

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Whitney Rimel
Bankruptcy Judge
Fresno, California

1. 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.

Following the hearing (not before), moving party shall submit an appropriate form of order. When the debtor's discharge has been entered, proposed orders for relief from stay should 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.

2. If a matter is denied without prejudice, the moving party may file a new motion or objection to claim with a new docket control number. It may not simply re-notice the original motion.

3. If no disposition is set forth below, the hearing will take place as scheduled.

May 12, 2009

1:30 p.m.

1. [09-12702](#)-A-7 SCOTT AIRCRAFT, INC. HEARING - MOTION FOR RELIEF
SPS #1 FROM STAY AND TO ANNUL THE
WEST AMERICA BANK, VS. AUTOMATIC STAY [[8](#)]

OST 4/30/09
SPENCER SCHEER/Atty. for mv.

2. [09-11503](#)-A-7 GILDA CAMPOS PRELIMINARY HEARING - MOTION
HTP #1 FOR RELIEF FROM STAY AND WAIVER
AMERICAN GENERAL FINANCIAL SERVICES, OF FRBP 4001(A)(3)
INC., VS. [[17](#)]

HANNO POWELL/Atty. for mv.

3. [08-17607](#)-A-7 DAWN S. WRIGHT HEARING - MOTION FOR RELIEF

PD #1
AMERICAN HOME MORTGAGE SERVICING,
INC., VS.

FROM STAY [[66](#)]

CHRISTOPHER MCDERMOTT/Atty. for mv.

Notice was adequate pursuant to Local Bankruptcy Rule 9014-1(f)(1). No timely opposition was filed. As set forth in the findings of fact stated on the record, relief from stay is warranted under 11 U.S.C. § 362(d)(1) and/or (d)(2). The motion is granted. To the extent that moving party seeks an order of adequate protection, such request is moot in light of the relief granted. To the extent moving party requests attorneys' fees, that request is denied without prejudice to a separately noticed motion setting forth legal and factual predicates for such award. The court determines that this bankruptcy proceeding has been finalized for purposes of Cal. Civil Code § 2923.5 and the enforcement of the note and deed of trust described in the motion against the subject real property. No appearance is necessary.

4. [09-11811](#)-A-7 ANTHONY HERNANDEZ
SW #1
WACHOVIA DEALER SERVICES, INC., VS.

HEARING - MOTION FOR RELIEF
FROM STAY [[14](#)]

ADAM BARASCH /Atty. for mv.

5. [09-12411](#)-A-7 JACKANETTE ROADCAP
WGM #1
U.S. BANK NATIONAL ASSOCIATION,
VS.

HEARING - MOTION FOR RELIEF
FROM STAY [[9](#)]

WILLIAM MALCOLM/Atty. for mv.

6. [09-12218](#)-A-7 JIMMY RODRIGUEZ
ND #1
INDYMAC FEDERAL BANK FSB, VS.

HEARING - MOTION FOR RELIEF
FROM STAY [[7](#)]

NICOLAS DALUIISO/Atty. for mv.

Notice was adequate pursuant to Local Bankruptcy Rule 9014-1(f)(1). No timely opposition was filed. As set forth in the findings of fact stated on the record, relief from stay is warranted under 11 U.S.C. § 362(d)(1) and/or (d)(2). The

motion is granted. To the extent that moving party seeks an order of adequate protection, such request is moot in light of the relief granted. To the extent moving party requests attorneys' fees, that request is denied without prejudice to a separately noticed motion setting forth legal and factual predicates for such award. The court determines that this bankruptcy proceeding has been finalized for purposes of Cal. Civil Code § 2923.5 and the enforcement of the note and deed of trust described in the motion against the subject real property. No appearance is necessary.

7. [09-10920](#)-A-7 MONICA RODRIGUEZ HEARING - MOTION FOR RELIEF
KMR #1 FROM STAY [[43](#)]
WELLS FARGO BANK, N.A., VS.

KELLY RAFTERY/Atty. for mv.

8. [09-12231](#)-A-7 SEAN M. SILVA HEARING - MOTION FOR RELIEF
DMG #1 FROM STAY [[7](#)]
CITIFINANCIAL AUTO CORP., VS.

DAVID GOODRICH/Atty. for mv.

Notice was adequate pursuant to Local Bankruptcy Rule 9014-1(f)(1). No timely opposition was filed. As set forth in the findings of fact stated on the record, relief from stay is warranted under 11 U.S.C. § 362(d)(1) and/or (d)(2). The motion is granted. To the extent that moving party seeks an order of adequate protection, such request is moot in light of the relief granted. To the extent moving party requests attorneys' fees, that request is denied without prejudice to a separately noticed motion setting forth legal and factual predicates for such award. No appearance is necessary.

9. [09-12151](#)-A-7 DOREESE DEE LOYD HEARING - MOTION FOR RELIEF
APN #1 FROM STAY [[11](#)]
WELLS FARGO FINANCIAL, VS.

