

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.

July 14, 2009

1:30 p.m.

1. [09-12702](#)-A-7 SCOTT AIRCRAFT, INC. PRELIMINARY HEARING -
HTP #1 MOTION FOR RELIEF FROM AUTOMATIC
CENTRAL VALLEY COMMUNITY BANK, VS., STAY AND WAIVER OF FRBP 4001(A)
(3) [[39](#)]

HANNO POWELL/Atty. for mv.

2. [09-11503](#)-A-7 GILDA C. CAMPOS HEARING - MOTION FOR RELIEF
JCW #1 FROM STAY [[32](#)]
U.S. BANK NATIONAL ASSOCIATION, VS.
MOTION FILED 6/23/09
CASE CLOSED 6/23/09

JENNIFER WONG/Atty. for mv.

3. [09-14005](#)-A-7 ROBERT & TRACY MCKNIGHT HEARING - MOTION FOR RELIEF

SW #1
GENERAL MOTORS ACCEPTANCE CORP., VS.

FROM STAY [[13](#)]

ADAM BARASCH/Atty. for mv.

4. [09-14106](#)-A-7 BALWINDER/SAWARANJIT MANDAR HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [[16](#)]
WELLS FARGO BANK, N.A., VS.

CASPER RANKIN/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.

5. [09-12207](#)-A-7 JENNY NGUYEN HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [[22](#)]
BANK OF AMERICA, N.A., VS.

CASPER RANKIN/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.

6. [09-13007](#)-A-7 TERRI GLENN HOLFORD HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [[16](#)]

GMAC MORTGAGE, LLC, VS.

CASPER RANKIN/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. [09-14813](#)-A-7 AURELIO & ROSALBA CAMACHO HEARING - MOTION FOR RELIEF
TJS #1 FROM STAY [[9](#)]
JPMORGAN CHASE BANK, N.A., VS.

TIMOTHY SILVERMAN/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.

8. [09-14319](#)-A-7 JOSE VASQUEZ, SR. HEARING - MOTION FOR RELIEF
DMG #1 AND SANJUANA VASQUEZ FROM STAY [[11](#)]
CITIFINANCIAL AUTO CORP., VS.

DAVID GOODRICH/Atty. for mv.

9. [09-13122](#)-A-7 JERONIMA GOMEZ HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [[14](#)]
WELLS FARGO BANK, N.A., VS.

CASPER RANKIN/Atty. for mv.

10. [09-14322](#)-A-7 THOMAS & LINDA PATALANO HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [[8](#)]
US BANK NATIONAL ASSOCIATION, VS.

CASPER RANKIN/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.

11. [09-13323](#)-A-7 JOSE AVALOS-CIBRIAN AND HEARING - MOTION FOR RELIEF
BMS #1 NORMA BRAVO DE AVALOS FROM STAY OR FOR ADEQUATE
FORD MOTOR CREDIT COMPANY, LLC, VS. PROTECTION [[28](#)]

BETH STRATTON/Atty. for mv.

The property in question is personal property, and this is a consumer case. The creditor's claim is secured by a purchase money security interest, the debtor has failed timely to reaffirm or redeem the debt (11 U.S.C. § 521(a)(6)), and as the chapter 7 trustee has not timely filed a motion under § 362(h)(2) or § 521(a)(6), the stay has already terminated. 11 U.S.C. §§ 362(h); 521(a)(6). Therefore, the motion is denied as moot. No appearance is necessary.

12. [09-14723](#)-A-7 LISA E. JOHNSTON HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [[10](#)]
WELLS FARGO BANK, N.A., VS.

CASPER RANKIN/Atty. for mv.

13. [09-14824](#)-A-7 DELILAH MARGOT GARZA HEARING - MOTION FOR RELIEF
SW #1 FROM STAY [[9](#)]
WACHOVIA DEALER SERVICES, INC., VS.

BERNARD KORNBERG/Atty. for mv.

