

UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable W. Richard Lee
Bankruptcy Judge
Bakersfield, California

Wednesday, July 15, 2009

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS
DEPARTMENT B - BAKERSFIELD

1. The following rulings are tentative. The matter will be called and the court's final ruling will generally be placed on the record at the end of the calendar. **If no disposition is set forth below, the hearing will take place as scheduled.**

2. Matters resolved without oral argument:

If the moving party has received a response or is aware of any reason, such as a settlement, that a timely opposition may not have been filed, the moving party must contact Marlene Medina, the Calendar Clerk, at (559) 499-5825 by 4:00 p.m. the day before the scheduled hearing.

Moving party shall submit an appropriate form of order. When the debtor's discharge has been entered, proposed orders for relief from stay must reflect that the motion is dismissed as to the debtor and granted only as to the trustee. Entry of discharge normally is indicated on the calendar.

If the parties resolve a matter by stipulation after the tentative ruling has been posted, but **before the formal order is entered on the docket**, the **moving party** may appear at the hearing and advise the court of the settlement or withdraw the motion. Alternatively, the parties may submit a stipulation and order to modify the court's intended ruling together with the proposed stipulation and order resolving the matter.

3. The court will not continue short cause evidentiary hearings scheduled below.

4. If a matter is denied without prejudice for any reason set forth below, the moving party shall file a new motion or objection to claim with a new docket control number. It may not simply re-notice the original motion.

10:00 A.M.

1. 09-14004-A-7 ORLEY K. WEAVER HEARING - ORDER TO SHOW CAUSE FOR FAILURE TO PAY \$150.00 DUE 6/16/09 FOR A MOTION FOR RELIEF FROM STAY FILED BY LYNORA WILSON [14]

LYNORA WILSON, PRO SE/MVT.

This matter has been rescheduled to July 29, 2009, at 1:30 p.m. for a hearing before Judge Rimel. No appearance is necessary at this time.

3. 09-12620-B-7 STOCKDALE MUSIC, INC. HEARING - TRUSTEE'S MOTION FOR ORDER AUTHORIZING TRUSTEE TO SELL PERSONAL PROPERTY AT SECOND PUBLIC AUCTION FREE AND CLEAR OF THE LIEN OF BRYAN AND TERESA FAHSBENDER [61]
TGM #4
RANDELL PARKER, CH. 7 TRUSTEE

TRUDI MANFREDO/Atty. for trst.
PATRICK KAVANAGH/Atty. for obj.

LIMITED OPPOSITION BY CONN-SELMER, INC.

This matter will be called at the end of the 11:00 a.m. calendar with the creditor's motion for relief from stay.

6. 09-15125-A-7 PATRICIA KING HEARING - ORDER TO SHOW CAUSE FOR FAILURE TO FILE EXHIBIT D WITH CERTIFICATE [12]

PRO SE

The record shows that this document has been filed and/or the required fee has been paid. The OSC will be dropped from calendar. No appearance is necessary.

8. 09-14540-B-7 ROSARIO ALCALA HEARING - ORDER TO SHOW CAUSE FOR FAILURE TO PAY \$25.00 DUE 6/22/09 [33]

PAID \$25.00 6/29/09

PRO SE

The record shows that this document has been filed and/or the required fee has been paid. The OSC will be dropped from calendar. No appearance is necessary.

11:00 A.M.

2. 09-14402-B-7 RANDALL & PENNY BOWMAN HEARING - MOTION FOR RELIEF FROM STAY [9]
PD #1

WELLS FARGO BANK, N.A., VS.

CASPER RANKIN/Atty. for mv.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

3. 09-14405-B-7 FERDAE B. GARAMI HEARING - MOTION FOR RELIEF
RCO #1 FROM STAY [9]
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC., VS.

JONATHAN DAMEN/Atty. for mv.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

5. 09-14505-B-7 MARK E. MORSE HEARING - MOTION FOR RELIEF
DMG #1 FROM STAY [9]
CITIFINANCIAL AUTO CORP., VS.

DAVID GOODRICH/Atty. for mv.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

8. 09-14007-B-7 RICHARD & ABBI PORTLOCK HEARING - MOTION FOR RELIEF
WGM #1 FROM STAY [9]
BAC HOME LOANS SERVICING, VS.

WILLIAM MALCOLM/Atty. for mv.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

9. 09-12708-B-7 FRANK & SANDRA JACKMAN HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [41]
US BANK NATIONAL ASSOCIATION, VS.

