

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Robert S. Bardwil
Bankruptcy Judge
Sacramento, California

April 14, 2009 at 1:00 p.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.	08-34201-D-13L RAYMOND/LAILA LARSEN	HEARING - MOTION FOR
	PD #2	RELIEF FROM AUTOMATIC STAY
	WELLS FARGO HOME	3-10-09 [53]
	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.

2. 09-21801-D-13L HAKOB/KIMA HAJIYAN HEARING - MOTION TO
PGM #1 VALUE COLLATERAL OF GMAC
MORTGAGE/HOMECOMINGS FINANCIAL
3-17-09 [29]

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.

3. 09-21801-D-13L HAKOB/KIMA HAJIYAN HEARING - MOTION TO
PGM #2 VALUE COLLATERAL OF BANK
OF AMERICA
3-16-09 [25]

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.

4. 09-23004-D-13L DOROTHEA HOLLOWAY HEARING - MOTION FOR
MBB #1 RELIEF FROM AUTOMATIC STAY
BANK OF NEW YORK, VS. 3-17-09 [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 by minute order. There will be no further relief afforded. No appearance is necessary.

5. 08-26711-D-13L LAZARO/ROSARIO PROA HEARING - MOTION FOR
TJS #1 RELIEF FROM AUTOMATIC STAY
JP MORGAN CHASE BANK, N.A., VS. 3-9-09 [30]

6. 08-39011-D-13L ROBERT/REBECCA ABRAHAMSON HEARING - MOTION TO
SAC #1 VALUE COLLATERAL OF HERITAGE
COMMUNITY CREDIT UNION
3-4-09 [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 the motion. Moving party is to submit an appropriate order. No appearance is necessary.

7. 08-35512-D-13L MICHAEL JORDAN CONT. HEARING - MOTION FOR
WGM #2 RELIEF FROM AUTOMATIC STAY
AMERICAN HOME MORTGAGE ON REAL PROPERTY
SERVICING, INC., VS. 2-17-09 [44]

8. 08-21813-D-13L DOROTHY VAUGHN HEARING - MOTION TO
DV #5 CONFIRM THIRD AMENDED
CHAPTER 13 PLAN
3-5-09 [105]

Tentative Ruling: The court is inclined to deny the motion for the following reasons: (1) the moving party failed to serve the creditors filing Claim Nos. 7, 8, and 9 at the addresses on their filed proofs of claim as required by FRBP 2002(g); (2) the moving party failed to serve creditor NCO Financial, listed in her F-schedule; (3) the notice of hearing gives the hearing date as April 14 in the caption but April 21 in the text; (4) debtor's reply to the trustee's opposition to a prior motion, the debtor indicated she would amend her schedules to move the second deed of trust on her residence from her D-schedule to her F-schedule, and that the claimant would thus be treated as a general unsecured creditor. She has now filed such an amendment (DN 74). However, merely scheduling a lienholder in one's F-schedule is not sufficient to strip off the lien, and there is no motion to value collateral on file. And although there is an Attachment M-3 filed with the plan, neither the notice of hearing nor the motion provides adequate notice to this creditor of the nature of the relief sought against it; further, the moving party failed to serve this creditor in accordance with FRBP 7004(b)(3) or 7004(h), whichever is applicable. The court will hear the matter.

9. 09-21215-D-13L SAMUEL BORLASA HEARING - TRUSTEE'S
NLE #2 OBJECTION TO EXEMPTIONS
3-11-09 [32]

Objection withdrawn by moving party. Matter removed from calendar. No appearance is necessary.

10. 09-22017-D-13L DONALD/KAREN ST. JOHN HEARING - OBJECTION
NLE #1 TO CONFIRMATION OF PLAN
BY TRUSTEE
3-19-09 [14]

Objection overruled as moot. Debtors filed an amended plan on March 25, 2009. As a result the court will overrule the objection without prejudice by minute order. No appearance is necessary.

11. 09-23117-D-13L THIERRY/MICHELLE VAN LEUVEN HEARING - DEBTORS'
SDB #2 MOTION FOR ORDER VALUING
COLLATERAL OF BENEFICIAL/HFC
3-17-09 [25]

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.