14. [09-13327](#)-A-7 MICHAEL & ELEANOR HALE HEARING - MOTION FOR RELIEF
WW #1 FROM STAY [[22](#)]
CHARLENE LACY, VS.

NORMAN D. MORRISON, IV/Atty. for mv.

15. [09-12330](#)-A-7 ERNEST & JUANITA GONZALES HEARING - MOTION FOR RELIEF
PD #2 FROM STAY [[40](#)]
DEUTSCHE BANK NATIONAL TRUST
COMPANY, VS.

CASPER RANKIN/Atty. for mv.

16. [09-13236](#)-A-7 ADOLFO & SARA VALENZUELA HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [[14](#)]
BANK OF AMERICA NATIONAL
ASSOCIATION, VS.

CASPER RANKIN/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. [09-13236](#)-A-7 ADOLFO & SARA VALENZUELA HEARING - MOTION FOR RELIEF
PD #2 FROM STAY [[22](#)]
BANK OF AMERICA NATIONAL
ASSOCIATION, VS.

CASPER RANKIN/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.

18. [09-13436](#)-A-7 TOU MO YANG HEARING - MOTION FOR RELIEF
JDL #1 AND SY LY FROM STAY [[43](#)]
DOWNEY SAVINGS AND LOAN ASSOCIATION,
F.A., VS.

JOEY DELEON/Atty. for mv.

19. [09-13737](#)-A-7 HENRY YBARRA, JR. HEARING - MOTION FOR RELIEF
ABG #1 FROM STAY [[9](#)]
KINECTA FEDERAL CREDIT UNION, VS.

MARK BLACKMAN/Atty. for mv.

20. [09-13341](#)-A-7 NICHOLAS L. NAHIAL HEARING - MOTION FOR RELIEF
HRH #1 FROM STAY [[23](#)]
COLONIAL PACIFIC LEASING CORP., VS.

RAFFI KHATCHADOURIAN/Atty. for mv.

21. [09-13741](#)-A-7 GERARDO & SUSIE GALLEGOS HEARING - MOTION FOR RELIEF
JCW #1 FROM STAY [[18](#)]
WACHOVIA MORTGAGE CORP., VS.

JENNIFER WONG/Atty. for mv.

22. [09-14544](#)-A-7 DANA S. JORDAN HEARING - MOTION FOR RELIEF
SW #1 FROM STAY [[11](#)]
WACHOVIA DEALER SERVICES, INC., VS.

BERNARD KORNBERG/Atty. for mv.

23. [09-13650](#)-A-7 WILLIAM & DELMY BONILLA HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [[15](#)]
JPMORGAN CHASE BANK, N.A., VS.

CASPER RANKIN/Atty. for mv.

24. [09-12456](#)-A-7 CHARLIE R. MORENO HEARING - MOTION FOR RELIEF
WGM #1 FROM STAY [[10](#)]
BAC HOME LOANS SERVICING, L.P., VS.
DISCHARGED 6/30/09

WILLIAM MALCOLM/Atty. for mv.

25. [09-14258](#)-A-7 ANGEL & PAULA CASAS HEARING - MOTION FOR RELIEF
JCW #1 FROM STAY [[17](#)]
U.S. BANK NATIONAL ASSOCIATION, VS.

JENNIFER WONG/Atty. for mv.

26. [09-12961](#)-A-7 MICHELLE RICKS HEARING - MOTION FOR RELIEF
BMS #1 FROM STAY OR FOR ADEQUATE
CAB WEST, LLC, VS. PROTECTION [[24](#)]

BETH STRATTON/Atty. for mv.

The property in question is personal property, and this is a consumer case. The creditor's claim is secured by a purchase money security interest, the debtor has failed timely to reaffirm or redeem the debt (11 U.S.C. § 521(a)(6)), and as the chapter 7 trustee has not timely filed a motion under § 362(h)(2) or § 521(a)(6), the stay has already terminated. 11 U.S.C. §§ 362(h); 521(a)(6). Therefore, the motion is denied as moot. No appearance is necessary.