CASPER RANKIN/Atty. for mv.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

10. 09-13711-B-7 CHARLOTTE A. HARPER HEARING - MOTION FOR RELIEF
TJS #1 FROM STAY [9]
JPMORGAN CHASE BANK, N.A., VS.

TIMOTHY SILVERMAN/Atty. for mv.

The motion will be denied without prejudice. The movant failed to serve debtor's bankruptcy attorney or failed to properly serve debtor's attorney at the address of record.

12. 09-12116-B-7 STEVEN KEITH WALL HEARING - MOTION FOR RELIEF
BMS #2 FROM STAY OR FOR ADEQUATE
FORD MOTOR CREDIT COMPANY, LLC, VS. PROTECTION [31]

BETH STRATTON/Atty. for mv.

The motion will be denied as moot. The debtor(s) is (are) an individual(s). The record does not show that the personal property collateral for this secured claim was redeemed or surrendered within the applicable time set by § 521(a)(2). Similarly, the record does not reflect that the loan was reaffirmed or that the movant denied a request to reaffirm the loan on the original contract terms. Therefore, pursuant to 11 U.S.C. § 362(h), the collateral is no longer property of the estate and the automatic stay has already terminated by operation of law. Movant may submit an order denying the motion,

and confirming that the automatic stay has already terminated on the grounds set forth above. No attorney fees will be awarded in relation to this motion.

13. 09-12416-B-7 ROBERT & LESLIE ALVAREZ HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [17]
WELLS FARGO BANK, NA, VS.

NON-OPPOSITION BY DEBTORS

CASPER RANKIN/Atty. for mv.
PHILLIP GILLET, JR./Atty. for dbt.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

14. 09-12217-B-7 KENNETH E. WENNING HEARING - MOTION FOR RELIEF
JCW #1 FROM STAY [14]
AURORA LOAN SERVICES, LLC, VS.

JENNIFER WONG/Atty. for mv.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

18. 09-12620-B-7 STOCKDALE MUSIC, INC. HEARING - MOTION FOR RELIEF
BME #2 FROM STAY [67]
CONN-SELMER, INC., VS.

CONDITIONAL OPPOSITION BY
RANDELL PARKER, CHAPTER 7
TRUSTEE

PATRICK KAVANAGH/Atty. for mv.
TRUDI MANFREDO/Atty. for trst.

This matter will be trailed to the end of the calendar for a hearing with the Trustee's motion to sell property.

19. 09-13823-B-7 RALPH E. GALLELLA, JR. HEARING - MOTION FOR RELIEF
PD #1 AND NICOLE GALLELLA FROM STAY [13]
WACHOVIA BANK, N. A., VS.

NON-OPPOSITION FILED BY DEBTORS

CASPER RANKIN/Atty. for mv.
PHILLIP GILLET, JR./Atty. for dbt.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

21. 09-12634-B-7 HILDA M. CIFUENTES HEARING - MOTION FOR RELIEF
MDE #1 FROM STAY [10]
CITIMORTGAGE, INC., VS.

MARK ESTLE/Atty. for mv.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

23. 08-15238-B-7 CHESTER & SANDRA HILL HEARING - MOTION FOR RELIEF
DMM #1 FROM STAY [66]
WACHOVIA MORTGAGE, FSB, VS.

DAVE MCGRAW/Atty. for mv.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

24. 08-15238-B-7 CHESTER & SANDRA HILL HEARING - MOTION FOR RELIEF
DMM #2 FROM STAY [72]
WACHOVIA MORTGAGE, FSB, VS.

DAVE MCGRAW/Atty. for mv.

The motion will be granted without oral argument for cause shown. The

record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

28. 09-14642-B-7 JUAN F. IBARRA HEARING - MOTION FOR RELIEF
MDE #1 FROM STAY [12]
HSBC MORTGAGE SERVICES, INC., VS.

MARK ESTLE/Atty. for mv.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

29. 09-13843-B-7 ALMA L. ALVAREZ GONZALEZ HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [9]
US BANK NATIONAL ASSOCIATION, VS.
NON-OPPOSITION BY DEBTOR

CASPER RANKIN/Atty. for mv.
PHILLIP GILLET, JR./Atty. for dbt.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

30. 09-14244-B-7 JOSUE & FELICIA BARRAZA HEARING - MOTION FOR RELIEF
RCO #1 FROM STAY [9]
GMAC MORTGAGE, LLC, VS.

