

UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Ronald H. Sargis
Chief Bankruptcy Judge
Sacramento, California

January 5, 2022 at 2:00 p.m.

1. <u>17-25403-E-13</u> BYLLIE DEE	STATUS CONFERENCE RE:
<u>21-2070</u>	COMPLAINT
DEE V. BDM MORTGAGE SERVICES,	9-28-21 [1]
INC. ET AL	

Plaintiff's Atty: Pro Se
Defendant's Atty: Eric A. Handler; Jessica M. Takano

Adv. Filed: 9/28/21
Answer: 12/22/21

Nature of Action:
Recovery of money/property - turnover of property
Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case)

Notes:
Defendant BDM Mortgage, Inc.'s Notice of Motion and Motion to Dismiss Case filed 10/28/21 [Dckt 29]; Amended Notice of Motion and Motion to Dismiss filed 10/28/21 [Dckt 33]; Order denying filed 12/8/21 [Dckt 47]

[RHS-1] Order to Show Cause filed 11/4/21 [Dckt 38]; Order sustaining filed 12/8/21 [Dckt 48]

Answer filed 12/21/21 [Dckt 50]

The Status Conference is XXXXXXX
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SUMMARY OF COMPLAINT

The Complaint filed by Byllie Dee, aka James Lawson, Jr. ("Plaintiff-Debtor"), Dckt. 1, which asserted many claims. The court has dismissed without prejudice all of the claims for relief except the First Claim alleging a violation of the automatic stay and the Fifth Claim requesting attorney's fees pursuant to 11 U.S.C. § 362(k).

Plaintiff-Debtor alleges that a foreclosure sale conducted by Defendants on November 22, 2017, was in violation of the Stay. Additionally, the Plaintiff-Debtor, in pro se, requests an award of attorney's fees. The attorney and the fees of such attorney for which recovery is sought by Plaintiff-Debtor is not identified.

SUMMARY OF ANSWER

Defendants BDM Mortgage Services, Inc., Rudy Grant Wilson, BDM Loan Services, Inc., Christopher M. Herrmann, Pamela Herrmann, Andrea Michele Eluting, George Stetler Warrick, Jr., Melodia Loquinario Warrick, Robert C. Gaby, Dennis D. Johnson, Carol A. Johnson, Mark A. Henn, Debra L. Henn, Amy H. Isabella, Pensco Trust Company, Robert R. Dizon, Cristina V. Dizon, Rodolfo G. De Leon, and H. Gregory Uttal (collectively "Defendants") have filed an Answer, Dckt. 50 , admitting and denying specific allegations.

The Answer includes Affirmative Defenses (subject to the certifications by Defendants and their counsel), which include one titled "Subject-Matter Jurisdiction" stating that this Federal Bankruptcy Court lacks subject-matter jurisdiction for the claims arising under the United States Bankruptcy Code.^{FN.1..}

FN. 1. It is unclear how this Federal Bankruptcy Court lacks subject-matter jurisdiction as granted by Congress in 28 U.S.C. § 1324 and 157 for this Core Matter arising under the Bankruptcy Code in this case that has been referred to the United States Bankruptcy Court pursuant to 28 U.S.C. § 157(b).

FINAL BANKRUPTCY COURT JUDGMENT

Plaintiff-Debtor alleges in the Complaint that jurisdiction for this Adversary Proceeding exists pursuant to 28 U.S.C. §§ 1334 and 157, and that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(B), (K), and (O). Complaint ¶ 2, Dckt. 1. In the Answer, Defendants expressly deny that Federal Court Jurisdiction exists for claims arising under 11 U.S.C. § 362 and that claims arising under the Code are not Core Matter Proceedings for which the Federal Bankruptcy Judge issues the final orders and judgment admit the allegations of jurisdiction and that this is a core proceeding.

Claims arising under the Bankruptcy Code, here 11 U.S.C. § 362(k) and § 105(a) for violation of the provisions of 11 U.S.C. § 362(a) are matters for which the Federal Courts have original jurisdiction as granted by Congress in 28 U.S.C. § 1334(b). The District Court for the Eastern District of California have referred all bankruptcy cases to the Bankruptcy Judges in this District as provided in 28 U.S.C. § 157(a), and claims arising under the Bankruptcy Code for violation of the stay are core matter proceedings for which the Bankruptcy Judge issues the final orders and judgment (11 U.S.C. § 157(b)(1), (2)). See *Johnston Env'tl Corp. v. Knight (In re Goodman)*, 991 F.2d 613, 617 (9th Cir. 1993), stating:

We conclude that these bankruptcy proceedings were "core proceedings" falling within the jurisdiction of the bankruptcy court. The adversary proceeding involved: (1) allegations that the automatic stay was violated, a claim that is entirely dependent upon bankruptcy law for definition; . . . and (5) a request for damages under 11 U.S.C. § 362(h), a cause of action created solely by Title 11.

