

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO AND MODESTO DIVISIONS**

**NOTICE RE HEARING DATES AND TIMES
JANUARY, FEBRUARY AND MARCH 2009**

Below is a list of dates through March 31, 2009 for hearings on law and motion matters as well as hearings to approve disclosure statements and to confirm plans. The dates listed below must be used by the moving party to “self-set” hearings with the notice required by the Federal Rules of Bankruptcy Procedure and Local Bankruptcy Rules 3007-1 and 9014-1.

Cases and proceedings assigned to Department A are heard by Judge Michael S. McManus (whether he is sitting in the Sacramento or Modesto Division), to Department B by Judge Thomas C. Holman, to Department C by Judge Christopher M. Klein, and to Department D by Judge Robert S. Bardwil (whether he is sitting in the Sacramento or Modesto Division).

The Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 contains a number of provisions requiring or permitting an expedited hearing. See, *inter alia*, 11 U.S.C. §§ 362(c)(3); 362(c)(4); 362(h)(2); 361(1)(2); 362(m); 521(a)(2)(A); 521(a)(6); 521(i)(4); 727(a)(12); 1112(b)(3); 1116(3); 1228(f); 1328(h). All motions requiring an expedited hearing, whether or not related to the new bankruptcy law, shall be set for hearing before the assigned judge on the notice required by Local Bankruptcy Rule 9014-1(f)(1) [28 days’ notice of the hearing] or (f)(2) [14 days’ notice of the hearing]. The moving party must serve all persons entitled to notice with the motion and the notice of the hearing. When an expedited hearing is necessary but there is no available hearing date or no hearing date that permits giving the amount of notice required by Local Bankruptcy Rule 9014-1(f)(1) or (f)(2), or when emergency circumstances warrant a more immediate hearing, the party making the motion shall request in writing that the amount of notice be shortened [see Local Bankruptcy Rule 9014-1(f)(3)] and/or that the motion be specially set for hearing. It is the responsibility of the party making the motion to insure that it is filed and served timely, and set for hearing within the time constraints imposed by the Bankruptcy Code, the Bankruptcy Rules, and the circumstances of the case.

Questions regarding the court calendars should be directed to either of the U.S. Bankruptcy Court Calendar Clerks, Juanita Krewer or Janice Busch at (916) 930-4402, or to the Courtroom Deputy Clerks, Sarah Head for Department A at (916) 930-4582, Sheryl Arnold for Department B at (916) 930-4473, Teresa Jackson for Department C at (916) 930-4421, and Nancy Williams at (916) 930-4580 for Department D (Sacramento) or Carlene Walker at (209) 521-6899 for Department D (Modesto).

Telephone appearances may be arranged at least 24 hours in advance of calendared hearings through Court Conference at 1-866-582-6878.

Tentative rulings, dispositions without oral argument, matters resolved without oral argument, and matters continued for evidentiary hearings are posted prior to the scheduled hearing on the Court’s Internet site, www.caeb.uscourts.gov, at the “Pre-hearing Dispositions” link. Parties appearing by telephone must download and review all pre-hearing dispositions before the hearing. Failure to do so may result in the imposition of sanctions, including taking the matter as submitted without oral argument or continuing the hearing.

Hearings on reaffirmation agreements, as well as status and pretrial conferences in adversary proceedings, are set by the Clerk’s Office. For informational purposes only, the last page of this notice gives the dates each Department will consider these matters.

**DEPARTMENT A - Judge Michael S. McManus
Sacramento Division, 501 I Street, 7th Floor, Courtroom 28, Sacramento, CA
and Modesto Division, 1200 I Street, Suite 4, Modesto, CA**

“Self-Set” Calendar for Chapters 7, 9, 11, and 12 Law and Motion

All motions, excluding requests to confirm plans and approve disclosure statements, shall be set at **9:00 a.m.** in the Sacramento Division at 501 I Street, seventh floor, courtroom 28, Sacramento, California.

January 12, 26

February 9, 23

March 9, 23

“Self-Set” Calendar for Chapters 9, 11, and 12 Disclosure Statement Approvals and Plan Confirmations

Disclosure statement and confirmation hearings shall be set at **11:00 a.m.** in the Sacramento Division at 501 I Street, seventh floor, courtroom 28, Sacramento, California on any of the following dates.

January 12, 26

February 9, 23

March 9, 23

“Self-Set” Calendar for Chapter 13 Matters

All matters in Chapter 13 cases, **except** dismissal motions by the trustee, may be set on the following dates and times:

Sacramento Division cases in which R. Greer is the Trustee. These hearings must be set at **9:00 a.m.** in the Sacramento Division at 501 I Street, seventh floor, courtroom 28, Sacramento, California.

January 5, 20

February 2, 17

March 2, 16

Modesto Division cases in which R. Greer is the Trustee. These hearings must be set at **2:00 p.m.** in the Modesto Division at 1200 I Street, Suite 4, Modesto, California.

January 5, 20

February 2, 17

March 2, 16

Dismissal motions by Trustee R. Greer ONLY may be set for hearing on the following dates and times:

Sacramento Division cases. These hearings must be set at **10:00 a.m.** in the Sacramento Division at 501 I Street, seventh floor, courtroom 28, Sacramento, California.

January 5

February 2

March 2

Modesto Division cases. These hearings must be set at **3:00 p.m.** in the Modesto Division at 1200 I Street, Suite 4, Modesto, California.

