

UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable René Lastreto
Hearing Date: Thursday, January 14, 2016
Place: Department B – Courtroom #13
Fresno, California

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

1. The following rulings are tentative. The tentative ruling will not become the final ruling until the matter is called at the scheduled hearing. **Pre-disposed matters will generally be called, and the rulings placed on the record at the end of the calendar.** Any party who desires to be heard with regard to a pre-disposed matter may appear at the hearing. If the party wishes to contest the tentative ruling, he/she shall notify the opposing party/counsel of his/her intention to appear. **If no disposition is set forth below, the hearing will take place as scheduled.**

2. Submission of Orders:

Unless the tentative ruling expressly states that the court will prepare a civil minute order, then the tentative ruling will only appear in the minutes. If any party desires an order, then the appropriate form of order, which conforms to the tentative ruling, must be submitted to the court. When the debtor(s) discharge has been entered, proposed orders for relief from stay must reflect that the motion is denied as to the debtor(s) and granted only as to the trustee. Entry of discharge normally is indicated on the calendar.

3. Matters Resolved Without Opposition:

If the tentative ruling states that no opposition was filed, and the moving party is aware of any reason, such as a settlement, why a response may not have been filed, the moving party must advise Vicky McKinney, the Calendar Clerk, at (559) 499-5825 by 4:00 p.m. the day before the scheduled hearing.

4. Matters Resolved by Stipulation:

If the parties resolve a matter by stipulation after the tentative ruling has been posted, but **before the formal order is entered on the docket**, the **moving party** may appear at the hearing and advise the court of the settlement or withdraw the motion. Alternatively, the parties may submit a stipulation and order to modify the tentative ruling together with the proposed order resolving the matter.

5. Resubmittal of Denied Matters:

If the moving party decides to re-file a matter that is denied without prejudice for any reason set forth below, the moving party must file and serve a new set of pleadings with a new docket control number. It may not simply re-notice the original motion.

THE COURT ENDEAVORS TO PUBLISH ITS PREDISPOSITIONS AS SOON AS POSSIBLE, HOWEVER CALENDAR PREPARATION IS ONGOING AND THESE PREDISPOSITIONS MAY BE REVISED OR UPDATED AT ANY TIME PRIOR TO 4:00 P.M. THE DAY BEFORE THE SCHEDULED HEARINGS. PLEASE CHECK AT THAT TIME FOR POSSIBLE UPDATES.

9:00 A.M.

1. [15-11311](#)-B-7 CHRISTOPHER/KERRI TYSON STATUS CONFERENCE RE: AMENDED
 [15-1087](#) COMPLAINT
 TYSON V. AMERICAN EDUCATION 10-29-15 [[25](#)]
 SERVICES, INC. ET AL
 SCOTT LYONS/Atty. for pl.
 RESPONSIVE PLEADING

2. [15-13337](#)-B-7 HAROUT GEZALYAN STATUS CONFERENCE RE: COMPLAINT
 [15-1131](#) 10-27-15 [[1](#)]
 BANDA V. GEZALYAN
 MARIA BANDA/Atty. for pl.

9:30 A.M.

1. [15-14017](#)-B-11 CLUB ONE CASINO, INC. MOTION FOR SUMMARY JUDGMENT
[15-1146](#) KHB-1 12-1-15 [[7](#)]
KMGI, INC. ET AL V. LONG ET AL
DEBRA GRASSGREEN/Atty. for mv.

This matter will be continued to February 11, 2016, at 9:30 a.m. No appearance is necessary on January 14, 2016.

2. [15-14017](#)-B-11 CLUB ONE CASINO, INC. MOTION TO DISMISS ADVERSARY
[15-1146](#) WW-1 PROCEEDING/NOTICE OF REMOVAL
KMGI, INC. ET AL V. LONG ET AL 12-17-15 [[17](#)]
HOLLY ESTES/Atty. for mv.
AMENDED NOTICE OF HEARING

This matter will be continued to February 11, 2016, at 9:30 a.m. No appearance is necessary on January 14, 2016.

