

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Robert S. Bardwil
Bankruptcy Judge
Modesto, California

August 12, 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.	09-91404 -D-7	SOCORRO QUINONEZ	HEARING - MOTION FOR
	APN #1		RELIEF FROM AUTOMATIC STAY
	TOYOTA MOTOR CREDIT CORP., VS.		7-14-09 [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.

2.	09-91905 -D-7	ANTOINE ROGERS	HEARING - ORDER
			TO SHOW CAUSE RE DISMISSAL
			OF CASE OR IMPOSITION OF
			SANCTIONS
			7-13-09 [12]

3. [09-91905](#)-D-7 ANTOINE ROGERS HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
7-15-09 [[13](#)]
4. [09-91806](#)-D-7 MANUEL/BERTHA HERNANDEZ HEARING - MOTION FOR
PPR #1 RELIEF FROM AUTOMATIC STAY
FIRST FRANKLIN CORPORATION, VS. 7-8-09 [[10](#)]

This case was converted to a case under Chapter 13 and transferred to Dept. A. As a result the motion has been rescheduled to August 24, 2009 at 2:00 p.m. before Judge McManus. Matter removed from calendar. No appearance is necessary.

5. [09-91810](#)-D-7 STEVEN/NATOSHA WAYBRIGHT HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
7-15-09 [[10](#)]
6. [09-91911](#)-D-7 BRYANT JOHNSON HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
7-9-09 [[5](#)]

7. [09-91911](#)-D-7 BRYANT JOHNSON HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
7-14-09 [[9](#)]
8. [09-91813](#)-D-7 MATTHEW TREVINO HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
7-7-09 [[13](#)]
9. [09-91316](#)-D-7 DWAYNE/SUSAN BROWN HEARING - MOTION FOR
ASW #1 RELIEF FROM AUTOMATIC STAY
MORTGAGE ELECTRONIC REGISTRATION 7-8-09 [[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 debtors' Statement of Intentions indicates they will surrender the property, the court will also waive FRBP 4001(a)(3) by minute order. There will be no further relief afforded. No appearance is necessary.

10. [09-91716](#)-D-7 BRET/JULIE MASON HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
7-13-09 [[13](#)]

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.

11. [09-91522](#)-D-7 SHERITA HORTON HEARING - MOTION FOR
KAT #1 RELIEF FROM AUTOMATIC STAY
AURARA LOAN SERVICES, LLC, VS. 7-15-09 [[17](#)]

12. [08-92726](#)-D-7 AMBER VINING HEARING - MOTION TO
SF #4 COMPROMISE CONTROVERSY RE
PREFERENTIAL TRANSFER
7-13-09 [[54](#)]

The matter is resolved without oral argument. There is no timely opposition to the trustee's motion to approve compromise of controversy, and the trustee has demonstrated the compromise is in the best interest of the creditors and the estate. Accordingly, the motion will be granted and the compromise will be approved. The moving party is to submit an appropriate order. No appearance is necessary.

13. [09-91126](#)-D-7 MICHAEL/BRENDA TAYLOR HEARING - MOTION FOR
PD #1 RELIEF FROM AUTOMATIC STAY
CITIBANK, N.A., VS. 7-15-09 [[17](#)]

14. [09-92128](#)-D-7 FRED KEYES HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
7-16-09 [[5](#)]

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.

15. [09-91529](#)-D-7 MARY PADILLA CONT. HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
6-15-09 [[11](#)]

16. [09-92129](#)-D-7 CHRISTOPHER/ANGELA
MAYFIELD HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
7-16-09 [[7](#)]

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.

17. [08-92630](#)-D-7 ELIAS CASAS AND
PD #1 EVELYN DERAS HEARING - MOTION FOR
RELIEF FROM AUTOMATIC STAY

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

18. [09-91131](#)-D-7 DENNIS/MICHELLE FRANDBEN HEARING - MOTION FOR
PD #1 RELIEF FROM AUTOMATIC STAY
NATIONAL CITY MORTGAGE, VS. 7-8-09 [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. The debtors received their discharge on July 28, 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.