JONATHAN DAMEN/Atty. for mv.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion

for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

31. 09-13745-B-7 EPIFIANIO JUAREZ, JR. HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [9]
WELLS FARGO BANK, N.A., VS.

CASPER RANKIN/Atty. for mv.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

32. 09-13047-B-7 TEDDY & SEBRINA STARR HEARING - MOTION FOR RELIEF
BMS #1 FROM STAY OR FOR ADEQUATE
FORD MOTOR CREDIT COMPANY, LLC, VS. PROTECTION [15]

BETH STRATTON/Atty. for mv.

The motion will be denied as moot. The debtor(s) is (are) an individual(s). The record does not show that the personal property collateral for this secured claim was redeemed or surrendered within the applicable time set by § 521(a)(2). Similarly, the record does not reflect that the loan was reaffirmed or that the movant denied a request to reaffirm the loan on the original contract terms. Therefore, pursuant to 11 U.S.C. § 362(h), the collateral is no longer property of the estate and the automatic stay has already terminated by operation of law. Movant may submit an order denying the motion, and confirming that the automatic stay has already terminated on the grounds set forth above. No attorney fees will be awarded in relation to this motion.

33. 09-13951-B-7 EDDIE & MELANIE GONZALES HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [10]
WELLS FARGO BANK, N.A., VS.

CASPER RANKIN/Atty. for mv.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion

for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

34. 09-12452-B-7 RICKEY MELTON HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [14]
JPMORGAN CHASE BANK, N.A., VS.

CASPER RANKIN/Atty. for mv.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

36. 09-14562-B-7 JOSE & ROSA GONZALEZ HEARING - MOTION FOR RELIEF
MDE #1 FROM STAY [7]
NATIONSTAR MORTGAGE, VS.

MARK ESTLE/Atty. for mv.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

37. 09-12570-B-7 SAMUEL & CAROLINE LUNA HEARING - MOTION FOR RELIEF
BMS #1 FROM STAY OR FOR ADEQUATE
FORD MOTOR CREDIT COMPANY, LLC, VS. PROTECTION [13]

BETH STRATTON/Atty. for mv.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

38. 09-13774-B-7 ROLANDO & MELGAR VENTURA HEARING - MOTION FOR RELIEF

WGM #1
BAC HOME LOANS SERVICING, VS.

FROM STAY [11]

WILLIAM MALCOLM/Atty. for mv.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

39. 09-14078-B-7 REYES-HERNANDEZ RICARDO HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [9]
HSBC BANK USA, N.A., VS.

CASPER RANKIN/Atty. for mv.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

40. 09-13179-B-7 REBECCA L. ADKINS HEARING - MOTION FOR RELIEF
DMM #1 FROM STAY [12]
WACHOVIA MORTGAGE, FSB, VS.

DAVE MCGRAW/Atty. for mv.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

41. 09-13179-B-7 REBECCA L. ADKINS HEARING - MOTION FOR RELIEF
RCO #1 FROM STAY [24]
GMAC MORTGAGE, LLC, VS.

JONATHAN DAMEN/Atty. for mv.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

42. 09-13179-B-7 REBECCA ADKINS HEARING - MOTION FOR RELIEF
DMM #2 FROM STAY [18]
WACHOVIA MORTGAGE, FSB, VS.

DAVE MCGRAW/Atty. for mv.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

43. 09-11982-B-7 MARY WILLIS HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [13]
AURORA LOAN SERVICES, LLC, VS.

CASPER RANKIN/Atty. for mv.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

44. 09-14685-B-7 HENRY ESCARZAGA HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [8]
JPMORGAN CHASE BANK, N.A., VS.

CASPER RANKIN/Atty. for mv.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief

includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

45. 08-15688-B-7 VITO GIUNTOLI, III HEARING - MOTION FOR RELIEF
PD #1 AND PATRICIA JO GIUNTOLI FROM STAY AS TO THE TRUSTEE
JPMORGAN CHASE BANK, N.A., VS. [20]

DISCHARGED 2/6/09

CASPER RANKIN/Atty. for mv.

The motion will be denied as moot as to the debtor(s), their discharge having been entered. The motion will be granted for cause shown as to the Chapter 7 trustee. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

47. 09-11994-B-7 JAVIER & PETRA CASAREZ HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [18]
HSBC BANK USA, AS TRUSTEE FOR MANA
2007-A2, VS. DISCHARGED 6/30/09

CASPER RANKIN/Atty. for mv.