3. [15-14017](#)-B-11 CLUB ONE CASINO, INC. CONTINUED MOTION TO USE CASH
KDG-1 COLLATERAL AND/OR MOTION FOR
CLUB ONE CASINO, INC./MV ADEQUATE PROTECTION
10-15-15 [[7](#)]
HAGOP BEDOYAN/Atty. for dbt.
RESPONSIVE PLEADING
4. [15-14017](#)-B-11 CLUB ONE CASINO, INC. MOTION FOR COMPENSATION BY THE
KDG-12 LAW OFFICE OF KLEIN, DENATALE,
GOLDNER, COOPER, ROSENLIEB &
KIMBALL, LLP FOR HAGOP T.
BEDOYAN, DEBTORS ATTORNEY(S)
12-16-15 [[282](#)]
HAGOP BEDOYAN/Atty. for dbt.

5. [15-14017](#)-B-11 CLUB ONE CASINO, INC. DISCLOSURE STATEMENT FILED BY
SMR-2 DEBTOR CLUB ONE CASINO, INC.,
CREDITOR KMGI, INC.
11-25-15 [[221](#)]
HAGOP BEDOYAN/Atty. for dbt.
AMENDED NOTICE OF HEARING TO
1/28/16

This matter will be continued to January 28, 2016, at 9:30 a.m. No appearance is necessary on January 14, 2016.

6. [15-14017](#)-B-11 CLUB ONE CASINO, INC.
UST-1
TRACY DAVIS/MV

MOTION TO DISMISS CASE AND/OR
MOTION TO CONVERT CASE FROM
CHAPTER 11 TO CHAPTER 7 (FILING
FEE NOT PAID OR NOT REQUIRED),
MOTION TO APPOINT TRUSTEE
12-17-15 [[301](#)]

HAGOP BEDOYAN/Atty. for dbt.
GREGORY POWELL/Atty. for mv.

**This matter will be continued to January 28, 2016, at 9:30 a.m. No
appearance is necessary on January 14, 2016.**

7. [15-14017](#)-B-11 CLUB ONE CASINO, INC.
WW-3
ELAINE LONG/MV

CONTINUED MOTION TO CONSOLIDATE
LEAD CASE 15-14017 WITH
15-14021
11-21-15 [[189](#)]

HAGOP BEDOYAN/Atty. for dbt.
HOLLY ESTES/Atty. for mv.
RESPONSIVE PLEADING

**This matter will be continued to January 28, 2016, at 9:30 a.m. No
appearance is necessary on January 14, 2016.**

8. [15-14021](#)-B-11 CLUB ONE ACQUISITION
BBR-4 CORP.
CLUB ONE ACQUISITION CORP./MV
T. BELDEN/Atty. for dbt.

MOTION TO EMPLOY DONALD R.
FISCHBACH AS SPECIAL COUNSEL
12-15-15 [[122](#)]

9. [15-14021](#)-B-11 CLUB ONE ACQUISITION
BBR-5 CORP.
CLUB ONE ACQUISITION CORP./MV
T. BELDEN/Atty. for dbt.

MOTION TO EMPLOY JOHN K.
MALONEY AS SPECIAL COUNSEL
12-15-15 [[128](#)]

10. [15-14021](#)-B-11 CLUB ONE ACQUISITION
WW-3 CORP.
ELAINE LONG/MV

CONTINUED MOTION TO CONSOLIDATE
LEAD CASE 15-14017 WITH
15-14021
11-21-15 [[46](#)]

T. BELDEN/Atty. for dbt.
HOLLY ESTES/Atty. for mv.

**This matter will be continued to January 28, 2016, at 9:30 a.m. No
appearance is necessary on January 14, 2016.**

11. [15-14429](#)-B-11 HOWARD/DONNA STANDARD

ORDER TO SHOW CAUSE WHY CASE
SHOULD NOT BE DISMISSED
12-16-15 [[43](#)]

DONNA STANDARD/Atty. for dbt.

