

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.

September 3, 2008

9:00 a.m.

1. [08-13612](#)-A-7 ROBERT HARRY GRIFFIN, III HEARING - ORDER TO SHOW CAUSE FOR FAILURE TO SUBMIT EMPLOYEE INCOME RECORD AND TAX RETURN
[[18](#)]

PRO SE

2. [08-14012](#)-A-7 VICTOR A. SANABRIA HEARING - ORDER TO SHOW CAUSE FOR FAILURE TO ATTEND 341 MEETING SET FOR 8/7/08 AND TO SUBMIT EMPLOYEE INCOME RECORD AND TAX RETURN
[[11](#)]

CARA PERALTA/Atty. for dbt.

3. [08-14629](#)-A-7 JAVIER ARELLANO HEARING - ORDER TO SHOW CAUSE

FOR FAILURE TO FILE A MASTER
ADDRESS LIST [[5](#)]

PRO SE

4. [08-12731](#)-A-7 IGNACIO LARIOS

HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO SUBMIT EMPLOYEE
INCOME RECORD AND TAX RETURN
[[40](#)]

LEONARD PENA/Atty. for dbt.

5. [08-14840](#)-A-7 GILBERT SALINAS, JR.

HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO PAY \$299.00
DUE 8/12/08 [[7](#)]

RICHARD LIMA/Atty. for dbt.

6. [08-14841](#)-A-7 TODD A. ROGERS

HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO PAY \$299.00
DUE 8/12/08 [[10](#)]

RICHARD LIMA/Atty. for dbt.

7. [08-14842](#)-A-7 CARMEN CORTES-PICHA

HEARING - ORDER TO SHOW CAUSE
FOR FAILURE TO PAY \$299.00
DUE 8/12/08 [[7](#)]

RICHARD LIMA/Atty. for dbt.

8. [08-13867](#)-A-7 NINO M. VENTRESCA HEARING - ORDER TO SHOW CAUSE FOR FAILURE TO SUBMIT EMPLOYEE INCOME RECORD AND TAX RETURN [[14](#)]
- PRO SE
9. [08-14289](#)-A-7 LORENZO & ALIDA GARNICA HEARING - ORDER TO SHOW CAUSE FOR FAILURE TO FILE STATISTICAL SUMMARY [[17](#)]
- PATRICIA CARRILLO/Atty. for dbt.
10. [08-12100](#)-A-7 LAZARO & VIRGINIA VILLA SMM #1 HEARING - OBJECTION TO DEBTORS' CLAIM OF EXEMPTION BY INSURANCE COMPANY OF THE WEST AND RICKORD LOPEZ, SR. [[156](#)]
- STEPHEN MALONEY/Atty. for obj.
DAVID JENKINS/Atty. for dbt.
- RESPONSE BY DEBTORS
11. [06-10002](#)-A-7 VICTORIA LANDSEADAL
[08-1025](#) LCR #1
VICTORIA L. LANDSEADAL, VS. HEARING - DEFENDANT'S MOTION TO SET ASIDE DEFAULT AND DEFAULT JUDGMENT [[26](#)]
- VICTOR TOKACH POINTS & AUTHORITIES IN OPPOSITION BY PLAINTIFF
- STEVEN DIAS/Atty. for def.
L. CLARKE ROUNTREE/Atty. for pl.
12. [08-12809](#)-A-7 MIGUEL & GORETTI MEDRANO PD #2 WACHOVIA MORTGAGE FSB, VS. HEARING - MOTION FOR RELIEF FROM STAY [[39](#)]
- DISCHARGED 8/20/08

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.

13. [08-14115](#)-A-7 SALUD PINEDA HEARING - MOTION FOR RELIEF
WGM #1 FROM STAY [[12](#)]
WASHINGTON MUTUAL BANK, VS.

WILLIAM MALCOLM/Atty. for mv.

14. [08-13716](#)-A-7 KATHY J. WARNER HEARING - MOTION FOR RELIEF
PD #1 FROM STAY [[11](#)]
NATIONAL CITY MORTGAGE A
DIVISION OF NATIONAL CITY BANK, 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.

