

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 5:00 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 27, 2008

9:00 a.m.

1. [08-14002](#)-B-7 JOHNNY OLLON WHITE HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO PAY \$99.00
DUE 8/1/08 [[14](#)]

PAID \$100.00 8/14/08
PAID \$99.00 8/25/08

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.

2. [08-13306](#)-A-7 ANDRES & MARIA RAZO HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO APPEAR AT
MEETING OF CREDITORS SET FOR
7/28/08 [[13](#)]

PER TRUSTEE, MEETING CONCLUDED
8/11/08

DEOK KIM/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. [08-13332](#)-A-7 MARK CAJIMAT HEARING - ORDER TO SHOW CAUSE FOR FAILURE TO SUBMIT EMPLOYEE INCOME RECORD AND TAX RETURN [24]

PRO SE

4. [08-12136](#)-A-7 SARA PALMYRA HARRISON HEARING - ORDER TO SHOW CAUSE FOR FAILURE TO PAY \$50.00 DUE 7/22/08 [26]
PAID FINAL INSTALLMENT \$124.00
8/4/08

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.

5. [08-13537](#)-A-7 MIIKO LASHON ANDERSON HEARING - ORDER TO SHOW CAUSE FOR FAILURE TO APPEAR AT MEETING OF CREDITORS SET FOR 7/28/08 [12]
PER TRUSTEE, MEETING CONCLUDED
8/11/08

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. [08-12840](#)-A-7 LINDA DUNN HEARING - ORDER TO SHOW CAUSE FOR FAILURE TO PAY \$75.00 DUE 7/28/08 [17]

PRO SE

7. [08-12744](#)-A-7 EBONY ANTONETTE GIBSON HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO PAY \$99.00
DUE 8/5/08 [[24](#)]

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.

8. [08-12747](#)-A-7 TARA & JEROME WREN HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO PAY \$75.25
DUE 7/28/08 [[29](#)]

PAID \$74.75 7/7/08; PAID \$75.00
8/4/08

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. [08-12851](#)-A-7 BONNIE EVELYN HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO PAY \$75.00
DUE 7/28/08 [[18](#)]

PAID \$150.00 8/4/08

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.

10. [08-13362](#)-A-7 JOSE & MARIA MARTINEZ HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO SUBMIT EMPLOYEE
INCOME RECORD AND TAX RETURN
[[17](#)]

PER TRUSTEE, MEETING CONCLUDED
08/01/08

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.

11. [08-13870](#)-B-7 PETER & LYNETTE YAMANAKA HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO PAY \$299.00
DUE 7/1/08 [[17](#)]

CASE DISMISSED 8/18/08

PRO SE

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

12. [08-13887](#)-B-7 GERARDO HIGAREDA HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO PAY \$74.75
DUE 8/5/08 [[11](#)]

PAID \$100.00 8/11/08

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.

13. [08-13888](#)-A-7 JUAN & HILDA TERRAZAS HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO PAY \$74.75
DUE 8/1/08 [[14](#)]

PAID \$74.75 8/22/08

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.

14. [07-13889](#)-A-7 JOHN & MICHELLE PEREIRA HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO FILE MEANS TEST
FORM 22A [[67](#)]

MEANS TEST FILED 8/22/08

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.

15. [08-12100](#)-A-7 LAZARO & VIRGINIA VILLA HEARING - MOTION TO EXTEND

KAR #29
INSURANCE COMPANY OF THE WEST, VS.

TIME TO FILE NONDISCHARGEABILITY
COMPLAINTS UNDER 11 U.S.C.
S.523 AND S.727 PURSUANT TO
BANKRUPTCY RULES 4007(C) AND
4004(B) [[144](#)]

KRISTEN ROE/Atty. for mv.
DAVID JENKINS/Atty. for dbt.

DECLARATION IN OPPOSITION BY
VIRGINIA VILLA

16. [08-12602](#)-A-7 JIMMY & JOANNA ANCHETA
JKB #1
WILSHIRE CREDIT CORP., VS.