ISSUANCE OF PRE-TRIAL SCHEDULING ORDER

The court shall issue a Pre-Trial Scheduling Order setting the following dates and deadlines:

- a. Claims arising under the Bankruptcy Code, here 11 U.S.C. § 362(k) and § 105(a) for violation of the provisions of 11 U.S.C. § 362(a) are matters for which the Federal Courts have original jurisdiction as granted by Congress in 28 U.S.C. § 1334(b). The District Court for the Eastern District of California have referred all bankruptcy cases to the Bankruptcy Judges in this District as provided in 28 U.S.C. § 157(a), and claims arising under the Bankruptcy Code for violation of the stay are core matter proceedings for which the Bankruptcy Judge issues the final orders and judgment (11 U.S.C. § 157(b)(1), (2)). .
- b. Initial Disclosures shall be made on or before **xxxxxxx, 2022**.
- c. Expert Witnesses shall be disclosed on or before **xxxxxxx, 2022**, and Rebuttal Expert Witnesses, if any, shall be disclosed on or before **xxxxxxx, 2022**.
- d. Discovery closes, including the hearing of all discovery motions, on **xxxxxxx, 2022**.
- e. Dispositive Motions shall be heard before **xxxxxxx, 2022**.
- f. The Pre-Trial Conference in this Adversary Proceeding shall be conducted at **2:00 p.m. on xxxxxx, 2022**.

2. [20-20715-E-13](#) FOUAD MIZYED
[20-2016](#)
MIZYED V. FAY SERVICING, LLC
ET AL

CONTINUED STATUS CONFERENCE
RE: AMENDED COMPLAINT
9-14-20 [[49](#)]

Plaintiff's Atty: Arasto Farsad; Nancy W. Weng
Defendant's Atty: Jana Logan

Adv. Filed: 2/14/20
Answer: none
First Amd. Cmplt Filed: 6/8/20
Answer: none
First Amd. Cmplt Filed: 9/14/20
Answer: none

Nature of Action:
Injunctive relief - other
Declaratory judgment
Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case)

Notes:
Continued from 11/10/21 to allow the Parties additional time to resolve this matter.

The Status Conference is XXXXXXX
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The Status Conference has been continued to 2:00 p.m. on January 5, 2022,
Order, of this court (Dckt. 98) to allow the Parties additional time to resolve this matter.

At the January 5, 2022 Continued Status Conference the Parties reported XXXXXXX

Tentative Ruling: Oral argument may be presented by the parties at the scheduled hearing, where the parties shall address the issues identified in this tentative ruling and such other issues as are necessary and appropriate to the court's resolution of the matter.

Local Rule 9014-1(f)(1) Motion—No Opposition Filed.

Sufficient Notice Provided. The Proof of Service states that the Motion and supporting pleadings were served on Debtor, Debtor's Attorney, creditors, and Office of the United States Trustee on November 10, 2021. By the court's calculation, 29 days' notice was provided. 28 days' notice is required.

The Motion for Final Decree and Order Closing Case has been set for hearing on the notice required by Local Bankruptcy Rule 9014-1(f)(1). Failure of the respondent and other parties in interest to file written opposition at least fourteen days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995) (upholding a court ruling based upon a local rule construing a party's failure to file opposition as consent to grant a motion). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. *See Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006). Therefore, the defaults of the non-responding parties and other parties in interest are entered. Upon review of the record, there are no disputed material factual issues, and the matter will be resolved without oral argument. The court will issue its ruling from the parties' pleadings.

The Motion for Final Decree and Order Closing Case is XXXXXXX.

The Motion for Final Decree and Order Closing Case has been filed by Russell Wayne Lester ("Debtor in Possession"). Dckt. 781. Debtor in Possession makes this request pursuant to 28 U.S.C. §§ 157(b)(2)(A), (O) AND 11 U.S.C. § 350.

Debtor in Possession filed for bankruptcy relief under Chapter 11. Debtor in Possession's Plan was confirmed on May 27, 2021 and modified on July 1, 2021. The order confirming the Plan is now final and Debtor in Possession claims their case has been fully administered.