12. 07-26521-D-13L JACK HUDSON HEARING - TRUSTEE'S
NLE #2 OBJECTION TO CLAIM OF
LAW OFFICE OF JOHN CREEDON
2-18-09 [65]

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

13. 09-22725-D-13L DANILO CUENCA
RDN #1
WELLS FARGO BANK,
NATIONAL ASSOC., VS.

CONT. HEARING - MOTION FOR
RELIEF FROM AUTOMATIC STAY
2-25-09 [8]

This case was dismissed on April 3, 2009. As a result the motion will be denied by minute order as moot. No appearance is necessary.

14. 08-34927-D-13L VERLENA KELLER
MBB #1
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC., VS.

CONT. HEARING - MOTION FOR
RELIEF FROM AUTOMATIC STAY
1-28-09 [39]

15. 08-39528-D-13L GREGORY/YVONNE DEAL
JT #2

CONT. HEARING - MOTION TO
VALUE COLLATERAL OF CALIFORNIA
COMMUNITY CREDIT UNION
2-4-09 [18]

16. 08-39528-D-13L GREGORY/YVONNE DEAL
JT #3

CONT. HEARING - MOTION TO
VALUE COLLATERAL OF SAFE
CREDIT UNION
2-4-09 [22]

17. 05-29629-D-13L JOHN/AIMEE KILAKOWSKA HEARING - MOTION
DCR #1 TO CONFIRM DEBTOR'S FIRST
MODIFIED CHAPTER 13 PLAN
3-10-09 [42]

Tentative Ruling: There is no proof of service on file. Also, by way of the motion the debtors request that the court confirm their first Modified Chapter 13 Plan; however, there is no such plan on file. As such the court is inclined to deny the motion. The court will hear the matter.

18. 08-39529-D-13L LEAH GILMORE CONT. HEARING - OBJECTIONS
PPR #1 TO PROPOSED CHAPTER 13 PLAN
AND CONFIRMATION THEREOF BY
FIRST FRANKLIN
2-6-09 [23]

19. 09-20130-D-13L WALTER/TAMMY MACHADO CONT. HEARING - OBJECTION
APN #1 TO CONFIRMATION OF CHAPTER 13
PLAN AND TO THE MOTION TO VALUE
COLLATERAL CONTAINED THEREIN BY
WELLS FARGO FINANCIAL
2-25-09 [19]

20. 09-21430-D-13G OSCAR DELGADO HEARING - MOTION FOR
PD #1 RELIEF FROM AUTOMATIC STAY
GMAC MORTGAGE, LLC, VS. 3-13-09 [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 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.

21. 08-30231-D-13L SAMUEL/JONI COVERT
NLE #3

HEARING - TRUSTEE'S
OBJECTION TO CLAIM OF
SACRAMENTO COUNTY TAX COLLECTOR
2-18-09 [49]

22. 07-27133-D-13L DEBRA JAMES
MOH #2

HEARING - DEBTOR'S MOTION
TO CONFIRM AMENDED CHAPTER
13 PLAN
2-25-09 [35]

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. 08-26733-D-13L PAUL PARKER
ADS #5

HEARING - MOTION TO
CONFIRM FOURTH AMENDED
CHAPTER 13 PLAN
3-2-09 [72]

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.

24. 08-36034-D-13L WILHERMINO/ARLENE
BSJ #1 VELASQUEZ

HEARING - MOTION
TO CONFIRM DEBTORS' FIRST
AMENDED CHAPTER 13 PLAN
2-27-09 [33]

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.

25. 08-36034-D-13L WILHERMINO/ARLENE HEARING - MOTION
BSJ #2 VELASQUEZ TO VALUE COLLATERAL OF
CIT GROUP/CONSUMER FINANCE
2-27-09 [38]

26. 08-36034-D-13L WILHERMINO/ARLENE HEARING - DEBTORS'
BSJ #3 VELASQUEZ MOTION TO VALUE COLLATERAL OF
AMERICREDIT FINANCIAL SVCS, INC.
2-27-09 [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.

