

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 28, 2009**

**9:00 a.m.**

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1. [06-11200](#)-A-13 WILLARD & JOSEPHINE PRINCE  
DPA #1  
PETITION FILED 8/9/06

HEARING - DEBTORS' MOTION  
TO CONFIRM SECOND MODIFIED  
CHAPTER 13 PLAN [[64](#)]

WITHDRAWAL OF SECOND MODIFIED  
PLAN AND WITHDRAWAL OF MOTION  
FILED 7/10/09

DAVID ADALIAN/Atty. for dbt.

**As the plan and motion have been withdrawn, this matter is moot. No appearance is necessary.**

2. [05-13740](#)-A-13 STEVEN & MICHELE DOLL  
KMR #1  
PETITION FILED 6/5/09

HEARING - MOTION FOR RELIEF  
FROM STAY [[58](#)]

NON-OPPOSITION BY DEBTORS

JPMORGAN CHASE BANK, N.A., VS.

KELLY RAFTERY/Atty. for mv.  
PETER BUNTING/Atty. for dbt.

3. [08-16372](#)-A-13 DANA MARIE ROGERS  
PLF #3  
PETITION FILED 10/9/08

HEARING - DEBTOR'S MOTION  
FOR ORDER AUTHORIZING COMPROMISE  
OF CONTROVERSIES AND APPROVING  
CONTINGENCY ATTORNEY FEES  
[[44](#)]

PETER FEAR/Atty. for dbt.

**Notice was adequate pursuant to Local Bankruptcy Rule 9014-1(f)(1). No timely written opposition has been filed. The moving party has met his burden of proof that the compromise is in the best interests of the estate, considering, as relevant, the probability of success in the litigation; the likely difficulties in collection; complexity of the litigation; expense, inconvenience and delay attending litigation; and the paramount interests of creditors. The motion is granted. No appearance is necessary.**

4. [06-10583](#)-A-13 ELYSE LEE ZAVALA  
HDN #2  
PETITION FILED 5/4/06

HEARING - DEBTOR'S MOTION  
FOR ENTRY OF CHAPTER 13  
DISCHARGE 11 U.S.C. S.1328)A)  
[[26](#)]

HENRY NUNEZ/Atty. for dbt.

**The motion is denied without prejudice. Notice fails to comply with LBR 9014-1(f)(1). No appearance is necessary.**

9:02 a.m.

1. [08-16022](#)-A-13 RODNEY & PAMELA MEANS  
MNE #2  
PETITION FILED 9/25/08

HEARING - TRUSTEE'S MOTION  
TO DISMISS [[35](#)]

M. NELSON ENMARK, TRUSTEE

2. [08-14749](#)-A-13 BURL & KELLY BAKER  
MNE #2  
PETITION FILED 8/7/08

HEARING - TRUSTEE'S MOTION  
TO DISMISS [[31](#)]

M. NELSON ENMARK, TRUSTEE

3. [07-12059](#)-A-13 RICHARD & FRANCES LANKFORD HEARING - TRUSTEE'S MOTION  
MNE #2 TO DISMISS [[43](#)]  
PETITION FILED 7/11/07

M. NELSON ENMARK, TRUSTEE

9:03 a.m.

1. [09-12511](#)-A-13 CANDACE STORY HEARING - MOTION FOR RELIEF  
JCW #1 FROM STAY [[28](#)]  
PETITION FILED 3/25/09

CASE DISMISSED 6/5/09

U.S. BANK NATIONAL ASSOCIATION, VS.

JENNIFER WONG/Atty. for mv.

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

2. [09-11813](#)-A-13 RICHARD SERRANO HEARING - DEBTOR'S MOTION  
FJG #1 TO VALUE COLLATERAL OF  
PETITION FILED 3/5/09 CITIFINANCIAL [[32](#)]

F. JOHN GIST/Atty. for dbt.

**The matter is resolved without oral argument. The court's records indicate that no timely written opposition has been filed. The motion is granted. No appearance is necessary.**

3. [09-11813](#)-A-13 RICHARD SERRANO HEARING - DEBTOR'S MOTION  
FJG #2 TO CONFIRM FIRST MODIFIED  
PETITION FILED 3/5/09 PLAN [[38](#)]

F. JOHN GIST/Atty. for dbt.

**The motion is resolved without oral argument. Notice of the motion to confirm the modified plan was adequate. No timely written opposition has been filed.**