HEARING - MOTION FOR RELIEF
FROM STAY [[30](#)]

JULIAN BACH/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.

17. [08-12602](#)-A-7 JIMMY & JOANNA ANCHETA
RJR #1

HEARING - DEBTORS' MOTION
TO REQUEST DISMISSAL OF
CHAPTER 7 BANKRUPTCY [[35](#)]

RANDY J. RISNER/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.

18. [07-11206](#)-A-7 JAMES B. MASON
[07-1162](#) SEB #4
PRIDE MOBILITY PRODUCTS CORP., VS.

CONT'D HEARING - PLAINTIFF'S
MOTION FOR SUMMARY JUDGMENT, OR
IN THE ALTERNATIVE, PARTIAL
SUMMARY ADJUDICATION AGAINST
DEFENDANT [[33](#)]

JAMES B. MASON

SEE STIP/ORDER 7/24
BRADLEY D. BLAKELEY/Atty. for pl.
HILTON RYDER/Atty. for def.

RESPONSE BY DEFENDANT
PLAINTIFF'S EVIDENTIARY
OBJECTIONS TO DECL OF JAMES B.
MASON AND EXHIBIT

19. [08-13108](#)-A-7 JAMES TRANSPORT, INC. HEARING - MOTION FOR RELIEF
JWC #1 FROM STAY [[163](#)]
CITICAPITAL COMMERCIAL LEASING
CORP., VS.

JENNIFER WITHERELL CRASTZ/Atty. for mv.

20. [08-12809](#)-A-7 MIGUEL & GORETTI MEDRANO HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [[33](#)]
WACHOVIA MORTGAGE, FSB, 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). 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. No appearance is necessary.

21. [08-12911](#)-A-7 KEVIN & CHRISTI DILLON HEARING - MOTION FOR RELIEF
JDL #1 FROM STAY [[15](#)]
DOWNEY SAVINGS & LOAN ASSOCIATION,
F.A., VS.

JOEY DELEON/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.

22. [98-19111](#)-A-7 RICK PIERCE HEARING - TRUSTEE'S FIFTH
PLF #14 OMNIBUS OBJECTION TO CLAIMS
JAMES SALVEN, CH. 7 TRUSTEE ASSERTING PRIORITY STATUS WHICH

ARE NOT ENTITLED TO PRIORITY
STATUS [[709](#)]

PETER FEAR/Atty. for trst.

The motion is resolved without oral argument. Notice of the objection to claim was adequate under LBR 3007-1(c)(1). No timely written opposition has been filed. The objection overcomes any prima facie effect of the proof of claim and is sustained. No appearance is necessary.

23. [98-19111](#)-A-7 RICK PIERCE HEARING - TRUSTEE'S MOTION
PLF #15 FOR ORDER FIXING ADMINISTRATIVE
JAMES SALVEN, CH. 7 TRUSTEE CLAIM BAR DATE AND DESIGNATING
FORM AND MANNER THEREOF
[[716](#)]

PETER FEAR/Atty. for trst.

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.

24. [07-12613](#)-A-7 ELIZABETH ANN TORIGIAN HEARING - APPLICATIONS FOR
COMPENSATION:
JAMES SALVEN, TRUSTEE [[66](#)]
JANZEN, TAMBERI & WONG,
ACCOUNTANTS FOR TRUSTEE [[61](#)]

Notice was adequate. No timely written opposition has been filed. The compensation requested is reasonable, and the reimbursement of expenses requested is for actual necessary expenses. The application(s) is(are) granted. No appearance is necessary.

25. [08-12715](#)-A-7 MARTIN & MARIA DELGADO HEARING - MOTION FOR RELIEF
RJC #1 FROM STAY [[14](#)]
SANTANDER CONSUMER USA INC., VS.

ROBERT J. CURTIS/Atty. for mv.