19. [09-91933](#)-D-7 ROGER/RACHEAL SMITH HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
7-16-09 [10]

20. [09-91934](#)-D-7 PENNY HULSE HEARING - ORDER

TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
7-16-09 [8]

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.

21. [09-91838](#)-D-7 ALEJANDRO RAMIREZ AND HEARING - ORDER
ROSALVA CALDERON TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
7-7-09 [9]

22. [09-91443](#)-D-7 DENNIS/APRIL STARKWEATHER HEARING - MOTION FOR
APN #1 RELIEF FROM AUTOMATIC STAY
FORD MOTOR CREDIT CO., VS. 7-14-09 [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 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.

23. [09-91545](#)-D-7 BRUCE RUNION HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS

7-15-09 [16]

This case was dismissed on July 30, 2009. As a result the order to show cause will be removed from calendar as moot. No appearance is necessary.

24. [09-91945](#)-D-7 LESLIE PAYNE HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
7-15-09 [9]

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.

25. [09-91950](#)-D-7 LARRY/JANICE LEATHERS HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
7-17-09 [13]

26. [09-91851](#)-D-7 KARIM ALTON HEARING - MOTION FOR
APN #1 RELIEF FROM AUTOMATIC STAY
WELLS FARGO AUTO FINANCE, VS. 7-14-09 [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 debtor is not making post-petition payments and the creditor's collateral is a depreciating asset, the court will also waive FRBP 4001(a)(3). There will be no further relief afforded. No appearance is necessary.

27. [09-90652](#)-D-7 LARRY JOHNSON CONT. HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
6-3-09 [[32](#)]

28. [09-91855](#)-D-7 NEAL/DONNA CLARK HEARING - MOTION FOR
WJS #1 RELIEF FROM AUTOMATIC STAY
JACK RUDD, VS. 7-6-09 [[10](#)]

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

29. [08-90957](#)-D-7 POWER GENERATION & HEARING - MOTION FOR
EDC #3 ENGINEERING, INC. PAYMENT OF ADMINISTRATIVE
CLAIM
7-8-09 [[270](#)]

30. [09-91861](#)-D-7 TERESA FIELDS HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
7-9-09 [[11](#)]

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.

31. [06-90462](#)-D-7 WILLIAM ROLLINS HEARING - MOTION TO
[09-9026](#) FW #1 DISMISS THE COMPLAINT WITH
CHAD WOLFFE, VS. PREJUDICE
WILLIAM ROLLINS 6-18-09 [7]

Tentative Ruling: The court is disposed to deny the motion. The moving party was not listed in the debtor's bankruptcy, nor did the moving party receive notice of the debtor's case in time to object to the dischargeability of his debt. As a result the debt was not effected by the debtor's discharge. (In re Beazley, 994 F2d 1433 (9th Cir. 1993)). As such, the plaintiff has stated a claim upon which relief can be granted and the complaint is not subject to dismissal under FRCP 12(b) (incorporated by FRBP 7012(b)). The court will hear the matter.

32. [09-91964](#)-D-7 TOMMY WALDO AND HEARING - ORDER
ANGELA CUEVAS TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
7-16-09 [8]

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.

33. [09-92064](#)-D-7 LAURA SALVO HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
7-8-09 [5]

34. [08-90765](#)-D-7 ANLER CONSTRUCTION, INC. HEARING - TRUSTEE'S
MGO #3 MOTION FOR AUTHORITY TO SETTLE
A CONTROVERSY WITH AMERICAN
BROKERS CONDUIT
7-9-09 [[46](#)]

The matter is resolved without oral argument. There is no timely opposition to the trustee's motion to approve compromise of controversy, and the trustee has demonstrated the compromise is in the best interest of the creditors and the estate. Accordingly, the motion will be granted and the compromise will be approved. The moving party is to submit an appropriate order. No appearance is necessary.

