

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.

August 5, 2009

9:00 a.m.

1. [09-14814](#)-B-7 HAJJAJ AWAWCLEH HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO APPEAR AT
MEETING OF CREDITORS SET FOR
7/2/09 [[15](#)]

PRO SE

2. [09-12018](#)-B-7 IVAN DANIEL ARIAS HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO PAY \$69.00
DUE 7/9/09 [[37](#)]

PAID \$69.00 7/15/09

GARY HUSS/Atty. for dbt.

The matter is resolved without oral argument. The deficiency has been corrected. The Order to Show Cause is dismissed. The case will remain pending. No appearance is necessary.

3. [09-15725](#)-A-7 BURTON F. GOODALL

HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO FILE EXHIBIT D
WITH CERTIFICATE [[12](#)]

RESPONSE BY DEBTOR

EXHIBIT D WITH CERTIFICATE
FILED 7/22/09

PRO SE

The matter is resolved without oral argument. The deficiency has been corrected. The Order to Show Cause is dismissed. The case will remain pending. No appearance is necessary.

4. [09-15734](#)-B-7 JOSE GILBERTO ROSALES

HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO FILE EXHIBIT D
WITH CERTIFICATE [[15](#)]

PRO SE

5. [09-15735](#)-A-7 LONATHER GRAY

HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO FILE EXHIBIT D
WITH CERTIFICATE [[14](#)]

CERTIFICATE FILED 7/21/09

PRO SE

The matter is resolved without oral argument. The deficiency has been corrected. The Order to Show Cause is dismissed. The case will remain pending. No appearance is necessary.

6. [09-15736](#)-B-7 DIANE C. ROSARIO

HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO FILE EXHIBIT D
WITH CERTIFICATE [[11](#)]

PRO SE

7. [09-15738](#)-A-7 MARIE MAYA

HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO PAY \$75.00
DUE 7/15/09 [[10](#)]

PRO SE

The matter is resolved without oral argument. The deficiency has been corrected. The Order to Show Cause is dismissed. The case will remain pending. No appearance is necessary.

8. [09-15746](#)-B-7 FRANCES ESTRADA

HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO FILE EXHIBIT D
WITH CERTIFICATE [[12](#)]

EXHIBIT D AND CERTIFICATE
FILED 7/15/09

PRO SE

The matter is resolved without oral argument. The deficiency has been corrected. The Order to Show Cause is dismissed. The case will remain pending. No appearance is necessary.

9. [09-15865](#)-B-7 THOMAS & MARIA GUTIERREZ

HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO FILE EXHIBIT D
WITH CERTIFICATE (DB AND JDB)
[[11](#)]

EXHIBITS D WITH CERTIFICATES
FILED 7/20/09

CAELO MARROQUIN/Atty. for dbt.

The matter is resolved without oral argument. The deficiency has been corrected. The Order to Show Cause is dismissed. The case will remain pending. No appearance is necessary.

10. [09-15965](#)-A-7 WARREN & LYNDIA EUSTACE

HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO PAY \$75.00
DUE 7/14/09 [[9](#)]

PAID FINAL INSTALLMENT \$299.00
7/20/09

GARY HUSS/Atty. for dbt.

The matter is resolved without oral argument. The deficiency has been corrected. The Order to Show Cause is dismissed. The case will remain pending. No appearance is necessary.

11. [09-12366](#)-A-7 ROBERTO AND SAN JUANA
CASTANEDA

HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO APPEAR AT

MEETING OF CREDITORS SET FOR
6/26/09 [[26](#)]

PER TRUSTEE'S REPORT, MEETING
CONCLUDED 7/24/09

RANDY RISNER/Atty. for dbt.

The matter is resolved without oral argument. The deficiency has been corrected. The Order to Show Cause is dismissed. The case will remain pending. No appearance is necessary.