APPLICABLE LAW

Final Decree and Closing of Case

Federal Rules of Bankruptcy Procedure Rule 3022 provides that, after an estate is fully administered in a Chapter 11 reorganization case, the court, on its own motion or on motion of a party in interest, shall enter a final decree closing the case. 11 U.S.C. § 350(a) states additionally that the court is required to close a case after an estate is "fully administered and the court has discharged the trustee."

The fact that the estate has been fully administered merely means that all available property has been collected and all required payments made. *In re Menk*, 241 B.R. 896, 911 (9th Cir. B.A.P. 1999).

To determine whether a Chapter 11 case has been “fully administered,” factors the court considers include whether:

- A. the plan confirmation order is final;
- B. deposits required by the plan have been distributed;
- C. property to be transferred under the plan has been transferred;
- D. the debtor (or the debtor’s successor under the plan) has taken control of the business or of the property dealt with by the plan;
- E. plan payments have commenced; and
- F. all motions, contested matters, and adversary proceedings have been finally resolved.

Federal Rule of Bankruptcy Procedure 3022, Adv. Comm. Note (1991). Additionally, unless the Chapter 11 plan or confirmation order provides otherwise, a Chapter 11 case should not remain open solely because plan payments have not been completed. *See id.*; *In re John G. Berg Assocs., Inc.*, 138 B.R. 782, 786 (Bankr. E.D. Pa. 1992).

DISCUSSION

Movant argues the following factors support approval of the Motion:

- A. The estate has been fully administered for purposes of 11 U.S.C. § 350(a).
- B. The order confirming the Plan was entered four months ago and is now final.
- C. All documents needed to implement the Plan have been signed, the SPE has been formed with all property transferred to the SPE as required under the Plan.
- D. The Reorganized Debtor has operated his business post-confirmation pursuant to the Plan.
- E. The Reorganized Debtor has made post-confirmation payments to the holders of allowed claims as authorized under the Plan.
- F. Two of the three Ranch properties to be sold pursuant to the Plan have closed, and the third is scheduled to close prior to the hearing date on this Motion. Other than the Gordon Ranch, whose sale was approved by

the Court, these sales do not require Court approval under the Plan.

G. There are no pending matters in the Reorganized Debtor's case.

Motion, Dckt. 781, at p. 4-5.

Since September 2021 have requested an accounting of Prudential claim, payments, and application of payments

The court continued the hearing to 2:00 p.m. on December 16, 2021 (specially set to Modesto Calendar).

December 16, 2021 Hearing

At the hearing, counsel for the Debtor reported that the parties have been engaged in discussions, but have not yet reached agreement for closing of the case.

An extensive discussion was conducted at the hearing, with the parties addressing their disputes, whether the case can be closed, undisputed amounts paid from the easement proceedings, and then the case being reopened and the court determine the proper amounts to be paid as provided in the Plan (as well as determining whether demands for excess amounts or reduced amounts were asserted in good faith or were an affirmative breach of the Plan).

January 5, 2022 Hearing

At the hearing, **XXXXXXXXXX**

The court shall issue an order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion for Final Decree and Order Closing Case filed by Russell Wayne Lester ("Debtor in Possession"), having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion for Final Decree and Order Closing Case is **XXXXXXXXXX**.

4. [21-21424-E-7](#) **ROBERT MOHR**
[21-2073](#)
HUSTED V. MOHR, JR.

STATUS CONFERENCE RE:
COMPLAINT
10-14-21 [1]

**The Court Does Not Continue the Status Conference As Requested by
Plaintiff-Trustee Anticipating That There Will Be Substantial Discussion
and the Suggested January 6, 2022 Hearings Will Not Allow
For Such Substantial Discussion**

Plaintiff's Atty: Barry H. Spitzer
Defendant's Atty: Pro Se

Adv. Filed: 10/14/21
Answer: 12/10/21

Nature of Action:
Recovery of money/property - preference

Notes:
Application by Trustee to Defer Payment of Fee for Filing Complaint filed 10/14/21 [Dckt 9]; Order
granting filed 10/21/21 [Dckt 10]

Request for Entry of Default by Plaintiff [Richard Brendan Mohr, Jr.] filed 11/22/21 [Dckt 12]; Entry of
Default and Order Re: Default Judgment Procedures filed 11/22/21 [Dckt 14]

[BHS-1] Plaintiff Kimberly J. Husted's Request for a Default Judgment Against Defendant Richard
Brendan Mohr, jr. on Plaintiff's Complaint to Recover Preferential Payments filed 12/3/21 [Dckt 15], set
for hearing 1/6/22 at 10:00 a.m.

