

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 6, 2009

9:00 A.M.

1. [08-10208](#)-A-13 ROY & GERALDINE ELLIS
PLF #6
PETITION FILED 1/14/08

HEARING - DEBTOR'S MOTION
TO CONFIRM FIFTH MODIFIED
CHAPTER 13 PLAN [[79](#)]

NON-OPPOSITION BY TRUSTEE

PETER FEAR/Atty. for dbt.
M. NELSON ENMARK, TRUSTEE

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.

9:02 A.M.

1. [08-10782](#)-A-13 DENNIS DONALD LOWE
MNE #1
PETITION FILED 2/15/08

HEARING - TRUSTEE'S MOTION
TO DISMISS [[29](#)]

M. NELSON ENMARK, TRUSTEE

2. [05-11283](#)-A-13 DENNIS & KATHLEEN THOMPSON HEARING - TRUSTEE'S MOTION
MNE #7 TO DISMISS [[58](#)]
PETITION FILED 2/23/05

M. NELSON ENMARK, TRUSTEE

3. [05-12078](#)-A-13 MATHEW & JENNIFER WARD HEARING - TRUSTEE'S MOTION
MNE #6 TO DISMISS [[71](#)]
PETITION FILED 3/18/05

M. NELSON ENMARK, TRUSTEE

9:03 A.M.

1. [09-15804](#)-B-13 ROBERTO FUENTES HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO FILE CHAPTER 13
PETITION FILED 6/22/09 PLAN; EXHIBIT D W/CERTIFICATE;
MEANS TEST FORM 22C; SCHEDULES
A-J; STATEMENT OF FINANCIAL
AFFAIRS; STATISTICAL SUMMARY;
SUMMARY OF SCHEDULES [[11](#)]

PRO SE

2. [09-12510](#)-A-13 DAVID WOSSNE AND HEARING - DEBTORS' MOTION
SAH #2 ANESHA SHILOH TO VALUE COLLATERAL OF DRIVE
PETITION FILED 3/25/09 FINANCIAL [[24](#)]

SUSAN HEMB /Atty. for dbt.

**The motion is denied without prejudice. The notice fails to comply with Local
Bankruptcy Rule 9014-1(f)(1). No appearance is necessary.**

3. [09-10011](#)-A-13 BALJIT & RASJIT NIJJAR PD #1
PETITION FILED 1/5/09
HSBC USA, N.A., VS.
HEARING - MOTION FOR RELIEF FROM STAY [[41](#)]
DECLARATION IN OPPOSITION BY DEBTOR RASJIT K. NIJJAR
MOTION WITHDRAWN 7/27/09
CASPER RANKIN/Atty. for mv.
DAVID JENKINS/Atty. for dbt.

No appearance is necessary.

4. [09-12123](#)-A-13 RENEE MARIE BARTTELS MHM #1
PETITION FILED 3/17/09
CONT'D HEARING - TRUSTEE'S MOTION TO DISMISS [[26](#)]

MICHAEL MEYER, TRUSTEE

5. [09-12123](#)-A-13 RENEE MARIE BARTTELS PLF #1
PETITION FILED 3/17/09
HEARING - DEBTOR'S MOTION TO CONFIRM SECOND MODIFIED CHAPTER 13 PLAN [[42](#)]

PETER FEAR/Atty. for dbt.

6. [09-12123](#)-A-13 RENEE MARIE BARTTELS MDZ #2
PETITION FILED 3/17/09
HEARING - MOTION FOR RELIEF FROM STAY [[52](#)]

WELLS FARGO BANK, N.A., VS.

OPPOSITION BY DEBTOR

MICHAEL ZEFF/Atty. for mv.
PETER FEAR /Atty. for dbt.

7. [09-16125](#)-A-13 JIMMY RODRIGUEZ
HEARING - CORRECTED ORDER

PETITION FILED 6/30/09

TO SHOW CAUSE FOR FAILURE TO
FILE A MASTER ADDRESS LIST
[[9](#)]

PRO SE

8. [09-16125](#)-A-13 JIMMY RODRIGUEZ
PETITION FILED 6/30/09

HEARING - ORDER TO SHOW CAUSE
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

9. [09-14827](#)-A-13 MICHAEL GONZALES AND
MHM #1 GINA CHICCONI-GONZALES
PETITION FILED 5/26/09

HEARING - TRUSTEE'S OBJECTION
TO CONFIRMATION OF CHAPTER 13
PLAN [[20](#)]

DEANNA HAZELTON/Atty. for trst.