12. [15-14429](#)-B-11 HOWARD/DONNA STANDARD STATUS CONFERENCE RE: VOLUNTARY
PETITION - CHAPTER 11
11-16-15 [[1](#)]

DONNA STANDARD/Atty. for dbt.
13. [15-14429](#)-B-11 HOWARD/DONNA STANDARD MOTION TO DISMISS CASE
UST-1 12-17-15 [[44](#)]
TRACY DAVIS/MV
DONNA STANDARD/Atty. for dbt.
ROBIN TUBESING/Atty. for mv.
14. [15-13167](#)-B-12 DOUG KOPHAMER FARMS MOTION FOR COMPENSATION FOR
LKW-9 LEONARD K. WELSH, DEBTORS
ATTORNEY(S)
12-14-15 [[164](#)]

LEONARD WELSH/Atty. for dbt.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

15. [15-14685](#)-B-11 B&L EQUIPMENT RENTALS, STATUS CONFERENCE RE: VOLUNTARY
INC. PETITION - CHAPTER 11
11-30-15 [[1](#)]

LEONARD WELSH/Atty. for dbt.

1:30 P.M.

1. [15-14800](#)-B-13 RICHARD LIMA
RAL-1
RICHARD LIMA/MV
MOTION TO EXTEND AUTOMATIC STAY
12-21-15 [[9](#)]
2. [15-13602](#)-B-13 MANUEL/ROSE ALVAREZ
PBB-1
MANUEL ALVAREZ/MV
PETER BUNTING/Atty. for dbt.
RESPONSIVE PLEADING
MOTION TO CONFIRM PLAN
11-20-15 [[21](#)]

This matter will be continued to January 28, 2016, at 1:30 p.m. The trustee has not yet concluded the meeting of creditors and by prior order of the court, the trustee has another 7 days after completion of the creditors' meeting to file his objection to the plan. The court will prepare and enter a civil minute order. No appearance is necessary.

3. [13-14106](#)-B-13 CHANTEL DICKSON
OLG-3
CHANTEL DICKSON/MV
OVIDIO OVIEDO/Atty. for dbt.
WITHDRAWN
MOTION TO MODIFY PLAN
11-20-15 [[72](#)]

This matter will be dropped from calendar without a disposition. The debtor has withdrawn the motion to modify the third modified chapter 13 plan, filed on November 20, 2015. No appearance is necessary.

4. [15-14406](#)-B-13 PEDRO LOPEZ

ELIYAHU KAPLUNOVSKY/Atty. for dbt.
ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
12-18-15 [[28](#)]
5. [15-14708](#)-B-13 ADAM/CHRISTINA RAMIREZ
PBB-1
ADAM RAMIREZ/MV
ADAM RAMIREZ/Atty. for mv.
MOTION TO EXTEND AUTOMATIC STAY
12-29-15 [[23](#)]
6. [15-11610](#)-B-13 JORGE CANO AND LORENA
MHM-2 CHAVEZ
MICHAEL MEYER/MV
THOMAS GILLIS/Atty. for dbt.
MICHAEL MEYER/Atty. for mv.
OBJECTION TO DEBTOR'S CLAIM OF
EXEMPTIONS
12-3-15 [[77](#)]

This matter was fully noticed in compliance with the Local Rules. The debtors filed a notice of non-opposition and, accordingly, the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

7. [14-13013](#)-B-13 ARMANDO/MARCELA MAGALLON MOTION TO DISMISS CASE
MHM-2 11-13-15 [[50](#)]
MICHAEL MEYER/MV
CHRISTOPHER FISHER/Atty. for dbt.

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondents' default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

8. [15-11214](#)-B-13 PAMELA HAILEY MOTION TO DISMISS CASE
MHM-1 11-13-15 [[24](#)]
MICHAEL MEYER/MV
DAVID JENKINS/Atty. for dbt.
WITHDRAWN

The trustee's motion has been withdrawn. No appearance is necessary.

