

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Robert S. Bardwil
Bankruptcy Judge
Modesto, California

January 21, 2009 at 10:30 a.m.

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.**

1.	08-92100-D-7	CHARLES/ANDREA JONES	HEARING - MOTION FOR
	PD #1		RELIEF FROM AUTOMATIC STAY
	CHEVY CHASE BANK, FSB, VS.		12-15-08 [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 by minute order. There will be no further relief afforded. No appearance is necessary.

2.	08-92602-D-7	MARIA RAMIREZ	HEARING - ORDER
			TO SHOW CAUSE RE DISMISSAL
			OF CASE OR IMPOSITION OF
			SANCTIONS
			12-19-08 [9]

3. 08-92604-D-7 CATHERINE KELLY HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
12-22-08 [12]

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.

4. 08-92005-D-7 JAMES/SANDRA HUCKABY HEARING - MOTION FOR
RELIEF FROM AUTOMATIC STAY
MBB #1 12-18-08 [20]
MORTGAGE ELECTRONIC REGISTRATION
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 debtors received their discharge on January 6, 2009 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.

5. 08-91912-D-7 ELEAZAR/GLYNN MEJIA HEARING - MOTION FOR
RELIEF FROM AUTOMATIC STAY
MBB #1 12-17-08 [48]
MORTGAGE ELECTRONIC REGISTRATION
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 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.

6. 08-92314-D-7 CHRISTOPHER/KIMBERLY HEARING - MOTION FOR
RELIEF FROM AUTOMATIC STAY
MBB #1 BIANCHI 12-22-08 [22]
COUNTRYWIDE HOME LOANS, 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. 08-92615-D-7 SAMUEL/JULIE ALVARADO HEARING - MOTION FOR
PD #1 RELIEF FROM AUTOMATIC STAY
AMERICA'S SERVIICING 12-22-08 [8]
COMPANY, ET AL., 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.

8. 08-92117-D-7 THUY DANH AND HEARING - MOTION FOR
RCO #1 OANH TRAN RELIEF FROM AUTOMATIC STAY
COUNTRYWIDE HOME LOANS, INC., 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.

9. 08-91921-D-7 MARK HIGGINS HEARING - MOTION FOR
MBL #1 RELIEF FROM AUTOMATIC STAY
CITIMORTGAGE, INC., VS. 12-18-08 [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. The debtor received his discharge on December 22, 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.

10. 08-92122-D-7 MARTIN/MARIA LOPEZ CONT. HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
11-7-08 [24]

11. 08-92122-D-7 MARTIN/MARIA LOPEZ CONT. HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
11-24-08 [31]

12. 08-92425-D-7 JAMES/GEMA CAMPBELL HEARING - MOTION FOR
PD #1 RELIEF FROM AUTOMATIC STAY
EMC MORTGAGE CORP., VS. 12-19-08 [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. There will be no further relief afforded. No appearance is necessary.

13. 08-92126-D-7 MICHAEL/SHERRIE KEENER HEARING - MOTION FOR
RCO #1 RELIEF FROM AUTOMATIC STAY
MORTGAGE ELECTRONIC REGISTRATION 12-17-08 [17]
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 by minute order. There will be no further relief afforded. No appearance is necessary.

14. 08-92727-D-7 CHERYL BEACH HEARING - APPLICATION
FOR WAIVER OF THE CHAPTER 7
FILING FEE FOR INDIVIDUALS
WHO CANNOT PAY THE FILING FEE
IN FULL OR IN INSTALLMENTS
12-17-08 [5]

15. 08-92328-D-7 SCOTT RAMIREZ HEARING - MOTION FOR
MBB #1 RELIEF FROM AUTOMATIC STAY
MORTGAGE ELECTRONIC REGISTRATION 12-17-08 [13]
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.

16. 08-92234-D-7 VINCENT/EDITH GUZMAN HEARING - MOTION FOR
DMM #1 RELIEF FROM AUTOMATIC STAY
WACHOVIA MORTGAGE, FSB, VS. 12-19-08 [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.

17. 08-92035-D-7 RICHARD/MICHELLE SCHMAUSS HEARING - MOTION FOR
MBB #1 RELIEF FROM AUTOMATIC STAY
MORTGAGE ELECTRONIC REGISTRATION 12-15-08 [28]
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 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.

18. 08-92136-D-7 JUDITH STARK HEARING - MOTION FOR
MBB #1 RELIEF FROM AUTOMATIC STAY
MORTGAGE ELECTRONIC REGISTRATION 12-15-08 [18]
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 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.

