

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.

December 17, 2008

1:30 p.m.

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1. [08-16623](#)-A-7 ALEX DURAN

HEARING - ORDER TO SHOW CAUSE  
FOR FAILURE TO PAY \$75.00  
DUE 11/19/08 [[18](#)]

PAID FINAL INSTALLMENT \$299.00  
12/4/08

THOMAS GILLIS/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. [08-16125](#)-A-7 ALBERT ALVARADO, SR.  
AND DEBBIE ALVARADO

HEARING - ORDER TO SHOW CAUSE  
FOR FAILURE TO SUBMIT EMPLOYEE  
INCOME RECORD AND TAX RETURN  
[[25](#)]

PER TRUSTEE, MEETING CONCLUDED  
11/21/08

KIAN MOTTAHEDEH/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. [08-16426](#)-A-7 NORMA HERNANDEZ

HEARING - ORDER TO SHOW CAUSE  
FOR FAILURE TO PAY \$75.00  
DUE 11/19/08 [[21](#)]

PAID \$299.00 11/24/08

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.**

4. [08-15943](#)-A-7 CRISPIN & MARGARITA BAUTISTA  
HEARING - ORDER TO SHOW CAUSE  
FOR FAILURE TO PAY \$50.00  
DUE 11/19/08 [[32](#)]

PAID \$50.00 12/1/08

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.**

5. [08-16690](#)-A-7 STEVE & JOYCE LEWIS

HEARING - ORDER TO SHOW CAUSE  
FOR FAILURE TO APPEAR AT  
MEETING OF CREDITORS SET FOR  
11/17/08 [[20](#)]

PER TRUSTEE, MEETING CONCLUDED  
12/5/08

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. [08-15802](#)-A-7 WANDA L. MILLER  
RSL #1  
BANK OF AMERICA, N.A., VS.

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

ROBERT S. LAMPL/Atty. for mv.

7. [08-10806](#)-A-7 DAVID & KAREN LOVE HEARING - MOTION FOR RELIEF  
JSK #1 FROM STAY [[67](#)]  
DENNIS F. MINENI AND VICKI L.  
MINENI, VS. DISCHARGED 8/29/08

JEFFREY KAUFMAN/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. Notice fails to comply with LBR 9014-1(d)(3). Future such deficiencies may cause a motion to be denied without prejudice. No appearance is necessary.

8. [07-13307](#)-A-7 WALKABOUT HOME MEDICAL, HEARING - TRUSTEE'S MOTION  
JES #2 INC., VS. TO SELL PERSONAL PROPERTY  
[[20](#)]

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. [08-14808](#)-A-7 BLUE OASIS POOLS AND HEARING - MOTION FOR RELIEF  
BMS #2 SPAS, INC. FROM STAY OR FOR ADEQUATE  
FORD MOTOR CREDIT COMPANY LLC, VS. PROTECTION [[29](#)]

BETH STRATTON/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.

10. [08-15711](#)-A-7 JOSE & ORLANDA GARCIA HEARING - MOTION FOR RELIEF

RCO #2  
HOME SAVINGS OF AMERICA, VS.

FROM STAY [[25](#)]

KATHY SHAKIBI/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.

11. [08-15613](#)-A-7      STEPHANIE RODRIGUEZ  
KMR #1  
GOLDEN 1 CREDIT UNION, VS.

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

KELLY RAFTERY /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.

12. [08-15219](#)-A-7      MICHAEL & ALFREDA BROWN  
DMM #1  
WACHOVIA MORTGAGE, FSB, VS.

HEARING - MOTION FOR RELIEF  
FROM STAY [[20](#)]

DISCHARGED 12/8/08

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. Notice fails to comply with LBR 9014-1(d)(3). Future such deficiencies may cause a motion to be denied without prejudice. No

appearance is necessary.

13. [07-10120](#)-A-7 RANDI L. ROGERS HEARING - APPLICATIONS FOR  
COMPENSATION:  
BETH STRATTON, TRUSTEE [[101](#)]  
JANZEN, TAMBERI & WONG,  
ACCOUNTANTS FOR TRUSTEE [[96](#)]

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.