**The plan satisfies the requirements of 11 U.S.C. § 1325. The motion is granted. No appearance is necessary.**

4. [09-11522](#)-A-13 DANIEL & PATRICIA KELLER HEARING - DEBTORS' MOTION  
FJG #2 TO CONFIRM PROPOSED FIRST  
PETITION FILED 2/25/09 MODIFIED PLAN [[32](#)]

OPPOSITION BY TRUSTEE

F. JOHN GIST/Atty. for dbt.  
MICHAEL MEYER, TRUSTEE

5. [09-10228](#)-A-13 RANDOLPH & FAITH HILL HEARING - MOTION FOR RELIEF  
PPR #1 FROM STAY [[50](#)]  
PETITION FILED 1/13/09

KONDAUR CAPITAL CORP., VS.

CASSANDRA RICHEY/Atty. for mv.

**The chapter 13 plan has been confirmed. Moving party has a secured claim that is in Class 3 or Class 4 of the confirmed plan. Entry of the order confirming the plan constituted an order modifying the automatic stay to allow the creditor to exercise its rights against the collateral in the event of a default. Moving party has not filed evidence that it is the real party in interest. Therefore, the motion is denied as moot and unnecessary. No appearance is necessary.**

6. [09-14330](#)-A-13 ROBERT & CHERYL JONES FINAL HEARING - TRUSTEE'S  
MHM #1 OBJECTION TO CONFIRMATION OF  
PETITION FILED 5/12/09 CHAPTER 13 PLAN [[15](#)]

DEANNA HAZELTON/Atty. for trst.

7. [09-11232](#)-A-13 RICHARD THOMASON, JR. HEARING - MOTION FOR RELIEF  
RCO #1 AND REBECCA THOMASON FROM STAY [[30](#)]  
PETITION FILED 2/17/09

CASE DISMISSED 7/9/09

CAPITAL BENEFIT MORTGAGE, INC., VS.

JONATHAN DAMEN/Atty. for mv.

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

8. [09-14433](#)-A-13 SATURNINO & LEAHLYN RUSSEL FINAL HEARING - TRUSTEE'S  
MHM #1 OBJECTION TO CONFIRMATION OF  
PETITION FILED 5/14/09 CHAPTER 13 PLAN [[19](#)]

RESPONSE BY DEBTORS

DEANNA HAZELTON/Atty. for trst.  
GARY HUSS/Atty. for dbt.

9. [09-13936](#)-A-13 CHRISTOPHER & IRIS RACKLEY HEARING - DEBTORS' MOTION  
MNE #3 TO CONFIRM FIRST MODIFIED  
PETITION FILED 4/30/09 CHAPTER 13 PLAN [[35](#)]

OPPOSITION BY TRUSTEE

M. NELSON ENMARK/Atty. for dbt.  
MICHAEL MEYER, TRUSTEE

10. [09-13840](#)-A-13 LAWRENCE & ADELINE FORD HEARING - MOTION FOR RELIEF  
KMR #1 FROM STAY [[35](#)]  
PETITION FILED 4/29/09

AURORA LOAN SERVICES, LLC, VS.

KELLY RAFTERY/Atty. for mv.

11. [09-12141](#)-A-13 RUBEN GONZALES, JR. HEARING - DEBTOR'S MOTION  
ASW #1 TO VALUE COLLATERAL OF LEVITZ  
PETITION FILED 3/18/09 FURNITURE [[86](#)]

ADRIAN S. WILLIAMS/Atty. for dbt.

12. [09-12141](#)-A-13 RUBEN GONZALES, JR.  
ASW #3  
PETITION FILED 3/18/09

HEARING - DEBTOR'S MOTION  
TO VALUE COLLATERAL OF BANK  
OF AMERICA [[86](#)]

ADRIAN S. WILLIAMS/Atty. for dbt.

13. [09-12141](#)-A-13 RUBEN GONZALES, JR.  
ASW #6  
PETITION FILED 3/18/09

HEARING - DEBTOR'S MOTION  
TO CONFIRM SECOND MODIFIED  
CHAPTER 13 PLAN [[87](#)]

ADRIAN S. WILLIAMS/Atty. for dbt.

14. [09-15641](#)-A-13 PAUL ARROYO MUNOZ  
PETITION FILED 6/17/09

HEARING - ORDER TO SHOW CAUSE  
FOR FAILURE TO FILE A MASTER  
ADDRESS LIST [[12](#)]

FILED 7/2/09

GEOFFREY ADALIAN/Atty. for dbt.

