

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Robert S. Bardwil  
Bankruptcy Judge  
Sacramento, California

January 13, 2009 at 1:00 p.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.	08-34004-D-13L	ARACELI SANDOVAL	HEARING - MOTION
	JLK #1		FOR ORDER VALUING COLLATERAL
			OF HOMECOMINGS FINANCIAL, LLC
			12-8-08 [23]

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 and, for purposes of this motion only, set the amount of the creditor's secured claim at \$0.00. Moving party is to submit an appropriate order which provides that the creditor's secured claim is valued at \$0.00. No further relief is being afforded. No appearance is necessary.

2. 07-25005-D-13L GARY ADAMS HEARING - MOTION TO  
CYB #3 MODIFY CHAPTER 13 PLAN  
AFTER CONFIRMATION  
12-1-08 [52]

The motion is denied for the following reasons: 1) the moving party failed to serve the creditors filing Claim Nos. 1 and 3 at the addresses on their proofs of claim, or at all; (2) the moving party failed to serve the IRS at its address on the Roster of Public Agencies, or at all; (3) the moving party failed to serve Macy's, added to his F-schedule on July 13, 2007; and (4) the date of the debtor's signature on the plan is October 30, 2007, which was the date of signature of his original plan. Thus, it appears the debtor has not signed this plan. For these reasons the court will deny the motion by minute order. No appearance is necessary.

3. 08-28906-D-13L ROBERT/LORI WILLIAMS CONT. HEARING - MOTION FOR  
MEA #1 RELIEF FROM AUTOMATIC STAY  
COUNTRYWIDE HOME LOANS, INC., VS. 10-6-08 [39]

4. 08-31009-D-13L KENT GRANATH AND HEARING - DEBTORS'  
JDM #3 MONA PANELO MOTION TO CONFIRM AMENDED  
CHAPTER 13 PLAN  
12-8-08 [56]

5. 08-31009-D-13L KENT GRANATH AND HEARING - DEBTORS'  
JDM #4 MONA PANELO MOTION FOR ORDER VALUING  
COLLATERAL OF ADDISON AVENUE  
FEDERAL CREDIT UNION  
12-8-08 [52]

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 and, for purposes of this motion only, set the amount of the creditor's secured claim at \$0.00. Moving party is to submit an appropriate order which provides that the creditor's secured claim is valued at \$0.00. No further relief is being afforded. No appearance is necessary.

6. 07-23410-D-13L DAVID WAMBAUGH  
HSM #1  
EL DORADO SAVINGS BANK, VS.

CONT. HEARING - MOTION FOR  
RELIEF FROM AUTOMATIC STAY  
11-7-08 [43]

In the debtor's confirmed plan this creditor is scheduled as Class 4 - to be paid outside the plan. Therefore, the motion is unnecessary as the plan explicitly provides: "Entry of the confirmation order shall constitute an order modifying the automatic stay to allow the holder of a Class 4 secured claim to exercise its rights against its collateral in the event of a default under the terms of its loan or security documentation provided this case is pending under chapter 13." As the motion is unnecessary, the court will deny the motion by minute order. No appearance is necessary.

7. 08-36012-D-13L ZARAH MENDOZA  
MET #1

HEARING - MOTION FOR  
ORDER VALUING COLLATERAL  
OF CITIMORTGAGE, INC.  
12-15-08 [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 the motion and, for purposes of this motion only, set the amount of the creditor's secured claim at \$0.00. Moving party is to submit an appropriate order which provides that the creditor's secured claim is valued at \$0.00. No further relief is being afforded. No appearance is necessary.

8. 08-33613-D-13L MIKHAIL/NADEZHDA BOLOTOV  
ADS #1

HEARING - MOTION  
TO CONFIRM 13 PLAN  
12-1-08 [22]

The motion is denied without prejudice. The plan fails to provide for the claim secured by the second deed of trust on the Debtors' residence. Thus, the plan provision modifies the rights of the secured creditor, contrary to 11 U.S.C. § 1322(b)(2), and the plan is not confirmable. Further, even if the debtors intend to file a motion to determine the value of the creditor's secured claim, feasibility of the plan would then depend on the court determining the holder of the second deed of trust's claim is valued at \$0.00, but no motion to value collateral has been granted. For this reason the court will deny the motion by minute order. No appearance is necessary.