Response to Motion for Default Judgment/Answer to Complaint filed 12/10/21 [Dckt 20]

[CAE-1] Plaintiff Kimberly J. Husted's Status Conference Statement filed 12/20/21 [Dckt 24]

The Status Conference is xxxxxxx
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Kimberly Husted, the Plaintiff-Trustee, has filed a Complaint alleging that Defendant
Richard Mohr, Jr. received \$23,700.00 in payments made by Debtor that may be avoided pursuant to 11
U.S.C. § 547 and the monies recovered by the Bankruptcy Estate in the Robert Mohr Chapter 7 case (21-
21424).

When an answer was not filed, Defendant's default was entered and Plaintiff-Trustee filed a
Motion for Entry of a Default Judgment. Motion, Dckt. 15. The hearing on the Motion for Entry of
Default Judgment is set for January 6, 2022.

On December 10, 2021, Defendant filed an Ex Parte Motion to set aside the default and any default judgment that might be entered. Dckt. 20. No hearing was set on the *Ex Parte* Motion. The *Ex Parte* Motion recounts communication challenges with Plaintiff-Trustee's counsel and the financial challenges Defendant would face if he was required to pay back the monies received from Debtor.

As bankruptcy attorneys well know, Congress has created an objective, nondiscretionary avoidance of payments made by a debtor to creditors, to creditor for *bona fide* antecedent (not payments for new consideration given).

The Plaintiff-Trustee alleges that \$23,700.00 in payments were made by Robert Mohr, the Debtor, to Richard Mohr, Jr., the Defendant. The Plaintiff-Trustee does not assert that such transfers were a fraudulent conveyance (11 U.S.C. § 548), but “only” that they fall within the bankruptcy preference period created by Congress which Plaintiff Trustee seeks to recover.

At the Status Conference, **XXXXXXX**

5. [19-24134-E-7](#) **FELIX/DEBORAH KIARSIS**
[21-2036](#)
FARRIS V. CARUSO ET AL

CONTINUED STATUS CONFERENCE
RE: COMPLAINT
6-1-21 [\[1\]](#)

Plaintiff's Atty: J. Russell Cunningham

Defendant's Atty:

Shanna M. Kaminiski [Troy Caruso; Radium2 Capital, LLC; Boris Yankovich]

Bernard J. Lomberg [Wells Fargo Bank, N.A.]

Adv. Filed: 6/1/21

Reissued Summons: 6/14/21

Answer:

7/28/21 [Troy Caruso; Radium2 Capital, LLC; Boris Yankovich]

7/28/21 [Wells Fargo Bank, N.A.]

Cross-Claim filed: 7/28/21 [by Wells Fargo Bank, N.A.]

Answer: none

Nature of Action:

Recovery of money/property - preference

Notes:

Continued from 11/18/21 to allow the Parties time to get the settlement approved, performed, and this Adversary Proceeding dismissed.

The Status Conference is XXXXXXX
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JANUARY 5, 2022 STATUS CONFERENCE

On December 10, 2021, the court entered an order authorizing the settlement of the claims in this Adversary Proceeding. 19-24134; Order, dckt. 83.

At the Status Conference, XXXXXXX

NOVEMBER 18, 2021, STATUS CONFERENCE

No further pleadings have been filed. At the Status Conference counsel for the Plaintiff-Trustee stated that the motion to approve compromise has been filed and set for hearing on December 9, 2021.

OCTOBER 20, 2021 STATUS CONFERENCE

On September 30, 2021, Plaintiff-Trustee Nikki Farris and Defendants Boris Yankovich and Wells Fargo Bank, N.A. filed their Joint Status Report and Request for Continuance of Status Conference. Dckt. 26. The Parties report that this matter has been settled and a Motion to Approve

Compromise will be filed by the Plaintiff-Trustee in the related Chapter 7 bankruptcy case.

The court continued the Status Conference as requested by the Parties, specially setting it for 10:30 a.m. law and motion calendar on November 18, 2021.