The motion will be denied as moot as to the debtor(s), their discharge having been entered. The motion will be granted for cause shown as to the Chapter 7 trustee. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

48. 09-15095-B-7 STEVEN & STACY WILLIAMS HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [11]
WELLS FARGO BANK, N.A., VS.

CASPER RANKIN/Atty. for mv.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion

for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

11:30 A.M.

4. 09-12723-B-7 LUIS & APRIL PARRA HEARING - APPROVAL OF
BMS #1 REAFFIRMATION AGREEMENT WITH
FORD MOTOR CREDIT COMPANY LLC
[24]

BETH STRATTON/Atty. for mv.

The motion will be granted for cause shown without oral argument. The record reflects that the motion is unopposed.

6. 09-11839-B-7 DENISE L. O'NEAL HEARING - APPROVAL OF
REAFFIRMATION AGREEMENT WITH
KERN SCHOOLS FEDERAL CREDIT
UNION RE: 2006 TOYOTA TACOMA
PRERUNNER [22]

PRO SE

Reaffirmation of this debt has already been approved by order dated June 5, 2009. This hearing will be dropped from calendar. No appearance is necessary.

7. 09-11839-B-7 DENISE L. O'NEAL HEARING - APPROVAL OF
REAFFIRMATION AGREEMENT WITH
KERN SCHOOLS FEDERAL CREDIT
UNION RE: 2003 NISSAN XTERRA
[23]

PRO SE

Reaffirmation of this debt has already been denied pursuant to an order dated June 5, 2009. This reaffirmation agreement will be denied as well. No appearance is necessary.

12. 09-12560-B-7 HEATH & JILL KELSEY HEARING - APPROVAL OF
BMS #1 REAFFIRMATION AGREEMENT WITH
FORD MOTOR CREDIT COMPANY, LLC
[21]

BETH STRATTON/Atty. for mv.

The motion will be granted for cause shown without oral argument. The record reflects that the motion is unopposed.

18. 09-12687-B-7 MICHAEL & SARA KINSEY HEARING - APPROVAL OF
BMS #1 REAFFIRMATION AGREEMENT WITH

BETH STRATTON /Atty. for mv.

The motion will be granted for cause shown without oral argument. The record reflects that the motion is unopposed.

21. 09-13289-B-7 GARY WRIGHT HEARING - APPROVAL OF
BMS #1 AND KIM GRIFFIN REAFFIRMATION AGREEMENT WITH
FORD MOTOR CREDIT COMPANY, LLC
[14]

BETH STRATTON/Atty. for mv.

The motion will be granted for cause shown without oral argument. The record reflects that the motion is unopposed.

1:00 P.M.

4. 09-13405-B-13 TRACYE ROBBINS HEARING - TRUSTEE'S MOTION
MHM #1 TO DISMISS [20]
PETITION FILED 4/17/09

MICHAEL MEYER, TRUSTEE

The matter will be continued to August 5, 2009, at 1:00 p.m., for hearing with the modified plan. No appearance is necessary.

5. 09-14205-B-13 KAREN AULT HEARING - DEBTOR'S MOTION
TO VALUE COLLATERAL, AVOID LIEN
AND DETERMINE UNSECURED STATUS
OF FIRST FRANKLINS SECONDARY
LIEN DEED OF TRUST UNDER 11 USC
S.506(D) [21]
PETITION FILED 5/8/09

SCOTT HANSSLER/Atty. for dbt.

The motion will be denied without prejudice. The moving papers do not include an appropriate docket control number as required by Local Rule 9014-1(c). The form and/or content of the notice do not comply with Local Rule 9014-1(d). The proof of service fails to comply with Local Rule 9014-1(e)(3).

The motion seeks relief (avoidance and removal of a consensual lien), which will require state court litigation or an adversary proceeding after completion of the plan and entry of the discharge.

10. 08-13815-B-13 RITCHIE NOJADERA HEARING - DEBTOR'S MOTION
PWG #1 TO VALUE COLLATERAL OF WELLS
PETITION FILED 6/30/08 FARGO BANK, N.A. AND/OR U.S.

BANK, N.A. TR (6517 ARCIERO ST.,
BAKERSFIELD, CA) AND TREAT THE
CREDITOR'S CLAIM AS WHOLLY
UNSECURED UNDER 11 U.S.C.
S.506(A) AND (D) [45]

PHILLIP GILLET, JR./Atty. for dbt.

