

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Robert S. Bardwil  
Bankruptcy Judge  
Sacramento, California

August 19, 2008 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.	05-35102-D-13L	JOHN STANDLEY	HEARING - MOTION
	SAC #2		TO MODIFY PLAN AFTER
			CONFIRMATION
			7-14-08 [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.

2. 06-22502-D-13L EDSON ALFONSO  
PGM #1

HEARING - MOTION  
TO MODIFY CHAPTER 13  
PLAN AFTER CONFIRMATION  
7-16-08 [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.

3. 07-27103-D-13L JEREMY/RENEE LUGO  
PGM #1

HEARING - OBJECTION  
TO CLAIM NO. 4 OF PLATINUM  
RECOVERY SERVICES  
7-2-08 [29]

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.

4. 08-25503-D-13L GEORGE ONINSKI  
RHM #1

HEARING - MOTION  
TO VALUE REAL PROPERTY AS  
COLLATERAL IN THE CHAPTER 13  
7-3-08 [23]

The proof of service filed in support of the motion is not signed under oath. As such the court will continue the hearing to September 2, 2008 at 1:00 p.m. to allow the moving party to file a corrected proof of service by August 21, 2008. No appearance is necessary.

5. 08-25503-D-13L GEORGE ONINSKI  
RHM #2

HEARING - MOTION  
TO CONFIRM A CHAPTER 13 PLAN  
7-3-08 [28]

The motion is denied for the following reasons: (1) the moving party failed to serve the creditors who filed Claim Nos. 2 and 3 at the addresses on their proofs of claim; (2) the moving party used an incorrect address for the party requesting special notice at DN 8; (3) the proof of service is unclear, in that it states that "the below Joseph A. Aguilard documents" were placed in this mail, whereas Joseph A. Aguilard is not the debtor in this case; and (4) the proof of service is not signed under oath. As a result of these defects the court will deny the motion by minute order. No appearance is necessary.

6. 08-28304-D-13L FERIDON DIZADJI HEARING - MOTION FOR  
TJS #1 RELIEF FROM AUTOMATIC STAY  
JP MORGAN CHASE BANK, N.A., VS. 7-15-08 [18]

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

7. 08-29306-D-13L TAMERLAN/MADINA HABATY, VS. HEARING - DEBTORS'  
PLG #1 MOTION FOR VALUATION OF  
HOUSEHOLD FINANCE CORP. SECURITY; DETERMINATION OF  
SECURED STATUS AND AVOIDANCE  
OF LIEN AND MODIFICATION OF  
RIGHTS OF LIENHOLDER  
7-21-08 [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 only to the extent that moving party seeks to value creditor's secured claim as \$0.00. No other relief will be afforded. Moving party is to submit an appropriate order. No appearance is necessary.

8. 08-20108-D-13L RUDY/VIOLET SYLVAN HEARING - MOTION  
MET #1 TO MODIFY PLAN  
7-10-08 [31]

The court record indicates that moving party failed to serve the Franchise Tax Board at the address designated on the Roster of Public Agencies. As such this matter will be continued to October 7, 2008 at 1:00 p.m. to allow the moving party to serve notice of continued hearing, motion, and other pleadings as may be required by FRBP, G.O. 03-05, or LBR on the Franchise Tax Board. The debtors shall file a separate proof of service reflecting appropriate service within two court days of service. No appearance is necessary.

9. 08-25809-D-13L ALEKSANDER ASLANYAN AND HEARING - MOTION  
PGM #1 RENATA TUMASYAN TO CONFIRM DEBTORS'  
FIRST AMENDED PLAN  
7-8-08 [30]

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.

10. 06-21112-D-13L JUSTIN/WYNTER ADAMS HEARING - MOTION  
WW #4 TO CONFIRM SECOND MODIFIED  
CHAPTER 13 PLAN  
7-16-08 [67]

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.