27. [09-12465](#)-A-7 GABRIEL & MARIA ROBLES HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [[24](#)]
WELLS FARGO BANK, N.A., VS.

CASPER RANKIN/Atty. for mv.

28. [09-14067](#)-A-7 ARMANDO MAGALLON HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [[19](#)]
HSBC BANK USA, N.A., VS.
MOTION FILED 6/17/09
CASE DISMISSED 6/18/09

CASPER RANKIN/Atty. for mv.

The case having been dismissed, the matter is moot. No appearance is necessary.

29. [09-14468](#)-A-7 HUMBERTO & ANNY ARROYO HEARING - MOTION FOR RELIEF
RCO #1 FROM STAY [[16](#)]
BANK OF AMERICA, N.A., VS.

JONATHAN DAMEN/Atty. for mv.

30. [09-11472](#)-A-7 GREG & CATHERINE RIOLO HEARING - MOTION FOR RELIEF
LRP #1 FROM STAY [[19](#)]
PREMIER VALLEY BANK, VS. DISCHARGED 6/10/09

KIRSTEN ZUMWALT/Atty. for mv.

31. [09-15473](#)-A-7 MARTHA LOPEZ HEARING - MOTION FOR RELIEF
DMG #1 FROM STAY [[7](#)]
CITIFINANCIAL AUTO CORP., VS.

DAVID GOODRICH/Atty. for mv.

32. [09-14374](#)-A-7 ABNER ANGUIANO HEARING - MOTION FOR RELIEF
APN #1 AND ALEJANDRA ARVIZU FROM STAY [[17](#)]
TOYOTA MOTOR CREDIT CORP., 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.

33. [09-13280](#)-A-7 VICTOR & MARIA SANCHEZ HEARING - MOTION FOR RELIEF
BMS #2 FROM STAY OR FOR ADEQUATE
FORD MOTOR CREDIT COMPANY, LLC, VS. PROTECTION [[34](#)]

BETH STRATTON/Atty. for mv.

34. [09-13280](#)-A-7 VICTOR & MARIA SANCHEZ HEARING - MOTION FOR RELIEF
BMS #3 FROM STAY OR FOR ADEQUATE
FORD MOTOR CREDIT COMPANY, LLC, VS. PROTECTION [[27](#)]

BETH STRATTON/Atty. for mv.

The property in question is personal property, and this is a consumer case. The creditor's claim is secured by a purchase money security interest, the debtor has failed timely to reaffirm or redeem the debt (11 U.S.C. § 521(a)(6)), and as the chapter 7 trustee has not timely filed a motion under § 362(h)(2) or § 521(a)(6), the stay has already terminated. 11 U.S.C. §§ 362(h); 521(a)(6). Therefore, the motion is denied as moot. No appearance is necessary.

35. [09-12382](#)-A-7 GEORGE GIL HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [[30](#)]
GMAC MORTGAGE, LLC, VS.

CASPER RANKIN/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.

36. [09-11984](#)-A-7 WOODY & PATRICIA OAKLEY HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [[13](#)]
WELLS FARGO BANK, NA, VS.

NON-OPPOSITION BY DEBTORS

DISCHARGED 6/24/09

CASPER RANKIN/Atty. for mv.
SUSAN MOORE/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). As the debtor has been discharged, the motion is denied as moot as to the debtor. The motion is granted as to the trustee. 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.

37. [09-12686](#)-A-7 DEBORA L. MILLER
PD #1
WELLS FARGO BANK, N.A., VS.

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

DISCHARGED 7/7/09

CASPER RANKIN/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). As the debtor has been discharged, the motion is denied as moot as to the debtor. The motion is granted as to the trustee. 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.

38. [09-13492](#)-A-7 REBECCA FERNANDEZ
PD #1
US BANK NATIONAL ASSOCIATION, VS.

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

CASPER RANKIN/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.

39. [09-14297](#)-A-7 GREGORY & REDA MYERS
PD #1
BANK OF AMERICA, N.A., VS.

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

CASPER RANKIN/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.