12. [09-15068](#)-B-7 JOSE LUIS VALENCIA

HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO APPEAR AT
MEETING OF CREDITORS SET FOR
7/9/09 [[14](#)]

CASE DISMISSED 7/24/09

PRO SE

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

13. [09-15572](#)-A-7 SANDRA MARIE MORENO

HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO PAY \$50.00
DUE 7/15/09 [[15](#)]

CASE DISMISSED 7/29/09

PRO SE

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

14. [09-11977](#)-A-7 RICARDO & JUANITA BARRERA

HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO PAY \$74.00
DUE 7/20/09 [[21](#)]

PAID FINAL INSTALLMENT \$74.00
7/29/09

PRO SE

The matter is resolved without oral argument. The deficiency has been corrected. The Order to Show Cause is dismissed. The case will remain pending. No appearance is necessary.

15. [09-13181](#)-B-7 RANDY & JENINE ROWELL

HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO PAY \$99.00 DUE
7/13/09 (FINAL INSTALLMENT)
[[16](#)]

PAID \$99.00 7/27/09

RICHARD LIMA/Atty. for dbt.

The matter is resolved without oral argument. The deficiency has been corrected. The Order to Show Cause is dismissed. The case will remain pending. No appearance is necessary.

16. [09-15792](#)-A-7 CRISPIN & MARIA POZADA HEARING - ORDER TO SHOW CAUSE FOR FAILURE TO FILE MEANS TEST FORM 22A [[12](#)]

MEANS TEST FILED 7/21/09

PRO SE

The matter is resolved without oral argument. The deficiency has been corrected. The Order to Show Cause is dismissed. The case will remain pending. No appearance is necessary.

17. [09-15898](#)-A-7 DAVID & CHERYL HUGGINS HEARING - ORDER TO SHOW CAUSE FOR FAILURE TO FILE STATISTICAL SUMMARY [[13](#)]

MICHAEL SCHULTE/Atty. for dbt.

18. [09-12702](#)-A-7 SCOTT AIRCRAFT, INC. HEARING - MOTION FOR ORDER AUTHORIZING TRUSTEE TO COMPROMISE CONTROVERSY WITH WESTAMERICA BANK [[45](#)]
BMS #3
JAMES SALVEN, CH. 7 TRUSTEE

BETH STRATTON/Atty. for trst.

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.

19. [08-16606](#)-A-7 JOHN & GAIL DANIEL HEARING - PLAINTIFF'S MOTION
[08-1277](#) KY #1 FOR DEFAULT JUDGMENT [[24](#)]
FIRST MUTUAL SALES FINANCE, VS.

JOHN P. DANIEL, GAIL J. DANIEL

KENRICK YOUNG/Atty. for mv.

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.

20. [08-18513](#)-A-7 DIONISIO & LILIANA LOURENCO HEARING - TRUSTEE'S MOTION
HAR #4 FOR AUTHORITY TO SELL PERSONAL
SHERYL STRAIN, CH. 7 TRUSTEE PROPERTY OTHER THAN IN THE
ORDINARY COURSE OF BUSINESS
[[98](#)]

HILTON RYDER/Atty. for trst.

21. [08-12716](#)-A-7 JOSE & AMBER CARTAGENA HEARING - DEBTORS' MOTION
PLG #2 TO DISMISS CASE [[132](#)]

FRANK RUGGIER/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.

22. [08-12225](#)-A-7 JEFFREY & DIANA BROWN HEARING - TRUSTEE'S MOTION
SAS #1 FOR ORDER APPROVING COMPROMISE
OF CONTROVERSY WITH DEBTORS
[[27](#)]

SHERYL STRAIN, TRUSTEE

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.

23. [09-15964](#)-A-7 BEVERLY SHOUA VANG HEARING - DEBTOR'S APPLICATION FOR WAIVER OF THE CHAPTER 7 FILING FEE [[5](#)]

OPPOSITION BY BETH STRATTON,
CHAPTER 7 TRUSTEE

GARY HUSS/Atty. for dbt.
BETH STRATTON, TRUSTEE

24. [09-14578](#)-A-7 CALIFORNIA BUSINESS HEARING - TRUSTEE'S MOTION
RHT #2 FURNISHINGS, INC. TO SELL PROPERTY OUT OF THE
ORDINARY COURSE OF BUSINESS
AT PUBLIC AUCTION (11 U.S.C.
S.363(B)(1); (F) [[21](#)]

ROBERT HAWKINS, TRUSTEE

25. [09-11685](#)-A-7 IGNACIO & KARINA MORALES HEARING - TRUSTEE'S MOTION
JES #1 TO SELL PROPERTY OUT OF THE
ORDINARY COURSE OF BUSINESS AT
PUBLIC AUCTION [[21](#)]

JAMES SALVEN, TRUSTEE

Notice was adequate pursuant to Local Bankruptcy Rule 9014-1(f)(1). No timely written opposition has been filed. The sale is an appropriate exercise of the trustee's business judgment. The motion is granted. No appearance is necessary.