15. [09-14052](#)-A-13 THOMAS & LAURA WILLIG  
HTK #1  
PETITION FILED 5/4/09

HEARING - DEBTORS' MOTION  
TO CONFIRM FIRST AMENDED  
CHAPTER 13 PLAN [[55](#)]

OPPOSITION BY TRUSTEE

7/20/09 WITHDRAWAL OF MOTION AND  
FIRST AMENDED PLAN

H. TY KHARAZI/Atty. for dbt.  
DEANNA HAZELTON/Atty. for trst.

**As the plan and motion have been withdrawn, this matter is moot. No appearance is necessary.**

16. [09-14052](#)-A-13 THOMAS & LAURA WILLIG  
MHM #1  
PETITION FILED 5/4/09

HEARING - TRUSTEE'S OBJECTION  
TO DEBTORS' CLAIM OF EXEMPTIONS  
[[67](#)]

DEANNA HAZELTON/Atty. for trst.

17. [09-12568](#)-A-13 CHARLES & JANET KIDD  
DRJ #2  
PETITION FILED 3/26/09

HEARING - DEBTORS' OBJECTION  
TO CLAIM NO. 2 FILED BY  
THE INTERNAL REVENUE SERVICE  
[[31](#)]

HEARING RESCHEDULED TO 10/29/09  
AT 9 A.M., BY STIPULATED ORDER  
FILED 7/21/09

DAVID JENKINS/Atty. for dbt.

**The hearing having been rescheduled to October 29, 2009, at 9:00 a.m., no appearance is necessary July 28, 2009.**

18. [09-12568](#)-A-13 CHARLES & JANET KIDD  
DRJ #3  
PETITION FILED 3/26/09

HEARING - DEBTORS' OBJECTION  
TO CLAIM NO. 12 FILED BY THE  
FRANCHISE TAX BOARD [[28](#)]

WITHDRAWAL FILED 7/17/09

DAVID JENKINS/Atty. for dbt.

**As the objection has been withdrawn, this matter is moot. No appearance is necessary.**

19. [09-15669](#)-A-13 JACK M. RAMOS  
PETITION FILED 6/17/09

HEARING - ORDER TO SHOW CAUSE  
FOR FAILURE TO FILE ATTORNEY'S  
DISCLOSURE STATEMENT; CHAPTER 13  
PLAN; MEANS TEST FORM 22C;  
SCHEDULES A-J; STATEMENT OF  
FINANCIAL AFFAIRS; STATISTICAL  
SUMMARY; SUMMARY OF SCHEDULES  
[[11](#)]

KEVIN O'CASEY/Atty. for dbt.

20. [09-15669](#)-A-13 JACK M. RAMOS

HEARING - ORDER TO SHOW CAUSE  
FOR FAILURE TO PAY \$100.00  
DUE 7/8/09 [[13](#)]

PETITION FILED 6/17/09

KEVIN O'CASEY/Atty. for dbt.

21. [09-10573](#)-A-13 SAMUEL ALAN HALEY

HEARING - PLAINTIFF'S REQUEST  
FOR DEFAULT JUDGMENT [[10](#)]

[09-1049](#) UST #1  
SARA L. KISTLER, ACTING UNITED  
STATES TRUSTEE, VS.  
SAMUEL ALAN HALEY

PARENT CASE DISMISSED 3/12/09  
GREGORY POWELL/Atty. for pl.

**The matter is resolved without oral argument. The court's records indicate that no timely written opposition has been filed. The motion is granted. No appearance is necessary.**

22. [09-14177](#)-A-13 ROBERT FIELDS

HEARING - DEBTOR'S MOTION  
TO VALUE COLLATERAL OF PACIFIC  
SERVICE CREDIT UNION [[14](#)]

MNE #1  
PETITION FILED 5/7/09

M. NELSON ENMARK/Atty. for dbt.

**The matter is resolved without oral argument. The court's records indicate that no timely written opposition has been filed. The motion is granted. No appearance is necessary.**

23. [08-17879](#)-A-13 KELLY & JESSICA O'KEEFE

HEARING - MOTION FOR RELIEF  
FROM STAY [[51](#)]

KEH #1  
PETITION FILED 12/2/08

HARLEY-DAVIDSON FINANCIAL SERVICES,  
VS.

KEITH HERRON/Atty. for mv.