26. [07-12125](#)-A-7 TRUCKER'S OIL COMPANY, HEARING - TRUSTEES' MOTION
TGM #1 INC. FOR AUTHORITY TO COMPROMISE A
ROBERT HAWKINS, CH. 7 TRUSTEE AND CONTROVERSY [[53](#)]
RANDELL PARKER, CH. 7 TRUSTEE, VS.
JOINDER IN MOTION BY EMMANUEL

ORDER 7/25/08
ROBERT HAWKINS, TRUSTEE
TRUDI MANFREDO/Atty. for trst.
H. TY KHARAZI/Atty. for mv.

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.

27. [08-13827](#)-A-7 ROBERTO & VERONICA GUZMAN HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [[9](#)]
AMERICA'S SERVICING COMPANY, VS.
NON-OPPOSITION BY DEBTORS

CHRISTOPHER MCDERMOTT/Atty. for mv.
DAVID ADALIAN/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. No appearance is necessary.

28. [08-12731](#)-A-7 IGNACIO LARIOS HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [[31](#)]
HOME LOAN SERVICES, INC., VS.

CHRISTOPHER MCDERMOTT/Atty. for mv.

29. [08-12436](#)-A-7 DANIEL MCCLELLAN CONT'D HEARING - ORDER TO SHOW
AND JESSICA D. MOORE CAUSE FOR FAILURE TO APPEAR AT
MEETING OF CREDITORS SET FOR
6/26/08 [[26](#)]
CONT'D RESPONSE BY DEBTORS

MARK ZIMMERMAN/Atty. for dbt.

30. [08-12436](#)-A-7 DANIEL MCCLELLAN HEARING - MOTION TO CONVERT
MAZ #1 AND JESSICA D. MOORE CHAPTER 7 TO CHAPTER 13 [[28](#)]
MOTION WITHDRAWN 8/11/08

MARK ZIMMERMAN/Atty. for dbt.

The motion having been withdrawn, no appearance is necessary.

31. [08-12436](#)-A-7 DANIEL MCCLELLAN HEARING - U.S. TRUSTEE'S
UST #1 AND JESSICA MOORE MOTION TO ENLARGE TIME TO FILE
SARA L. KISTLER, ACTING UNITED MOTION FOR DISMISSAL AND
STATES TRUSTEE, VS. COMPLAINT TO DENY DISCHARGE
TO SEPTEMBER 30, 2008
[[35](#)]

GREGORY POWELL/Atty. for mv.

32. [08-12436](#)-A-7 DANIEL MCCLELLAN HEARING - DEBTORS' MOTION
MAZ #2 AND JESSICA D. MOORE FOR ORDER DISMISSING CHAPTER 7
CASE [[42](#)]

MARK ZIMMERMAN/Atty. for dbt.

33. [08-13137](#)-A-7 NAYING & XEE YANG MOUA HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [[21](#)]
AMERICA'S SERVICING COMPANY, 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. No appearance is necessary.

34. [08-13840](#)-A-7 WENDY LORENE BECERRA HEARING - MOTION FOR RELIEF
JCW #1 FROM STAY [[11](#)]
WASHINGTON MUTUAL BANK, VS.

JENNIFER WONG/Atty. for mv.

35. [08-13842](#)-A-7 ALFREDO & HILDA FERNANDEZ HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [[12](#)]
HOME LOAN SERVICES, 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. No appearance is necessary.

36. [08-12050](#)-A-7 AHMAD ALI HEARING - U.S. TRUSTEE'S
UST #1 AND TABASUM DURRANI AMENDED MOTION TO ENLARGE TIME
SARA L. KISTLER, ACTING UNITED TO FILE MOTION FOR DISMISSAL
STATES TRUSTEE, VS. AND COMPLAINT TO DENY DISCHARGE
TO OCTOBER 1, 2008 [[44](#)]

GREGORY POWELL/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.

37. [08-13952](#)-A-7 MICHAEL A. AUTIN HEARING - MOTION FOR RELIEF
JCW #1 AND CYNTHIA CUNNINGHAM FROM STAY [[11](#)]
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC., VS.

JENNIFER WONG/Atty. for mv.