26. [09-14597](#)-A-7 MARTIN & TERESA BARRAGAN HEARING - TRUSTEE'S MOTION
RHT #1 OBJECTING TO PROPERTY CLAIMED
EXEMPT [[14](#)]

OPPOSITION BY DEBTORS

ROBERT HAWKINS, TRUSTEE
EDDIE RUIZ/Atty. for dbt.

27. [08-17998](#)-A-7 DANIEL & NUBIA DAGUIA
JES #3

HEARING - TRUSTEE'S MOTION
FOR AUTHORIZATION TO SELL
REAL PROPERTY [[39](#)]

JAMES SALVEN, TRUSTEE

Notice was adequate pursuant to Local Bankruptcy Rule 9014-1(f)(1). No timely written opposition has been filed. The sale is an appropriate exercise of the trustee's business judgment. The motion is granted. No appearance is necessary.

28. [09-14299](#)-A-7 JIM VAN CAMP, INC.
JES #1

HEARING - TRUSTEE'S MOTION
TO SELL PROPERTY OUT OF THE
ORDINARY COURSE OF BUSINESS AT
PUBLIC AUCTION [[13](#)]

JAMES SALVEN, TRUSTEE

Notice was adequate pursuant to Local Bankruptcy Rule 9014-1(f)(1). No timely written opposition has been filed. The sale is an appropriate exercise of the trustee's business judgment. The motion is granted. No appearance is necessary.

9:01 a.m.

1. [08-17706](#)-A-7 RYAN & MELISSA SWEENEY
[09-1041](#)
MICHAEL D. BREMSER, VS.

PRETRIAL CONFERENCE (FOR TRIAL
SETTING)

[[1](#)]

ANSWER BY DEFENDANT

RYAN MICHAEL SWEENEY

HILTON RYDER/Atty. for pl.
DAVID JENKINS/Atty. for def.

2. [07-12320](#)-A-7 GATEWAY ACADEMY CHARTER
[08-1232](#) SCHOOL
FRESNO COUNTY SUPERINTENDENT OF
SCHOOLS, VS.
JAMES SALVEN, TRUSTEE, CA DEPT. OF
EDUCATION, ET AL.

CONT'D STATUS CONFERENCE

[[1](#)]

ANSWERS BY CALIF. DEPT OF EDUC.;
JAMES SALVEN, TRUSTEE; FRESNO
UNIFIED SCHOOL DISTRICT; JOHN
CHIANG, STATE CONTROLLER AND
CALIF. STATE LOTTERY COMMISSION

LINDA BACON/Atty. for pl.
PETER STUBBS/Atty. for def.
BETH STRATTON/Atty. for def.

3. [09-12249](#)-A-7 HECTOR & MIRTA MERCADO STATUS CONFERENCE
[09-1079](#) [1]
PARAMOUNT CITRUS COOPERATIVE, INC.,
VS.
HECTOR MERCADO, MIRTA MERCADO

MARION QUESENBERY/Atty. for pl.

4. [09-12265](#)-A-7 BYUNG & CHUN LEE STATUS CONFERENCE
[09-1128](#) [1]
AMERICAN EXPRESS BANK, FSB, VS.

BYUNG YUL LEE AND CHUN C. LEE

JOHN O'DONNELL/Atty. for pl.

5. [07-12672](#)-A-7 FIRM BUILD, A CORPORATION STATUS CONFERENCE
[09-1117](#) [1]
SHERYL STRAIN, CH. 7 TRUSTEE, VS.