15. [08-10031](#)-A-7 ANDRES/GUADALUPE RODRIGUEZ HEARING - MOTION FOR RELIEF
APN #1 FROM STAY [[18](#)]
WELLS FARGO FINANCIAL, VS.
DISCHARGED 04/16/08

AUSTIN NAGEL/Atty. for mv.

Notice was adequate pursuant to Local Bankruptcy Rule 9014-1(f)(1). No timely

The motion is denied without prejudice. Moving party failed to serve debtor's attorney, and therefore notice is inadequate. No appearance is necessary.

20. [08-12747](#)-A-7 TARA & JEROME WREN HEARING - MOTION FOR RELIEF
APN #1 FROM STAY [[32](#)]
FORD MOTOR CREDIT COMPANY, 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.

21. [08-14455](#)-A-7 JAVIER R. CARRAMAN HEARING - MOTION FOR RELIEF
ND #1 FROM STAY [[10](#)]
SAXON MORTGAGE SERVICES, INC., VS.

NICOLAS DALUIISO/Atty. for mv.

22. [07-13360](#)-A-7 ROBERT & ELIZABETH GOMEZ HEARING - PLAINTIFF'S MOTION
[07-1189](#) AAG #1 FOR ENTRY OF DEFAULT JUDGMENT
VILLAMORENO ENTERPRISES, LLC, VS. [[28](#)]

ROBERT GOMEZ, JR. AND ELIZABETH
GOMEZ

ALFRED GALLEGOS/Atty. for pl.

The motion is denied without prejudice. There is no separate notice, in violation of LBR 9014-1(d)(2); defendant Elizabeth Gomez was not separately served, in violation of FRBP 7004(b)(9); notice fails to comply with LBR 9014-1(f)(1) with respect to time to file opposition. No appearance is necessary.

23. [08-14063](#)-A-7 LARISSA N. VASILIEVA HEARING - MOTION FOR RELIEF
JHW #1 FROM STAY [[8](#)]
DAIMLER TRUST, VS.

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.

24. [08-13569](#)-A-7 WILLIAM & TAIMI ANDERSEN HEARING - MOTION FOR RELIEF
JLS #1 FROM STAY [[38](#)]
EQUITY MORTGAGE & INVESTMENTS, VS.

JOSHUA SCHEER/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.

25. [08-13569](#)-A-7 WILLIAM & TAIMI ANDERSEN HEARING - MOTION FOR RELIEF
JLS #2 FROM STAY [[44](#)]
BERNARD FIEBER, VS.

JOSHUA SCHEER/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.

26. [07-10577](#)-A-7 VINCENT & ADELINA JIMENEZ HEARING - APPLICATIONS FOR
COMPENSATION:
ROBERT HAWKINS, TRUSTEE [[40](#)]
SHANE REICH, ATTORNEY FOR
TRUSTEE [[37](#)]

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.

27. [08-14280](#)-A-7 ROSALIO QUINTANILLA HEARING - MOTION FOR RELIEF
WGM #1 FROM STAY [[14](#)]
WASHINGTON MUTUAL BANK, VS.

WILLIAM MALCOLM/Atty. for mv.

28. [08-12788](#)-A-7 GEORGE GUIDICOTTI HEARING - MOTION FOR RELIEF
JCW #1 FROM STAY [[55](#)]
HSBC MORTGAGE SERVICES INC., VS.
MOTION WITHDRAWN 8/25/08

JENNIFER WONG/Atty. for mv.

The motion having been withdrawn, no appearance is necessary.

29. [08-12893](#)-A-7 TRUE MOUA HEARING - U.S. TRUSTEE'S
UST #1 MOTION FOR DISMISSAL OF CASE
SARA L. KISTLER, ACTING UNITED PURSUANT TO 11 U.S.C. S.341(A),
STATES TRUSTEE, VS. 521(E)(2)(B) AND 707(A)(1)
[[28](#)]

GREGORY POWELL/Atty. for mv.

The motion is denied without prejudice. Notice fails to comply with either LBR 9014-1(f)(1) or with LBR 9014-1(f)(2). No appearance is necessary.