9. 08-34213-D-13L VERNON VEAL  
NLE #1

HEARING - TRUSTEE'S  
OBJECTION TO CONFIRMATION OF  
PLAN AND MOTION TO DISMISS  
11-13-08 [15]

10. 08-36013-D-13L KAREN FAINT  
MET #1

HEARING - MOTION FOR  
ORDER VALUING COLLATERAL  
OF COUNTRYWIDE HOME LOANS  
12-8-08 [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 the motion and, for purposes of this motion only, set the amount of the creditor's secured claim at \$0.00. Moving party is to submit an appropriate order which provides that the creditor's secured claim is valued at \$0.00. No further relief is being afforded. No appearance is necessary.

11. 04-24214-D-13L ERIC ESTES  
CRR #4

HEARING - OBJECTION  
OF CLAIM OF I.R.S.  
12-1-08 [62]

Motion withdrawn by moving party. Matter removed from calendar.

12. 08-29916-D-13L ROBERT/CYNTHIA STEVENS  
DEF #4

CONT. HEARING - MOTION  
TO VALUE COLLATERAL OF  
CHASE HOME FINANCES  
11-5-08 [55]

The motion is denied without prejudice. The moving parties served Chase Home Financial; however, the creditor's proof of claim lists the creditor as JPMorgan Chase Bank, N.A. The moving parties failed to serve this creditor in accordance with FRBP 7004(h), or at all. As a result of this service defect the court will deny the motion by minute order. No appearance is necessary.

13. 08-29916-D-13L ROBERT/CYNTHIA STEVENS  
DEF #5

HEARING - MOTION TO  
CONFIRM SECOND AMENDED  
CHAPTER 13 PLAN  
11-25-08 [74]

The motion is denied without prejudice. The plan fails to provide for the claim secured by the second deed of trust on the debtors' residence. Thus, the plan provision modifies the rights of the secured creditor, contrary to 11 U.S.C. § 1322(b)(2), and the plan is not confirmable. Further, even if the debtors intend to file a motion to determine the value of the creditor's secured claim, feasibility of the plan would then depend on the court determining the holder of the second deed of trust's claim is valued at \$0.00, but no motion to value collateral has been granted. Thus, the plan is currently not feasible. For the above reasons the court will deny the motion by minute order. No appearance is necessary.

14. 08-36016-D-13L RAMON/SUZETTE TIRONA  
MET #1

HEARING - MOTION FOR  
ORDER VALUING COLLATERAL  
OF COUNTRYWIDE HOME LOANS  
12-8-08 [22]

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 and, for purposes of this motion only, set the amount of the creditor's secured claim at \$0.00. Moving party is to submit an appropriate order which provides that the creditor's secured claim is valued at \$0.00. No further relief is being afforded. No appearance is necessary.

15. 08-36016-D-13L RAMON/SUZETTE TIRONA  
MET #2

HEARING - MOTION FOR  
ORDER VALUING COLLATERAL  
OF GREENPOINT MORTGAGE  
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 the motion and, for purposes of this motion only, set the amount of the creditor's secured claim at \$0.00. Moving party is to submit an appropriate order which provides that the creditor's secured claim is valued at \$0.00. No further relief is being afforded. No appearance is necessary.

16. 08-36217-D-13L MACK ISAAC, JR. AND  
PPR #1 RENE E RICHARDSON

HEARING - OBJECTIONS TO  
PROPOSED CHAPTER 13 PLAN  
AND CONFIRMATION THEREOF  
BY FIRST FRANKLIN  
12-19-08 [12]

17. 08-20718-D-13L LEON DOTSON  
PGM #3

CONT. HEARING - MOTION  
TO MODIFY CHAPTER 13 PLAN  
AFTER CONFIRMATION  
9-11-08 [56]

18. 05-38719-D-13L ANTHONY/COURTNEY VANN HEARING - DEBTORS'  
GDG #11 MOTION TO MODIFY CHAPTER 13  
PLAN POST-CONFIRMATION  
12-10-08 [154]

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

19. 08-35521-D-13L JANE/MENG THAO HEARING - MOTION FOR  
PD #1 RELIEF FROM AUTOMATIC STAY  
GMAC MORTGAGE, LLC, VS. 12-15-08 [27]

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.