19. 08-92139-D-7 DARLENE JACOBSON HEARING - MOTION FOR
PD #1 RELIEF FROM AUTOMATIC STAY
WACHOVIA MORTGAGE FSB, VS. 12-9-08 [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. 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.

20. 08-92356-D-7 KEVIN/KATHI RICKS HEARING - MOTION FOR
ASW #1 RELIEF FROM AUTOMATIC STAY
NAVY FEDERAL CREDIT UNION, VS. 12-10-08 [11]

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.

21. 08-90957-D-11 POWER GENERATION & CONT. HEARING - UNITED STATES
UST #1 ENGINEERING, INC. TRUSTEE'S MOTION FOR DISMISSAL,
OR ALTERNATIVELY CONVERSION,
OF CHAPTER 11 CASE
11-20-08 [130]

22. 08-92157-D-7 ODILIA MONICO HEARING - MOTION FOR
MBB #1 RELIEF FROM AUTOMATIC STAY
COUNTRYWIDE HOME LOANS, INC., VS. 12-15-08 [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 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.

23. 08-92657-D-7 NAFEEL/MARIANA ATTALLA HEARING - MOTION FOR
PD #1 RELIEF FROM AUTOMATIC STAY
WELLS FARGO HOME 12-18-08 [9]
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 by minute order. There will be no further relief afforded. No appearance is necessary.

24. 08-92560-D-7 GUSTAVO/MARIA LOPEZ HEARING - MOTION FOR
APN #1 RELIEF FROM AUTOMATIC STAY
WELLS FARGO FINANCIAL, VS. 12-22-08 [11]

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. 99-95465-D-7 ORGELIA GOMEZ, VS. CONT. HEARING - MOTION
GILBERTO GOMEZ TO AVOID JUDICIAL LIEN
ON REAL ESTATE
9-9-08 [25]

26. 08-91966-D-7 JEREMY/PATRICIA LUOTO HEARING - MOTION FOR
PD #1 RELIEF FROM AUTOMATIC STAY
NATIONAL CITY MORTGAGE, VS. 12-11-08 [39]

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. 08-92168-D-7 CARL/MYRTLE MAHLER HEARING - MOTION FOR
DMM #2 RELIEF FROM AUTOMATIC STAY
WACHOVIA MORTGAGE, FSB, VS. 12-19-08 [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. 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.

28. 05-92969-D-7 JOHNNY/KELLY CAMACHO HEARING - APPLICATION
MGO #4 FOR AUTHORITY TO EMPLOY
ACCOUNTANT NUNC PRO TUNC
12-23-08 [112]

The proof of service filed evidencing service of the notice of hearing references an attached service list, but does not have a list attached. Therefore, it cannot be determined what creditors were served and at what addresses. As such the court will continue the hearing to February 4, 2009 at 10:30 a.m. to allow the moving party to file an amended proof of service no later than January 23, 2009. No appearance is necessary.

29. 08-92370-D-7 CONSTANCE STEWART HEARING - MOTION FOR
ASW #1 RELIEF FROM AUTOMATIC STAY
U.S. BANK N.A., VS. 12-16-08 [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.

30. 08-92174-D-7 JESUS/MIRIAM FELIX HEARING - MOTION FOR
MBL #1 RELIEF FROM AUTOMATIC STAY
LASALLE BANK, N.A., VS. 12-17-08 [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.

31. 07-91084-D-7 MARTIN DE LA MOTTE HEARING - MOTION FOR
SCF #1 RELIEF FROM AUTOMATIC STAY
GLENN MOTTE, VS. 12-22-08 [104]

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

32. 08-92492-D-7 JOSE CAMPOS AND HEARING - MOTION FOR
JHW #1 ANA HERNANDEZ RELIEF FROM AUTOMATIC STAY
DAIMLERCHRYSLER FINANCIAL 12-11-08 [12]
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.

33. 08-92195-D-7 ALEXANDER GARCIA HEARING - MOTION FOR
PPR #1 RELIEF FROM AUTOMATIC STAY
AMERICA'S WHOLESALE LENDER, VS. 12-12-08 [11]

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.

34. 08-91598-D-7 TONYA/EDDIE MARMOL CONT. HEARING - UNITED
UST #2 STATES TRUSTEE'S MOTION TO
DISMISS CASE 707(A)
11-14-08 [33]

35. 08-91699-D-7 RONALD OLCOTT AND HEARING - MOTION FOR
JHW #1 ROSALIND MITCHELL RELIEF FROM AUTOMATIC STAY
DAIMLERCHRYSLER FINANCIAL 12-11-08 [26]
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. The debtors received their discharge on December 1, 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.