The motion will be granted for cause shown without oral argument. The record reflects that the motion is unopposed. The respondent's junior priority mortgage claim is found to be wholly unsecured and may be treated as a general unsecured claim in the chapter 13 plan. The debtor(s) may proceed under state law to obtain a reconveyance of respondent's trust deed upon completion of the chapter 13 plan and entry of the discharge.

11. 08-13815-B-13 RITCHIE NOJADERA HEARING - DEBTOR'S MOTION
PWG #1 TO MODIFY AND CONFIRM FIRST
PETITION FILED 6/30/08 MODIFIED CHAPTER 13 PLAN
FILED 5/26/09 [41]

PHILLIP GILLET, JR./Atty. for dbt.

The motion will be denied without prejudice. The motion is not supported by any evidence or analysis to show what was modified from the originally confirmed plan. The proposed modified plan is inconsistent with this court's order regarding payments dated 6/9/09.

12. 08-13815-B-13 RITCHIE NOJADERA HEARING - DEBTOR'S MOTION
PWG #3 TO VALUE COLLATERAL OF STATE
PETITION FILED 6/30/08 FARM BANK/G.E. MONEY BANK
[50]

PHILLIP GILLET, JR./Atty. for dbt.

The motion will be granted for cause shown without oral argument. The record reflects that the motion is unopposed. The collateral will be valued at \$6,000.

13. 09-13515-B-13 DAVID AND CHRISTINE RUBIO HEARING - DEBTORS' MOTION
DMG #1 TO VALUE COLLATERAL OF WELLS
PETITION FILED 4/21/09 FARGO [13]

D. MAX GARDNER/Atty. for dbt.

The matter has been resolved per stipulation and order filed with the court under docket control number APN-1. No appearance is necessary.

15. 08-13921-B-13 ANTHONY DALE DEBBS HEARING - MOTION FOR RELIEF
TJS #1 FROM STAY [40]
PETITION FILED 7/3/08

JPMORGAN CHASE BANK, N.A., VS.

TIMOTHY SILVERMAN/Atty. for mv.

The motion will be denied as moot. This secured claim is provided for in either Class 3 or Class 4 of the debtor(s) confirmed chapter 13 plan. The automatic stay for all Class 3 and Class 4 creditors was modified upon confirmation of the chapter 13 plan to permit enforcement of the creditor's remedies with regard to the collateral, so long as this case remains in chapter 13.

16. 09-10427-B-13 LARRY & ROSE MORELAND HEARING - FIRST APPLICATION
KDG #4 FOR ALLOWANCE OF FEES AND COSTS
PETITION FILED 1/21/09 FILED BY ATTORNEYS FOR DEBTORS
IN CHAPTER 13 CASE [60]

LEONARD WELSH/Atty. for dbt.

The motion will be granted for cause shown without oral argument. The record reflects that the motion is unopposed.

28. 09-14254-A-13 ANA MORALES HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO PAY \$100.00
PETITION FILED 5/11/09 DUE 5/28/09 [24]

PAID \$100.00 6/22/09

PRO SE

The record shows that this document has been filed and/or the required fee has been paid. The OSC will be dropped from calendar. No appearance is necessary.

35. 09-13168-B-13 GARY & SANDRA BOZARTH HEARING - DEBTORS' MOTION
NES #1 TO CONFIRM FIRST MODIFIED
PETITION FILED 4/10/09 CHAPTER 13 PLAN [18]

NEIL SCHWARTZ/Atty. for dbt.

The motion will be granted for cause shown without oral argument. The record reflects that the motion is unopposed.

42. 09-12777-B-13 RAYMOND & REINA CRUZ HEARING - DEBTORS' MOTION
SMS #1 TO CONFIRM CHAPTER 13 PLAN PRIOR
PETITION FILED 3/31/09 TO CONFIRMATION PURSUANT TO
11 U.S.C. S.1323(A)
[24]

STEVEN STANLEY/Atty. for dbt.

The motion will be granted for cause shown without oral argument. The record reflects that the motion is unopposed.

44. 09-14784-B-13 RICHARD AKERY HEARING - MOTION FOR RELIEF
MET #1 FROM STAY [13]
PETITION FILED 5/24/09

BANK OF THE WEST, VS.

MARY TANG/Atty. for mv.

The motion will be granted without oral argument for cause shown. The record reflects that the motion is unopposed. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

45. 09-14488-B-13 THOMAS TORPIN HEARING - OBJECTION TO
AND JENNIFER HUNTER-TORPIN CONFIRMATION OF CHAPTER 13 PLAN
PETITION FILED 5/15/09 BY DATHA DERRICK [14]

RABIN POURNAZARIAN/Atty. for obj.