**The chapter 13 plan has been confirmed. Moving party has a secured claim that is in Class 3 or Class 4 of the confirmed plan. Entry of the order confirming the plan constituted an order modifying the automatic stay to allow the creditor to exercise its rights against the collateral in the event of a default. Therefore, the motion is denied as moot and unnecessary. No appearance is necessary.**

24. [09-14189](#)-A-13 RICHARD & LUCILA DEAN HEARING - DEBTORS' MOTION  
SNM #1 TO VALUE COLLATERAL OF PHH  
PETITION FILED 5/7/09 MORTGAGE CORPORATION [[27](#)]

STEPHEN MURPHY/Atty. for dbt.

**The matter is resolved without oral argument. The court's records indicate that no timely written opposition has been filed. The motion is granted. No appearance is necessary.**

25. [09-14189](#)-A-13 RICHARD & LUCILA DEAN HEARING - DEBTORS' MOTION  
SNM #2 TO CONFIRM SECOND MODIFIED PLAN  
PETITION FILED 5/7/09 FILED ON 6/18/09 [[38](#)]

NOTICE OF WITHDRAWAL FILED  
7/1/09

STEPHEN MURPHY/Atty. for dbt.

**As the motion has been withdrawn, this matter is moot. No appearance is necessary.**

26. [09-15590](#)-B-13 FRANCISCO RODRIGUEZ HEARING - ORDER TO SHOW CAUSE  
FOR FAILURE TO SUBMIT  
PETITION FILED 6/16/09 STATEMENT OF SOCIAL SECURITY  
NUMBER FRBP 1007(F)  
[[7](#)]

PRO SE

27. [09-15590](#)-B-13 FRANCISCO RODRIGUEZ HEARING - ORDER TO SHOW CAUSE  
FOR FAILURE TO FILE A MASTER  
PETITION FILED 6/16/09 ADDRESS LIST [[8](#)]

PRO SE

28. [09-15590](#)-B-13 FRANCISCO RODRIGUEZ HEARING - ORDER TO SHOW CAUSE  
PETITION FILED 6/16/09 FOR FAILURE TO FILE CHAPTER 13  
PLAN; EXHIBIT D W/CERTIFICATE;  
MEANS TEST FORM 22C; SCHEDULES  
A-J; STATEMENT OF FINANCIAL  
AFFAIRS; STATISTICAL SUMMARY;  
SUMMARY OF SCHEDULES [[13](#)]

PRO SE

29. [09-14191](#)-A-13 BERNIE MORRIS BIBB, JR. HEARING - DEBTORS' MOTION  
THA #1 AND MARY ELIZABETH BIBB TO CONFIRM CHAPTER 13 PLAN  
PETITION FILED 5/8/09 PURSUANT TO 11 U.S.C. S.1325  
[[16](#)]

OPPOSITION BY JANE RATZLAFF  
AND MICHAEL RATZLAFF

THOMAS ARMSTRONG/Atty. for dbt.  
THOMAS MCLAUGHLIN/Atty. for obj.

30. [09-14098](#)-A-13 RICHARD & CRISTINE ESTRADA HEARING - DEBTORS' MOTION  
ALG #1 TO CONFIRM FIRST MODIFIED  
PETITION FILED 5/6/08 CHAPTER 13 PLAN [[17](#)]

JANINE ESQUIVEL/Atty. for dbt.

31. [09-12141](#)-A-13 RUBEN GONZALES, JR. HEARING - DEBTOR'S MOTION  
ASW #2 TO VALUE COLLATERAL OF THE  
PETITION FILED 3/18/09 HOLDER OF 2ND TRUST DEED  
AMERICA'S SERVICING COMPANY  
[[86](#)]

ADRIAN S. WILLIAMS/Atty. for dbt.

**9:04 a.m.**

1. [09-12510](#)-A-13 DAVID WOSSNE AND STATUS CONFERENCE  
[09-1102](#) ANESHA SHILOH [[1](#)]  
DAVID WOSSNE AND ANESHA SHILOH, VS.

FORD MOTOR CREDIT

SUSAN HEMB /Atty. for pl.

2. [08-18065](#)-A-13 JOSE & TIFFANY CASTILLO STATUS CONFERENCE  
[09-1094](#) [1]  
JOSE E. CASTILLO, AND  
TIFFANY A. CASTILLO, VS.  
HOME LOAN SERVICES, INC.

PETER FEAR/Atty. for pl.

3. [09-10371](#)-A-13 JOHNNY RODRIGUEZ, JR. STATUS CONFERENCE  
[09-1101](#) AND ROBIN RODRIGUEZ [1]  
JOHNNY RODRIGUEZ, JR. AND  
ROBIN M. RODRIGUEZ, VS.  
HSBC BANK NEVADA

SUSAN HEMB /Atty. for pl.