20. 07-23822-D-13L RICHARD KEMP HEARING - MOTION  
WW #3 TO CONFIRM FIRST MODIFIED  
CHAPTER 13 PLAN  
12-9-08 [90]

21. 08-37023-D-13L JORGE VALADEZ CONT. HEARING - MOTION FOR  
FWK #1 ORDER GRANTING RELIEF FROM  
WACHOVIA MORTGAGE, VS. THE AUTOMATIC STAY  
11-26-08 [5]

22. 08-20726-D-13L JUAN/MILAGROS MONGALO HEARING - MOTION TO  
ADS #3 MODIFY CHAPTER 13 PLAN  
AFTER CONFIRMATION  
12-8-08 [43]

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

23. 08-24826-D-13L NELSON/RENEE LICKEY HEARING - MOTION TO  
JT #1 MODIFY CHAPTER 13 PLAN  
AFTER CONFIRMATION  
12-9-08 [29]

24. 08-32526-D-13L LOVENIA GLAUDE HEARING - MOTION  
NUU #2 TO CONFIRM FIRST AMENDED  
CHAPTER 13 PLAN  
11-21-08 [28]

The motion is denied for the following reasons: (1) the moving party failed to serve the U.S. Dept. of Education at its address on the Roster of Public Agencies; and (2) the proof of service purports to evidence service on November 24, 2008, but the proof of service was filed with the court on November 21, 2008, prior to the alleged date of service; thus, it does not accurately evidence service. For these reasons the court will deny the motion by minute order. No appearance is necessary.

25. 08-32526-D-13L LOVENIA GLAUDE HEARING - MOTION  
NUU #3 TO VALUE COLLATERAL OF  
WASHINGTON MUTUAL BANK  
11-24-08 [32]

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 and, for purposes of this motion only, set the amount of the creditor's secured claim at \$0.00. Moving party is to submit an appropriate order which provides that the creditor's secured claim is valued at \$0.00. No further relief is being afforded. No appearance is necessary.

26. 08-35527-D-13L GRACIA CASTANEDA HEARING - MOTION  
PGM #1 TO USE CREDIT  
12-16-08 [17]

**Motion withdrawn by moving party on January 5, 2009. Matter removed from calendar.**

27. 08-33829-D-13L JAMES KIRBY CONT. HEARING - OBJECTION  
NLE #1 TO CONFIRMATION OF PLAN  
BY TRUSTEE  
11-13-08 [13]

28. 08-22530-D-13L VICTORIA RAZO HEARING - MOTION  
SDB #5 TO MODIFY CHAPTER 13 PLAN  
AFTER CONFIRMATION  
12-5-08 [89]

**The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.**

29. 08-22530-D-13L VICTORIA RAZO HEARING - DEBTOR'S  
SDB #6 MOTION FOR ORDER VALUING  
COLLATERAL OF BANK OF AMERICA  
12-08-08 [94]

**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 and, for purposes of this motion only, set the amount of the creditor's secured claim at \$0.00. Moving party is to submit an appropriate order which provides that the creditor's secured claim is valued at \$0.00. No further relief is being afforded. No appearance is necessary.**

30. 08-22530-D-13L VICTORIA RAZO  
SDB #7

HEARING - DEBTOR'S  
MOTION FOR ORDER VALUING  
COLLATERAL OF BANK OF AMERICA  
12-8-08 [100]

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 and, for purposes of this motion only, set the amount of the creditor's secured claim at \$0.00. Moving party is to submit an appropriate order which provides that the creditor's secured claim is valued at \$0.00. No further relief is being afforded. No appearance is necessary.

