

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Robert S. Bardwil
Bankruptcy Judge
Sacramento, California

September 9, 2008 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.	07-29002-D-13L	JOE/CHERYL LUCE	HEARING - TRUSTEE'S
	NLE #2		OBJECTION TO CLAIM OF
			THE PHELPS SCHOOL
			7-25-08 [49]

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 trustee's objection to exemption. No appearance is necessary.

2.	08-25402-D-13L	LACY/CAROLYN KNOX	HEARING - MOTION
	PGM #1		TO CONFIRM DEBTORS'
			SECOND AMENDED PLAN
			7-14-08 [32]

3. 08-25402-D-13L LACY/CAROLYN KNOX HEARING - MOTION
PGM #2 TO VALUE COLLATERAL
FIRESIDE BANK OF FIRESIDE BANK
7-14-08 [30]

The motion is denied without prejudice. Secured creditor, Fireside Bank, is an insured depository institution. FRBP 7004(h) requires service on an insured depository institution by certified mail. The creditor was not served by certified mail and as such service is defective. As a result the court will deny the motion by minute order. No appearance is necessary.

4. 08-27203-D-13L JUAN/CARMEN ROMAN CONT. HEARING - OBJECTION
WGM #1 BY WASHINGTON MUTUAL BANK TO
CONFIRMATION OF THE DEBTORS'
CHAPTER 13 PLAN
7-15-08 [23]

5. 08-26305-D-13L JEFFERY/SHARIE DI DONATO HEARING - MOTION FOR
APN #1 RELIEF FROM AUTOMATIC STAY
NISSAN-INFINITI, LT., VS. 8-8-08 [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 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.

6. 07-25206-D-13L RUDY/DARLENE DEAL HEARING - MOTION
PGM #1 TO MODIFY CHAPTER 13 PLAN
AFTER CONFIRMATION
7-18-08 [31]

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.

7. 07-29607-D-13L GRETCHEN ANGELE HEARING - MOTION TO
ADS #1 MODIFY CHAPTER 13 PLAN
AFTER CONFIRMATION
8-4-08 [32]

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.

8. 07-28009-D-13L MICHAEL/JULIE KAPLAN HEARING - MOTION FOR
JHK #1 RELIEF FROM AUTOMATIC STAY
DAIMLERCHRYSLER FINANCIAL 8-7-08 [67]
SERVICES AMERICAS LLC, VS.

9. 08-29010-D-13L DAVID/ELVIRA RAMOS HEARING - OBJECTION
NLE #1 TO CONFIRMATION OF PLAN
BY TRUSTEE
8-13-08 [28]

10. 08-23814-D-13L DAREN/ANGELA EDMISTON HEARING - MOTION
SL #3 TO CONFIRM 1ST AMENDED
CHAPTER 13 PLAN
7-25-08 [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.

11. 08-28415-D-13L ANDREW/SANDRA LOVATO HEARING - TRUSTEE'S
NLE #2 OBJECTION TO EXEMPTIONS
8-8-08 [24]
12. 08-26922-D-13L RANDY/SHARON DUBY HEARING - MOTION FOR
JP #1 RELIEF FROM AUTOMATIC STAY
LONG BEACH ACCEPTANCE CORPORATION, VS. 8-8-08 [18]

Creditor, Long Beach Acceptance Corporation, is a Class 3 creditor in a plan confirmed August 19, 2008, pursuant to which the stay lifted upon entry of the order confirming plan. The confirmed plan states that, "Entry of the confirmation order shall constitute an order modifying the automatic stay to allow the holder of a Class 3 secured claim to repossess, receive, take possession of, foreclose upon, and exercise its rights and judicial and nonjudicial remedies against its collateral." Accordingly, the motion will be denied by minute order as unnecessary. No appearance is necessary.