**9:05 a.m.**

1. [09-13904](#)-A-13 BROCK & CHERYL NAVARRO CONT'D HEARING - TRUSTEE'S  
MHM #1 MOTION TO DISMISS [16]  
PETITION FILED 4/30/09 RESPONSE BY DEBTORS

MICHAEL MEYER, TRUSTEE  
GARY HUSS/Atty. for dbt.

2. [09-12520](#)-A-13 STEVEN & OLIVIA DUARTE CONT'D HEARING - TRUSTEE'S  
MHM #1 MOTION TO DISMISS [23]  
PETITION FILED 3/25/09

MICHAEL MEYER, TRUSTEE

3. [09-12841](#)-A-13 MARTIN & KELLY HOLDER  
MHM #2  
PETITION FILED 4/1/09

HEARING - TRUSTEE'S MOTION  
TO DISMISS [[51](#)]

RESPONSE BY DEBTORS

CONVERTED TO CHAPTER 7 7/16/09

MICHAEL MEYER, TRUSTEE  
M. NELSON ENMARK/Atty. for dbt.

**The case having been converted to chapter 7, the motion is moot. No appearance is necessary.**

4. [09-14582](#)-A-13 WHSYEENA FLOWERS-KIRKLAND  
MHM #1  
PETITION FILED 5/18/09

HEARING - TRUSTEE'S MOTION  
TO DISMISS [[17](#)]

MICHAEL MEYER, TRUSTEE

**9:30 a.m.**

1. [09-15080](#)-A-12 FRANK S. DORES, SR.  
LRP #1 AND MARY L. DORES  
LUIS OLIVEIRA AND ANGELA OLIVEIRA,  
VS.

HEARING - MOTION FOR RELIEF  
FROM STAY TO ENFORCE  
NONRESIDENTIAL REAL PROPRTY  
LEASE [[63](#)]

RENE LASTRETO, II/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.**

2. [09-15080](#)-A-12 FRANK S. DORES, SR.  
SJS #6 AND MARY L. DORES

HEARING - DEBTORS' MOTION TO  
SELL ASSETS FREE AND CLEAR OF  
LIENS AND INTERESTS [[86](#)]

OBJECTIONS OF THE USA, FARM  
SERVICE AGENCY

STEVEN J. SIBLEY/Atty. for mv.  
JEFF MOULTON/Atty. for obj.

3. [09-15080](#)-A-12 FRANK S. DORES, SR.  
SJS #4 AND MARY L. DORES

CONT'D HEARING - DEBTORS' MOTION  
FOR CONTINUED USE OF CASH  
COLLATERAL (JULY 1-31, 2009)

[[35](#)]

OPPOSITION BY FARMERS & MERCHANT  
BANK OF CENTRAL CALIFORNIA;  
OBJECTION BY CALIFORNIA DAIRIES,  
INC.; STATEMENT BY VLOT BROTHERS  
CUSTOM CALF RAISING

STEVEN SIBLEY/Atty. for dbt.  
DON POOL/Atty. for obj.  
ALBERT BERRYMAN/Atty. for obj.

**11:00 a.m.**

1. [09-13912](#)-A-7 DONNA MILLER  
BMS #1

HEARING - APPROVAL OF  
REAFFIRMATION AGREEMENT WITH  
FORD MOTOR CREDIT COMPANY, LLC

[[13](#)]

BETH STRATTON /Atty. for mv.

2. [09-13414](#)-A-7 ALVA & PAULA JOOSTEN  
BMS #1

HEARING - APPROVAL OF  
REAFFIRMATION AGREEMENT WITH  
FORD MOTOR CREDIT COMPANY LLC

[[19](#)]

BETH STRATTON/Atty. for mv.

**As the agreement has been signed by debtor's attorney and there is no presumption of undue hardship, the court abstains. No appearance is necessary.**

3. [09-12330](#)-A-7 ERNEST & JUANITA GONZALES

HEARING - APPROVAL OF  
REAFFIRMATION AGREEMENT WITH  
U.S. BANK [[50](#)]

DAVID JENKINS/Atty. for dbt.

4. [09-12952](#)-A-7 KYLE & SALLY EHLERS HEARING - APPROVAL OF  
BMS #1 REAFFIRMATION AGREEMENT WITH  
FORD MOTOR CREDIT COMPANY, LLC  
[[26](#)]

BETH STRATTON /Atty. for mv.