38. [05-15654](#)-A-7 DENNIS VARTAN HEARING - PLAINTIFF'S MOTION
[08-1058](#) DRJ #1 FOR JUDGMENT ON THE PLEADINGS
DENNIS VARTAN, VS. RE COMPLAINT FOR DECLARATORY
RELIEF AND INJUNCTIVE RELIEF
[[11](#)]
JOE FLORES AND CONNIE FLORES

DAVID JENKINS/Atty. for pl.

39. [08-14355](#)-A-7 EDELMIRO & MARIA AGUIRRE HEARING - MOTION FOR RELIEF
WGM #1 FROM STAY [[9](#)]
AMERICAN HOME MORTGAGE SERVICING,
INC., VS.

WILLIAM MALCOLM/Atty. for mv.

40. [08-12860](#)-A-7 LEONARDO HERNANDES HEARING - MOTION FOR RELIEF
ND #2 AND CAMERINA MALDONADO FROM STAY [[22](#)]
SAXON MORTGAGE SERVICES, INC., VS.

NICOLAS DALUISO/Atty. for mv.

41. [08-12364](#)-A-7 RUSSELL & BLANCA SPEER HEARING - MOTION FOR RELIEF
APN #2 FROM STAY [[46](#)]
TOYOTA MOTOR CREDIT CORP., VS.

DISCHARGED 8/7/08

AUSTIN NAGEL/Atty. for mv.

The motion is denied as moot. The debtors have been discharged, and the trustee has abandoned the property. No appearance is necessary.

42. [08-12367](#)-A-7 ADOLFO & MARGARITA PULIDO HEARING - MOTION FOR RELIEF
MEA #1 FROM STAY [[20](#)]
COUNTRYWIDE HOME LOANS, INC., VS.

DISCHARGED 7/22/08

MARISOL ANTONIO/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.

43. [08-13468](#)-A-7 FRANK & MARGARITA SAIZA HEARING - MOTION FOR RELIEF
MDE #1 FROM STAY [[13](#)]
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. No appearance is necessary.

44. [08-13569](#)-A-7 WILLIAM & TAIMI ANDERSEN HEARING - MOTION FOR RELIEF
JDL #1 FROM STAY [[30](#)]
DOWNEY SAVINGS & LOAN ASS'N., VS.

JOEY DELEON/Atty. for mv.

The motion is denied without prejudice. Debtors were not served at the correct address. No appearance is necessary.

45. [08-12070](#)-A-7 PAUL & NORMA FAUSONE HEARING - MOTION FOR RELIEF
JHW #1 FROM STAY [[48](#)]
DCFS TRUST, VS.

DISCHARGED 7/22/08

JENNIFER WANG/Atty. for mv.

The motion is resolved without oral argument. This is a motion for relief from stay concerning personal property that is the subject of a lease. The trustee has not timely assumed the lease under 11 U.S.C. § 365(d); nor does the record reflect that the debtor has indicated he wishes to assume the lease. Therefore, the stay has terminated. 11 U.S.C. § 365(p). The motion is denied as moot. No appearance is necessary.

46. [08-13771](#)-A-7 JESSE CHACON, JR. HEARING - MOTION FOR RELIEF
APN #1 AND PAULA CHACON FROM STAY [[9](#)]
NISSAN MOTOR ACCEPTANCE 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.

47. [05-14174](#)-A-7 LYDIA L. SUMAYA HEARING - APPLICATIONS FOR
COMPENSATION:
JAMES SALVEN, TRUSTEE [[186](#)]
JANZEN, TAMBERI & WONG,
ACCOUNTANTS FOR TRUSTEE [[181](#)]
ROBERT HAWKINS, ATTORNEY FOR
TRUSTEE [[177](#)]

Notice was adequate. No timely written opposition has been filed. The compensation requested is reasonable, and the reimbursement of expenses requested is for actual necessary expenses. The application(s) is(are) granted. No appearance is necessary.

48. [08-14174](#)-A-7 CUTBERTO & DOLORES ROMERO HEARING - MOTION FOR RELIEF
WGM #1 FROM STAY [[10](#)]
WASHINGTON MUTUAL BANK, VS.