30. [08-12893](#)-A-7 TRUE MOUA HEARING - U.S. TRUSTEE'S
UST #2 MOTION FOR REVIEW OF FEES
SARA L. KISTLER, ACTING UNITED PURSUANT TO 11 U.S.C. S.329
STATES TRUSTEE, VS. [[32](#)]

GREGORY POWELL/Atty. for mv.

The motion is denied without prejudice. Notice fails to comply with either LBR 9014-1(f)(1) or with LBR 9014-1(f)(2). No appearance is necessary.

31. [07-14098](#)-A-7 JESSE & LOIS BAILEY HEARING - APPLICATIONS FOR
COMPENSATION:
ROBERT HAWKINS, TRUSTEE [[32](#)]

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.

32. [08-14054](#)-A-7 WESLEY C. HENDRICKSON HEARING - MOTION FOR RELIEF
BL #1 FROM STAY [[20](#)]
MICHAEL BUDD, VS.

OST 8/26/08
BRUCE LEICHTY /Atty. for mv.

9:01 a.m.

1. [08-12003](#)-A-7 KHOUA LEE VANG STATUS CONFERENCE
[08-1157](#) [[1](#)]
KHOUA LEE VANG, VS.
DONALD G. ALUISI NOTICE OF DISMISSAL
FILED 9/2/08
PETER BUNTING/Atty. for pl.

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

2. [08-11171](#)-A-7 MARIA I. SOLIS STATUS CONFERENCE
[08-1150](#) [[1](#)]
JAMES SALVEN, CH. 7 TRUSTEE, VS.
JUAN CARLOS SOLIS
TRUDI MANFREDO/Atty. for pl.

3. [08-11171](#)-A-7 MARIA I. SOLIS STATUS CONFERENCE
[08-1151](#) [[1](#)]
JAMES SALVEN, CH. 7 TRUSTEE, VS.
MARICELA SOLIS

TRUDI MANFREDO/Atty. for pl.

1:30 p.m.

1. [08-11200](#)-A-11 BALDO V. CISNEROS
MKK #1 HEARING - APPLICATION FOR
PAYMENT OF INTERIM FEES AND/OR
EXPENSES, ACCOUNTANT FOR DEBTOR
[[126](#)]

M. KATHLEEN KLEIN, CPA

2. [08-12006](#)-A-11 JOE & LUISA PACHECO
CONT'D HEARING - CHAPTER 11
STATUS CONFERENCE [[10](#)]

DAVID JENKINS/Atty. for dbt.

3. [08-12006](#)-A-11 JOE & LUISA PACHECO
DRJ #7 HEARING - MOTION FOR ORDER
RATIFYING DEBTORS' CWT BID AND
DEBTORS' AUCTION SALE OF CATTLE
[[65](#)]

DAVID JENKINS/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.

4. [08-13653](#)-A-11 SEQUOIA COMMUNITY HEALTH
WJH #2 FOUNDATION, INC.
J. I. GARCIA CONSTRUCTION, INC., VS. HEARING - MOTION FOR PARTIAL
RELIEF FROM/PARTIAL ANNULMENT OF
THE AUTOMATIC STAY [[297](#)]

WESLEY HAMMOND/Atty. for mv.

1:31 p.m.

1. [06-10324](#)-A-11 PROPERTY DEVELOPMENT GROUP, CONT'D STATUS CONFERENCE

08-1080 LLC
PROPERTY DEVELOPMENT GROUP, LLC, VS.

BANK OF THE WEST AND DENNES B.
COOMBS

RILEY WALTER/Atty. for pl.

[1]

DEFAULT OF DENNES B. COOMBS
ENTERED 7/28/08; PLAINTIFF
SHALL APPLY FOR A DEFAULT
JUDGMENT WITHIN 30 DAYS

2. 08-15222-A-11 RONALD RAY RUMINSON
HAR #1

ORDER 8/28
HILTON RYDER/Atty. for dbt.

PRELIMINARY HEARING -
DEBTOR'S MOTION FOR AUTHORITY
TO USE CASH COLLATERAL ON
BOTH AN EMERGENCY BASIS AND ON
A PERMANENT BASIS [8]

FINAL HEARING - 9/22/08 AT
1:30 P.M.