11. 07-29012-D-13L JAMES/SANDRA HAMILTON HEARING - MOTION  
ADS #2 TO MODIFY CHAPTER 13 PLAN  
AFTER CONFIRMATION  
7-15-08 [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.

12. 08-26313-D-13L JENNIFER HOBBS CONT. HEARING - VERIFIED  
PCJ #1 MOTION TO TERMINATE THE  
RICHARD HOUGHTON, VS. AUTOMATIC STAY  
6-27-08 [16]

This hearing was continued from July 15, 2008 and at that time, per the request of the parties, the court set a briefing schedule. Opposition to the motion was due August 1, 2008, with a reply, if any, due August 8, 2008. As of August 8, 2008, no further documents have been filed in this matter. As debtors failed to timely file opposition to the motion and the relief requested in the motion is supported by the record, the court will grant relief from stay by minute order with no further relief being afforded. No appearance is necessary.

13. 05-38015-D-13L KENNETH/MARILYN SMITHOUR HEARING - MOTION  
MET #5 TO MODIFY PLAN AFTER  
CONFIRMATION  
7-10-08 [133]

14. 03-22417-D-13L RAFAEL/BERTHALISA SANCHEZ HEARING - MOTION  
06-2251 HM #1 TO COMPEL FURTHER ANSWERS TO  
RAFAEL/BERTHALISA INTERROGATORIES, SET NO. 1  
SANCHEZ, VS. 7-16-08 [85]  
WASHINGTON MUTUAL BANK

Hearing on motion is continued to September 2, 2008 at 1:00 p.m. to be heard with the debtors' motion to compel responses to discovery.

15. 08-24217-D-13L DIXIE COHEN HEARING - MOTION  
PGM #1 TO CONFIRM DEBTOR'S FIRST  
AMENDED PLAN  
7-11-08 [36]

The court record indicates that moving party failed to serve the creditors added to her F-schedule by amendment filed July 21, 2008. As a result of this service defect the court will deny the motion by minute order. No appearance is necessary.

16. 04-20323-D-13L JEANNIE/RAYFORD SANDERS HEARING - MOTION  
CRR #4 TO MODIFY CHAPTER 13 PLAN  
AFTER CONFIRMATION  
7-11-08 [87]

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.

17. 08-22327-D-13L HARVEY CLEMONS HEARING - MOTION  
DEF #3 TO VALUE COLLATERAL OF  
WILLIAM AND MARILYN RICH  
7-14-08 [53]

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

18. 08-24727-D-13L JAE LEE AND HEARING - MOTION FOR  
PPR #1 KI CHUNG RELIEF FROM AUTOMATIC STAY  
GREENPOINT MORTGAGE 7-18-08 [49]  
FUNDING, 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.

19. 05-25428-D-13L VICTORIA MURRAY HEARING - DEBTOR'S  
CC #1 MOTION TO CONFIRM FIRST  
MODIFIED CHAPTER 13 PLAN  
6-18-08 [13]

The court record indicates that moving party failed to serve the Franchise Tax Board at the address designated on the Roster of Public Agencies. Also, the motion incorrectly informs creditors that the original confirmed plan provided for 0% to unsecured creditors. It did not. The original confirmed plan provided for 100% to unsecured creditors, and the order confirming that plan did not change that dividend. As a result of the service and notice defect the court will deny the motion by minute order. No appearance is necessary.

20. 08-26740-D-13L ERNEST AUSTIN HEARING - OBJECTION  
MBB #1 TO PROPOSED CHAPTER 13 PLAN AND  
OBJECTION TO CONFIRMATION  
7-16-08 [29]

21. 08-26649-D-13L CYNTHIA BALTAZAR HEARING - MOTION  
SAC #1 TO VALUE COLLATERAL OF  
SACRAMENTO CREDIT UNION  
7-21-08 [14]

The motion is denied without prejudice. The motion and declaration do not address any of the requirements of § 1325(a)(9); thus, even accepting well-pleaded facts as true, the motion and declaration do not contain enough information to conclude the lien is subject to strip-down. In addition, the declaration states only that the Debtor believes the vehicle was "worth" \$7,000 when the case was filed. This is insufficient evidence of the replacement or retail value. As such the court will deny the motion by minute order. No appearance is necessary.