WILLIAM MALCOLM/Atty. for mv.

49. [06-11178](#)-A-7 TALAL A. CHAMMOUT HEARING - TRUSTEES' MOTION
TGM #8 FOR AUTHORITY TO COMPROMISE A
RANDELL PARKER, CH. 7 TRUSTEE AND CONTROVERSY [[197](#)]
ROBERT HAWKINS, CH. 7 TRUSTEE, VS.

ORDER 7/25/08
TRUDI MANFREDO/Atty. for trst.

ROBERT HAWKINS, 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.

50. [08-12480](#)-A-7 DAVID GARCIA
MBB #1
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC., VS.

HEARING - MOTION FOR RELIEF
FROM STAY [[43](#)]

DISCHARGED 8/5/08

MARK DOMEYER/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. No appearance is necessary.

51. [08-13085](#)-A-7 LOUIS & JANE WIEBE
PPR #1
SECURED BANKERS MORTGAGE COMPANY,
VS.

HEARING - MOTION FOR RELIEF
FROM STAY [[17](#)]

CASSANDRA RICHEY/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.

52. [08-13585](#)-A-7 MARIO GARCIA
APN #1
WELLS FARGO FINANCIAL, VS.

HEARING - MOTION FOR RELIEF
FROM STAY [[13](#)]

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.

53. [08-13985](#)-A-7 CORNELLIS M. DUARTE HEARING - MOTION FOR RELIEF
JCW #1 FROM STAY [[8](#)]
LASALLE BANK NA AS TRUSTEE, VS.

JENNIFER WONG/Atty. for mv.

54. [08-13286](#)-A-7 DAVID VONHURST HEARING - MOTION FOR RELIEF
APN #1 FROM STAY [[20](#)]
WELLS FARGO BANK, 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.

55. [07-10189](#)-A-7 PRESLEY SAM HEARING - APPLICATIONS FOR
COMPENSATION:
ROBERT HAWKINS, TRUSTEE [[68](#)]
SHANE REICH, ATTORNEY FOR
TRUSTEE [[59](#)]
JANZEN, TAMBERI & WONG,
ACCOUNTANTS FOR TRUSTEE [[62](#)]

56. [08-14289](#)-A-7 LORENZO & ALIDA GARNICA HEARING - MOTION FOR RELIEF

JMS #1
CHASE HOME FINANCE, LLC, VS.

FROM STAY [[11](#)]

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. No appearance is necessary.

57. [08-12690](#)-A-7 MIRIAM WANDA MYLES
DMM #1
WACHOVIA MORTGAGE, FSB, VS.

HEARING - MOTION FOR RELIEF
FROM STAY [[33](#)]

NON-OPPOSITION BY DEBTOR

DAVE MCGRAW/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). 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.

58. [08-13395](#)-A-7 CASEY & ANGELA VANDERVILLE
PBB #1

HEARING - DEBTORS' MOTION
FOR ORDER DISMISSING CHAPTER 7
CASE [[14](#)]

PETER BUNTING/Atty. for dbt.

59. [08-13797](#)-A-7 TERESA FRANCO
JCW #1
NATIONSTAR MORTGAGE LLC, VS.

HEARING - MOTION FOR RELIEF
FROM STAY [[12](#)]

JENNIFER WONG/Atty. for mv.

9:01 a.m.

1. [08-11702](#)-A-7 RENE FLORES RIVERA STATUS CONFERENCE
[08-1141](#) [1]
CHASE BANK USA, N.A., VS. SUMMONS NOT SERVED; REISSUED
FOR 9/22/08 AT 9 A.M.
RENEE FLORES RIVERA ANSWER BY RENE FLORES RIVERA
JEROME YELSKY/Atty. for pl.
TIMOTHY SPRINGER/Atty. for def.

The status conference is continued to September 22, 2008, at 9:00 a.m., the date set forth on the reissued summons. No appearance is necessary August 27, 2008.