14. [08-16224](#)-A-7 ALFONSO & ROSALBA CRUZ HEARING - MOTION FOR RELIEF  
PD #1 FROM STAY [[15](#)]  
UBS AG, 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. [08-13034](#)-A-7 STEPHEN BYRON MORGAN HEARING - MOTION FOR RELIEF  
JSK #2 FROM STAY [[35](#)]  
DENNIS F. MINENI AND VICKI L.  
MINENI, VS. DISCHARGED 9/8/08

JEFFREY KAUFMAN/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. Notice fails to comply with LBR 9014-1(d)(3). Future such deficiencies may cause a motion to be denied without prejudice. No appearance is necessary.

16. [08-16434](#)-A-7 THONGKHOUNE PHANHNOLATH HEARING - MOTION FOR RELIEF  
EAT #1 FROM STAY [[15](#)]  
CHASE HOME FINANCE, LLC, VS.

EDWARD TREDER/Atty. for mv.

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

17. [08-16535](#)-A-7 JOSE N. CORNEJO HEARING - MOTION FOR RELIEF  
BMS #1 FROM STAY OR FOR ADEQUATE  
FORD MOTOR CREDIT COMPANY LLC, VS. PROTECTION [[11](#)]

BETH STRATTON/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.

18. [08-16140](#)-A-7 WILLIAM & MARGERY RUSSELL HEARING - MOTION FOR RELIEF  
MBB #1 FROM STAY [[17](#)]  
MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC., VS.

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). 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.

19. [08-15943](#)-A-7 CRISPIN & MARGARITA BAUTISTA HEARING - ORDER TO ALICIA MENDOZA, KENNETH MENDOZA, AND MENDOZA BUSINESS SERVICES, TO APPEAR AND SHOW CAUSE WHY THEY AND EACH OF THEM SHOULD NOT BE SANCTIONED AND ORDERED TO DISGORGE FEES PURSUANT TO 11 U.S.C. S.105 AND 110 [[27](#)]

ORDER 11/5  
GREGORY POWELL/Atty. for trst.

RESP BY UNITED STATES TRUSTEE

20. [08-15847](#)-A-7 KENNETH TONG YANG HEARING - MOTION FOR RELIEF FROM STAY [[16](#)]  
PD #1  
GMAC MORTGAGE, LLC, 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.

21. [08-16956](#)-A-7 PAUL CARTER MULLEN HEARING - MOTION FOR RELIEF FROM STAY [[8](#)]  
PD #1  
CHASE HOME FINANCE LLC, 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.

22. [08-14660](#)-A-7 PETER & GLORIA SOGHOMONIAN HEARING - MOTION FOR RELIEF

MBB #1  
AMERICA'S WHOLESALE LENDER, VS.

FROM STAY [[23](#)]

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). 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. [08-16063](#)-A-7 GREGORY S. WAGES  
BMS #1

HEARING - TRUSTEE'S MOTION  
TO RECONSIDER ORDER GRANTING  
DEBTOR'S APPLICATION FOR WAIVER  
OF THE CHAPTER 7 FILING FEE  
[[20](#)]

BETH STRATTON, TRUSTEE

24. [05-14869](#)-A-7 GENESIS BUENAVENTURA  
PD #1  
GMAC MORTGAGE, LLC, VS.

HEARING - MOTION FOR RELIEF  
FROM STAY [[85](#)]

CHRISTOPHER MCDERMOTT/Atty. for mv.

25. [07-11169](#)-A-7 RONNY & JANINE JENSEN  
JMS #1  
BNC MORTGAGE, INC., VS.

HEARING - MOTION FOR RELIEF  
FROM STAY [[60](#)]

DISCHARGED 12/8/08

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). 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.

26. [08-15472](#)-A-7 MARIA LEBOEUF HEARING - MOTION FOR RELIEF  
MBB #1 FROM STAY [[13](#)]  
MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC., VS. DISCHARGED 12/8/08

MATTHEW TOKARZ/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.