36. 08-92599-D-7 LIDIA PADILLA HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
12-19-08 [8]

37. 08-92608-D-7 GASPAR GONZALEZ HEARING - MOTION FOR
MBL #1 RELIEF FROM AUTOMATIC STAY
MORTGAGE ELECTRONIC REGISTRATION 1-5-09 [11]
SYSTEMS, INC., VS.

38. 08-92309-D-7 DOUGLAS/KIMBERLY QUINTAL HEARING - MOTION FOR
APN #1 RELIEF FROM AUTOMATIC STAY
FORD MOTOR CREDIT CO., VS. 12-23-08 [28]

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.

39. 08-92211-D-7 PAULLETTE MERRITT HEARING - MOTION FOR
PD #1 RELIEF FROM AUTOMATIC STAY
JPMORGAN CHASE BANK, N.A., VS. 12-29-08 [15]

40. 08-92311-D-7 JAMES ATCHISON HEARING - MOTION FOR
JMS #1 RELIEF FROM AUTOMATIC STAY
CITI RESIDENTIAL LENDING, INC., VS. 12-23-08 [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 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.

41. 08-92312-D-7 ROCK/MARIA BOWDEN HEARING - MOTION FOR
WJS #1 RELIEF FROM AUTOMATIC STAY
RIVERSIDE BANK OF THE GULF COAST, VS. 12-30-08 [19]

42. 08-92419-D-7 WELDON/SHERRY OATMAN HEARING - MOTION FOR
PD #2 RELIEF FROM AUTOMATIC STAY
BANK OF AMERICA, N.A., VS. 1-7-09 [26]

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.

43. 08-92523-D-7 FRANCISCO PIMENTAL, SR. HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
12-24-08 [20]

Hearing on this order to show cause is continued to February 4, 2009 at 10:30 a.m. to allow the debtor to attend his continued Meeting of Creditors set for January 29, 2009. No appearance is necessary.

44. 08-92623-D-7 MIGUEL/MARIA PADILLA HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
12-29-08 [11]

45. 08-91827-D-7 LINO/LINDA TOSTE HEARING - MOTION
SF #2 TO ABANDON REAL AND
PERSONAL PROPERTY
12-30-08 [31]

46. 08-92133-D-7 ALAN POOLE HEARING - MOTION FOR
JDL #1 RELIEF FROM AUTOMATIC STAY
DOWNEY SAVINGS AND LOAN 1-6-09 [32]
ASSOCIATION, VS.

47. 08-92639-D-7 DAN WILCOX HEARING - MOTION FOR
MBL #1 RELIEF FROM AUTOMATIC STAY
U.S. BANK NATIONAL ASSOC., VS. 12-30-08 [10]
48. 08-91146-D-7 DAVID/KIMBERLY MCCUTCHEON HEARING - FIRST AND
SF #6 FINAL FEE APPLICATION OF
SUNTAG & FEUERSTEIN AS LEGAL
COUNSEL FOR CHAPTER 7 TRUSTEE
(\$2,791.25 FEES; \$121.08 EXP.)
12-31-08 [52]
49. 08-92447-D-7 JARED NEILSON HEARING - MOTION FOR
WGM #1 RELIEF FROM AUTOMATIC STAY
JPMORGAN CHASE BANK, N.A., VS. ON REAL PROPERTY
1-5-09 [11]

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.

50. 02-93549-D-11 DAVID/MARGIE ROBINETTE CONT. HEARING - AMENDED MOTION
MDG #48 TO SELL 135-PLUS ACRE PARCEL
OF REAL PROPERTY OF ESTATE
FREE AND CLEAR OF LIENS
12-31-08 [892]

This matter will not be called before 11:00 a.m.