The matter will be continued to August 5, 2009, at 1:00 p.m. The Trustee has not yet concluded the meeting of creditors. No appearance is necessary.

46. 09-14488-B-13 THOMAS TORPIN HEARING - TRUSTEE'S OBJECTION
MHM #1 AND JENNIFER HUNTER-TORPIN TO CONFIRMATION OF CHAPTER 13
PETITION FILED 5/15/09 PLAN [16]

MICHAEL MEYER, TRUSTEE

The matter will be continued to August 5, 2009, at 1:00 p.m. The Trustee has not yet concluded the meeting of creditors. No appearance is necessary.

52. 09-14771-B-13 BRENT & CARIN PALMER HEARING - AMENDED MOTION
FOR VALUATION OF DEBTORS'
PETITION FILED 5/23/09 RESIDENCE AND AVOIDANCE OF
JUNIOR TRUST DEED RE: ONEWEST
BANK FSB [22]

GEVA BAUMER/Atty. for dbt.

The motion will be denied without prejudice. The moving papers do not include an appropriate docket control number as required by Local Rule 9014-1(c). The proof of service fails to comply with Local Rule 9014-1(e)(3). The motion seeks relief (stripping of a consensual mortgage), which will require state court litigation or an adversary proceeding after completion of the plan and entry of the discharge.

In addition, the record does not establish that the motion was served on the creditor in compliance with Federal Rule of Bankruptcy Procedure 7004(b)(1) (service on an individual), 7004(b)(3) (corporation, partnership or unincorporated association) or 7004(h) (FDIC Insured Depository Institution). *In re Villar*, 317 B.R. 88 (9th Cir. BAP 2004). Information

regarding service on a corporation may be obtained from the California Secretary of State's Internet Website, see <http://keplar.ss.ca.gov//list.html>. For a directory of FDIC Insured Institutions, see <http://www3.fdic.gov/idasp/main.asp>. Litigants are encouraged to attach a copy of their information source (web page, etc.) to the proof of service to assist the court in evaluating compliance with Rule 7004.

53. 09-13782-B-13 EDUARDO & GLENDA VALLADARES HEARING - DEBTORS' MOTION
HAA #1 TO VALUE COLLATERAL OF
PETITION FILED 4/28/09 COUNTRYWIDE HOME LOANS [37]

HALE ANTICO/Atty. for dbt.

The motion will be denied without prejudice. This motion was only served with seven days' notice. The form and/or content of the notice do not comply with Local Rule 9014-1(d).

54. 09-13782-B-13 EDUARDO & GLENDA VALLADARES HEARING - DEBTORS' MOTION
HAA #2 TO VALUE COLLATERAL OF
PETITION FILED 4/28/09 SELECT PORTFOLIO SERVICING, INC.
[40]

HALE ANTICO/Atty. for dbt.

The motion will be denied without prejudice. This motion was only served with seven days' notice. The form and/or content of the notice do not comply with Local Rule 9014-1(d).

55. 09-13782-B-13 EDUARDO & GLENDA VALLADARES HEARING - DEBTORS' MOTION
HAA #3 TO VALUE COLLATERAL OF
PETITION FILED 4/28/09 AMERICREDIT FINANCIAL SERVICES,
INC. [43]

HALE ANTICO/Atty. for dbt.

The motion will be denied without prejudice. This motion was only served with seven days' notice. The form and/or content of the notice do not comply with Local Rule 9014-1(d).

3:00 P.M.

2. 09-14229-B-11 ENOS LANE FARM PROPERTIES, HEARING - APPLICATION FOR
WW #8 LLC PAYMENT OF INTERIM FEES AND/OR
WALTER & WILHELM LAW GROUP EXPENSES, COUNSEL FOR DEBTOR
[46]

NON-OPPOSITION BY LENDERS AND
FEDERAL HOME LOANS

RILEY WALTER/Atty. for dbt.
STEVEN FOX /atty for creditor

Interim approval of fees and costs will be granted for cause shown without oral argument. The record reflects that the motion is unopposed. Application of Applicant's retainer will be approved. Additional payment by the debtor at this time will be denied based on the debtor's May 2009 monthly operating report, which does not show a source of funds to pay these fees. This order shall not be construed as authorization to use cash collateral.