27. 08-36034-D-13L WILHERMINO/ARLENE HEARING - OPPOSITION TO
BSJ #3 VELASQUEZ MOTION TO VALUE COLLATERAL OF
AMERICREDIT FINANCIAL SERVICES
INC.
3-19-09 [49]

28. 08-21837-D-13L RICK/MARCIA SHELTON HEARING - MOTION TO
ADS #3 MODIFY CHAPTER 13 PLAN
AFTER CONFIRMATION
2-27-09 [61]

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. 08-37339-D-13L JOHN RUIZ
DMM #1

CONT. HEARING - OBJECTION
TO CONFIRMATION OF DEBTOR'S
PROPOSED CHAPTER 13 PLAN
BY WACHOVIA MORTGAGE, FSB
1-7-09 [14]

30. 08-27241-D-13L CLYDE POWERS, JR.
ADS #1

HEARING - MOTION
TO MODIFY CHAPTER 13 PLAN
AFTER CONFIRMATION
3-10-09 [23]

The relief requested in the motion is supported by the record and the trustee having withdrawn his opposition to the motion. 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.

31. 08-37041-D-13L MARY BASS
FF #1

HEARING - MOTION TO
CONFIRM FIRST AMENDED CHAPTER
13 PLAN
2-23-09 [31]

32. 08-37041-D-13L MARY BASS
MLP #3

CONT. HEARING - OBJECTION TO
CONFIRMATION OF AMENDED
CHAPTER 13 PLAN BY FEDERAL
NATIONAL MORTGAGE ASSOC.
1-29-09 [24]

33. 09-21847-D-13L ALVARO/KIMBERLY MEDINA HEARING - MOTION TO
PGM #1 VALUE COLLATERAL OF WELLS FARGO
3-16-09 [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.

34. 09-21847-D-13L ALVARO/KIMBERLY MEDINA HEARING - MOTION TO
PGM #2 VALUE COLLATERAL OF HOUSEHOLD
FINANCE CORP. OF CALIFORNIA
3-16-09 [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.

35. 08-23856-D-13L ROMAN/JILL SOLORZANO HEARING - MOTION TO
SAC #1 MODIFY PLAN AFTER CONFIRMATION
2-26-09 [75]

36. 08-23361-D-13L RUFO/THELMA DELACRUZ HEARING - MOTION FOR
DMM #1 RELIEF FROM AUTOMATIC STAY
WACHOVIA MORTGAGE, FSB, VS. 3-17-09 [92]

37. 08-23361-D-13L RUFO/THELMA DELACRUZ HEARING - TRUSTEE'S
NLE #3 OBJECTION TO CLAIM OF SMUD
2-18-09 [85]

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

38. 08-21963-D-13L STEVEN/CARRIE BROWN CONT. HEARING - MOTION
PGM #1 TO MODIFY CHAPTER 13 PLAN
AFTER CONFIRMATION
2-3-09 [45]

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.

39. 08-21963-D-13L STEVEN/CARRIE BROWN CONT. HEARING - MOTION
PGM #2 TO VALUE COLLATERAL OF
SAFE CREDIT UNION
2-4-09 [51]

The motion has been resolved by stipulation and order entered April 2, 2009. Matter removed from calendar. No appearance is necessary.

40. 08-26463-D-13L BRENDA THOMAS CONT. HEARING - MOTION
MET #2 TO MODIFY PLAN AFTER
CONFIRMATION
2-10-09 [40]

41. 08-32663-D-13L KIMBERLY ANDERWS
EGS #1
GUILD MORTGAGE CO., VS.

HEARING - MOTION FOR
RELIEF FROM AUTOMATIC STAY
3-17-09 [36]

42. 09-21064-D-13L DAVID LEE
PGM #1

HEARING - MOTION TO
VALUE COLLATERAL OF WELLS
FARGO BANK, N.A.
3-16-09 [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 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.