**As the agreement has been signed by debtor's attorney and there is no presumption of undue hardship, the court abstains. No appearance is necessary.**

5. [09-13161](#)-A-7 CECILIO & IRMA OROZCO HEARING - APPROVAL OF  
BMS #1 REAFFIRMATION AGREEMENT WITH  
MAZDA AMERICAN CREDIT [[14](#)]

BETH STRATTON /Atty. for mv.

**As the agreement has been signed by debtor's attorney and there is no presumption of undue hardship, the court abstains. No appearance is necessary.**

6. [09-14471](#)-A-7 ANGELO & JANICE ESVER HEARING - APPROVAL OF  
REAFFIRMATION AGREEMENT WITH  
HSBC [[17](#)]

SUSAN HEMB/Atty. for dbt.

7. [09-14471](#)-A-7 ANGELO & JANICE ESVER HEARING - APPROVAL OF  
BMS #1 REAFFIRMATION AGREEMENT WITH  
FORD MOTOR CREDIT COMPANY, LLC  
[[19](#)]

BETH STRATTON/Atty. for mv.

**As the agreement has been signed by debtor's attorney and there is no presumption of undue hardship, the court abstains. No appearance is necessary.**

1:30 p.m.

1. [09-11005](#)-A-7 JUAN & ENMA VALENCIA HEARING - MOTION FOR RELIEF  
APN #1 FROM STAY [[61](#)]  
TOYOTA MOTOR CREDIT CORP., VS.

AUSTIN NAGEL/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.**

2. [09-12706](#)-A-7 FRED KELLER, JR. HEARING - MOTION FOR RELIEF  
RCO #1 AND JOHNNIE KELLER FROM STAY [[22](#)]  
MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC., VS.

JONATHAN DAMEN/Atty. for mv.

3. [09-13707](#)-A-7 JULIO C. MEDINA HEARING - MOTION FOR RELIEF  
MDE #1 FROM STAY [[19](#)]  
CITIMORTGAGE, INC., VS.

MARK ESTLE/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. [09-15107](#)-A-7 ARLAN E. HARTMANN HEARING - MOTION FOR RELIEF  
PD #1 FROM STAY [[14](#)]  
WELLS FARGO BANK, NA, 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. [09-10809](#)-A-7 TIMOFEY & YULIYA OSTAPENKO HEARING - MOTION FOR RELIEF  
MBB #1 FROM STAY [[13](#)]  
AMERICA'S WHOLESALE LENDER, VS.

DISCHARGED 5/18/09

RICHARD BAUER, JR./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.

6. [09-14314](#)-A-7 TODD & MIKI JEFFERIES HEARING - MOTION FOR RELIEF  
PD #1 FROM STAY [[13](#)]  
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.

7. [09-15221](#)-A-7 JIMMIE & RAFAELA ISLAS HEARING - MOTION FOR RELIEF  
DMG #1 FROM STAY [[12](#)]  
CITIFINANCIAL AUTO CORP., VS.

DAVID GOODRICH/Atty. for mv.

8. [09-12923](#)-A-7 KATHRYN CARRIER HEARING - MOTION FOR RELIEF  
PD #2 FROM STAY [[27](#)]  
DEUTSCHE BANK NATIONAL TRUST  
COMPANY, 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.

9. [08-18630](#)-A-7 BLANCA E. ESCOBAR HEARING - MOTION FOR RELIEF  
PD #1 FROM STAY [[22](#)]  
DEUTSCHE BANK NATIONAL TRUST  
COMPANY, VS. 7/9/09 MOTION WITHDRAWN

CASPER RANKIN/Atty. for mv.

The motion having been withdrawn, no appearance is necessary.

10. [09-12330](#)-A-7 ERNEST & JUANITA GONZALES HEARING - MOTION FOR RELIEF  
PD #3 FROM STAY [[55](#)]  
DEUTSCHE BANK NATIONAL TRUST  
COMPANY, VS.

CASPER RANKIN/Atty. for mv.

11. [09-13933](#)-A-7 NAIB & RUPINDER GILL HEARING - MOTION FOR RELIEF  
DMM #1 FROM STAY [[16](#)]  
WACHOVIA MORTGAGE, FSB, VS.

DAVE MCGRAW/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.

12. [09-14539](#)-A-7 ROBERT & ELIZABETH DYER HEARING - MOTION FOR RELIEF

JCW #1  
HSBC BANK USA, N.A., VS.