6. [10-22378-E-13](#) **DEREK/ALISA FREEMAN** **CONTINUED STATUS CONFERENCE**
[21-2010](#) **RE: COMPLAINT**
FREEMAN ET AL V. HFC ET AL 2-2-21 [1]

Plaintiff's Atty: Timothy J. Walsh
Defendant's Atty: unknown

Adv. Filed: 2/2/21 [Reissued Summons 6/22/21]
Answer: none

Nature of Action:
Validity, priority or extent of lien or other interest in property

Notes:
Continued from 11/10/21, counsel reporting that the requests for default have been properly entered and Plaintiff-Debtor will diligently prosecute the entry of the judgment.

The Status Conference is XXXXXXX
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On November 15, 2021, the default of Defendant HSB Bank USA, N.A. was entered. Dckt. 36. As stated in the Entry of Default Order, Plaintiff was required to file a motion for entry of default judgment within 30 days of November 13, 2021.

A review of the Docket discloses that Plaintiff has not sought the entry of a judgment in this Adversary Proceeding. Possibly this is because the matter has been resolved and Plaintiff is dismissing this Adversary Proceeding and no judgment is necessary.

At the Status Conference, XXXXXXX

FINAL RULINGS

7. [10-27435-E-7](#) **THOMAS GASSNER**
[19-2038](#)
GASSNER V. GASSNER ET AL

CONTINUED STATUS CONFERENCE
RE: AMENDED COMPLAINT
7-12-19 [20](#)

Final Ruling: No appearance at the January 5, 2022 Status Conference is required.

Plaintiff's Atty: Holly A. Estioko

Defendant's Atty:

Scott G. Beattie [Carol L. Gassner; Alfred M. Gassner]

Charles L. Hastings [Laura Strombom]

Adv. Filed: 3/12/19

Answer: 4/11/19 [Laura Strombom]

4/11/19 [Alfred M. Gassner; Carol L. Gassner]

Amd. Cmplt. Filed: 7/12/19

Answer: 8/5/19 [Alfred M. Gassner; Carol L. Gassner]

8/13/19 [Laura Strombom]

Amd. Answer: 8/13/19 [Alfred M. Gassner; Carol L. Gassner]

8/26/19 [Alfred M. Gassner; Carol L. Gassner]

Nature of Action:

Sanctions for willful violation of automatic stay (against Settlers and Strombom)

Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case)

Declaratory judgment

Injunctive relief - other

Notes:

Continued by order dated 7/30/21 [Dckt 140]

Defendants Carol L. Gassner and Alfred M. Gassner's Motion to Amend Scheduling Order filed 12/20/21 [Dckt 143], set for hearing 2/10/22 at 11:00 a.m.

The Status Conference is continued to 11:00 a.m. on February 10, 2022 (specially set day and time), to be conducted in conjunction with Defendant's Motion for the court to issue a scheduling order and, implicitly, lift the stay of this Adversary Proceeding in light of the anticipated settlement of the underlying property rights issues in the related Husted v. MEPCO Label Systems, et. al.

JANUARY 5, 2022 STATUS CONFERENCE

January 5, 2022 at 2:00 p.m.

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Plaintiff Georgene Gassner filed an updated Status Conference Statement on December 29, 2021. Dckt. 149. In it, Plaintiff discusses what appears to be a successful mediation in the related Adversary Proceeding *Husted v. MEPCO Label Systems et al*, 19-2006, and that Plaintiff believes that the parties in that Adversary Proceeding will be seeking approval of a settlement in the Thomas Gassner bankruptcy case (10-27433).

Plaintiff states that once that settlement has been approved and the issues therein resolved, then this Adversary Proceeding can proceed. As addressed in Plaintiff's prior Status Report, Plaintiff anticipates adding additional parties to this action.

In light of that information, Plaintiff requests that the Status Conference be continued to February 10, 2022, to be held in conjunction with Defendants' Motion to Amend the Scheduling Order in this Adversary Proceeding.

Defendants filed their Motion to Amend Scheduling Order, Dckt. 143, which includes information that would have been included in an updated status report. In substance, the Motion states that there is no current scheduling order in this Adversary Proceeding, the court having stayed this Adversary Proceeding while the Defendants in this Adversary Proceeding proceed with their litigation in the *Husted v. MEPCO* Adversary Proceeding.

JANUARY 21, 2021 CONTINUED STATUS CONFERENCE

On January 14, 2021, Plaintiff Georgene Gassner, Plaintiff, filed an updated Status Conference Statement. Dckt. 134. Plaintiff reports that she believes the court should continue to stay this Adversary Proceeding pending the litigation of related Adversary Proceeding 19-2006 which is being prosecuted by the Chapter 7 Trustee.