13. 08-28823-D-13L BENJAMIN/LOURDES ORDONIA HEARING - TRUSTEE'S
NLE #1 OBJECTION TO CONFIRMATION
OF DEBTORS' PLAN AND
MOTION TO DISMISS
8-13-08 [14]
14. 08-28823-D-13L BENJAMIN/LOURDES ORDONIA HEARING - TRUSTEE'S
NLE #2 OBJECTION TO EXEMPTIONS
8-13-08 [18]

15. 08-24424-D-13L JOHN/LEE CERTEZA HEARING - MOTION FOR
MDE #1 RELIEF FROM AUTOMATIC STAY
CAPITAL ONE AUTO FINANCE 8-11-08 [29]
SERVICING, VS.

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant relief from stay by minute order. As the debtors are not making post-petition payments and the creditor's collateral is a depreciating asset, the court will also waive FRBP 4001(a)(3). There will be no further relief afforded. No appearance is necessary.

16. 07-30425-D-13L LENNIE CABANERO HEARING - MOTION TO
SDB #3 CHAPTER 13 PLAN AFTER
CONFIRMATION
7-29-08 [50]

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. 08-20627-D-13L VERNON/DENISE ETTER HEARING - TRUSTEE'S
NLE #1 OBJECTION TO CLAIM OF 1ST
UNITED SERVICES CREDIT UNION
7-18-08 [31]

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 trustee's objection to exemption. No appearance is necessary.

18. 08-25530-D-13L MOSHOOD/BELINDA LEBIMOYO HEARING - MOTION TO
RI #2 VALUE COLLATERAL OF
WASHINGTON MUTUAL HOME
LOANS (AGENT FOR SMF)
7-30-08 [35]

19. 08-28231-D-13L WENDELL/MARY CABLAYAN HEARING - MOTION TO
PGM #1 VALUE COLLATERAL OF
COUNTRYWIDE
8-7-08 [15]

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

20. 05-34432-D-13L MARK/BRENDA ARCHER HEARING - MOTION
PGM #1 TO MODIFY CHAPTER 13 PLAN
AFTER CONFIRMATION
7-21-08 [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.

21. 06-24734-D-13L DENNIS/LORETTA VARGAS HEARING - MOTION FOR
ASW #1 RELIEF FROM AUTOMATIC STAY
MORTGAGE ELECTRONIC REGISTRATION 8-7-08 [55]
SYSTEMS, INC., VS.

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

22. 08-23239-D-13L LARRY/FLANNERY HAWKINS HEARING - MOTION
SAC #2 TO CONFIRM FIRST AMENDED
CHAPTER 13 PLAN
7-15-08 [38]

The motion is denied without prejudice. The moving parties filed their schedules 14 days after the petition was filed. They did not file an amended creditor matrix, and as a result, this motion was not served on a large number of creditors included in the schedules. As a result of this service defect the court will deny the motion by minute order. No appearance is necessary.

23. 08-30844-D-13L CLARA GOFF HEARING - DEBTOR'S
SDB #1 MOTION FOR ORDER VALUING
COLLATERAL OF ADDISON AVENUE
FEDERAL CREDIT UNION
8-8-08 [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 the motion. Moving party is to submit an appropriate order. No appearance is necessary.

24. 08-20445-D-13L MARK/CINDY MINASIAN HEARING - TRUSTEE'S
NLE #1 OBJECTION TO CLAIMS OF
WORLD FINANCIAL NETWORK
NATIONAL BANK
7-23-08 [30]

This claim has been withdrawn by claimant (See docket no. 34). As a result the trustee's objection will be overruled by minute order as moot. No appearance is necessary.

25. 05-22946-D-13L ROBERT/STARLETTE BERRY HEARING - TRUSTEE'S
NLE #3 OBJECTION TO CLAIM OF
ED FUND
7-18-08 [39]

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 trustee's objection to exemption. No appearance is necessary.

26. 05-22946-D-13L ROBERT/STARLETTE BERRY HEARING - TRUSTEE'S
NLE #4 OBJECTION TO CLAIM OF
ED FUND
7-18-08 [43]

The court record indicates that three days before this objection was filed and served, ECMC filed a notice of assignment of claim. ECMC, the transferee, was not served with this objection. As a result of this service defect the court will overrule the objection by minute order. No appearance is necessary.