43. 08-36967-D-13L ANDREW/RHONDA BUSH
ADS #1

HEARING - MOTION
TO VALUE COLLATERAL OF
JP MORGAN CHASE BANK, N.A.
3-10-09 [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 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.

44. 08-39269-D-13L LADANIEL/GRETCHEN KEY
ADS #1

HEARING - MOTION TO
VALUE COLLATERAL OF WELLS
FARGO HOME MORTGAGE
2-27-09 [23]

The moving party served the creditor via its agent for service, but did not serve the attorney who had previously requested special notice on behalf of the creditor in this case (DN 10). As such hearing on the motion will be continued to May 19, 2009 at 1:00 p.m. to allow the moving party to serve the creditor's attorney with the required pleading and notice of continued hearing and file a proof of service in compliance with Local Bankruptcy Rules. No appearance is necessary.

45. 08-39269-D-13L LADANIEL/GRETCHEN KEY HEARING - MOTION TO
ADS #2 CONFIRM FIRST AMENDED CHAPTER
13 PLAN
2-27-09 [28]

The name of the declarant on the proof of service is not typed underneath the signature, as required by LBR 9004-1(c), and is not otherwise discernible from the proof of service. Also, 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, feasibility of the plan depends on the court determining the holder of the second deed of trust's claim is valued at \$0.00, but the debtors' motion to value collateral has been continued to May 19, 2009 at 1:00 p.m. As such this matter is continued to May 19, 2009 at 1:00 p.m., to allow the moving party to file an amended proof of service and for the motion to be heard with the motion to value. No appearance is necessary.

46. 08-33773-D-13L ANGELA/EDWARD HARPER HEARING - MOTION
RI #2 TO VALUE COLLATERAL OF
GMAC MORTGAGE
2-13-09 [79]

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.

47. 08-33773-D-13L ANGELA/EDWARD HARPER HEARING - MOTION
RI #3 TO CONFIRM DEBTORS' FIRST
AMENDED CHAPTER 13 PLAN
2-13-09 [75]

48. 08-24574-D-13L EARL/CATHERINE BROWN HEARING - MOTION
PGM #2 TO MODIFY CHAPTER 13 PLAN
AFTER CONFIRMATION
3-10-09 [38]

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. 08-37076-D-13L MARION/JAMESETTA CHRISTIAN HEARING - MOTION
PGM #1 TO CONFIRM DEBTORS' FIRST
AMENDED PLAN
3-3-09 [23]

50. 08-37076-D-13L MARION/JAMESETTA CHRISTIAN HEARING - MOTION
PGM #2 TO VALUE COLLATERAL OF
INTERNAL REVENUE SERVICE
3-12-09 [30]

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.

51. 09-21677-D-13L THOMAS/LORNA JACKSON HEARING - DEBTORS'
ADR #1 MOTION FOR ORDER VALUING
COLLATERAL OF WILSHIRE
CREDIT CORP.
3-11-09 [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 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.

52. 09-20879-D-13L JUDITH DUDLEY HEARING - MOTION
PGM #1 TO VALUE COLLATERAL OF
BANK OF AMERICA, N.A.
3-12-09 [24]

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.

53. 08-29282-D-13L ROBB MCCOMB
SAC #3

HEARING - MOTION TO
MODIFY PLAN AFTER CONFIRMATION
2-26-09 [46]

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.

54. 08-39486-D-13L LESLIE KINER
MAA #1

HEARING - MOTION TO
VALUE COLLATERAL OF CHASE
HOME MORTGAGE/CHASE HOME
FINANCE LLC
3-13-09 [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.

55. 09-21086-D-13L ROBERT KLEIMAN
BRL #1
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC., VS.

HEARING - MOTION FOR
ORDER TERMINATING AUTOMATIC
STAY OR REQUIRING ADEQUATE
PROTECTION
3-5-09 [16]

This case was dismissed on March 10, 2009. As a result the motion will be denied by minute order as moot. No appearance is necessary.

56. 08-31188-D-13L ROBERT SICKLES
RHM #3

HEARING - MOTION
TO CONFIRM A CHAPTER 13 PLAN
2-23-09 [60]

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.