35. [09-91970](#)-D-7 MARTIN/ELIZABETH JIMENEZ HEARING - MOTION
FW #1 TO ABANDON PERSONAL PROPERTY -
JOINT DEBTOR'S BUSINESS
7-7-09 [[7](#)]

The matter is resolved without oral argument. There is no timely opposition to the debtors' motion to compel abandonment and they have demonstrated the property to be abandoned is of inconsequential value to the estate. Accordingly, the motion will be granted and the property that is the subject of the motion will be deemed abandoned by minute order. No appearance is necessary.

36. [09-91272](#)-D-7 RAUL CAMACHO HEARING - MOTION FOR
EAT #1 RELIEF FROM AUTOMATIC STAY
DEUTSCHE BANK NATIONAL 7-6-09 [[14](#)]
TRUST 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 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.

37. [09-91872](#)-D-7 THERESA ENRIQUEZ HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
7-9-09 [[8](#)]

38. [09-91972](#)-D-7 TERRI STOKES HEARING - MOTION FOR
TJS #1 RELIEF FROM AUTOMATIC STAY
JP MORGAN CHASE BANK, VS. 7-10-09 [[7](#)]

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.

39. [09-92077](#)-D-7 CHESNEY VARGAS HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
7-9-09 [[10](#)]

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.

40. [08-92380](#)-D-7 NICHOLAS/KATHRYN GRIGGS HEARING - TRUSTEE'S
MGO #3 MOTION OBJECTING TO DEBTORS'
AMENDED EXEMPTIONS
6-24-09 [[38](#)]

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 sustain the trustee's objection to debtors' amended exemption. Moving party is to submit an appropriate order. No appearance is necessary.

41. [09-91182](#)-D-7 MANUEL/EDITH ZAMORA HEARING - MOTION FOR
KAT #1 RELIEF FROM AUTOMATIC STAY
BANK OF AMERICA, N.A., VS. 7-14-09 [[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 debtors' Statement of Intentions indicates they will surrender the property, the court will also waive FRBP 4001(a)(3) by minute order. There will be no further relief afforded. No appearance is necessary.

42. [09-91683](#)-D-7 JOHN/BEVERLY FRIEND HEARING - MOTION FOR
PD #1 RELIEF FROM AUTOMATIC STAY
ACCUBANC MORTGAGE, VS. 7-9-09 [[10](#)]

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

43. [09-91683](#)-D-7 JOHN/BEVERLY FRIEND HEARING - MOTION FOR
RCO #1 RELIEF FROM AUTOMATIC STAY
BANK OF AMERICA, N.A., VS. 7-15-09 [[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. As the debtors' Statement of Intentions indicates they will surrender the property, the court will also waive FRBP 4001(a)(3) by minute order. There will be no further relief afforded. No appearance is necessary.

44. [09-91584](#)-D-7 GAYLE HUTCHESON HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
7-8-09 [[9](#)]

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.

45. [09-91684](#)-D-7 CHARLES HARRIS HEARING - MOTION FOR
PD #1 RELIEF FROM AUTOMATIC STAY
JP MORGAN CHASE BANK, VS. 7-16-09 [[11](#)]

46. [09-90988](#)-D-7 LYDIA SHOWALTER HEARING - MOTION FOR
PD #1 RELIEF FROM AUTOMATIC STAY

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 her discharge on July 22, 2009 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.

47. [09-91991](#)-D-7 LORENA ESPARZA HEARING - MOTION FOR
PD #1 RELIEF FROM AUTOMATIC STAY
WELLS FARGO BANK, N.A., VS. 7-7-09 [8]

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

48. [09-91995](#)-D-7 JONATHAN/AMY BAILEY HEARING - MOTION FOR
KAT #1 RELIEF FROM AUTOMATIC STAY
JP MORGAN CHASE BANK, N.A., VS. 7-17-09 [8]

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.

49. [09-92096](#)-D-11 CAMBRIA VENTURES, INC. HEARING - ORDER TO
SHOW CAUSE, IF ANY, WHY ITS
CHAPTER 11 CASE SHOULD NOT
BE CONVERTED, DISMISSED OR A
TRUSTEE APPOINTED
7-7-09 [[10](#)]

This case was dismissed on July 30, 2009. As a result the order to show cause will be removed from calendar as moot. No appearance is necessary.