27. [06-10277](#)-A-7 NSHAN MINASIAN RESCHEDULED HEARING - DEBTOR'S  
DRJ #4 OBJECTION TO CLAIM NO. 12 FILED  
BY THE INTERNAL REVENUE SERVICE  
[[88](#)]  
  
10/2 STIP/ORDER  
DAVID JENKINS/Atty. for dbt.  
LAUREL COSTEN/Atty. for obj.  
  
OPPOSITION BY U.S.A. ON BEHALF  
OF I.R.S.

The objection having been withdrawn by stipulation and order, no appearance is necessary.

28. [08-17177](#)-A-7 SHIRLEY ANGUIANO HEARING - MOTION FOR RELIEF  
RDR #1 FROM STAY [[8](#)]  
MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC., VS.

RONALD ROUP/Atty. for mv.

29. [08-16280](#)-A-7 SARA ALICIA MALDONADO HEARING - MOTION FOR RELIEF

EAT #1  
CHASE HOME FINANCE, LLC, VS.

FROM STAY [[16](#)]

EDWARD TREDER/Atty. for mv.

30. [08-13183](#)-A-7 ABEL & DELIA HERNANDEZ  
RHT #1

HEARING - TRUSTEE'S MOTION  
FOR AUTHORIZATION TO SELL  
PERSONAL PROPERTY [[20](#)]

ROBERT HAWKINS, 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.**

31. [08-16183](#)-A-7 RICHARD BELL  
BMS #1

HEARING - TRUSTEE'S MOTION  
TO RECONSIDER ORDER GRANTING  
DEBTOR'S APPLICATION FOR WAIVER  
OF THE CHAPTER 7 FILING FEE  
[[17](#)]

BETH STRATTON, TRUSTEE

32. [08-16383](#)-A-7 SUSANNE LOUISE SLAVEN  
WPF #2  
FELGER FARMS, VS.

HEARING - MOTION FOR RELIEF  
FROM STAY [[11](#)]

OPPOSITION BY DEBTOR

WARREN FELGER/Atty. for mv.  
RANDY RISNER/Atty. for dbt.

33. [08-15787](#)-A-7 RAMON & ROSA CERVANTES  
AGT #1  
FIRST INVESTORS FINANCIAL SERVICES  
GROUP, VS.

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

ARISTIDES TZIKAS/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. [08-14491](#)-A-7 GA MOUA AND VIXIAN MOUA HEARING - MOTION FOR RELIEF  
MBB #1 FROM STAY [[18](#)]  
MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC., VS. DISCHARGED 11/10/08

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.

35. 07-11206-A-7 JAMES B. MASON EXPEDITED HEARING RE DISCOVERY  
07-1162 DEADLINE DISPUTE [[1](#)]  
PRIDE MOBILITY PRODUCTS CORP., VS.

JAMES B. MASON

SCOTT BLAKELEY/ATTY. FOR PL.  
HILTON RYDER/ATTY. FOR DEF.

1:31 p.m.

1. [08-16700](#)-A-7 MICHAEL & ZARINA ROSENFELD STATUS CONFERENCE  
[08-1236](#) [[1](#)]  
BRADLEY MARISCOTTI AND DODY  
MARISCOTTI, VS.  
MICHAEL ROSENFELD, ROSENFELD  
CONSTRUCTION, ET AL.

BONNIE ANDERSON/Atty. for pl.

The status conference is continued to January 7, 2009, at 9:00 a.m., to be heard with the motion to dismiss. No appearance is necessary December 17, 2008.