31. 08-32331-D-13L TIMOTHY/GLORIA DENIZ  
JMS #1

CONT. HEARING - MOTION FOR  
RELIEF FROM AUTOMATIC STAY  
OR IN THE ALTERNATIVE, FOR  
ADEQUATE PROTECTION  
11-17-08 [22]

32. 08-32331-D-13L TIMOTHY/GLORIA DENIZ  
ADS #1

HEARING - MOTION  
TO VALUE COLLATERAL OF  
WMC MORTGAGE CORP/CHASE  
HOME FINANCE, LLC  
12-11-08 [30]

Although the moving party served this creditor in compliance with FRBP 7004, the moving party failed to additionally serve this creditor in accordance with its request for special notice in this case. The court is going to require service in accordance with both FRBP 7004 and with the creditor's request for special notice. As such this matter will be continued to February 24, 2009 at 1:00 p.m. to allow the moving party to serve notice of continued hearing and all the relevant papers on creditor at its address provided in the request for special notice. No appearance is necessary.

33. 08-37432-D-13L DONALD GIBESON  
MWB #1

HEARING - MOTION  
TO VALUE COLLATERAL OF  
WASHINGTON MUTUAL  
12-9-08 [13]

The motion has been resolved by stipulation. Matter removed from calendar.

34. 06-24734-D-13L DENNIS/LORETTA VARGAS  
PGM #2  
CONT. HEARING - MOTION  
TO MODIFY CHAPTER 13 PLAN  
AFTER CONFIRMATION  
8-22-08 [60]
35. 08-21936-D-13L GORDON MCMAHON  
DBJ #5  
HEARING - MOTION  
FOR CONFIRMATION OF  
SECOND AMENDED PLAN  
11-18-08 [70]
36. 08-21936-D-13L GORDON MCMAHON  
DBJ #5  
HEARING - COUNTER-  
MOTION TO DISMISS  
12-17-08 [75]
37. 08-36839-D-13L GINETTE WILLIAMS  
APN #1  
WELLS FARGO AUTO FINANCE, VS.  
HEARING - MOTION FOR  
RELIEF FROM AUTOMATIC STAY  
AGAINST DEBTOR AND AGAINST  
A NON-FILING CO-DEBTOR  
12-15-08 [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 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.

38. 08-35842-D-13L TONY/JULIE ROMERO  
JT #1

HEARING - MOTION  
TO VALUE COLATERAL OF  
COUNTRYWIDE HOME LOANS  
12-9-08 [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 the motion and, for purposes of this motion only, set the amount of the creditor's secured claim at \$0.00. Moving party is to submit an appropriate order which provides that the creditor's secured claim is valued at \$0.00. No further relief is being afforded. No appearance is necessary.

39. 08-32644-D-13L MARIANO/TAMARA MORGADO  
SDB #1

HEARING - DEBTORS'  
MOTION FOR ORDER VALUING  
COLLATERAL OF COUNTRYWIDE  
HOME LOANS  
11-21-08 [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 the motion and, for purposes of this motion only, set the amount of the creditor's secured claim at \$0.00. Moving party is to submit an appropriate order which provides that the creditor's secured claim is valued at \$0.00. No further relief is being afforded. No appearance is necessary.

40. 08-32644-D-13L MARIANO/TAMARA MORGADO  
SDB #2

HEARING - MOTION FOR  
ORDER CONFIRMING DEBTORS'  
FIRST AMENDED CHAPTER 13 PLAN  
11-20-08 [21]

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

41. 08-33344-D-13L RAYMOND/AMY VICE  
ADS #1

HEARING - MOTION  
TO CONFIRM FIRST AMENDED  
CHAPTER 13 PLAN  
12-1-08 [29]

The motion is denied without prejudice. The plan fails to provide for the claim secured by the second deed of trust on the debtors' residence. Thus, the plan provision modifies the rights of the secured creditor, contrary to 11 U.S.C. § 1322(b)(2), and the plan is not confirmable. Further, even if the debtors intend to file a motion to determine the value of the creditor's secured claim, feasibility of the plan would then depend on the court determining the holder of the second deed of trust's secured claim is valued at \$0.00, but no motion to value collateral has been granted. Thus, the plan is currently not feasible. For the above reasons the court will deny the motion by minute order. No appearance is necessary.