January 20

February 17

March 16

**DEPARTMENT B - Judge Thomas C. Holman
Courtroom No. 33, 6th Floor**

“Self-Set” Calendar for Chapters 7, 9, 11 and 12 and Motions in Adversary Proceedings (All Chapters)

All motions, excluding requests to confirm plans and approve disclosure statements, shall be set at **9:30 a.m.** on the following dates:

January 20 February 3, 17 March 3, 17, 31

“Self-Set” Calendar for Chapters 9, 11 and 12 Disclosure Statement Approval and Plan Confirmations

Disclosure statement and confirmation hearings shall be set at **1:30 p.m.** on the following dates:

January 13, 27 February 10, 24 March 10, 24

“Self-Set” Calendar for Chapter 13

All matters in Chapter 13 cases, **except** dismissal motions by the trustee and motions in Chapter 13 adversary proceedings, may be set at **9:30 a.m.** on the following dates:

Cases in which J. Johnson is the Trustee:

January 13, 27 February 10, 24 March 10, 24

Dismissal motions by Trustee J. Johnson ONLY may be set for hearing at **1:00 p.m.** on the following dates:

January 21 February 18 March 18

**DEPARTMENT C - Judge Christopher M. Klein
Courtroom No. 35, 6th Floor**

“Self-Set” Calendar for Chapters 7, 9, 11, and 12

Motions, disclosure statement hearings, and confirmation hearings may be set at **9:30 a.m.** on the following dates:

January 6, 13, 20, 27 February 3, 10, 17, 24 March 3, 10, 17, 24, 31

DEPARTMENT D - Judge Robert S. Bardwil
Sacramento Division, 501 I Street, 6th Floor, Courtroom 34, Sacramento, CA
and Modesto Division, 1200 I Street, Suite 4, Modesto, CA

“Self-Set” Calendar for Chapters 7, 9, 11, and 12

Sacramento Division cases. All motions, excluding requests to confirm plans and approve disclosure statements, shall be set at **10:00 a.m. in the Sacramento Division at 501 I Street, sixth floor, courtroom 34 Sacramento, California** on any of the following dates and times.

January 14, 28

February 11, 25

March 11, 25

Modesto Division cases. All motions, excluding requests to confirm plans and approve disclosure statements, shall be set at **10:30 a.m. in the Modesto Division at 1200 I Street, Suite 4, Modesto, California** on any of the following dates and times:

January 7, 21

February 4, 18

March 4, 18

“Self-Set” Calendar for Chapter 9, 11, and 12 Disclosure Statement Approvals and Plan Confirmations

Sacramento Division cases. Disclosure statement and confirmation hearings shall be set at **1:00 p.m. in the Sacramento Division at 501 I Street, sixth floor, courtroom 34 Sacramento, California** on any of the following dates and times:

January 14, 28

February 11, 25

March 11, 25

Modesto Division cases. Disclosure statement and confirmation hearings shall be set at **1:00 p.m. in the Modesto Division at 1200 I Street, Suite 4, Modesto, California.**

January 7, 21

February 4, 18

March 4, 18

“Self-Set” Calendar for Chapter 13

All matters in Chapter 13 cases in which L. Loheit is the trustee, except dismissal motions filed by the trustee may be set at 1:00 p.m. on the following dates. These hearings must be set in the Sacramento Division at 501 I Street, sixth floor, courtroom 34, Sacramento, California.

January 6, 13, 27

February 3, 10, 24

March 3, 10, 17, 24

Dismissal motions by Trustee L. Loheit ONLY may be set for hearing at **10:00 a.m.** on the following dates: **These hearings must be set in the Sacramento Division at 501 I Street, sixth floor, courtroom 34, Sacramento, California.**

January 20

February 17

March 31

FOR INFORMATIONAL PURPOSES ONLY

Hearings on reaffirmation agreements, as well as status and pretrial conferences in adversary proceedings, are set by the Clerk's Office or each Department. For informational purposes only, below are the dates each Department will hold these hearings. **DO NOT SELF-SET ANYTHING ON THESE DATES AND TIMES.**

Reaffirmation Hearings:

Department A

January 12, 26 @ 11:30 am	February 9, 23 @ 11:30 am	March 9, 23 @ 11:30 am
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Department B

January 20 @ 11:30 am	February 3, 17 @ 11:30 am	March 3, 17, 31 @ 11:30 am
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Department C

January 6, 13 ** @ 8:45 am	February 3 @ 8:45 am	March 3 @ 8:45 am
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Department D

January 14 @ 12:45 pm (Sac)	February 11 @ 12:45 pm (Sac)	March 11 @ 12:45 pm (Sac)
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January 7 @ 12:00 pm (Mod) (<i>New Time</i>)	February 4 @ 12:00 pm (Mod)	March 4 @ 12:00 pm (Mod)
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Status Conferences:

Department A

January 14 @ 9:30 am (Sac)	February 11 @ 9:30 am (Sac)	March 18 @ 9:30 am (Sac)
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January 5 @ 3:00 pm (Mod)	February 2 @ 3:00 pm (Mod)	March 2 @ 3:00 pm (Mod)
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Department B

January 21 @ 9:30 am	February 4, 18 @ 9:30 am	March 4, 18 @ 9:30am
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Department C

January 13, 27 @ 1:30 pm	February 10, 24 @ 1:30 pm	March 10, 24 @ 1:30 pm
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Department D

January 8, 22 @ 10:00 am (Sac)	February 5, 19 @ 10:00 am (Sac)	March 5, 19 @ 10:00 am (Sac)
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January 8, 22 @ 11:00 am (Mod)	February 5, 19 @ 11:00 am (Mod)	March 5, 19 @ 11:00 am (Mod)
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****CANCELLED**