27. 08-27846-D-13L DAVID/MARIE WILLEY HEARING - MOTION
PLG #1 TO VALUE COLLATERAL OF CAL
STATE 9 FEDERAL CREDIT UNION
8-5-08 [17]

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

28. 05-37448-D-13L CHRIS LOW HEARING - MOTION OF
FEC #9 FREDRICK E. CLEMENT, COUNSEL FOR
THE DEBTOR, FOR COMPENSATION AND
FOR REIMBURSEMENT OF EXPENSES
(\$7,748.46)
7-24-08 [96]

Motion withdrawn by moving party. Matter removed from calendar.

29. 04-22350-D-13L TODD/BECKI JOHNSON CONT. HEARING - MOTION
MWB #9 FOR ORDER APPROVING THIRD
MODIFICATION TO CONFIRMED
CHAPTER 13 PLAN
6-25-08 [83]

30. 08-20954-D-13L CURTIS ZIEGLER HEARING - MOTION TO
PGM #4 VALUE COLLATERAL OF INTERNAL
REVENUE SERVICE
7-31-08 [52]

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

31. 04-33658-D-13L LIBERTAD QUINTANS HEARING - MOTION
SAC #5 TO MODIFY PLAN AFTER
CONFIRMATION
7-23-08 [130]
32. 08-28158-D-13L INOCENCIO/VIRGINIA ORTIZ HEARING - OBJECTION
WGM #1 TO CONFIRMATION OF THE
DEBTORS' CHAPTER 13 PLAN
BY HSBC MORTGAGE SERVICES
8-4-08 [17]
33. 08-30058-D-13L RYAN/KATHRYN POLSTER HEARING - MOTION
MET #1 FOR ORDER VALUING COLLATERAL
OF DIETECH.COM
- 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. 08-26661-D-13L ARTURO AGUILAR CONT. HEARING - OBJECTION TO
CONFIRMATION OF PLAN BY
DAVID SCOTT
6-23-08 [12]

35. 06-24662-D-13L MITCHELL/TRACY PRIOR HEARING - MOTION
FEC #7 FOR COMPENSATION AND FOR
REIMBURSEMENT OF EXPENSES
(\$21,251.51)
7-17-08 [102]

36. 08-27862-D-13L ESTHER JAVELLANA HEARING - TRUSTEE'S
NLE #1 OBJECTION TO EXEMPTION
8-5-08 [13]

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

37. 07-30663-D-13L RUBEN/NORY CAHAYAG HEARING - TRUSTEE'S
NLE #2 OBJECTION TO CLAIM OF AMERICAN
GENERAL FINANCIAL SERVICES
7-18-08 [45]

Objection withdrawn by moving party. Matter removed from calendar.

38. 08-22966-D-13L KAYLAN CRAIG HEARING - TRUSTEE'S
NLE #2 OBJECTION TO CLAIMS OF
WACHOVIA DEALER SERVICES
7-22-08 [25]

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 trustee's objection to exemption. No appearance is necessary.

39. 08-28768-D-13L SHERRY WADDAMS
FF #1

HEARING - MOTION
TO CONFIRM CHAPTER 13 PLAN
7-24-08 [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.

40. 08-24869-D-13L AMY EDMONDS
PLG #1

HEARING - MOTION FOR
ORDERS DETERMINE VALUE OF
REAL PROPERTY, EXTENT OF
SECURED CLAIMS AND EXTINGUISHING
THE LIEN OF FIRST HORIZON
8-11-08 [14]

The motion is denied for the following reasons: (1) the moving party failed to serve the creditor by addressing copies to an officer, managing or general agent, or agent for service of process, as required by FRBP 7004(b)(3). The proof of service does indicate that copies were mailed to the agent for service, but the name and address listed are not those of the creditor's agent for service as listed with the Secretary of State; (2) a proof of claim based on the deed of trust that is the subject of this motion was filed by First Tennessee Bank, N.A., which suggests that the bank is the current holder of the obligation. First Tennessee Bank, N.A., was not served as required by FRBP 7004(h), or at all; (3) 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.