57. 08-35589-D-13L ANDRE/VONETTA HUDDLESTON HEARING - MOTION
PGM #2 TO CONFIRM DEBTORS' FIRST
AMENDED PLAN
3-5-09 [39]

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.

58. 09-20289-D-13L JENNIFER SHIVEL HEARING - MOTION TO
JT #1 CONFIRM FIRST AMENDED
CHAPTER 13 PLAN
3-5-09 [26]

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.

59. 05-35593-D-13L ROBERT/JANIS HUBER HEARING - MOTION FOR
PD #1 RELIEF FROM AUTOMATIC STAY
JPMORGAN CHASE BANK, N.A., VS. 3-13-09 [37]

In the debtors' 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.

60. 09-22395-D-13L DAVID/STEPHANIE JOHNSON HEARING - OBJECTION TO
SKI #1 CONFIRMATION OF PROPOSED PLAN
AND OPPOSITIN TO DEBTORS' MOTION
TO VALUE COLLATERAL BY AMERI-
CREDIT FINANCIAL SERVICES INC.
2-25-09 [12]

61. 08-37596-D-13L DEMETRIUS BELLAMY
RI #1

HEARING - MOTION
TO CONFIRM DEBTOR'S FIRST
AMENDED CHAPTER 13 PLAN
2-13-09 [22]

62. 08-37596-D-13L DEMETRIUS BELLAMY
RI #2

HEARING - MOTION
TO VALUE COLLATERAL OF
UNIFIED MORTGAGE
2-13-09 [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 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.

63. 08-37596-D-13L DEMETRIUS BELLAMY
RI #3

HEARING - MOTION
TO VALUE COLLATERAL OF
TOYOTA MOTOR CREDIT CORP.
2-13-09 [32]

64. 08-33898-D-13L TROY/AMIEE OSBORN
KB #3

CONT. HEARING - MOTION
TO CONFIRM SECOND AMENDED
CHAPTER 13 PLAN
1-29-09 [42]

65. 09-21799-D-13L LUIS/VIRGINIA LOPEZ
PGM #1

HEARING - MOTION
TO VALUE COLLATERAL OF
WASHINGTON MUTUAL/JPMORGAN
CHASE BANK, N.A.
3-16-09 [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 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.

66. 06-22404-D-13L DARLETA MADDOX
TJS #1
JP MORGAN CHASE BANK, N.A., VS.

HEARING - MOTION FOR
RELIEF FROM AUTOMATIC STAY
3-24-09 [101]

67. 08-20718-D-13L LEON DOTSON
MDE #1
LITTON LOAN SERVICING, LP, VS.

CONT. HEARING - MOTION FOR
RELIEF FROM AUTOMATIC STAY
2-23-09 [70]

68. 09-22420-D-13L GRACE GLENN

HEARING - OBJECTION TO
CHAPTER 13 PLAN BY SELECT
PORTFOLIO SERVICING, INC.
3-24-09 [26]

69. 09-21922-D-13L ROBERT/DAVINA CARRIER HEARING - OBJECTION
NLE #1 TO CONFIRMATION OF PLAN
BY TRUSTEE
3-26-09 [23]

70. 09-22022-D-13L RONALD/JARLENE CORDONNIER HEARING - OBJECTION
NLE #1 TO CONFIRMATION OF PLAN
BY TRUSTEE
3-25-09 [16]

71. 08-26524-D-13L JOHN/DIANE GREENE CONT. HEARING - MOTION
NLE #2 TO DISMISS (TO DATE, DEBTOR
HAS FAILED TO FILE AN AMENDED
PLAN, ET AL.)
1-5-09 [91]

72. 08-26524-D-13L JOHN/DIANE GREENE CONT. HEARING - RENEWED
DKC #5 MOTION TO VALUE COLLATERAL
OF TOM POLK
2-3-09 [102]

73. 08-26524-D-13L JOHN/DIANE GREENE CONT. HEARING - MOTION
DKC #6 TO CONFIRM AMENDED PLAN
2-5-09 [107]

74. 08-37926-D-13L ANTONIO GARCIA CONT. HEARING - MOTION FOR
HLC #1 RELIEF FROM AUTOMATIC STAY
MYRNA L. HUNT TRUST, VS. 2-23-09 [20]

This case was dismissed on April 2, 2009. As a result the motion will be denied by minute order as moot. No appearance is necessary.