10. [09-15128](#)-A-13 STEVEN MAGALLANES, JR.
MHM #1 AND MICHELLE MAGALLANES
PETITION FILED 6/2/09

HEARING - TRUSTEE'S OBJECTION
TO CONFIRMATION OF CHAPTER 13
PLAN [[23](#)]

DEANNA HAZELTON/Atty. for trst.

11. [09-15033](#)-A-13 ROBERT & TIFFANY BULLOCK
TJS #1
PETITION FILED 5/29/09

HEARING - OBJECTION TO
CONFIRMATION OF CHAPTER 13 PLAN
BY LITTON LOAN SERVICING, LP
[[23](#)]

TIMOTHY SILVERMAN/Atty. for obj.

Notice fails to comply with Local Bankruptcy Rule 9014-1(f)(1). However, as the debtor filed an amended plan on August 3, 2009, and a motion to confirm that plan is set on September 15, 2009, this matter is moot. No appearance is necessary.

12. [09-13936](#)-A-13 CHRISTOPHER & IRIS RACKLEY HEARING - DEBTORS' MOTION
MNE #4 TO VALUE COLLATERAL OF PATELCO
PETITION FILED 4/30/09 CREDIT UNION [[45](#)]

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.

13. [09-15142](#)-A-13 LEOBARDO MARQUEZ, JR. HEARING - DEBTORS' MOTION
ALG #1 AND RUBICELA MARQUEZ TO VALUE COLLATERAL OF UNION
PETITION FILED 6/2/09 BANK OF CALIFORNIA [[14](#)]

JANINE ESQUIVEL/Atty. for dbt.

14. [09-15142](#)-A-13 LEOBARDO MARQUEZ, JR. HEARING - OBJECTION TO
MDE #1 AND RUBICELA MARQUEZ CONFIRMATION OF AMENDED
PETITION FILED 6/2/09 CHAPTER 13 PLAN BY NATIONSTAR
MORTGAGE [[23](#)]

MARK ESTLE/Atty. for obj.

15. [09-15142](#)-A-13 LEOBARDO MARQUEZ, JR. HEARING - TRUSTEE'S OBJECTION
MHM #1 AND RUBICELA MARQUEZ TO CONFIRMATION OF CHAPTER 13
PETITION FILED 6/2/09 PLAN [[27](#)]

DEANNA HAZELTON/Atty. for trst.

16. [09-14943](#)-A-13 BRENTON/ROBYN RICHARDSON
MHM #1
PETITION FILED 5/29/09

HEARING - TRUSTEE'S OBJECTION
TO CONFIRMATION OF CHAPTER 13
PLAN [[14](#)]

RESPONSE BY DEBTORS

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

17. [09-14946](#)-A-13 DAVID & CYNTHIA BERG
MHM #1
PETITION FILED 5/29/09

HEARING - TRUSTEE'S OBJECTION
TO CONFIRMATION OF CHAPTER 13
PLAN [[13](#)]

RESPONSE BY DEBTORS

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

18. [09-11854](#)-A-13 NINA ALEVIA SCOTT
NAS #1
PETITION FILED 3/6/09

HEARING - DEBTOR'S MOTION
TO CONFIRM FIRST MODIFIED
CHAPTER 13 PLAN [[31](#)]

NINA SCOTT, PRO SE

19. [09-11854](#)-A-13 NINA ALEVIA SCOTT
MHM #2
PETITION FILED 3/6/09

CONT'D HEARING - TRUSTEE'S
MOTION TO DISMISS [[26](#)]

MICHAEL MEYER, TRUSTEE

20. [09-15262](#)-A-13 MARIO & ROSA MARTINEZ HEARING - TRUSTEE'S OBJECTION
MHM #1 TO CONFIRMATION OF CHAPTER 13
PETITION FILED 6/5/09 PLAN [[23](#)]

DEANNA HAZELTON/Atty. for trst.

21. [09-15563](#)-A-13 LAURA JEAN VOLZ HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO PAY \$68.50
PETITION FILED 6/15/09 DUE 7/15/09 [[36](#)]

PAID FINAL INSTALLMENT \$137.00
7/21/09

GLEN GATES/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.

22. [09-14866](#)-A-13 PHILLIP & MICHELLE BLANTON HEARING - MOTION FOR RELIEF
MET #1 FROM STAY [[14](#)]
PETITION FILED 5/28/09

COMMONWEALTH CENTRAL CREDIT
UNION, VS.

MARY TANG/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.

23. [09-15268](#)-A-13 RANDAL WRIGHT HEARING - TRUSTEE'S OBJECTION
MHM #1 TO CONFIRMATION OF CHAPTER 13

PETITION FILED 6/5/09

PLAN [[21](#)]

DEANNA HAZELTON/Atty. for trst.