2. [08-12513](#)-A-7 JAMES JOSEPH WARD PRETRIAL CONFERENCE (FOR  
[08-1160](#) TRIAL SETTING)  
GARY L. DAVIS, VS. [1]  
CONT'D ANSWER BY DEFENDANT  
  
JAMES JOSEPH WARD  
  
GARY L. DAVIS, PRO SE/PL.  
DAVID JENKINS/Atty. for def.
3. [07-12320](#)-A-7 GATEWAY ACADEMY CHARTER STATUS CONFERENCE  
[08-1232](#) SCHOOL [1]  
FRESNO COUNTY SUPERINTENDENT OF ANSWER BY JAMES SALVEN, TRUSTEE  
SCHOOLS, VS. ANSWER BY CA DEPT. OF EDUCATION  
JAMES SALVEN, TRUSTEE, CA DEPT. OF CROSS-CLAIM AND COUNTERCLAIM  
EDUCATION, ET AL. BY JAMES SALVEN, TRUSTEE; ANSWER  
BY FRESNO UNIFIED SCHOOL DIST., ;  
ANSWER AND COUNTER-CLAIM BY  
EDUCATION
- LINDA BACON/Atty. for pl.  
BETH STRATTON /Atty. for def.  
PETER STUBBS/Atty. for def.
4. [07-12335](#)-A-7 DELIA CERVANTES CONT'D STATUS CONFERENCE  
[08-1091](#) [1]  
ROBERT HAWKINS, CH. 7 TRUSTEE, VS.  
  
ALEJANDRO MORALES AND DENISE MORALES  
  
SHANE REICH/Atty. for pl.
5. [07-13942](#)-A-7 MARK TORRENCE CONT'D STATUS CONFERENCE  
[08-1031](#) [1]  
JOSHUA DONNELL, VS. CONT'D ANSWER BY DEFENDANT  
  
MARK E. TORRENCE  
  
CORBETT BROWNING/Atty. for pl.  
THOMAS ARMSTRONG/Atty. for def.
- STIPULATION FOR DISMISSAL OF  
ADVERSARY PROCEEDING FILED  
12/10/08; DISMISSED WITH  
PREJUDICE BY ORDER 12/15

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

6. [08-14144](#)-A-7 KENNETH & SUZANNE BLATTEL STATUS CONFERENCE  
[08-1234](#) [1]

AMERICAN EXPRESS CENTURION BANK, VS.

KENNETH BLATTEL

10/30/08 FILED STIPULATED  
JUDGMENT IN SETTLEMENT OF  
ADVERSARY PROCEEDING; JUDGMENT  
FILED 10/31/08

JOHN O'DONNELL/Atty. for pl.

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

7. [08-10867](#)-A-7 ADRIENNE CAROL SMALZ CONT'D STATUS CONFERENCE  
[08-1186](#) [1]  
JAMES SALVEN, CH. 7 TRUSTEE, VS. ANSWER BY DEFENDANT

PHILIP A. LORD

DOROTHY CARROLL/Atty. for pl.  
JAMES WATKINS/Atty. for def.

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

8. [08-10867](#)-A-7 ADRIENNE CAROL SMALZ RESET STATUS CONFERENCE ON  
[08-1095](#) COMPLAINT [1]  
GARY SMALZ, VS.

ADRIENNE CAROL SMALZ

CF COURT MINUTES 12/3  
THOMAS ARMSTRONG/Atty. for pl.  
ADRIENNE CAROL SMALZ, PRO SE

**2:00 p.m.**

1. [08-17854](#)-B-13 BRUCE & ANGELA STERLING HEARING - DEBTORS' MOTION  
NES #1 TO EXTEND THE AUTOMATIC STAY  
PETITION FILED 12/2/08 BY AN EXPEDITED BAPCPA HEARING  
UNDER 11 USC S. 362 (C)(3)  
[10]

BAKERSFIELD CASE  
NEIL SCHWARTZ/Atty. for dbt.

2. [08-17893](#)-A-13 SYLVIA JIMENEZ HEARING - FIRST EXPEDITED  
GH #1 BAPCPA MOTION TO EXTEND THE  
PETITION FILED 12/3/08 AUTOMATIC STAY [8]

GARY HUSS/Atty. for dbt.

2:30 p.m.

1. [08-15222](#)-A-11 RONALD RAY RUMINSON  
HAR #5  
MCCORMICK, BARSTOW, SHEPPARD,  
WAYTE & CARRUTH, LLP  
HEARING - APPLICATION FOR  
PAYMENT OF INTERIM FEES AND/OR  
EXPENSES (11 U.S.C. S. 331)  
[[55](#)]

HILTON RYDER/Atty. for dbt.