42. 07-30746-D-13L JAGEET SINGH  
CYB #3  
CONT. HEARING - MOTION  
TO MODIFY CHAPTER 13 PLAN  
AFTER CONFIRMATION  
10-24-08 [73]
43. 07-30746-D-13L JAGEET/TONY SINGH  
CYB #3  
CONT. HEARING - OBJECTION TO  
PROPOSED MODIFIED CHAPTER 13  
PLAN AND CONFIRMATION THEREOF  
BY TRITON ACCEPTANCE CORP.  
12-1-08 [82]
44. 05-37448-D-13L CHRIS LOW  
FEC #11  
HEARING - MOTION OF  
FREDRICK E. CLEMENT, COUNSEL  
FOR DEBTOR, FOR COMPENSATION  
AND REIMBURSEMENT OF EXPENSES  
IN THE AMOUNT OF \$8,000.00  
12-3-08 [126]
- 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.**
45. 08-30649-D-13L NANCY IBBOTSON  
ADR #1  
HEARING - DEBTOR'S  
MOTION FOR ORDER VALUING  
COLLATERAL OF HOMECOMINGS  
FINANCIAL  
12-15-08 [31]

46. 08-26850-D-13L JAMES/KATHRYN TASHJIAN HEARING - MOTION  
FF #4 TO CONFIRM FIRST AMENDED  
CHAPTER 13 PLAN  
11-24-08 [40]

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

47. 08-33552-D-13L JIM/JUDITH SPIVACK HEARING - MOTION TO  
RDS #1 CONFIRM FIRST AMENDED PLAN  
12-2-08 [30]

The relief requested in the motion is supported by the record, the trustee having withdrawn his opposition, and no other timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

48. 05-40353-D-13L JERI INMAN HEARING - MOTION  
SDB #1 TO MODIFY CHAPTER 13 PLAN  
AFTER CONFIRMATION  
11-26-08 [24]

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

49. 08-37162-D-13L TONY/LISA MARANO HEARING - DEBTORS'  
LC #1 MOTION FOR ORDER VALUING  
COLLATERAL OF GMAC MORTGAGE  
12-16-08 [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 the motion and, for purposes of this motion only, set the amount of the creditor's secured claim at \$0.00. Moving party is to submit an appropriate order which provides that the creditor's secured claim is valued at \$0.00. No further relief is being afforded. No appearance is necessary.

50. 05-38464-D-13L DEBORAH STOCKTON  
PRB #9

HEARING - MOTION  
TO CONFIRM DEBTOR'S 4TH  
AMENDED CHAPTER 13 PLAN  
12-9-08 [128]

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

51. 07-24964-D-13L WILLIAM/JOYCE NORRIS  
DBJ #1

CONT. HEARING - MOTION OF  
DEBTORS FOR HARDSHIP DISCHARGE  
10-28-08 [21]

52. 08-35465-D-13L WAYNE POCOCK  
JT #1

HEARING - MOTION  
TO VALUE COLLATERAL OF  
COUNTRYWIDE HOME LOANS  
12-10-08 [24]

The moving party failed to serve the creditor in accordance with its request for special notice in this case. As such this matter will be continued to February 24, 2009 at 1:00 p.m. to allow the moving party to serve notice of continued hearing and all the relevant papers on creditor at its address provided in the request for special notice. No appearance is necessary.

53. 08-23369-D-13L SHERMAN BRYANT  
EJS #2

HEARING - MOTION  
TO MODIFY CHAPTER 13 PLAN  
12-5-08 [51]

54. 08-33169-D-13L NATHANIEL/PAMELA WATTS CONT. HEARING - MOTION TO  
MET #1 CONFIRM CHAPTER 13 PLAN  
10-20-08 [24]
55. 08-33169-D-13L NATHANIEL/PAMELA WATTS CONT. HEARING - OBJECTION TO  
JMS #1 CONFIRMATION OF AMENDED  
CHAPTER 13 PLAN BY BNC  
MORTGAGE, INC.  
10-28-08 [35]
56. 08-33169-D-13L NATHANIEL/PAMELA WATTS CONT. HEARING - MOTION FOR  
MET #2 ORDER VALUING COLLATERAL  
OF CHASE HOME FINANCE LLC  
10-20-08 [28]
57. 08-36569-D-13L TAMMIE HOLLOWAY HEARING - MOTION FOR  
MET #1 ORDER VALUING COLLATERAL OF  
DISCOVER FINANCIAL SERVICES  
12-8-08 [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 the motion and, for purposes of this motion only, set the amount of the creditor's secured claim at \$0.00. Moving party is to submit an appropriate order which provides that the creditor's secured claim is valued at \$0.00. No further relief is being afforded. No appearance is necessary.