RUDY BUENDIA, III

ROBERT HAWKINS/Atty. for pl.

6. [07-12672](#)-A-7 FIRM BUILD, A CORPORATION STATUS CONFERENCE
[09-1118](#) [1]
SHERYL STRAIN, CH. 7 TRUSTEE, VS.

JOSEPH CUELLAR

ROBERT HAWKINS/Atty. for pl.

7. [07-12672](#)-A-7 FIRM BUILD, A CORPORATION STATUS CONFERENCE
[09-1119](#) [1]
SHERYL STRAIN, CH. 7 TRUSTEE, VS.

RUDY BUENDIA, JR.

ROBERT HAWKINS/Atty. for pl.

8. [07-12672](#)-A-7 FIRM BUILD, A CORPORATION STATUS CONFERENCE
[09-1120](#) [1]
SHERYL STRAIN, CH. 7 TRUSTEE, VS.

VOLVO RENTS

ROBERT HAWKINS/Atty. for pl.
9. [08-13391](#)-A-7 ANDREW & DAWN STOKES CONT'D PRETRIAL CONFERENCE
[08-1211](#) [1]
CALAVERAS MATERIALS, INC., VS. ANSWER BY DEFENDANT

ANDREW STOKES

DOUGLAS THORNTON/Atty. for pl.
EDDIE RUIZ/Atty. for def.
10. [07-10896](#)-A-7 VONN & LORETTA SMITH STATUS CONFERENCE ON AMENDED
[08-1135](#) COMPLAINT [43]
LORETTA K. SMITH; VONN F. SMITH, VS.

REGIONS MORTGAGE AND ITS ASSIGNS;
MERS AND ITS ASSIGNS; ET AL.

LORETTA K. SMITH, PRO SE
VONN F. SMITH, PRO SE

The status conference is continued to September 2, 2009 at 9:00 a.m., to be heard with plaintiff's motion to dismiss. No appearance is necessary August 5, 2009.

9:30 a.m.

1. [09-12123](#)-A-13 RENEE MARIE BARTTELS HEARING - DEBTOR'S EXPEDITED
PLF #2 BAPCPA MOTION TO EXTEND
PETITION FILED 3/17/09 AUTOMATIC STAY [57]

GABRIEL WADDELL/Atty. for dbt.

2. [09-16449](#)-A-7 DAVID & GINALINE DOMINGO HEARING - DEBTORS' FIRST
SL #1 EXPEDITED BAPCPA MOTION TO
EXTEND THE AUTOMATIC STAY
[[18](#)]

SCOTT LYONS/Atty. for dbt.

1:30 p.m.

1. [09-11104](#)-A-11 ALBERT LEE DE ARMOND CONT'D HEARING - CHAPTER 11
STATUS CONFERENCE [[9](#)]

HILTON RYDER/Atty. for dbt.

2. [08-15222](#)-A-11 RONALD RUMINSON CONT'D HEARING - MOTION FOR
GJB #1 RELIEF FROM STAY [[126](#)]
HSBC MORTGAGE SERVICES, INC., VS.
CASE DISMISSED 7/28/09

GREGORY BABCOCK/Atty. for mv.

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

3. [09-10839](#)-A-11 PHILIP H. WEBER HEARING - MOTION FOR RELIEF
PPR #1 FROM STAY [[51](#)]
CMG MORTGAGE, INC., VS.

CASSANDRA RICHEY/Atty. for mv.

4. [09-10848](#)-A-11 ENNIS HOMES, INC. CONT'D HEARING - CHAPTER 11
STATUS CONFERENCE [[11](#)]

HAGOP BEDOYAN/Atty. for dbt.

5. [09-10848](#)-A-11 ENNIS HOMES, INC.
KDG #13

CONT'D FINAL HEARING - DEBTOR'S
MOTION TO CONTINUE USE OF CASH
COLLATERAL AND GRANT ADEQUATE
PROTECTION [[319](#)]

SUPPLEMENTAL OPPOSITION BY
CITIZENS BUSINESS BANK

HAGOP BEDOYAN/Atty. for dbt.
MICHAEL FLETCHER/Atty. for obj.