**Notice fails to comply with Fed. R. Bankr. P. 2002(a)96). Therefore, the application is denied without prejudice.**

2. [08-12023](#)-A-11 B AND T INDUSTRIES, LTD.  
CONT'D HEARING - CHAPTER 11  
STATUS CONFERENCE [[11](#)]

RILEY WALTER/Atty. for dbt.

3. [08-12023](#)-A-11 B AND T INDUSTRIES, LTD.  
WW #4  
SCHEDULING CONFERENCE RE  
CONFIRMATION OF DEBTOR'S  
CHAPTER 11 PLAN [[141](#)]  
OBJECTION BY 2170 WARDROBE  
AVENUE PARTNERS, LLC

CF ORDER 11/20  
RILEY WALTER/Atty. for dbt.  
WILLIAM BEALL/Atty. for obj.

4. [08-12023](#)-A-11 B AND T INDUSTRIES, LTD.  
WW #8  
HEARING - DEBTOR'S MOTION  
FOR ORDER AUTHORIZING ASSUMPTION  
OF EXECUTORY CONTRACT [[169](#)]

RILEY WALTER/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.**

5. [08-11848](#)-A-11 EL SOBRANTE DEVELOPMENT CONT'D HEARING - CHAPTER 11  
LLC STATUS CONFERENCE [[6](#)]

DAVID JENKINS/Atty. for dbt.

6. [08-13653](#)-A-11 SEQUOIA COMMUNITY HEALTH CONT'D HEARING - CHAPTER 11  
FOUNDATION, INC. STATUS CONFERENCE [[58](#)]

RILEY WALTER/Atty. for dbt.

7. [08-13653](#)-A-11 SEQUOIA COMMUNITY HEALTH HEARING - APPLICATION FOR  
WW #39 FOUNDATION, INC. PAYMENT OF INTERIM FEES AND/OR  
WALTER WILHELM LAW GROUP EXPENSES, COUNSEL FOR DEBTOR  
[[529](#)]

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.**

8. [08-13653](#)-A-11 SEQUOIA COMMUNITY HEALTH HEARING - APPLICATION FOR  
WW #40 FOUNDATION, INC. PAYMENT OF INTERIM FEES AND/OR  
FISHMAN LARSEN GOLDRING & ZEITLER EXPENSES, SPECIAL COUNSEL FOR  
DEBTOR [[534](#)]

WILLIAM CHALTRAW, JR./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.**

9. [05-60588](#)-A-11 NICOLAUS DEVELOPMENT HEARING - FOURTH AND FINAL  
BMJ #5 COMPANY, LLC APPLICATION FOR ALLOWANCE AND  
BAKER MANOCK & JENSEN, PC PAYMENT OF FEES AND  
REIMBURSEMENT OF EXPENSES,  
SPECIAL COUNSEL FOR DEBTOR

ALBERT BERRYMAN/Applicant

Notice fails to comply with Fed. R. Bankr. P. 20029A)(6). Therefore, the motion is denied without prejudice. No appearance is necessary.

10. [05-60588](#)-A-11 NICOLAUS DEVELOPMENT HEARING - APPLICATION FOR  
WW #31 COMPANY, LLC PAYMENT OF FINAL FEES AND/OR  
WALTER WILHELM LAW GROUP EXPENSES, COUNSEL FOR DEBTOR  
[ 505 ]

RILEY WALTER/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.

11. [06-10342](#)-A-7 RODGER L. MCAFEE CONT'D HEARING - TRUSTEE'S  
THA #9 MOTION FOR ORDER AWARDING  
BETH STRATTON, CH. 7 TRUSTEE ATTORNEY FEES AND COSTS PURSUANT  
TO CALIFORNIA CIVIL CODE S.1717  
[ 233 ]

THOMAS ARMSTRONG/Atty. for trst.

FOR FINDINGS OF FACT AND  
CONCLUSIONS OF LAW