2. [08-12233](#)-A-7 YING PAO YANG STATUS CONFERENCE
[08-1134](#) [1]
CHASE BANK USA, N.A., VS. 8/5/08 FILED ORDER CLOSING
ADVERSARY PROCEEDING AND
YING PAO YANG RESERVING JURISDICTION RE
SETTLEMENT STIPULATION
JEROME YELSKY/Atty. for pl.

The adversary proceeding having been closed, the status conference is concluded. No appearance is necessary.

3. [08-11934](#)-A-7 EUGENE & NANCY YAMAMOTO STATUS CONFERENCE
[08-1146](#) [1]
SHAKEY'S USA, INC., VS. ANSWER BY EUGENE YAMAMOTO AND
NANCY YAMAMOTO
EUGENE MASAO YAMAMOTO; NANCY MAK
YAMAMOTO; ET AL. STIPULATED JUDGMENT ENTERED
8/26/08
KATHERINE WINDLER/Atty. for pl.
THOMAS ARMSTRONG/Atty. for def.

A stipulated judgment having been entered, the status conference is concluded. No appearance is necessary.

4. [08-11646](#)-A-7 JOHN SAMUEL GOODSON STATUS CONFERENCE
[08-1121](#) [1]
FIA CARD SERVICES, N.A., VS. 8/5/08 FILED ORDER CLOSING
ADVERSARY PROCEEDING AND
JOHN SAMUEL GOODSON, SR. RESERVING JURISDICTION RE
SETTLEMENT STIPULATION
JEROME YELSKY/Atty. for pl.

The adversary proceeding having been closed, the status conference is concluded. No appearance is necessary.

[08-1104](#)
SARA L. KISTLER, ACTING UNITED
STATES TRUSTEE, VS.
JUANITA E. MIRELEZ

[[1](#)]
CONT'D ANSWER BY DEFENDANT
JUDGMENT FILED 8/22/08

GREGORY POWELL/Atty. for pl.
JUANITA MIRELEZ, PRO SE/DEF.

As judgment has been entered, the status conference is concluded. No appearance is necessary.

10. [06-10387](#)-A-7 ROBERT J. COYLE
[06-1206](#)
NATIONAL DENTAL SERVICE, INC.
AND SCRIP PLUS, INC. VS.
ROBERT J. COYLE

CONT'D PRETRIAL CONFERENCE ON
THIRD AMENDED COMPLAINT (FOR
TRIAL SETTING)
[[34](#)]
CONT'D ANSWER TO THIRD AMENDED
COMPLAINT

JOSHUA WAYSER/Atty. for pl.
DAVID JENKINS/Atty. for def.

11. [08-11398](#)-A-7 DONOVAN & RANI CALDERON
[08-1119](#)
RICHARD DEFEHR, VS.

STATUS CONFERENCE
[[1](#)]

DRAGON INVESTMENT GROUP, INC.;
FRANK ERNEST CUTLER; ET AL.

LEN DEN WEBB/Atty. for pl.

The parties have stipulated for leave to amend the complaint by September 22, 2008. Therefore, the status conference is continued to October 1, 2008, at 9:00 a.m. No appearance is necessary August 27, 2008.

9:30 a.m.

1. [08-14198](#)-A-13 ROSALIE M. PENA
MAZ #1
PETITION FILED 7/16/08

HEARING - DEBTOR'S EXPEDITED
BAPCPA MOTION TO EXTEND THE
AUTOMATIC STAY [[13](#)]

MARK ZIMMERMAN/Atty. for dbt.

2. [08-14676](#)-B-13 BERNARD & KATHY WARD

HEARING - DEBTORS' FIRST

SL #1
PETITION FILED 8/5/08

EXPEDITED BAPCPA MOTION TO
IMPOSE THE AUTOMATIC STAY
[12]

SCOTT LYONS/Atty. for dbt.

1:30 p.m.