AUSTIN NAGEL/Atty. for mv.

Notice was adequate pursuant to Local Bankruptcy Rule 9014-1(f)(1). No timely opposition was filed. As set forth in the findings of fact stated on the record, relief from stay is warranted under 11 U.S.C. § 362(d)(1) and/or (d)(2). The motion is granted. To the extent that moving party seeks an order of adequate protection, such request is moot in light of the relief granted. To the extent moving party requests attorneys' fees, that request is denied without prejudice to a separately noticed motion setting forth legal and factual predicates for

such award. No appearance is necessary.

10. [09-12251](#)-A-7 JOSE & GLORIA RIVERA HEARING - MOTION FOR RELIEF
SW #1 FROM STAY [[9](#)]
WACHOVIA DEALER SERVICES, INC., VS.

ADAM BARASCH /Atty. for mv.

11. [09-12366](#)-A-7 ROBERTO AND SAN JUANA HEARING - MOTION FOR RELIEF
KMR #1 CASTANEDA FROM STAY [[15](#)]
U.S. BANK NATIONAL ASSOCIATION,
VS.

KELLY RAFTERY/Atty. for mv.

12. [09-11667](#)-A-7 CHRISTOPHER DALKE HEARING - MOTION FOR RELIEF
JMS #1 AND TIFFANY KNOWLES FROM STAY [[14](#)]
CTX MORTGAGE COMPANY, LLC, VS.

JOHN SORICH/Atty. for mv.

Notice was adequate pursuant to Local Bankruptcy Rule 9014-1(f)(1). No timely opposition was filed. As set forth in the findings of fact stated on the record, relief from stay is warranted under 11 U.S.C. § 362(d)(1) and/or (d)(2). The motion is granted. To the extent that moving party seeks an order of adequate protection, such request is moot in light of the relief granted. To the extent moving party requests attorneys' fees, that request is denied without prejudice to a separately noticed motion setting forth legal and factual predicates for such award. The court determines that this bankruptcy proceeding has been finalized for purposes of Cal. Civil Code § 2923.5 and the enforcement of the note and deed of trust described in the motion against the subject real property. No appearance is necessary.

13. [07-11975](#)-A-7 MATTHEW & BRANDI KANADY HEARING - MOTION FOR RELIEF
SW #2 FROM STAY [[66](#)]
WACHOVIA DEALER SERVICES, INC., VS.

ADAM BARASCH /Atty. for mv.

14. [09-11777](#)-A-7 TOD & DONNA DALE
KMR #1
INDYMAC FEDERAL BANK FSB, VS.

HEARING - MOTION FOR RELIEF
FROM STAY [[11](#)]

KELLY RAFTERY/Atty. for mv.

Notice was adequate pursuant to Local Bankruptcy Rule 9014-1(f)(1). No timely opposition was filed. As set forth in the findings of fact stated on the record, relief from stay is warranted under 11 U.S.C. § 362(d)(1) and/or (d)(2). The motion is granted. To the extent that moving party seeks an order of adequate protection, such request is moot in light of the relief granted. To the extent moving party requests attorneys' fees, that request is denied without prejudice to a separately noticed motion setting forth legal and factual predicates for such award. The court determines that this bankruptcy proceeding has been finalized for purposes of Cal. Civil Code § 2923.5 and the enforcement of the note and deed of trust described in the motion against the subject real property. No appearance is necessary.

15. [09-12378](#)-A-7 LORRIE J. CUMMINGS
PD #1
WELLS FARGO HOME MORTGAGE, INC., VS.

HEARING - MOTION FOR RELIEF
FROM STAY [[8](#)]

CHRISTOPHER MCDERMOTT/Atty. for mv.

Notice was adequate pursuant to Local Bankruptcy Rule 9014-1(f)(1). No timely opposition was filed. As set forth in the findings of fact stated on the record, relief from stay is warranted under 11 U.S.C. § 362(d)(1) and/or (d)(2). The motion is granted. To the extent that moving party seeks an order of adequate protection, such request is moot in light of the relief granted. To the extent moving party requests attorneys' fees, that request is denied without prejudice to a separately noticed motion setting forth legal and factual predicates for such award. The court determines that this bankruptcy proceeding has been finalized for purposes of Cal. Civil Code § 2923.5 and the enforcement of the note and deed of trust described in the motion against the subject real property. No appearance is necessary.

16. [09-12281](#)-A-7 RICHARD POLSON
ND #1
INDYMAC FEDERAL BANK FSB, VS.

HEARING - MOTION FOR RELIEF
FROM STAY [[7](#)]

NICOLAS DALUIISO/Atty. for mv.