24. [09-14969](#)-A-13 CARL & DARCY TROUTT
MHM #1
PETITION FILED 5/29/09

HEARING - TRUSTEE'S OBJECTION
TO CONFIRMATION OF CHAPTER 13
PLAN [[17](#)]

DEANNA HAZELTON/Atty. for trst.

25. [09-14072](#)-A-13 PRIMITIVO & LYDIA PRIETO
MHM #1
PETITION FILED 5/5/09

CONT'D HEARING - TRUSTEE'S
MOTION TO DISMISS [[16](#)]

MICHAEL MEYER, TRUSTEE

26. [09-14072](#)-A-13 PRIMITIVO & LYDIA PRIETO
BEW #1
PETITION FILED 5/5/09

HEARING - DEBTORS' MOTION
TO CONFIRM AMENDED CHAPTER 13
PLAN [[27](#)]

OBJECTION BY TRUSTEE

MOTION WITHDRAWN 8/3/09

BARRY WEBER/Atty. for dbt.
DEANNA HAZELTON/Atty. for trst.

The motion is denied without prejudice. Notice fails to comply with Federal Rule of Bankruptcy Procedure 2002(b). No appearance is necessary.

27. [09-16281](#)-B-13 MARIA ELOISA MORENO
PETITION FILED 7/2/09

HEARING - CORRECTED ORDER
TO SHOW CAUSE FOR FAILURE TO
FILE A MASTER ADDRESS LIST
[[8](#)]

PRO SE

28. [09-13992](#)-A-13 MANUEL J. CASTILLO
JCW #1
PETITION FILED 5/1/09
- CONT'D HEARING - OBJECTION TO
CONFIRMATION OF CHAPTER 13 PLAN
BY ONE WEST BANK, FSB [[16](#)]

BAKERSFIELD CASE
JENNIFER WONG/Atty. for obj.

29. [09-14895](#)-A-13 RUFINO GONZALEZ
MHM #1 AND ESTELA HERNANDEZ
PETITION FILED 5/28/09
- HEARING - TRUSTEE'S OBJECTION
TO CONFIRMATION OF CHAPTER 13
PLAN [[18](#)]

DEANNA HAZELTON/Atty. for trst.

30. [09-15296](#)-A-13 RUFINO & SANDRA HERRERA
APN #1
PETITION FILED 6/8/09
- HEARING - OBJECTION TO
CONFIRMATION OF CHAPTER 13 PLAN
BY WELLS FARGO FINANCIAL
[[14](#)]

AUSTIN NAGEL /Atty. for obj.

31. [09-15296](#)-A-13 RUFINO & SANDRA HERRERA
MHM #1
PETITION FILED 6/8/09
- HEARING - TRUSTEE'S MOTION TO
DISMISS [[20](#)]

MICHAEL MEYER, TRUSTEE

32. [09-14697](#)-A-13 JERRY & BRENDA RUSSELL HEARING - DEBTORS' MOTION
GMA #1 FOR VALUATION OF COLLATERAL
PETITION FILED 6/19/09 AND FIXING OF SECURED CLAIM
RE: HSBC [[19](#)]

GEOFFREY ADALIAN/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.

9:04 A.M.

1. [09-11905](#)-A-13 STEVE & KARON VALDIVIESO STATUS CONFERENCE
[09-1123](#) [1]
KENNETH WRIGHT AND KAREN WRIGHT, VS. ANSWER BY DEFENDANT

STEVE VALDIVIESO

RENE LASTRETO, II/Atty. for pl.
DAVID JENKINS/Atty. for def.

2. [09-15268](#)-A-13 RANDAL WRIGHT HEARING - OBJECTION TO
RAC #1 CONFIRMATION OF CHAPTER 13
PETITION FILED 6/5/09 PLAN BY KIMBERLY ANN STEWART,
TEMPORARY CONSERVATOR OF THE
PERSON AND ESTATE OF KAREN R.
WRIGHT [[28](#)]

ROBERT CASSIO/Atty. for obj.

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

GABRIEL WADDEL/ATTY. FOR DBT.

9:05 A.M.