22. 04-22851-D-13L JANIE JONES HEARING - MOTION  
ADS #3 FOR ADDITIONAL ATTORNEY  
FEES (\$1,102.00)  
7-18-08 [37]

**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 by minute order. No appearance is necessary.**

23. 08-22858-D-13L JOSEPH/AMAR SOMAN HEARING - MOTION  
PGM #2 TO CONFIRM DEBTORS'  
AMENDED PLAN  
7-8-08 [70]

24. 08-22858-D-13L JOSEPH/AMAR SOMAN HEARING - TRUSTEE'S  
PGM #2 COUNTER-MOTION TO DISMISS  
7-21-08 [82]

25. 06-25459-D-13L JAMES/DEBRA DIGGS HEARING - MOTION  
SDB #5 TO MODIFY CHAPTER 13 PLAN  
AFTER CONFIRMATION  
7-15-08 [56]

**The court record indicates that moving party failed to serve the U.S. Dept. Of Education at the address designated on the Roster of Public Agencies. As such this matter will be continued to October 7, 2008 at 1:00 p.m. to allow the moving party to serve notice of continued hearing, motion, and other pleadings as may be required by FRBP, LBR, or G.O. 03-05. The Debtor shall file a separate proof of service reflecting appropriate service within two court days of service. No appearance is necessary.**

26. 08-27859-D-13L JAMES/ROZELLE VANZANT HEARING - OBJECTION  
TO CONFIRMATION OF CHAPTER 13  
PLAN BY AMERICAN HONDA FINANCE  
CORPORATION  
7-24-08 [20]

27. 08-28961-D-13L ERNEST GARCIA AND HEARING - OBJECTION  
EC #1 ANABEL MORALES TO CONFIRMATION OF PROPOSED  
CHAPTER 13 PLAN BY CREDITOR  
DCFS TRUST AND OPPOSITION  
TO MOTION TO VALUE COLLATERAL  
7-17-08 [14]

**This matter is continued to September 2, 2008 at 1:00 p.m. No appearance is necessary.**

28. 08-26864-D-13L FLENN/NIDA MADARANG CONT. HEARING - OBJECTION  
NLE #1 TO CONFIRMATION OF PLAN  
BY TRUSTEE  
6-27-08 [12]

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

29. 08-27665-D-13L WILLIE/KIMBERLY GAGE HEARING - OBJECTION TO  
WGM #1 CONFIRMATION OF DEBTORS'  
CHAPTER 13 PLAN  
7-23-08 [16]

30. 07-23866-D-13L JACKIE/JOHN BROOKS HEARING - MOTION  
BSJ #5 TO CONFIRM DEBTORS' SECOND  
AMENDED CHAPTER 13 PLAN  
6-30-08 [124]

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.

31. 08-25466-D-13L DAVID/NINGSIH WEE HEARING - OBJECTION TO  
WGM #1 CONFIRMATION OF THE DEBTORS'  
CHAPTER 13 PLAN BY CENTRAL  
MORTGAGE COMPANY  
6-12-08 [20]

32. 08-25967-D-13L GLENN/ROBIN FULLBRIGHT HEARING - MOTION TO  
FF #2 CONFIRM CHAPTER 13 PLAN  
7-3-08 [17]

The motion is denied for the following reasons: (1) the moving parties failed to serve several creditors at the addresses on their proofs of claim, and failed to serve the party requesting special notice at DN 14 at the designated address; and (2) the proof of service purports to reflect service of a Chapter 13 Plan with Motion to Value Collateral. By contrast, the plan that is the subject of this motion is entitled First Amended Chapter 13 Plan, and there is no motion to value collateral. As a result of these defects the court will deny the motion by minute order. No appearance is necessary.