50. [09-92096](#)-D-11 CAMBRIA VENTURES, INC. STATUS CONFERENCE
7-6-09 [[1](#)]

This case was dismissed on July 30, 2009. As a result the order to status conference will be removed from calendar as moot. No appearance is necessary.

51. [09-91899](#)-D-7 ROBERT/JUDY VEDROS HEARING - MOTION FOR
TJS #1 RELIEF FROM AUTOMATIC STAY
JP MORGAN CHASE BANK, N.A., VS. 7-16-09 [[9](#)]

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay 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.

52. [08-92502](#)-D-7 GEORGE/VICKIE ANTONOPOULOS HEARING - MOTION FOR
KAT #1 RELIEF FROM AUTOMATIC STAY
U.S. BANK N.A., VS. 7-24-09 [[36](#)]

The matter is resolved without oral argument. This motion was noticed under LBR 9014-1(f)(2). However, the debtors received their discharge on February 24, 2009, 2008 and, as a result, the stay is no longer in effect as to the debtors (see 11 U.S.C. § 362(c)(3)). Accordingly, the motion will be denied as to the debtors as moot. The court finds a hearing is not necessary as to the trustee because the trustee has filed a Report of No Assets and will grant relief from stay as to the trustee and the estate by minute order. There will be no further relief afforded. No appearance is necessary.

53. [09-91802](#)-D-7 ANTONIO/EDELMIRA LOPEZ HEARING - MOTION OF
TOG #1 DEBTOR TO DISMISS (AS TO
WIFE ONLY)
7-22-09 [[12](#)]

The motion is denied for the following reasons: (1) the moving party served the wrong trustee (Russ Greer instead of Gary Farrar); (2) the moving party failed to served any creditors except the one who has filed a special notice request. For these reasons the court will deny the motion by minute order. No appearance is necessary.

54. [09-90907](#)-D-7 BETTY HARWELL HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
7-21-09 [[17](#)]

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

55. [09-92008](#)-D-7 MICHAEL POLITO, JR. HEARING - MOTION FOR
WGM #1 RELIEF FROM AUTOMATIC STAY
DEUTSCHE BANK NATIONAL ON REAL PROPERTY
TRUST COMPANY, VS. 7-27-09 [[9](#)]
56. [09-91810](#)-D-7 STEVEN/NATOSHA WAYBRIGHT HEARING - MOTION FOR
PD #1 RELIEF FROM AUTOMATIC STAY
NATIONAL CITY MORTGAGE CO., VS. 7-20-09 [[22](#)]
57. [09-91810](#)-D-7 STEVEN/NATOSHA WAYBRIGHT HEARING - MOTION FOR
KAT #1 RELIEF FROM AUTOMATIC STAY
ONE WEST BANK, FSB, VS. 7-22-09 [[28](#)]
58. [09-91512](#)-D-7 LUIS/KATHLEEN ESPINOZA HEARING - MOTION FOR
KAT #1 RELIEF FROM AUTOMATIC STAY
ONE WEST BANK, FSB, VS. 7-22-09 [[31](#)]

This case was dismissed on July 30, 2009. As a result the motion will be denied by minute order as moot. No appearance is necessary.

62. [09-91323](#)-D-7 ISAIAS/AMANDA GUZMAN HEARING - MOTION FOR
LAZ #1 RELIEF FROM AUTOMATIC STAY
TSBC BANK, USA, N.A., VS. 7-27-09 [[14](#)]

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.

63. [09-91623](#)-D-7 ROBERTO/VANESSA GUTIERREZ HEARING - MOTION FOR
KAT #1 RELIEF FROM AUTOMATIC STAY
AURORA LOAN SERVICES, LLC, VS. 7-24-09 [[24](#)]

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.

64. [09-91823](#)-D-7 BRIAN/SHELIA WEIR HEARING - MOTION FOR
WGM #1 RELIEF FROM AUTOMATIC STAY
U.S. BANK N.A., VS. ON REAL PROPERTY
7-22-09 [[12](#)]

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

necessary.