58. 08-29072-D-13L JAY/HELEN OLLIG  
DEF #2

HEARING - MOTION  
TO CONFIRM FIRST AMENDED  
CHAPTER 13 PLAN  
12-5-08 [39]

59. 08-34677-D-13L STEVEN/DEBRA JAYNES  
JT #1

HEARING - MOTION TO  
CONFIRM FIRST AMENDED  
CHAPTER 13 PLAN  
12-4-08 [17]

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

60. 08-24578-D-13L KAMELA BROWN  
EJS #2

HEARING - MOTION TO  
DETERMINE VALUE OF COLLATERAL  
OF FASLO SOLUTIONS  
11-26-08 [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 the motion and, for purposes of this motion only, set the amount of the creditor's secured claim at \$0.00. Moving party is to submit an appropriate order which provides that the creditor's secured claim is valued at \$0.00. No further relief is being afforded. No appearance is necessary.

61. 08-27379-D-13L FRANK/CHRISTINA DIAS  
JLK #2

HEARING - MOTION  
TO CONFIRM CHAPTER 13 PLAN  
11-24-08 [32]

The motion is denied for the following reasons: (1) the moving parties failed to serve the creditors filing Claim Nos. 7, 9, 10, and 12 at the addresses on their proofs of claim as required by FRBP 2002(g); (2) the moving parties failed to serve the party requesting special notice at DN 20 at the designated address (counsel should note that use of a PACER matrix printed several months before the date of service will not include proofs of claim and special notice requests filed after the date the matrix was printed); and (3) the text of the proof of service does not refer to the attached creditor list; thus, the proof of service does not clearly evidence service on the parties listed. For these reasons the court will deny the motion by minute order. No appearance is necessary.

62. 08-22280-D-13L KAREN WILLIAMS CONT. HEARING - MOTION FOR  
PD #1 RELIEF FROM AUTOMATIC STAY  
WELLS FARGO HOME 10-14-08 [55]  
MORTGAGE, INC., VS.

**This case was dismissed on December 23, 2008. As a result the motion will be denied by minute order as moot. No appearance is necessary.**

63. 04-30483-D-13L JOHN/LAURA LOGEMANN HEARING - MOTION  
SDB #3 TO MODIFY CHAPTER 13 PLAN  
AFTER CONFIRMATION  
12-10-08 [44]

**The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.**

64. 08-34185-D-13L ROBERT SESSOMS CONT. HEARING - OBJECTION  
NLE #1 TO CONFIRMATION TO PLAN  
BY TRUSTEE  
11-13-08 [20]

65. 08-34189-D-13L FARIBA LOTFI AND CONT. HEARING - MOTION  
PD #1 HASSAN MOHAMMADI FOR IN REM RELIEF FROM  
AMERICA'S SERVICING CO., VS. AUTOMATIC STAY  
11-21-08 [18]

66. 05-35593-D-13L ROBERT/JANIS HUBER HEARING - OBJECTION  
DEF #1 TO ALLOWANCE OF CLAIM OF  
BANK OF AMERICA  
12-3-08 [27]

**The matter is resolved without oral argument. The court's record indicates that no timely opposition/response has been filed and the objection is supported by the record. Accordingly, the court will issue a minute order sustaining the debtors' objection to claim. No appearance is necessary.**

67. 08-33394-D-13L JOHN/RACHEL TRAN CONT. HEARING - TRUSTEE'S  
CFH #1 COUNTER-MOTION TO DISMISS  
OR CONVERT  
11-24-08 [28]

68. 05-24097-D-13L CLAUDIA O'CONNELL HEARING - MOTION FOR  
MWB #3 ORDER APPROVING MODIFICATION  
TO CONFIRMED CHAPTER 13 PLAN  
12-4-08 [41]

69. 07-26598-D-13L GRANT NORRIS HEARING - MOTION  
SAC #1 TO SELL VEHICLE  
12-12-08 [34]

70. 08-34498-D-13L EMILIO/TRACY BUENTIPO CONT. HEARING - OBJECTION  
MBJ #1 TO CONFIRMATION OF PLAN AND  
MOTION TO VALUE COLLATERAL OF  
SIERRA CENTRAL CREDIT UNION  
11-17-08 [24]