33. 08-26968-D-13L GREGG/MECHELLE WEBB HEARING - MOTION TO  
PLG #1 VALUE COLLATERAL HELD BY  
WACHOVIA DEALER SERVICES  
7-9-08 [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. Moving party is to submit an appropriate order. No appearance is necessary.

34. 08-26968-D-13L GREGG/MECHELLE WEBB  
PLG #2

HEARING - MOTION  
TO CONFIRM FIRST MODIFIED  
CHAPTER 13 PLAN  
7-14-08 [23]

The motion is denied for the following reasons: (1) the court record indicates that moving party failed to serve the Franchise Tax Board at the address designated on the Roster of Public Agencies; (2) the declaration filed by moving party does not address all the confirmation requirements in Bankruptcy Code § 1325(a). It is necessary the moving party submit competent evidence to enable the court to make findings that the plan, or plan modification, meets all the requirements in Bankruptcy Code § 1325(a). The moving party has failed to submit competent evidence for the court to make these necessary findings; and (3) the plan is not filed separately, as required by G.O. 05-03, para. 8(a), but only as an exhibit to the motion. As a result of these defects the court will deny the motion by minute order. No appearance is necessary.

35. 08-22969-D-13L ERIC CLETHEN  
MG #1

HEARING - MOTION  
TO CONFIRM 1ST AMENDED  
CHAPTER 13 PLAN  
6-11-08 [22]

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.

36. 08-25469-D-13L ESTELA GONZALES  
DBJ #1

HEARING - MOTION FOR  
CONFIRMATION OF FIRST  
AMENDED PLAN  
7-7-08 [20]

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.

37. 08-26575-D-13L REYMUNDO/SONIA VERTUDEZ  
NLE #1

CONT. HEARING - OBJECTION  
TO CONFIRMATION OF PLAN  
BY TRUSTEE  
6-30-08 [22]

Objection withdrawn by moving party. Matter removed from calendar.

38. 08-27379-D-13L FRANK/CHRISTINA DIAS HEARING - MOTION TO  
JLK #1 CONFIRM CHAPTER 13 PLAN  
7-10-08 [16]

The court record indicates that moving party failed to serve the U.S. Dept. Of Education at the address designated on the Roster of Public Agencies. As such this matter will be continued to October 7, 2008 at 1:00 p.m. to allow the moving party to serve notice of continued hearing, motion, and other pleadings as may be required by FRBP, LBR, or G.O. 03-05. The Debtor shall file a separate proof of service reflecting appropriate service within two court days of service. No appearance is necessary.

39. 07-30680-D-13L ASCENCION RANGEL CONT. HEARING - MOTION  
PGM #4 TO VALUE COLLATERAL OF  
GENERAL ELECTRIC CAPITAL  
6-17-08 [56]

40. 08-20786-D-13L JESUS/CECILIA DELGADO CONT. HEARING - MOTION TO  
MET #1 CONFIRM AMENDED PLAN  
5-27-08 [32]

41. 08-20786-D-13L JESUS/CECILIA DELGADO CONT. HEARING - TRUSTEE'S  
MET #1 COUNTER-MOTION TO DISMISS  
6-13-08 [37]

42. 08-26286-D-13L THOMAS/JANETTE KOHLENBERG HEARING - MOTION FOR  
RJC #1 RELIEF FROM AUTOMATIC STAY  
DRIVE FINANCIAL SERVICES LP, VS. 7-17-08 [21]

**This case was dismissed on July 25, 2008. As a result the motion will be denied by minute order as moot. No appearance is necessary.**

43. 08-24688-D-13L JOHN/MAVIS WILLIAMS HEARING - MOTION  
JAP #1 TO CONFIRM AMENDED  
CHAPTER 13 PLAN  
7-11-08 [27]

**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.**

44. 08-24688-D-13L JOHN/MAVIS WILLIAMS HEARING - MOTION  
JAP #2 FOR ORDER VALUING COLLATERAL  
OF AMERICREDIT  
7-11-08 [30]