65. [07-90125](#)-D-7 JENNIE SPEARS CONT. HEARING - MOTION
SF #5 TO SELL VACANT LAND AND TO
COMPENSATE REALTOR HANDLING
SALE TRANSACTION
7-8-09 [[55](#)]
66. [09-92032](#)-D-7 GREGORY/SHERILYN LAFFERTY HEARING - MOTION FOR
SF #2 AUTHORIZATION TO SELL PERSONAL
PROPERTY AT PUBLIC AUCTION AND
TO COMPENSATE AUCTIONEER
7-20-09 [[10](#)]
67. [09-90738](#)-D-7 HENRY/CAROL RANGEL HEARING - MOTION FOR
LAZ #1 RELIEF FROM AUTOMATIC STAY
CITIMORTGAGE, INC., VS. 7-27-09 [[27](#)]
68. [09-91043](#)-D-7 JAMES WOODS HEARING - MOTION FOR
PD #1 RELIEF FROM AUTOMATIC STAY
DEUTSCHE BANK NATIONAL 7-24-09 [[19](#)]
TRUST COMPANY, VS.

The matter is resolved without oral argument. This motion was noticed under LBR 9014-1(f)(2). However, the debtor received his discharge on July 28, 2009, 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 finds a hearing is not necessary as to the trustee because the trustee has filed a Report of No Assets and will grant relief from stay as to the trustee and the estate by minute order. There will be no further relief afforded. No appearance is necessary.

69. [09-91145](#)-D-7 YOHANDRYS/GISEL AGUILAR HEARING - MOTION FOR
LAZ #1 RELIEF FROM AUTOMATIC STAY
CITIMORTGAGE, INC., VS. 7-27-09 [[14](#)]

The matter is resolved without oral argument. This motion was noticed under LBR 9014-1(f)(2). However, the debtors received their discharge on July 27, 2009, 2008 and, as a result, the stay is no longer in effect as to the debtors (see 11 U.S.C. § 362(c)(3)). Accordingly, the motion will be denied as to the debtors as moot. The court finds a hearing is not necessary as to the trustee because the trustee has filed a Report of No Assets and will grant relief from stay as to the trustee and the estate by minute order. There will be no further relief afforded. No appearance is necessary.

70. [09-91849](#)-D-7 ALFREDO ZUNIGA HEARING - MOTION FOR
WGM #1 RELIEF FROM AUTOMATIC STAY
JPMORGAN CHASE BANK, N.A., VS. ON REAL PROPERTY
7-24-09 [[20](#)]

71. [09-91850](#)-D-7 JOLISA MILER HEARING - MOTION FOR
WGM #1 RELIEF FROM AUTOMATIC STAY
BAC HOME LOANS SERVICING, LP, VS. ON REAL PROPERTY
7-24-09 [[11](#)]

72. [09-91952](#)-D-7 KOSHABA/LEADA YACO HEARING - MOTION FOR
WGM #1 RELIEF FROM AUTOMATIC STAY
ONE WEST BANK, F.S.B., VS. ON REAL PROPERTY
7-22-09 [[9](#)]

73. [09-90964](#)-D-7 WILLIAM/LINDA AMMAN HEARING - MOTION FOR
PD #1 RELIEF FROM AUTOMATIC STAY
WELLS FARGO BANK, N.A., VS. 7-24-09 [[14](#)]

The matter is resolved without oral argument. This motion was noticed under LBR 9014-1(f)(2). However, the debtors received their discharge on July 28, 2009, 2008 and, as a result, the stay is no longer in effect as to the debtors (see 11 U.S.C. § 362(c)(3)). Accordingly, the motion will be denied as to the debtors as moot. The court finds a hearing is not necessary as to the trustee because the trustee has filed a Report of No Assets and will grant relief from stay as to the trustee and the estate by minute order. There will be no further relief afforded. No appearance is necessary.

74. [09-91768](#)-D-7 ALAN/DENISE TORRANCE CONT. HEARING - MOTION FOR
JMS #1 RELIEF FROM AUTOMATIC STAY
CHASE HOME FINANCE, LLC, VS. 6-24-09 [[9](#)]

Motion withdrawn by moving party. Matter removed from calendar.