**The objection has been resolved by stipulation. Matter removed from calendar.**

71. 08-32499-D-13L RUTH BROWN HEARING - MOTION  
DSW #1 TO CONFIRM DEBTOR'S FIRST  
AMENDED CHAPTER 13 PLAN  
12-15-08 [24]

**The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.**

72. 08-36107-D-13L SANDRA THOMAS HEARING - TRUSTEE'S  
NLE #1 OBJECTION TO CONFIRMATION OF  
PLAN AND MOTION TO DISMISS  
12-22-08 [17]

73. 08-36208-D-13L JERRY/WANDA MACK HEARING - OBJECTION  
NLE #1 TO CONFIRMATION OF PLAN  
BY TRUSTEE  
12-23-08 [15]

74. 08-36209-D-13L KHAMMANY NADONE AND HEARING - OBJECTION  
NLE #1 NALY PHONHLAMOUNGDY TO CONFIRMATION OF PLAN  
BY TRUSTEE  
12-23-08 [24]

75. 08-36209-D-13L KHAMMANY NADONE AND HEARING - OBJECTION  
RTD #1 NALY PHONHLAMOUNGDY TO CONFIRMATION OF THE  
CHAPTER 13 PLAN BY THE  
GOLDEN ONE CREDIT UNION  
12-29-08 [27]

76. 08-35115-D-13L WILLIAM/SHERRYL YOURCZEK CONT. HEARING - OBJECTION  
NLE #1 TO CONFIRMATION OF PLAN  
BY TRUSTEE  
12-3-08 [18]

**The matter is resolved without oral argument. The court's record indicates that no timely response or opposition to the objection to confirmation has been filed. The objection is supported by the record. The court will sustain the objection to confirmation of Chapter 13 plan by minute order. No appearance is necessary.**

77. 08-36216-D-13L JAMES/DEBORAH WACKER HEARING - TRUSTEE'S  
NLE #1 OBJECTION TO CONFIRMATION OF  
PLAN AND MOTION TO DISMISS  
12-22-08 [15]

78. 08-33730-D-13L EUGENE MORRIS  
NLE #1

HEARING - MOTION TO  
VALUE COLLATERAL OF  
WASHINGTON MUTUAL  
12-23-08 [31]

79. 08-30036-D-13L CHRISTOPHER/MELISSA  
JT #3 STOLLARD

CONT. HEARING - MOTION  
TO VALUE COLLATERAL OF FIRST  
HORIZON/FIRST TENNESSEE BANK  
11-21-08 [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 the motion and, for purposes of this motion only, set the amount of the creditor's secured claim at \$0.00. Moving party is to submit an appropriate order which provides that the creditor's secured claim is valued at \$0.00. No further relief is being afforded. No appearance is necessary.**

80. 08-36470-D-13L RAYMOND GOODWIN  
NLE #1

HEARING - OBJECTION  
TO CONFIRMATION OF PLAN  
BY TRUSTEE  
12-23-08 [14]

81. 08-36372-D-13L MARC BURRIS  
NLE #1

HEARING - OBJECTION  
TO CONFIRMATION OF PLAN  
BY TRUSTEE  
12-29-08 [18]

**Objection withdrawn by moving party. Matter removed from calendar.**

82. 08-36184-D-13L DIOSDADO MIRADOR AND HEARING - OBJECTION  
NLE #1 JULIET LEVISTE TO CONFIRMATION OF PLAN  
BY TRUSTEE  
12-23-08 [14]

83. 08-33501-D-13L BRUCE KELLY CONT. HEARING - MOTION  
HAW #1 TO CONFIRM CHAPTER 13 PLAN  
11-10-08 [18]

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

84. 08-30036-D-13L CHRISTOPHER/MELISSA CONT. HEARING - MOTION  
JT #2 STOLLARD TO CONFIRM SECOND AMENDED  
CHAPTER 13 PLAN  
11-21-08 [37]

85. 08-31254-D-13L PATTY CASEY CONT. HEARING - MOTION  
PGM #1 TO VALUE COLLATERAL OF CLEAN  
ENERGY FINANCE LLC  
12-5-08 [33]