FROM STAY [[11](#)]

JENNIFER WONG/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. [09-13645](#)-A-7 JOE & JEANNEL ALVES  
EAT #1  
DEUTSCHE BANK NATIONAL TRUST  
COMPANY, VS.

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

MARISOL NAGATA/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.

14. [09-14846](#)-A-7 JOSE A. AVALOS  
KMR #1  
JPMORGAN CHASE BANK, N.A., VS.

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

KELLY RAFTERY/Atty. for mv.

15. [09-12249](#)-A-7 HECTOR & MIRTA MERCADO HEARING - MOTION FOR RELIEF  
JWC #2 FROM STAY [[22](#)]  
BANK OF AMERICA, N.A., VS. DISCHARGED 7/1/09

JENNIFER CRASTZ/Atty. for mv.

16. [08-15554](#)-A-7 RICHARD & TERRI PAVICH HEARING - MOTION FOR RELIEF  
WGM #1 FROM STAY [[55](#)]  
DEUTSCHE BANK NATIONAL TRUST  
COMPANY, VS.

WILLIAM MALCOLM/Atty. for mv.

17. [09-14862](#)-A-7 STEVEN KUTKA CONT'D HEARING - MOTION FOR  
JCW #1 RELIEF FROM STAY [[8](#)]  
AURORA LOAN SERVICES, LLC, VS. NON-OPPOSITION BY DEBTOR

JENNIFER WONG/Atty. for mv.  
JANINE ESQUIVEL/Atty. for dbt.

18. [09-13263](#)-A-7 RICK & DARLENE AVILA HEARING - MOTION FOR RELIEF  
RFM #1 FROM STAY [[13](#)]  
KEYBANK USA, VS. DISCHARGED 7/23/09

RAYMOND MOATS, III/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.**

19. [09-12467](#)-A-7 MARCELINO CORTEZ, JR. HEARING - MOTION FOR RELIEF  
RCO #1 AND TERESA PROVENCIO FROM STAY [[32](#)]  
BANK OF AMERICA, N.A., VS.

DISCHARGED 7/10/09

JONATHAN DAMEN/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.

20. [09-12467](#)-A-7 MARCELINO CORTEZ, JR. HEARING - MOTION FOR RELIEF  
TJS #1 AND TERESA PROVENCIO FROM STAY [[37](#)]  
JPMORGAN CHASE BANK, N.A., VS.

DISCHARGED 7/10/09

TIMOTHY SILVERMAN/Atty. for mv.

21. [09-15167](#)-A-7 NELSON & ROSA FABIAN HEARING - MOTION FOR RELIEF  
PD #1 FROM STAY [[9](#)]  
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.

22. [09-12668](#)-A-7 CONCEPCION CORRAL  
EAT #1  
ONEWEST BANK, FSB, VS.

HEARING - MOTION FOR RELIEF  
FROM STAY [[15](#)]

DISCHARGED 7/10/09

MARISOL NAGATA /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.

23. [09-13268](#)-A-7 STEPHANIE SHAW  
VC #1  
SANTANDER CONSUMER USA, A  
CORPORATION, VS.

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

DISCHARGED 7/23/09

MICHAEL VANLOCHEM/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.

24. [09-10570](#)-A-7 DANIEL & MARIA ALVAREZ HEARING - MOTION FOR RELIEF  
JCW #1 FROM STAY [[25](#)]  
JPMORGAN CHASE BANK, N.A., VS.  
DISCHARGED 5/28/09

JENNIFER WONG/Atty. for mv.

25. [09-13272](#)-A-7 RAMON & MARIA POMPA HEARING - MOTION FOR RELIEF  
PD #1 FROM STAY [[12](#)]  
WELLS FARGO BANK, N.A., VS.  
NON-OPPOSITION BY DEBTORS  
DISCHARGED 7/15/09

CASPER RANKIN/Atty. for mv.  
PETER BUNTING/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.

26. [09-15272](#)-A-7 CESAR RODRIGUEZ HEARING - MOTION FOR RELIEF  
WGM #1 FROM STAY [[8](#)]  
INDYMAC BANK, F.S.B. VS.

WILLIAM MALCOLM/Atty. for mv.

27. [09-14874](#)-A-7 JACQUELINE PERKINS  
RCO #1  
BANK OF AMERICA, N.A., VS.

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

JOHNATHAN DAMEN/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.

28. [09-13677](#)-A-7 ELIAS & LUCY ORTIZ  
KMR #1  
HSBC BANK USA, N.A., VS.