1. [07-13032](#)-A-11 I-5 SOCIAL SERVICES CORP. HEARING - THIRD APPLICATION
KDG #20 FOR ALLOWANCE OF INTERIM
KLEIN, DENATALE, GOLDNER, COOPER, ATTORNEYS FEES AND COSTS
ROSENLIEB & KIMBALL [367]

T. SCOTT BELDEN/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.

2. [07-13032](#)-A-11 I-5 SOCIAL SERVICES CORP. HEARING - THIRD AND FINAL
KDG #21 APPLICATION FOR ALLOWANCE OF
BUSINESS CONSULTANT FEES FILED
BY TERENCE J. LONG, CPA
(4/1/08 THROUGH 7/28/08)
[360]

T. SCOTT BELDEN/Atty. for dbt.

Notice was adequate. No timely written opposition has been filed. The compensation requested is reasonable, and the reimbursement of expenses requested is for actual necessary expenses. The application(s) is(are) granted. No appearance is necessary.

3. [08-11848](#)-A-11 EL SOBRANTE DEVELOPMENT, CONT'D HEARING - CHAPTER 11
LLC STATUS CONFERENCE [6]

DAVID JENKINS/Atty. for dbt.

4. [08-13653](#)-A-11 SEQUOIA COMMUNITY HEALTH CONT'D HEARING - CHAPTER 11
FOUNDATION, INC. STATUS CONFERENCE [58]

RILEY WALTER/Atty. for dbt.

5. [08-13653](#)-A-11 SEQUOIA COMMUNITY HEALTH FOUNDATION, INC. HEARING - MOTION FOR RELIEF FROM STAY [[154](#)]
RAS #1
WELLS FARGO BANK EQUIPMENT FINANCE, INC., VS. 8/20/08 STIPULATED ORDER

RICHARD SOLOMON/Atty. for mv.

As the motion has been resolved by stipulation, no appearance is necessary.

6. [08-13653](#)-A-11 SEQUOIA COMMUNITY HEALTH FOUNDATION, INC. HEARING - U.S. TRUSTEE'S MOTION FOR APPOINTMENT OF CHAPTER 11 TRUSTEE PURSUANT TO 11 U.S.C. S.1104(A) AND (E) [242]
UST #2
SARA L. KISTLER, ACTING UNITED STATES TRUSTEE, VS.

OPPOSITION BY DEBTOR

GREGORY POWELL/Atty. for mv.
RILEY WALTER/Atty. for dbt.

7. [08-13653](#)-A-11 SEQUOIA COMMUNITY HEALTH FOUNDATION, INC. CONT'D HEARING - DEBTOR'S MOTION FOR AUTHORITY TO BORROW AND GIVE SECURITY [[22](#)]
WW #6

CONT'D LIMITED OPPOSITION BY MCKESSON MEDICAL-SURGICAL, INC.

RILEY WALTER/Atty. for dbt.
JEFFREY GARFINKLE/Atty. for obj.

8. [08-13653](#)-A-11 SEQUOIA COMMUNITY HEALTH FOUNDATION, INC. CONT'D HEARING - DEBTOR'S MOTION FOR AUTHORITY TO USE CASH COLLATERAL [[59](#)]
WW #10

ORDER 7/22/08
RILEY WALTER/Atty. for dbt.