45. 08-25788-D-13L RORY SHEPHERD HEARING - MOTION  
AJP #1 FOR CONFIRMATION OF AMENDED  
CHAPTER 13 PLAN  
7-2-08 [23]

**The court record indicates that moving party failed to serve the creditors who filed Claim No. 4 and the request for special notice at docket no. 22. As such this matter will be continued to October 7, 2008 at 1:00 p.m. to allow the moving party to serve notice of continued hearing, motion, and other pleadings as may be required by FRBP, G.O. 05-03, or LBR on these claim holders. The Debtor shall file a separate proof of service reflecting appropriate service within two court days of service. No appearance is necessary.**

46. 08-28489-D-13L GERONIMO/KIMBERLY  
SAC #1 HERNANDEZ

HEARING - MOTION TO  
CONFIRM FIRST AMENDED  
CHAPTER 13 PLAN  
7-8-08 [11]

The motion is denied without prejudice. The moving party lists David Cox in his D-schedule, as having a \$36,000 claim secured by real property at 1560 Auburn Blvd., Sacramento. However, no address is listed for this creditor in the D-schedule, and this creditor was not served with this motion. As a result of this service defect the court will deny the motion by minute order. No appearance is necessary.

47. 08-28489-D-13L GERONIMO/KIMBERLY HERNANDEZ  
SAC #2

HEARING - MOTION  
TO VALUE COLLATERAL  
OF WILSHIRE  
7-8-08 [15]

The motion is denied without prejudice. The creditor is listed in the moving parties' D-schedule as Wilshire Financial. Thus, it appears the creditor is either a corporation, partnership, or unincorporated association. The moving parties failed to serve the creditor to the attention of an officer, managing or general agent, or agent for service of process, as required by FRBP 7004(b)(3). Also, Page 1 of the motion says the Debtors seek an order valuing the property at \$255,000. Page 2 says the Debtors seek an order valuing the property at \$382,000. As a result of these defects the court will deny the motion by minute order. No appearance is necessary.

48. 08-22690-D-13L KEITH STEINER AND  
PGM #1 STEPHANIE YONN

HEARING - MOTION  
TO CONFIRM DEBTORS' FIRST  
AMENDED PLAN  
7-8-08 [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.

49. 04-28994-D-13L BARBARA HERNESMAN  
SAK #3

HEARING - MOTION  
TO APPROVE FIRST MODIFIED  
CHAPTER 13 PLAN  
7-8-08 [72]

The court record indicates that moving party failed to serve the Franchise Tax Board at its address on the Roster of Public Agencies. Also, the name of the individual signing 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. As such this matter will be continued to October 7, 2008 at 1:00 p.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 corrected proof of service and a separate proof of service reflecting appropriate service on the Franchise Tax Board within two court days of service. No appearance is necessary.

50. 08-27298-D-13L NATHANIEL QUESADA  
SL #1

HEARING - MOTION TO  
CONFIRM CHAPTER 13 PLAN  
7-3-08 [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.

51. 08-27603-D-13L MARCOS NEGRON, SR.  
LJL #1

HEARING - OBJECTION  
TO CONFIRMATION OF PLAN  
BY TRUSTEE  
7-31-08 [15]

52. 05-38015-D-13L KENNETH/MARLYN SMITHOUR  
MET #5

HEARING - TRUSTEE'S  
COUNTER-MOTION TO DISMISS  
7-25-08 [138]

53. 08-22420-D-13L TERRI/TONY BREY  
MOH #1  
CONT. HEARING - DEBTORS'  
MOTION TO CONFIRM AMENDED  
CHAPTER 13 PLAN  
6-23-08 [46]
54. 08-22026-D-13L MATTHEW/AUTUMN GALAN  
SW #1  
GMAC, VS.  
HEARING - MOTION FOR  
RELIEF FROM AUTOMATIC STAY  
8-1-08 [28]

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.

