case will remain open. No appearance is necessary.

86. 08-92218-D-7 MYRON/CONNIE CAMPBELL HEARING - ORDER  
TO SHOW CAUSE RE DISMISSAL  
OF CASE OR IMPOSITION OF  
SANCTIONS  
12-19-08 [21]

This is a duplicate of item no. 85. Matter removed from calendar as moot.

87. 08-92419-D-7 WELDON/SHERRY OATMAN HEARING - MOTION FOR  
PD #1 RELIEF FROM AUTOMATIC STAY  
BANK OF AMERICA, N.A., VS. 12-17-08 [12]

The matter is resolved without oral argument. This motion was noticed under LBR 9014-1(f)(2). However, the debtors' Statement of Intentions indicates they intend to surrender the collateral and the trustee has filed a Report of No Assets. Accordingly, the court finds a hearing is not necessary and will grant relief from stay by minute order. There will be no further relief afforded. No appearance is necessary.

88. 08-92624-D-7 RUBEN FALCON HEARING - MOTION FOR  
RTD #1 RELIEF FROM AUTOMATIC STAY  
THE GOLDEN 1 CREDIT UNION, VS. 12-17-08 [14]

89. 08-92624-D-7 RUBEN FALCON HEARING - MOTION FOR  
RTD #2 RELIEF FROM AUTOMATIC STAY  
THE GOLDEN 1 CREDIT UNION, VS. 12-17-08 [8]

90. 08-92125-D-7 MONIZ, INC. HEARING - MOTION FOR  
SW #3 RELIEF FROM AUTOMATIC STAY  
GMAC, VS. 12-17-08 [48]

91. 08-91827-D-7 LINO/LINDA TOSTE HEARING - MOTION FOR  
MBL #1 RELIEF FROM AUTOMATIC STAY  
LITTON LOAN SERVICING LP, VS. 12-15-08 [22]

92. 08-92532-D-7 ANNA RANDHAWA HEARING - ORDER  
TO SHOW CAUSE RE DISMISSAL  
OF CASE OR IMPOSITION OF  
SANCTIONS  
12-12-08 [10]

93. 08-92533-D-7 JOSE NAVA HEARING - ORDER  
TO SHOW CAUSE RE DISMISSAL  
OF CASE OR IMPOSITION OF  
SANCTIONS  
12-12-08 [10]

94. 08-92533-D-7 JOSE NAVA HEARING - MOTION FOR  
PD #1 RELIEF FROM AUTOMATIC STAY  
JPMORGAN CHASE BANK, ET AL., VS. 12-18-08 [15]

95. 08-91434-D-7 FEDERICO ROBLES HEARING - MOTION FOR  
SF #2 AUTHORIZATION TO SELL ESTATE'S  
INTEREST IN REALTY TO CO-OWNERS  
12-17-08 [57]

96. 08-92534-D-7 LUIS/SHANNON ARMAS HEARING - ORDER  
TO SHOW CAUSE RE DISMISSAL  
OF CASE OR IMPOSITION OF  
SANCTIONS  
12-12-08 [9]

97. 08-92534-D-7 LUIS/SHANNON ARMAS HEARING - MOTION FOR  
WGM #1 RELIEF FROM AUTOMATIC STAY  
JPMORGAN CHASE, NATIONAL ON REAL PROPERTY  
ASSOCIATION, VS. 12-17-08 [12]

98. 08-91952-D-7 SANTOS/GUILLERMINA SOTO HEARING - ORDER  
TO SHOW CAUSE RE DISMISSAL  
OF CASE OR IMPOSITION OF  
SANCTIONS  
12-18-08 [22]

**The deficiency has been corrected. As a result the court will issue a minute order discharging the order to show cause and the case will remain open. No appearance is necessary.**

99. 08-91955-D-7 MIGUEL VILLA AND SANDRA ALCARAZ HEARING - ORDER TO SHOW CAUSE RE DISMISSAL OF CASE OR IMPOSITION OF SANCTIONS 12-18-08 [28]