75. 09-24643-D-13L ANDREW MARTINEZ HEARING - MOTION TO
EXTEND STAY BEYOND 30 DAYS
3-31-09 [14]

The motion is denied for the following reasons: (1) the proof of service (a) is not signed under oath, (b) does not state that the declarant served the documents, just that the documents were served, and (c) does not provide the addresses at which the parties listed were served; (2) the notice, motion, and proof of service were all filed as a single document, contrary to LBR 9014-1(d)(2) and (e)(3); (3) the motion does not include a docket control number, contrary to LBR 9014-1(c)(1); and (4) moving party has failed to file a declaration in support of confirmation. It is necessary the moving party submit evidence to support findings that the plan, or plan modification, complies with 11 U.S.C. § 1325(a). The moving party has failed to submit evidence to support these necessary findings. For these reasons the motion will be denied by minute order. No appearance is necessary.

76. 09-22147-D-13L KEVIN/HAYLEY FRIEDMAN HEARING - OBJECTIONS
RTD #1 TO CONFIRMATION OF CHAPTER 13
PLAN BY SACRAMENTO CREDIT UNION
3-26-09 [29]

77. 09-22147-D-13L KEVIN/HAYLEY FRIEDMAN HEARING - MOTION FOR
RTD #2 ADEQUATE PROTECTION OR RELIEF
SACRAMENTO CREDIT UNION, VS. FROM THE AUTOMATIC STAY
3-26-09 [35]

78. 09-24465-D-13L EARL ADAMS HEARING - DEBTOR'S MOTION
MOH #1 FOR CONTINUATION OF THE
AUTOMATIC STAY
3-30-09 [9]

Tentative Ruling: The debtor did not file his schedules until two weeks after the petition was filed. When the debtor did file the schedules, he neglected to amend the creditor matrix. Thus, although the debtor served this motion on the creditor matrix, he failed to serve National City Mortgage, listed on the D-schedule, the Franchise Tax Board, listed on the E-schedule, and PRA Receivables Management and Verizon Wireless, listed on the F-schedule. Unless the moving party can explain this service defect, the court intends to deny the motion. The court will hear the matter.

79. 08-36166-D-13L DAVID/RAYE WONDER CONT. HEARING - MOTION TO
MWB #1 VALUE COLLATERAL OF HSBC
MORTGAGE SERVICES, INC.
11-17-08 [18]

80. 08-36466-D-13L EARL/KESHA WILLIAMS HEARING - MOTION FOR
WGM #1 RELIEF FROM AUTOMATIC STAY
AMERICAN HOME MORTGAGE, VS. ON REAL PROPERTY
3-25-09 [55]

81. 08-37994-D-13L DEBORAH LEVON HEARING - MOTION FOR
SW #1 RELIEF FROM AUTOMATIC STAY
WACHOVIA DEALER SERVICES, INC., VS. 3-31-09 [42]
82. 08-37994-D-13L DEBORAH LEVON HEARING - MOTION FOR
SW #2 RELIEF FROM THE CO-DEBTOR STAY
WACHOVIA DEALER SERVICES, INC., VS. 3-31-09 [36]
83. 08-35512-D-13L MICHAEL JORDAN CONT. HEARING - MOTION
GG #3 TO APPROVE DEBTOR'S PLAN
2-19-09 [51]
84. 08-35512-D-13L MICHAEL JORDAN CONT. HEARING - MOTION FOR
GG #4 ORDER VALUING COLLATERAL
OF BANK OF AMERICA
2-23-09 [56]

85. 09-22395-D-13L DAVID/STEPHANIE JOHNSON

HEARING - OBJECTION
TO CONFIRMATION OF CHAPTER 13
PLAN BY LITTON LOAN SERVICING
4-3-09 [39]