Notice was adequate pursuant to Local Bankruptcy Rule 9014-1(f)(1). No timely opposition was filed. As set forth in the findings of fact stated on the record, relief from stay is warranted under 11 U.S.C. § 362(d)(1) and/or (d)(2). The motion is granted. To the extent that moving party seeks an order of adequate protection, such request is moot in light of the relief granted. To the extent moving party requests attorneys' fees, that request is denied without prejudice to a separately noticed motion setting forth legal and factual predicates for such award. The court determines that this bankruptcy proceeding has been finalized for purposes of Cal. Civil Code § 2923.5 and the enforcement of the note and deed of trust described in the motion against the subject real property. No appearance is necessary.

17. [09-11085](#)-A-13 JULIO C. LOMBERA
ND #1
INDYMAC FEDERAL BANK FSB, VS.

HEARING - MOTION FOR RELIEF
FROM STAY [[19](#)]

NON-OPPOSITION BY DEBTOR

NICOLAS DALUIISO/Atty. for mv.
PAUL JAMES/Atty. for dbt.

Notice was adequate pursuant to Local Bankruptcy Rule 9014-1(f)(1). No timely opposition was filed. As set forth in the findings of fact stated on the record, relief from stay is warranted under 11 U.S.C. § 362(d)(1) and/or (d)(2). The motion is granted. To the extent that moving party seeks an order of adequate protection, such request is moot in light of the relief granted. To the extent moving party requests attorneys' fees, that request is denied without prejudice to a separately noticed motion setting forth legal and factual predicates for such award. The court determines that this bankruptcy proceeding has been finalized for purposes of Cal. Civil Code § 2923.5 and the enforcement of the note and deed of trust described in the motion against the subject real property. No appearance is necessary.

18. [09-12388](#)-A-7 DAVID P. KENDZORA
PD #1
WELLS FARGO HOME MORTGAGE, INC., VS.

HEARING - MOTION FOR RELIEF
FROM STAY [[10](#)]

CHRISTOPHER MCDERMOTT/Atty. for mv.

Notice was adequate pursuant to Local Bankruptcy Rule 9014-1(f)(1). No timely opposition was filed. As set forth in the findings of fact stated on the record, relief from stay is warranted under 11 U.S.C. § 362(d)(1) and/or (d)(2). The motion is granted. To the extent that moving party seeks an order of adequate protection, such request is moot in light of the relief granted. To the extent moving party requests attorneys' fees, that request is denied without prejudice to a separately noticed motion setting forth legal and factual predicates for such award. The court determines that this bankruptcy proceeding has been finalized for purposes of Cal. Civil Code § 2923.5 and the enforcement of the note and deed of trust described in the motion against the subject real property. No appearance is necessary.

19. [09-12190](#)-A-7 CHARLA D. MILLWEE HEARING - MOTION FOR RELIEF
BMS #1 FROM STAY OR FOR ADEQUATE
FORD MOTOR CREDIT COMPANY, LLC, VS. PROTECTION [[14](#)]

BETH STRATTON/Atty. for mv.

Notice was adequate pursuant to Local Bankruptcy Rule 9014-1(f)(1). No timely opposition was filed. As set forth in the findings of fact stated on the record, relief from stay is warranted under 11 U.S.C. § 362(d)(1) and/or (d)(2). The motion is granted. To the extent that moving party seeks an order of adequate protection, such request is moot in light of the relief granted. To the extent moving party requests attorneys' fees, that request is denied without prejudice to a separately noticed motion setting forth legal and factual predicates for such award. No appearance is necessary.

20. [09-12395](#)-A-7 JULIUS PETER WAGNER HEARING - MOTION FOR RELIEF
APN #1 FROM STAY [[14](#)]
WELLS FARGO FINANCIAL, VS.

AUSTIN NAGEL/Atty. for mv.

Notice was adequate pursuant to Local Bankruptcy Rule 9014-1(f)(1). No timely opposition was filed. As set forth in the findings of fact stated on the record, relief from stay is warranted under 11 U.S.C. § 362(d)(1) and/or (d)(2). The motion is granted. To the extent that moving party seeks an order of adequate protection, such request is moot in light of the relief granted. To the extent moving party requests attorneys' fees, that request is denied without prejudice to a separately noticed motion setting forth legal and factual predicates for such award. No appearance is necessary.

21. [09-12397](#)-A-7 KENNETH & PATRICIA BROWN HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [[9](#)]
WELLS FARGO HOME MORTGAGE, INC., VS.

CHRISTOPHER MCDERMOTT/Atty. for mv.

Notice was adequate pursuant to Local Bankruptcy Rule 9014-1(f)(1). No timely opposition was filed. As set forth in the findings of fact stated on the record, relief from stay is warranted under 11 U.S.C. § 362(d)(1) and/or (d)(2). The motion is granted. To the extent that moving party seeks an order of adequate protection, such request is moot in light of the relief granted. To the extent moving party requests attorneys' fees, that request is denied without prejudice to a separately noticed motion setting forth legal and factual predicates for such award. The court determines that this bankruptcy proceeding has been finalized for purposes of Cal. Civil Code § 2923.5 and the enforcement of the

note and deed of trust described in the motion against the subject real property.
No appearance is necessary.