41. 08-24772-D-13L VICTOR/MARIBEL ALONSO
ADS #1

HEARING - MOTION TO
CONFIRM FIRST AMENDED
CHAPTER 13 PLAN
7-31-08 [36]

42. 08-24772-D-13L VICTOR/MARIBEL ALONSO HEARING - TRUSTEE'S
ADS #1 COUNTER-MOTION TO CONVERT
CASE TO CHAPTER 7
8-14-08 [42]

43. 08-28577-D-13L GLENDA BAUER CONT. HEARING - MOTION TO
BLACKTHRONE II, INC., VS. ANNUL AUTOMATIC STAY
7-22-08 [17]

Case No. 08-28577-D-13L was dismissed on July 25, 2008. After dismissal of this case, the debtor filed another Chapter 13 proceeding on August 5, 2008 as Case No. 08-30812-B-13J (the "Second Case") and the Second Case is pending in Department B. The ruling on the instant motion will likely determine the success or failure of the Second Case. The two cases are related cases pursuant to Local Rule 1015-1 and both cases should be pending in the same department. As such the hearing is continued to September 16, 2008 at 1:00 p.m. to allow for the reassignment of the Second Case to Department D.

44. 08-27279-D-13L ALFRED BANGURA AND CONT. HEARING - MOTION
SS #1 JOSEPHINE BANNERMAN TO CONFIRM PLAN
7-2-08 [15]

45. 08-27279-D-13L ALFRED BANGURA AND CONT. HEARING - OBJECTION
SS #1 JOSEPHINE BANNERMAN TO CONFIRMATION OF CHAPTER 13
PLAN BY HSBC MORTGAGE SVCS.
7-8-08 [23]

46. 08-23780-D-13L AMBER BENNETT
DJC #1

HEARING - MOTION TO
CONFIRM FIRST AMENDED
CHAPTER 13 PLAN
7-22-08 [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.

47. 08-26781-D-13L JENNIFER BECKWITH
SW #1

CONT. HEARING - OBJECTION
TO CONFIRMATION OF PLAN AND
COLLATERAL VALUATION MOTION BY
WACHOVIA DEALER SERVICES, INC.
7-3-08 [18]

48. 08-29481-D-13L MARVIN/GAIL RADCLIFF
MWB #1

HEARING - MOTION TO
VALUE COLLATERAL OF GMAC
8-5-08 [17]

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

49. 07-30483-D-13L PATRICK/LAURA O'BRIEN
NLE #2

HEARING - TRUSTEE'S
OBJECTION TO CLAIM OF
PATELCO CREDIT UNION
7-18-08 [39]

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 trustee's objection to exemption. No appearance is necessary.

50. 07-30483-D-13L PATRICK/LAURA O'BRIEN HEARING - TRUSTEE'S
NLE #3 OBJECTION TO CLAIM OF
PATELCO CREDIT UNION
7-18-08 [43]

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 trustee's objection to exemption. No appearance is necessary.

51. 08-26887-D-13L TYSE/PHYLLIS DODDS HEARING - MOTION
SL #1 TO CONFIRM 1ST AMENDED
CHAPTER 13 PLAN
7-31-08 [39]

The motion is denied for the following reasons: (1) the moving parties failed to serve the U.S. Dept. of Education at its address on the Roster of Public Agencies; and (2) the plan includes four Attachments M-3 - motions to value collateral. The moving parties did not provide the separate notice of these motions to value that is required by GO.05-03, para. 3(b), and there is no such notice provided in the motion or elsewhere. As a result of these defects the court will deny the motion by minute order. No appearance is necessary.

52. 06-24688-D-13L TERRY/ANA FRIZZELL HEARING - TRUSTEE'S
NLE #2 OBJECTION TO CLAIM OF
INDYMAC BANK
7-18-08 [55]

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 trustee's objection to exemption. No appearance is necessary.