Plaintiff reports that there may be other persons that Plaintiff may be asserting violated the automatic stay in the Thomas Gassner bankruptcy case. These persons are identified as Jennifer Gassner-Tracy, Alfred Karl Gassner, MEPCO, and Mis Pasadena Properties, LLC. When the stay is lifted as to this Adversary Proceeding, Plaintiff may seek to amend the complaint to add them as parties.

At the Status Conference, Defendants' counsel discussed the perceived need to conduct a deposition of Plaintiff in light of the age of his clients. He stated that he foresees this need so that he can confer with his clients concerning Plaintiff's testimony, and if they disagree, possible rebuttal evidence he would need to develop.

Defendants' counsel focused the perceived necessary discovery to be of just the Plaintiff, and would not be seeking a modification of the stay for other discovery. Counsel for Plaintiff expressed concern of opening discovery in this Adversary Proceeding.

The court discussed with the Parties some of the fundamental legal issues and application of federal law concerning the automatic stay, termination of the stay, and the discharge injunction as it relates to unsecured or non-offset pre-petition claims.

The Parties will meet and confer concerning the discovery that Defendants believe they need to conduct now. If the parties agree to an exception to the current stay in this Adversary Proceeding they

may file an *ex parte* motion to allow specific discovery. If they do not agree, a party who believes the stay should be modified may file an motion seeking such relief in this Adversary Proceeding.

The court confirmed with counsel that if they believed some action in this Adversary Proceeding is proper, they may seek a modification of the stay prior to the continued Status Conference.

The court shall issue an order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Continued Status Conference having been scheduled for January 6, 2022, a Motion for an Order setting a new Scheduling Order and the prosecution of this Adversary Proceeding recommence, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Status Conference is continued to **11:00 a.m. on February 10, 2022** (specially set day and time), to be conducted in conjunction with Defendant's Motion for the court to issue a scheduling order and, implicitly, lift the stay of this Adversary Proceeding.

IT IS FURTHER ORDERED that at the February 10, 2022 hearing, the court may issue such order lifting the stay in this Adversary Proceeding as is consistent with the issuance of a new Scheduling Order.

8. [15-20352-E-13](#) **GREGORY/CLARICE BRIDGES** **CONTINUED STATUS CONFERENCE**
[21-2023](#) **BRIDGES ET AL V. LONG BEACH** **RE: AMENDED COMPLAINT**
MORTGAGE CO. ET AL **11-12-21 [22]**

Final Ruling: No appearance at the January 5, 2022 Status Conference is required.

Adv. Filed: 4/19/21

Answer: none

Reissued Summons: 5/10/21

Amd Cmpl. Filed: 11/12/21

Answer: none

Nature of Action:

Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case)

Notes:

Stipulation to Extend Deadline and Respond to Plaintiffs' Complaint and to Continue Status Conference
filed 12/17/21 [Dckt 26]; Order granting filed 12/20/21 [Dckt 28]

9. [21-21153](#)-E-11 REHANA HARBORTH CONTINUED STATUS CONFERENCE
RE: VOLUNTARY PETITION
3-30-21 [[1](#)]

Final Ruling: No appearance at the January 5, 2022 Status Conference is required.

Notes:

[RHS-1] Order to Show Cause Why Bankruptcy Case Should Not Be Dismissed filed 11/12/21 [Dckt 110]; Order sustaining filed 12/10/21 [Dckt 115]

January 5, 2022 at 2:00 p.m.
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10. [19-26574-E-7](#) SEAN ALMEIDA
[21-2041](#)
HOPPER V. NAVY FEDERAL CREDIT
UNION ET AL

CONTINUED STATUS CONFERENCE
RE: COMPLAINT
6-7-21 [\[1\]](#)

Plaintiff's Atty: J. Russell Cunningham

Defendant's Atty:

Unknown [Kelstin Group, Inc.; Patelco Credit Union; SolarCity Corporation; Tesla, Inc.]

Bryan M. Grundon [Navy Federal Credit Union]

Adv. Filed: 6/7/21 [reissued Summons 7/22/21]

Answer: 7/12/21

Nature of Action:

Validity, priority or extent of lien or other interest in property

Notes:

Continued from 11/18/21, the Plaintiff-Trustee having filed a Motion for Judgment on the Pleadings [Dckt 43], which was set for hearing in December 2021

[DNL-3] Order granting Motion for Judgment on the Pleadings filed 12/10/21 [Dckt 58]

Judgment having been entered in this Adversary Proceeding, **the Status Conference is concluded and removed from the Calendar.**