**The deficiency has been corrected. As a result the court will issue a minute order discharging the order to show cause and the case will remain open. No appearance is necessary.**

100. 08-90766-D-11 CHENEY & ASSOCIATES INS. SERVICES, INC. CONT. HEARING - APPLICATION FOR INTERIM ALLOWANCE OF FEES AND COSTS OF WILKE, FLEURY, HOFFELT, GOULD & BIRNEY, LLP (\$48,698.33 FEES; \$3,638.04 COSTS) 11-19-08 [261]

101. 08-90766-D-11 CHENEY & ASSOCIATES INS. SERVICES, INC. CONT. HEARING - MOTION FOR AUTHORITY TO PAY ADMINISTRATIVE CLAIMS 11-19-08 [266]

102. 07-90770-D-7 BELLA VISTA BY PARAMONT, LLC CONT. HEARING - MOTION FOR ORDER AUTHORIZING SALE OF PERSONAL PROPERTY OF THE ESTATE 11-7-08 [45]

103. 08-92570-D-7 DONOVAN GONSALEZ HEARING - MOTION FOR  
WGM #1 RELIEF FROM AUTOMATIC STAY  
FIFTH THIRD MORTGAGE ON REAL PROPERTY  
CORPORATION, VS. 12-19-08 [10]

104. 08-92475-D-7 ARMANDO/MARTHA TOVAR HEARING - MOTION FOR  
WGM #1 RELIEF FROM AUTOMATIC STAY  
JPMORGAN CHASE, NATIONAL ON REAL PROPERTY  
ASSOCIATION, VS. 12-17-08 [12]

**The matter is resolved without oral argument. This motion was noticed under LBR 9014-1(f) (2). However, the debtors' Statement of Intentions indicates they intend to surrender the collateral and the trustee has filed a Report of No Assets. Accordingly, the court finds a hearing is not necessary and will grant relief from stay by minute order. There will be no further relief afforded. No appearance is necessary.**

105. 08-90976-D-7 MARINA RIDGE LLC HEARING - MOTION FOR  
FWK #1 RELIEF FROM AUTOMATIC STAY  
OMNI HOMES, LLC, VS. 12-22-08 [58]

106. 08-91880-D-7 KATHLEEN FARIA HEARING - ORDER  
TO SHOW CAUSE RE DISMISSAL  
OF CASE OR IMPOSITION OF  
SANCTIONS  
12-11-08 [33]

**The deficiency has been corrected. As a result the court will issue a minute order discharging the order to show cause and the case will remain open. No appearance is necessary.**

107. 08-91082-D-7 BILLY/VICTORIA HARRIS HEARING - MOTION  
SF #3 TO COMPROMISE CONTROVERSY  
WITH DEBTORS RE TURNOVER AND  
AVOIDANCE MATTERS  
12-16-08 [36]

108. 08-92355-D-7 JASON/CYNTHIA LYTLE HEARING - MOTION FOR  
BSN #1 RELIEF FROM AUTOMATIC STAY  
BANK OF AMERICA, N.A., VS. 12-23-08 [13]

The matter is resolved without oral argument. This motion was noticed under LBR 9014-1(f) (2). However, the debtors' Statement of Intentions indicates they intend to surrender the collateral and the trustee has filed a Report of No Assets. Accordingly, the court finds a hearing is not necessary and will grant relief from stay by minute order. There will be no further relief afforded. No appearance is necessary.

109. 08-90365-D-11 DIABLO GRANDE LIMITED HEARING - MOTION FOR  
WJS #2 PARTNERSHIP RELIEF FROM AUTOMATIC STAY  
OAK VALLEY COMMUNITY BANK, VS. 12-17-08 [591]

Tentative Ruling: Moving party served the debtor, debtor's counsel and the office of the U.S. Trustee. Moving party failed to serve the committee, committee's counsel, and parties requesting special notice; and (2) the proof of service is not filed under oath. The court is inclined to continue the motion to allow moving party to cure this service defect and file an amended proof of service. The court will hear the matter.