75. [09-91270](#)-D-7 SEAN/JENNIFER GIANGREGORIO HEARING - MOTION FOR
WGM #1 RELIEF FROM AUTOMATIC STAY
WELLS FARGO BANK, N.A., VS. 7-27-09 [[18](#)]
76. [09-91973](#)-D-7 MARTIN/CONSUELO CORTEZ HEARING - MOTION FOR
PD #1 RELIEF FROM AUTOMATIC STAY
DEUTSCHE BANK NATIONAL 7-20-09 [[14](#)]
TRUST COMPANY, VS.
77. [07-90378](#)-D-7 MANNY MANCEBO, VS. HEARING - MOTION
TO AVOID LIEN
INTERNAL REVENUE SERVICE 7-20-09 [[66](#)]

Tentative Ruling: The court is inclined to deny the motion for the following reasons: (1) the moving party failed to serve the IRS at any of the addresses specified in LBR 2002-1(c), as required by that rule; (2) the moving party utilized a form notice of motion that is optional in the Bankruptcy Court for the Central District of California - the notice cites a local bankruptcy rule and opposition procedures that are not applicable in this court; (3) the notice does not provide the information required by LBR 9014-1, para. (d) (3), and (f) (1) (ii); (4) the proof of service purports to evidence service on July 20, 2009 but it bears a signature date of July 19, 2009, so it was apparently signed before service was made; and (5) there is no copy of the "judicial" lien attached to or filed with the motion. Thus, even if the IRS were properly served, the debtor would not be able to avoid the lien. The court will hear the matter.

78. [08-91879](#)-D-7 ANTOINETTE HOOKER HEARING - MOTION FOR
KAT #1 RELIEF FROM AUTOMATIC STAY
ONEWEST BANK FSB, VS. 7-22-09 [[45](#)]
79. [08-92385](#)-D-11 INNOVATIVE STRUCTURES, INC. HEARING - MOTION FOR
AKA #2 RELIEF FROM THE AUTOMATIC STAY
BANC OF AMERICA LEASING AND LIQUIDATE PERSONAL PROPERTY
& CAPITAL, LLC, VS. COLLATERAL FOR BREACH OF
ADEQUATE PROTECTION ORDER BY
DEBTOR
7-24-09 [[140](#)] O.S.T.
80. [09-92087](#)-D-7 ZBIGNIEW WOZNIAK HEARING - MOTION FOR
WGM #1 RELIEF FROM AUTOMATIC STAY
WELLS FARGO BANK, VS. ON REAL PROPERTY
7-22-09 [[8](#)]
81. [09-91589](#)-D-7 DANA PHILLIPS HEARING - MOTION FOR
KAT #1 RELIEF FROM AUTOMATIC STAY
AURARA LOAN SERVICES, LLC, VS. 7-28-09 [[12](#)]

The matter is resolved without oral argument. This motion was noticed under LBR 9014-1(f)(2). However, the debtor's Statement of Intentions indicates 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.

82. [09-92196](#)-D-7 TIMOTHY/CHARON FICARELLI HEARING - MOTION
PLG #1 TO COMPEL CHAPTER 7 TRUSTEE
TO ABANDON PROPERTY OF THE
ESTATE
7-29-09 [[7](#)]

The matter is resolved without oral argument. There is no timely opposition to the debtors' motion to compel abandonment and they have demonstrated the property to be abandoned is of inconsequential value to the estate. Accordingly, the motion will be granted and the property that is the subject of the motion will be deemed abandoned by minute order. No appearance is necessary.

83. [09-90898](#)-D-7 DEBORA TASCONE HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
OF CASE OR IMPOSITION OF
SANCTIONS
7-20-09 [[20](#)]

84. [09-91299](#)-D-7 DEBRA JUAREZ HEARING - MOTION FOR
KAT #1 RELIEF FROM AUTOMATIC STAY
AURORA LOAN SERVICES, LLC, VS. 7-24-09 [[13](#)]

