

UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable W. Richard Lee
Bankruptcy Judge
Fresno, California

Thursday, August 21, 2008

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS
DEPARTMENT B - FRESNO

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.

10:30 A.M.

2. 07-13014-B-7 VIENG & KESONE HONGTHAMALY CONT'D STATUS CONFERENCE
08-1038 [1]
SHERYL STRAIN, CH. 7 TRUSTEE, VS. CONT'D ANSWER BY DEFENDANT

THYSSENKRUPP SAFWAY, INC.

7/10
ROBERT HAWKINS/Atty. for pl.
WILLIAM IRELAND/Atty. for def.

It appears this adversary proceeding has been settled or the defendant(s) default has been entered. The status conference will be dropped and may be reset by any party on 10 days' notice. The court will issue a Notice of Intent to Dismiss if the adversary proceeding has not been concluded or set for further status conference within 60 days. The plaintiff(s) may request an extension of this time up to 30 days by ex parte application for cause.

3. 07-13014-B-7 VIENG & KESONE HONGTHAMALY CONT'D HEARING - PLAINTIFF'S
08-1038 RH #9 MOTION FOR SUMMARY JUDGMENT
SHERYL STRAIN, CH. 7 TRUSTEE, VS. [10]

THYSSENKRUPP SAFWAY, INC.

7/10
ROBERT HAWKINS/Atty. for pl.

This motion will be denied without prejudice for the reasons stated on the record on July 10, 2008. In addition, the matter appears to be settled.

4. 07-13014-B-7 VIENG & KESONE HONGTHAMALY CONT'D STATUS CONFERENCE ON
08-1065 FIRST AMENDED COMPLAINT
SARA L. KISTLER, ACTING UNITED [10]
STATES TRUSTEE, VS.
KESONE I. HONGTHAMALY CONT'D ANSWER BY DEFENDANT

7/10
MARK POPE/Atty. for pl.
PETER BUNTING/Atty. for def.

This adversary proceeding has already been dismissed. The scheduled hearing will therefore be dropped from calendar. No appearance is necessary.

9. 06-11966-B-7 DONALD BRADFORD STARK STATUS CONFERENCE
08-1127 [1]
JAMES SALVEN, CH. 7 TRUSTEE, VS. ANSWER BY DEFENDANT

VICTORIA E. STARK; DONALD BRADFORD
STARK, JR.

BETH STRATTON/Atty. for pl.
HILTON A. RYDER/Atty. for def.

This adversary proceeding has already been dismissed. The scheduled hearing will therefore be dropped from calendar. No appearance is necessary.

10. 08-11970-B-7 NOE & HERMELINDA REYNA STATUS CONFERENCE
08-1133 [1]

CHASE BANK USA, N.A., VS.

NOE REYNA

JEROME YELSKY/Atty. for pl.

It appears this adversary proceeding has been settled or the defendant(s) default has been entered. The status conference will be dropped and may be reset by any party on 10 days' notice. The court will issue a Notice of Intent to Dismiss if the adversary proceeding has not been concluded or set for further status conference within 60 days. The plaintiff(s) may request an extension of this time up to 30 days by ex parte application for cause.

13. 08-11490-B-7 MARIA NUNO KAMM STATUS CONFERENCE
08-1115 [1]
FIA CARD SERVICES, N.A., VS.
JUDGMENT ENTERED ON 7/29/08;
CASE CLOSED
MARIA NUNO KAMM

JEROME YELSKY/Atty. for pl.

The status conference will be dropped from calendar. This adversary proceeding has been resolved by stipulated judgment. No appearance is necessary.

1:30 P.M.

9. 07-13619-B-13 HENRY & ISABEL GUERRA HEARING - MOTION FOR
PBB #1 CONFIRMATION OF FIRST MODIFIED
PETITION FILED 11/1/07 CHAPTER 13 PLAN PURSUANT TO
USC SECTION 1329 [25]

PETER BUNTING/Atty. for dbt.

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

10. 08-12620-B-13 LENARD & MISTI HOGUE HEARING - MOTION TO DEFER
MAZ #1 CHAPTER 13 PAYMENTS [19]
PETITION FILED 5/8/08

MARK ZIMMERMAN/Atty. for dbt.

The motion will be denied without prejudice. The debtors seek relief which must be approved in a modified plan. The record does not show that the debtors filed and served a proposed modified plan with the moving papers in compliance with General Order 05-03, ¶18.

12. 08-11425-B-13 ROGER & ANNAMARIE LUJAN HEARING - MOTION TO VALUE
PLG #1 COLLATERAL OF COMMONWEALTH
PETITION FILED 3/17/08 CENTRAL CREDIT UNION
[22]

STEVEN ALPERT/Atty. for dbt.

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

13. 03-13735-B-13 JOSEPH ANTONIO CAMPOS HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [60]
PETITION FILED 4/21/03

WELLS FARGO HOME MORTGAGE, INC., VS.

CHRISTOPHER MCDERMOTT/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.

14. 06-11237-B-13 ALONZO VILLAGOMEZ HEARING - MOTION FOR
PBB #1 CONFIRMATION OF FIRST MODIFIED
PETITION FILED 8/14/06 CHAPTER 13 PLAN PURSUANT TO
11 U.S.C. SECTION 1329
[28]

PETER BUNTING/Atty. for dbt.

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

15. 08-12737-B-13 LARRY S. TOBACK HEARING - MOTION FOR
DRJ #2 CONFIRMATION OF FIRST MODIFIED
PETITION FILED 5/14/08 CHAPTER 13 PLAN [18]

DAVID JENKINS/Atty. for dbt.

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

16. 08-13843-B-13 ROBERT & REBECCA SALCIDO HEARING - MOTION TO VALUE
FJG #1 COLLATERAL OF EDUCATIONAL
PETITION FILED 6/30/08 EMPLOYEES CREDIT UNION
[16]

F. JOHN GIST/Atty. for dbt.

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

record reflects that the motion is unopposed.

18. 08-13849-B-13 CURTIS & SARAH SUMMERS HEARING - OBJECTION TO
SW #1 CONFIRMATION OF CHAPTER 13 PLAN
PETITION FILED 6/30/08 AND COLLATERAL MOTION BY NUVELL
CREDIT COMPANY LLC [14]

ADAM BARASCH/atty for creditor

This objection is premature because the creditor meeting has not been concluded. The matter will be continued to September 16, 2008, at 1:30 p.m. No appearance is necessary.

3:00 P.M.

1. 07-10271-B-12 JOHN & LINDA MENEZES HEARING - THIRD APPLICATION
KDG #15 FOR ALLOWANCE OF INTERIM
KLEIN, DENATALE, GOLDNER, COOPER, ATTORNEYS FEES AND COSTS
OSENLIB & KIMBALL [313]

LEONARD WELSH/Atty. for dbt.

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

2. 07-10673-B-12 ANTONIO & BERNADETTE GOMES HEARING - MOTION FOR TERMINATION
BMS #1 OF AUTOMATIC STAY OR FOR
FORD MOTOR CREDIT COMPANY, LLC, VS. ADEQUATE PROTECTION [112]

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.