9. [08-13653](#)-A-11 SEQUOIA COMMUNITY HEALTH PRELIMINARY HEARING - MOTION
WW #14 FOUNDATION, INC. FOR ORDER PRESCRIBING NOTICE
AND (1) AUTHORIZING SALE OF
ASSETS PURSUANT TO 11 U.S.C S.
363 FREE AND CLEAR OF ALL LIENS,
CLAIMS, ENCUMBRANCES AND
INTERESTS; (2) APPROVING BIDDING
PROCEDURES; AND (3) AUTHORIZING
BREAK-UP FEE
RESP BY WELLS FARGO; OBJ/KIOUS
- OST 8/15/08
RILEY WALTER/Atty. for dbt.
RICHARD SOLOMON/Atty. for resp.
CHRISTOPHER SEYMOUR/Atty. for obj.
10. [08-13653](#)-A-11 SEQUOIA COMMUNITY HEALTH HEARING - DEBTOR'S MOTION FOR
WW #15 FOUNDATION, INC. AUTHORIZATION TO REJECT NON-
RESIDENTIAL REAL PROPERTY LEASE
(1915 N. FINE AVE., #101, FRESNO)
[[203](#)]
- RILEY WALTER/Atty. for dbt.
11. [08-13653](#)-A-11 SEQUOIA COMMUNITY HEALTH HEARING - DEBTOR'S MOTION FOR
WW #16 FOUNDATION, INC. AUTHORIZATION TO REJECT NON-
RESIDENTIAL REAL PROPERTY LEASE
(1945 N. FINE AVE., #108, FRESNO)
[[209](#)]
- RILEY WALTER/Atty. for dbt.
DALE/PATRICIA BOUST, PRO SE BRIEF IN OPPOSITION BY DALE AND
PATRICIA BOUST, THE LESSORS
12. [08-13653](#)-A-11 SEQUOIA COMMUNITY HEALTH HEARING - DEBTOR'S MOTION FOR
WW #17 FOUNDATION, INC. AUTHORITY TO COMPROMISE WITH
MARIA A. POLEN AND PAUL POLEN
[[215](#)]
- RILEY WALTER/Atty. for dbt.
13. [08-12672](#)-A-11 REGAL TRANSPORT, INC. CONT'D HEARING - CHAPTER 11
STATUS CONFERENCE [[15](#)]

HAGOP BEDOYAN/Atty. for dbt.

14. [08-12672](#)-A-11 REGAL TRANSPORT, INC.
BTM #1
VOLVO FINANCIAL SERVICES, VS.

CONT'D HEARING - MOTION FOR
RELIEF FROM STAY [[114](#)]

NON-OPPOSITION BY DEBTOR

ORDER 7/14
BENJAMIN MORTON/Atty. for mv.
HAGOP BEDOYAN/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. No appearance is necessary.

15. [08-12672](#)-A-11 REGAL TRANSPORT, INC.
AKA #1
LEAF FUNDING, INC., VS.

HEARING - MOTION FOR RELIEF
FROM STAY OR IN THE ALTERNATIVE,
FOR ADEQUATE PROTECTION
[[159](#)]

ANDREW ALPER/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.

16. [08-12672](#)-A-11 REGAL TRANSPORT, INC.
UST #1
SARA L. KISTLER, ACTING UNITED
STATES TRUSTEE, VS.

HEARING - U.S. TRUSTEE'S
MOTION FOR DISMISSAL PURSUANT
TO 11 U.S.C. S.1112(B)
[[172](#)]

GREGORY POWELL/Atty. for mv.

17. [08-12672](#)-A-11 REGAL TRANSPORT, INC.
CBH #5

HEARING - DEBTOR'S MOTION
TO DISMISS CHAPTER 11 CASE
[[177](#)]

JOINDER BY GE CAPITAL CORP.

HAGOP BEDOYAN/Atty. for dbt.
PHILIP R. RUDD/atty for creditor

18. [05-60588](#)-A-11 NICOLAUS DEVELOPMENT
COMPANY, LLC

CONT'D HEARING - CHAPTER 11
STATUS CONFERENCE [[7](#)]

CONT'D COMMENT BY CITY OF
ATWATER

RILEY WALTER/Atty. for dbt.

19. [05-11295](#)-A-11 ROSENDAHL FARMS, INC.
THA #2
JAMES SALVEN, CH. 11 TRUSTEE, VS.

HEARING - MOTION FOR
AUTHORIZATION TO COMPROMISE
CONTROVERSIES PURSUANT TO FRBP
RULE 9019 AND TO APPROVE FINAL
COMPENSATION FOR CLIFFORD E.
BRESSLER AND CLIFFORD E.
BRESSLER & ASSOCIATES PURSUANT
TO U.S.C. S.330(A) [[572](#)]

THOMAS ARMSTRONG/Atty. for mv.

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.