51. 08-92450-D-7 ROBERT BOCO, JR. HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
12-29-08 [18]
52. 08-92353-D-7 ROBERT/BONNIE LATAPIE HEARING - MOTION FOR
PD #1 RELIEF FROM AUTOMATIC STAY
GMAC MORTGAGE, LLC, VS. 12-29-08 [20]
53. 08-92454-D-7 DANICA VANDERWAAL HEARING - MOTION FOR
WGM #1 RELIEF FROM AUTOMATIC STAY
JPMORGAN CHASE BANK, VS. 12-29-08 [14]
54. 08-92756-D-7 VIRGINIA BROWN HEARING - APPLICATION
FOR WAIVER OF THE CHAPTER 7
FILING FEE FOR INDIVIDUALS
WHO CANNOT PAY THE FILING FEE
IN FULL OR IN INSTALLMENTS
12-22-08 [5]

55. 08-90957-D-11 POWER GENERATION & HEARING - MOTION FOR
EDC #2 ENGINEERING, INC. PAYMENT OF ADMINISTRATIVE CLAIM
12-31-08 [164]

The court record indicates that the parties who filed claim nos. 28, 63, 65 through 69, and 72 through 74 were not served per Rule 2002(g) (1) at the addresses designated on their proofs of claim. Also, California Physicians Service, dba Blue Shield of California, the creditor who filed the other administrative claim referred to in the motion was not served. As such this matter will be continued to February 4, 2009 at 10:30 a.m. to allow the moving party to serve notice of continued hearing, motion, and other pleadings as may be required by FRBP or LBR on these claim holders. The Debtor shall file a separate proof of service reflecting appropriate service of notice of the continued hearing date and related pleadings in conformity with LBR. No appearance is necessary.

56. 07-90558-D-7 JAMES BATEMAN HEARING - MOTION TO
07-9020 DFB #1 INTERVENE IN ADVERSARY
PRAYTEL COMMUNICATIONS, INC., VS. PROCEEDING
JAMES BATEMAN 12-24-08 [45]

57. 08-92559-D-7 EMILIANO HERNANDEZ HEARING - MOTION FOR
JDL #1 RELIEF FROM AUTOMATIC STAY
DOWNEY SAVINGS AND LOAN 1-6-09 [10]
ASSOCIATION, F.A., VS.

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.

58. 08-92762-D-7 FUN POOL & SPA OF NORTHERN HEARING - MOTION FOR
MDP #1 CALIFORNIA INC. RELIEF FROM AUTOMATIC STAY
TEXTRON FINANCIAL CORP., VS. 12-31-08 [7]

59. 08-92464-D-7 BRANDWYNNE BAUGARTNER
CONT. HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
12-10-08 [9]
60. 08-92664-D-7 BETTY KELLEY
WGM #1
CHASE HOME FINANCE, LLC, VS.
HEARING - MOTION FOR
RELIEF FROM AUTOMATIC STAY
ON REAL PROPERTY
1-5-09 [8]
61. 08-90365-D-11 DIABLO GRANDE LIMITED
PARTNERSHIP
CONT. HEARING - SIXTH
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]
- The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and find a hearing unnecessary. As such the Court will issue an order from chambers. No appearance is necessary.**
62. 08-92669-D-7 AMALIA BARAJAS
RFM #1
ING BANK, FSB, VS.
HEARING - MOTION FOR
RELIEF FROM AUTOMATIC STAY
1-6-09 [8]

63. 08-92573-D-7 BRUCE ALLSUP HEARING - MOTION FOR
EAT #1 RELIEF FROM AUTOMATIC STAY
CHASE HOME FINANCE LLC, VS. 12-23-08 [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. 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.

64. 08-92479-D-7 DAVID BRANCO CONT. HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
12-10-08 [13]

65. 08-92479-D-7 DAVID BRANCO HEARING - APPLICATION
FOR WAIVER OF THE CHAPTER 7
FILING FEE FOR INDIVIDUALS
WHO CANNOT PAY THE FILING FEE
IN FULL OR IN INSTALLMENTS
12-18-08 [16]

66. 08-92687-D-7 SARGON LADO HEARING - MOTION FOR
HRH #1 RELIEF FROM AUTOMATIC STAY
FIRST FEDERAL BANK 1-6-09 [9]
OF CALIFORNIA, VS.

67. 08-92593-D-7 ELBA ZEPEDA HEARING - MOTION FOR
WGM #1 RELIEF FROM AUTOMATIC STAY
JPMORGAN CHASE BANK, N.A., VS. ON REAL PROPERTY
1-6-09 [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 she 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.

68. 08-92694-D-7 VIDAL/TOMASA ESTRELLA HEARING - MOTION FOR
PD #1 RELIEF FROM AUTOMATIC STAY
WELLS FARGO HOME 12-31-08 [12]
MORTGAGE, INC., VS.

69. 08-92498-D-7 KELLY/TRACEY ELLIFRITZ HEARING - MOTION FOR
PD #1 RELIEF FROM AUTOMATIC STAY
EMC MORTGAGE CORP., VS. 12-29-08 [21]