55. 08-27526-D-13L CHARLES/LORELIE STEPHENS  
LJL #1  
HEARING - OBJECTION  
TO CONFIRMATION OF PLAN  
BY TRUSTEE  
7-31-08 [18]
56. 08-27728-D-13L LEONARD/ELIZABETH COATS  
LJL #1  
HEARING - OBJECTION  
TO CONFIRMATION OF PLAN  
BY TRUSTEE  
7-31-08 [16]

57. 08-27729-D-13L SHARISE ALLEN  
LJL #1  
HEARING - OBJECTION  
TO CONFIRMATION OF PLAN  
BY TRUSTEE  
7-31-08 [14]

58. 08-27731-D-13L PATRICIA JAMES  
LJL #1  
HEARING - OBJECTION  
TO CONFIRMATION OF PLAN  
BY TRUSTEE  
7-31-08 [19]

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

59. 08-27932-D-13L ROMAN MATTYASH  
LJL #1  
HEARING - OBJECTION  
TO CONFIRMATION OF PLAN  
BY TRUSTEE  
7-31-08 [15]

60. 08-27535-D-13L LAWRENCE JONES AND  
LJL #1 RUTH VASQUEZ  
HEARING - OBJECTION  
TO CONFIRMATION OF PLAN  
BY TRUSTEE  
7-31-08 [16]

61. 08-27647-D-13L LEE/SHELIA HANEY HEARING - OBJECTION  
LJL #1 TO CONFIRMATION OF PLAN  
BY TRUSTEE  
7-31-08 [16]

62. 08-26850-D-13L JAMES/KATHRYN TASHJIAN HEARING - OBJECTION  
LJL #1 TO CONFIRMATION OF PLAN  
BY TRUSTEE  
7-31-08 [19]

63. 08-27859-D-13L JAMES/ROZELLE VANZANT HEARING - OBJECTION  
LJL #1 TO CONFIRMATION OF PLAN  
BY TRUSTEE  
7-31-08 [27]

64. 08-20161-D-13L VERDELL CRAY CONT. HEARING - MOTION  
ADS #2 TO CONFIRM SECOND AMENDED  
CHAPTER 13 PLAN  
6-20-08 [66]

65. 08-26968-D-13L GREGG/MECHELLE WEBB  
NLE #1  
CONT. HEARING - TRUSTEE'S  
OBJECTION TO CONFIRMATION OF  
DEBTORS' PLAN AND MOTION  
TO DISMISS  
7-2-08 [12]

66. 08-27879-D-13L SUSAN BROWN  
LJL #1  
HEARING - OBJECTION  
TO CONFIRMATION OF PLAN  
BY TRUSTEE  
7-31-08 [25]

**Objection overruled as moot. Debtors filed an amended plan on August 5, 2008. As a result the court will overrule the objection without prejudice by minute order. No appearance is necessary.**

67. 05-31181-D-13L RUBEN/BARBARA GONZALEZ  
RFM #1  
KEYBANK, N.A., VS.  
HEARING - MOTION FOR  
RELIEF FROM AUTOMATIC STAY  
8-5-08 [49]

**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.**

68. 08-27785-D-13L JOSEPHINE RAMIREZ  
LJL #1  
HEARING - OBJECTION  
TO CONFIRMATION OF PLAN  
BY TRUSTEE  
7-31-08 [16]

69. 08-27686-D-13L BEN RAMOS  
LJL #1  
HEARING - OBJECTION  
TO CONFIRMATION OF PLAN  
BY TRUSTEE  
7-31-08 [16]
70. 08-28489-D-13L GERONIMO/KIMBERLY  
SAC #1 HERNANDEZ  
HEARING - TRUSTEE'S  
COUNTER-MOTION TO DISMISS  
8-5-08 [27]
71. 08-30195-D-13L ROMEO/NYMPHA ABUCAY  
PGM #1  
HEARING - MOTION  
TO DISMISS CASE  
7-31-08 [8]