1. [09-13400](#)-A-13 MICHAEL & MARTHA RICE CONT'D HEARING - TRUSTEE'S

MHM #1
PETITION FILED 4/17/09

MOTION TO DISMISS [[24](#)]

MICHAEL MEYER, TRUSTEE

2. [09-12539](#)-A-13 JACOBO & CAROLINA AVILA
MHM #2
PETITION FILED 3/26/09

CONT'D HEARING - TRUSTEE'S
MOTION TO DISMISS [[26](#)]

MICHAEL MEYER, TRUSTEE

3. [09-12959](#)-A-13 CESAR A. BETANCOURT
MHM #2
PETITION FILED 4/3/09

HEARING - TRUSTEE'S MOTION
TO DISMISS [[49](#)]

MICHAEL MEYER, TRUSTEE

4. [08-17663](#)-A-13 CRAIG O. ELLIS
MHM #5
PETITION FILED 11/24/08

HEARING - TRUSTEE'S MOTION
TO DISMISS [[81](#)]

MICHAEL MEYER, TRUSTEE

9:30 A.M.

1. [09-11913](#)-A-13 GARY ULRICH EICKERMAN
HDN #2

FINAL HEARING - DEBTOR'S MOTION
TO CONFIRM FIRST MODIFIED PLAN
[[35](#)]
OPPOSITION BY MICHAEL MEYER,
CHAPTER 13 TRUSTEE

HENRY NUNEZ/Atty. for dbt.
DEANNA HAZELTON/Atty. for trst.
DON POOL/Atty. for obj.

OPPOSITION BY LA JOLLA GROUP II

(FOR FINDINGS OF FACT AND
CONCLUSIONS OF LAW)

2. [09-14191](#)-A-13 BERNIE MORRIS BIBB, JR.
THA #1 AND MARY ELIZABETH BIBB
PETITION FILED 5/8/09

HEARING - DEBTORS' MOTION
TO CONFIRM CHAPTER 13 PLAN
PURSUANT TO 11 U.S.C. S.1325
[[16](#)]

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

OPPOSITION BY JANE RATZLAFF
AND MICHAEL RATZLAFF

(FOR FINDINGS OF FACT AND
CONCLUSIONS OF LAW)

3. [07-11053](#)-A-12 ANTHONY L. GROPETTI
MNE #1

CONT'D HEARING - TRUSTEE'S
MOTION FOR ORDER DISMISSING
UNDER 11 U.S.C. S.1208 [[96](#)]

M. NELSON ENMARK, TRUSTEE

4. [09-15156](#)-A-12 JOSE & LUCY TOSTE
WW #12
WALTER & WILHELM LAW GROUP

HEARING - APPLICATION FOR
PAYMENT OF INTERIM FEES AND/OR
EXPENSES (ATTORNEYS FOR DEBTOR)
[[95](#)]

RILEY WALTER/Atty. for dbt.

The motion is resolved without oral argument. Notice was adequate. No timely opposition has been filed. Allowance of fees is appropriate under 11 U.S.C. § 331. The application is granted. No appearance is necessary.

5. [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](#)]

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

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

10:00 A.M.

1. [09-15156](#)-A-12 JOSE & LUCY TOSTE
WW #3

CONT'D HEARING - DEBTORS'
MOTION FOR AUTHORITY TO USE
CASH COLLATERAL [[7](#)]

RILEY WALTER/Atty. for dbt.

1. [09-14933](#)-A-7 RALPH & ROBIN ROCHA

HEARING - APPROVAL OF
REAFFIRMATION AGREEMENT WITH
WELLS FARGO BANK, N.A., WELLS
FARGO AUTO FINANCE [[11](#)]

PRO SE

2. [09-15137](#)-A-7 STEVEN & MARGARET AVILA

HEARING - APPROVAL OF
REAFFIRMATION AGREEMENT WITH
WESTAMERICA BANK [[15](#)]

PRO SE

3. [09-14264](#)-A-7 ALEX PEDREGON, JR.
AND CELIA PEDREGON

HEARING - APPROVAL OF
REAFFIRMATION AGREEMENT WITH
GMAC [[16](#)]

PRO SE

4. [09-13589](#)-A-7 JESSE & BLANCA SILVA HEARING - APPROVAL OF REAFFIRMATION AGREEMENT WITH JPMORGAN CHASE BANK, N.A. [[22](#)]

PRO SE

5. [09-13194](#)-A-7 JAIME & JUANA TAMAYO HEARING - APPROVAL OF REAFFIRMATION AGREEMENT WITH CITIMORTGAGE, INC. [[14](#)]

EDDIE RUIZ/Atty. for dbt.

6. [09-13099](#)-A-7 CHARLES & SUSAN STUMPF HEARING - APPROVAL OF REAFFIRMATION AGREEMENT WITH CITIFINANCIAL AUTO [[20](#)]

PRO SE

7. [09-14599](#)-A-7 KIMBERLY BULLOCK HEARING - APPROVAL OF REAFFIRMATION AGREEMENT WITH HSBC AUTO FINANCE [[14](#)]

PRO SE