HEARING - MOTION FOR RELIEF  
FROM STAY [[18](#)]

KELLY RAFTERY/Atty. for mv.

29. [09-15577](#)-A-7 GUILLERMO & RAQUEL GAONA  
WGM #1  
ONEWEST BANK, FSB, VS.

HEARING - MOTION FOR RELIEF  
FROM STAY RE: 43 E. SONOMA LANE,  
MERCED, CA [[18](#)]

WILLIAM MALCOLM/Atty. for mv.

30. [09-15577](#)-A-7 GUILLERMO & RAQUEL GAONA  
WGM #2  
ONEWEST BANK, FSB, VS.

HEARING - MOTION FOR RELIEF  
FROM STAY RE: 735 ADOBE DRIVE,  
SALINAS, CA [[12](#)]

WILLIAM MALCOLM/Atty. for mv.

31. [09-14178](#)-A-7 MICHAEL & LAURA CRAWFORD HEARING - MOTION FOR RELIEF  
ASW #1 FROM STAY [[12](#)]  
U.S. BANK NATIONAL ASSOCIATION, VS.

ALAN S. WOLF/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.

32. [09-13280](#)-A-7 VICTOR & MARIA SANCHEZ HEARING - MOTION FOR RELIEF  
PD #1 FROM STAY [[41](#)]  
THE BANK OF NEW YORK TRUST  
COMPANY, VS.

CASPER RANKIN/Atty. for mv.

33. [09-13580](#)-A-7 ROSA MARIA GARCIA HEARING - MOTION FOR RELIEF  
PD #1 FROM STAY [[21](#)]  
JPMORGAN CHASE BANK, N.A., VS.

CASPER RANKIN/Atty. for mv.

34. [09-13182](#)-A-7 MARIA TALAVERA HEARING - MOTION FOR RELIEF  
DMM #1 FROM STAY [[13](#)]  
WACHOVIA MORTGAGE, FSB, VS.

DISCHARGED 7/21/09

DAVE MCGRAW /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.

35. [09-12186](#)-A-7 ADRIAN & BARBARA ALVARADO HEARING - MOTION FOR RELIEF  
VC #1 FROM STAY [[18](#)]  
SANTANDER CONSUMER USA, A  
CORPORATION, VS. DISCHARGED 6/24/09

MICHAEL VANLOCHEM/Atty. for mv.

36. [09-13087](#)-A-7 CLARENCE LAVON SMITH HEARING - MOTION FOR RELIEF  
JCW #1 FROM STAY [[19](#)]  
WELLS FARGO BANK, NA, VS. DISCHARGED 7/15/09

JENNIFER WONG/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.

37. [09-13190](#)-A-7 CARLOS & VALENTINA GARCIA HEARING - MOTION FOR RELIEF  
ABG #1 FROM STAY [[15](#)]  
KINECTA FEDERAL CREDIT UNION, VS.

MARK S. BLACKMAN/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.

38. [09-13791](#)-A-7 AARON & ALMA GUERRA FINAL HEARING - MOTION FOR  
RCO #1 RELIEF FROM STAY [[10](#)]  
MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC., VS.

JONATHAN DAMEN/Atty. for mv.

39. [09-13092](#)-A-7 CAROL & MARC SPENCER HEARING - MOTION FOR RELIEF  
LAZ #1 FROM STAY [[24](#)]  
MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC., VS. DISCHARGED AS TO CAROL SPENCER  
ONLY 7/21/09

BODY OF NOTICE SAYS HG 3/12  
LES ZIEVE/Atty. for mv.

40. [09-13193](#)-A-7 RAUL & ROSA MARTINEZ HEARING - MOTION FOR RELIEF  
DMM #1 FROM STAY [[28](#)]

DAVE MCGRAW/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.

41. [09-15394](#)-A-7 LEONEL & GINA ORTEGA HEARING - MOTION FOR RELIEF  
JMS #1 FROM STAY [[11](#)]  
BNC MORTGAGE, INC., 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.

42. [09-12496](#)-A-7 ANDRES DE LA CRUZ GUITIERREZ HEARING - MOTION FOR RELIEF  
PD #1 FROM STAY [[12](#)]  
BANK OF AMERICA, N.A., VS.

DISCHARGED 7/14/09

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.

43. [09-15697](#)-A-7 ELIZABETH MORENO  
JHW #1  
AMERICREDIT FINANCIAL SERVICES,  
INC., VS.

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

JENNIFER WANG/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.