53. 08-26489-D-13L SHON/CASSONDRA GARTEN HEARING - MOTION FOR
WSS #1 CONFIRMATION OF PLAN
7-31-08 [26]

The motion is denied for the following reasons: (1) the moving parties failed to serve the State Board of Equalization at its address on the Roster of Public Agencies or at all; (2) the moving parties failed to serve several creditors at the addresses on their filed proofs of claim as required by FRBP 2002(g); (3) the moving parties failed to serve the creditor filing request for special notice at DN 20 at its designated address; (4) the moving parties failed to serve Anarchy Eyewear, Cise Boardwear, and Dell Business Credit, listed in their F-schedule; (5) the moving parties served Capital One at the address of one of its accounts, but not at the address listed in the F-schedule for a second account; and (6) the motion and notice of hearing give the wrong courtroom number, 33. As a result of these defects the court will deny the motion by minute order. No appearance is necessary.

54. 08-26489-D-13L SHON/CASSONDRA GARTEN HEARING - MOTION TO
WSS #2 VALUE COLLATERAL OF NAVY
FEDERAL CREDIT UNION
7-31-08 [31]

The motion is denied for the following reasons: (1) the moving parties failed to serve the creditor by mailing a copy to the attention of an officer, managing or general agent, or agent for service of process, as required by FRBP 7004(b)(3); (2) there is no declaration and no other evidence in support of this motion; and (3) the Attachment M-3, attached to the Debtors' plan, is not signed by the Debtors. As a result of these defects the court will deny the motion by minute order. No appearance is necessary.

55. 08-26489-D-13L SHON/CASSONDRA GARTEN HEARING - MOTION
WSS #3 TO VALUE COLLATERAL OF NAVY
FEDERAL CREDIT UNION
7-31-08 [34]

The motion is denied for the following reasons: (1) the moving parties failed to serve the creditor by mailing a copy to the attention of an officer, managing or general agent, or agent for service of process, as required by FRBP 7004(b)(3); (2) there is no declaration and no other evidence in support of this motion; and (3) the Attachment M-3, attached to the Debtors' plan, is not signed by the Debtors. As a result of these defects the court will deny the motion by minute order. No appearance is necessary.

56. 08-27591-D-13L JEFF/ODESSA LOPEZ HEARING - MOTION TO
CYB #1 VALUE COLLATERAL OF THE
CIT GORUP
8-8-08 [15]

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

57. 04-33094-D-13L SUSAN CANIGLIA HEARING - FIRST APPLICATION
WW #6 RE: ADDITIONAL FEES AND EXPENSES
IN CHAPTER 13 CASE (\$3,813.00
FEES; \$138.01 EXPENSES)
8-8-08 [95]

58. 08-26094-D-13L JOSE BRIGGS CONT. HEARING - OBJECTION
SW #1 DESIREE PEACH OF WACHOVIA DEALER SERVICES
INC. TO CONFIRMATION OF PLAN
AND COLLATERAL VALUATION MOTION
6-12-08 [23]
59. 08-26094-D-13L JOSE BRIGGS AND CONT. HEARING - OBJECTION
NLE #1 DESIREE PEACH TO CONFIRMATION OF PLAN
BY TRUSTEE
6-26-08 [28]
60. 08-27498-D-13L LAVERA OSBORNE HEARING - MOTION
LMO #1 FOR DETERMINING VALUE OF
COLLATERAL AND ALLOWING
DEFICIENCY AS AN UNSECURED
CLAIM
7-17-08 [21]
61. 08-27498-D-13L LAVERA OSBORNE HEARING - MOTION
LMO #2 TO CONFIRM CHAPTER 13 PLAN
7-17-08 [17]

The motion is denied for the following reasons: (1) the proof of service, filed July 17, 2008, is dated "July __, 2008," and gives the date of service as "July __, 2008"; thus, the date of service cannot be determined; (2) the proof of service of the continued notice of motion is dated June 28, 2008, and gives the date of service as June 28, 2008, whereas that notice is dated July 28, 2008, and thus, was not yet prepared as of the purported date of service; (3) the moving party failed to serve the EDD at its address on the Roster of Public Agencies; (4) the moving party failed to serve the creditor filing Claim No. 1 at the address on its proof of claim; and (5) the moving party failed to serve the creditor filing request for notice at DN 13 at the designated address. As a result of these defects the court will deny the motion by minute order. No appearance is necessary.

62. 08-28908-D-13L JOSEPHINE PALASIGUI HEARING - MOTION FOR
PD #1 RELIEF FROM AUTOMATIC STAY
CHASE HOME FINANCE, LLC, VS. 8-20-08 [24]

63. 05-38015-D-13L KENNETH/MARLYN SMITHOUR CONT. HEARING - MOTION
MET #5 TO MODIFY PLAN AFTER
CONFIRMATION
7-10-08 [133]

This case was dismissed on September 5, 2008. As a result the motion will be denied by minute order as moot. No appearance is necessary.

64. 05-38015-D-13L KENNETH/MARLYN SMITHOUR CONT. HEARING - TRUSTEE'S
MET #5 COUNTER-MOTION TO DISMISS
7-25-08 [138]

This case was dismissed on September 5, 2008. As a result the motion will be denied by minute order as moot. No appearance is necessary.

65. 07-27216-D-13L MARK ORR HEARING - DEBTOR'S MOTION
MOH #3 FOR RECONSIDERATION OF DENIAL
OF CONFIRMATION OF DEBTOR'S
FIRST AMENDED PLAN
8-25-08 [62]

66. 08-27526-D-13L CHARLES/LORELIE STEPHENS
LJL #1
CONT. HEARING - OBJECTION
TO CONFIRMATION OF PLAN
BY TRUSTEE
7-31-08 [18]
67. 08-29433-D-13L CHARLES ECTOR
NLE #1
CONT. HEARING - MOTION TO
DISMISS (DEBTOR HAS ENGAGED IN
UNREASONABLE DELAY, ET AL.)
7-23-08 [10]
68. 08-28148-D-13L BRIAN TUCKER
SW #1
GMAC, VS.
HEARING - MOTION FOR
RELIEF FROM AUTOMATIC STAY
8-22-08 [30]
69. 08-23856-D-13L ROMAN/JILL SOLORZANO
RFM #1
CITIZENS AUTOMOBILE
FINANCE, INC., VS.
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70. 08-28865-D-13L GILBERT/JANET SALGADO HEARING - MOTION FOR
SW #1 RELIEF FROM AUTOMATIC STAY
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71. 08-29370-D-13L ANITA VERGARA CONT. HEARING - ORDER
TO SHOW CAUSE RE DISMISSAL
AND/OR IMPOSITION OF SANCTIONS
FOR FAILURE TO TENDER FEES OR
AN APPLICATION TO PAY FEES IN
INSTALLMENTS WITH BANKRUPTCY
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7-15-08 [8]
72. 08-29481-D-13L MARVIN/GAIL RADCLIFF HEARING - OBJECTION
NLE #1 TO CONFIRMATION OF PLAN
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8-21-08 [25]
73. 08-28686-D-13L PHILIP APLIN HEARING - MOTION FOR
SW #1 RELIEF FROM AUTOMATIC STAY
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74. 08-28686-D-13L PHILIP APLIN HEARING - MOTION FOR
SW #2 RELIEF FROM THE CO-DEBTOR STAY
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75. 08-26489-D-13L SHON/CASSONDRA GARTEN HEARING - TRUSTEE'S
WSS #1 COUNTER-MOTION TO DISMISS
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76. 08-26094-D-13L JOSE BRIGGS AND CONT. HEARING - MOTION TO
NLE #2 DESIREE PEACH DISMISS (DEBTOR IS CAUSING
UNREASONABLE DELAY, ET AL.)
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