9. [15-14114](#)-B-13 BRIDGET ALEXANDER MOTION TO DISMISS CASE
MHM-1 12-1-15 [[20](#)]
MICHAEL MEYER/MV
JANINE ESQUIVEL/Atty. for dbt.
RESPONSIVE PLEADING

The trustee's motion has been withdrawn. No appearance is necessary.

10. [15-13626](#)-B-13 BRUCE/CORINNA COOKE ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
12-21-15 [[28](#)]
MARK ZIMMERMAN/Atty. for dbt.

11. [15-14126](#)-B-13 ATLAN/SHAWNDA BLACKBURN
PBB-1
ATLAN BLACKBURN/MV
PETER BUNTING/Atty. for dbt.

MOTION TO VALUE COLLATERAL OF
CIT BANK, N.A.
12-16-15 [[17](#)]

This motion to value the collateral for a consensual lien against real property was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be granted for cause shown without oral argument. Based on the evidence offered in support of the motion, the respondent's junior priority mortgage claim is found to be wholly unsecured and may be treated as a general unsecured claim in the chapter 13 plan. The debtors may proceed under state law to obtain a reconveyance of respondent's trust deed upon completion of the chapter 13 plan and entry of the discharge. If the chapter 13 plan has not been confirmed, then the order shall specifically state that it is not effective until confirmation of the plan. The debtors shall submit a proposed order consistent with this ruling. No appearance is necessary.

This ruling is only binding on the named respondent in the moving papers and any successor who takes an interest in the property after service of the motion.

12. [15-14126](#)-B-13 ATLAN/SHAWNDA BLACKBURN
PBB-2
ATLAN BLACKBURN/MV
PETER BUNTING/Atty. for dbt.

MOTION TO VALUE COLLATERAL OF
ZALE/STERLING JEWELERS
12-16-15 [[23](#)]

This motion to value respondent's collateral was fully noticed in compliance with the Local Rules and there was no opposition. The default of responding parties is hereby entered. The motion will be granted for cause shown without oral argument. Based on the evidence presented, the respondent's secured claim will be fixed at \$5,000. The moving party shall submit a proposed order consistent with this ruling. The proposed order shall specifically identify the collateral, and if applicable, the proof of claim to which it relates. The order will be effective upon confirmation of the chapter 13 plan. No appearance is necessary.

13. [14-13027](#)-B-13 MARTHA MARTINEZ
MHM-3
MICHAEL MEYER/MV
SCOTT LYONS/Atty. for dbt.

MOTION TO DISMISS CASE
11-13-15 [[37](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

14. [15-13333](#)-B-13 SELINA BARNETT
DRJ-2
SELINA BARNETT/MV
DAVID JENKINS/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO CONFIRM PLAN
12-1-15 [[37](#)]

15. [15-14133](#)-B-13 EDUARDO EQUIHUA
MHM-1
MICHAEL MEYER/MV
THOMAS GILLIS/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
12-1-15 [[23](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

16. [14-12137](#)-B-13 RAYMOND VELASQUEZ
DRJ-4
RAYMOND VELASQUEZ/MV
DAVID JENKINS/Atty. for dbt.

MOTION TO MODIFY PLAN
11-22-15 [[28](#)]

The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The debtor(s) shall submit a proposed confirmation order for approval to the chapter 13 trustee. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed. No appearance is necessary.

17. [15-13937](#)-B-13 ROEUNG BO
MHM-1
MICHAEL MEYER/MV
TIMOTHY SPRINGER/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
12-2-15 [[27](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

18. [15-13939](#)-B-13 JOHN/DIANE URIAS
MHM-1
MICHAEL MEYER/MV
NANCY KLEPAC/Atty. for dbt.

MOTION TO DISMISS CASE
12-2-15 [[25](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that the debtors have failed to cooperate with the trustee, specifically, the debtors have failed to provide information and documentation as requested, have failed to file all required schedules, and have failed to appear at the scheduled § 341 meeting of creditors. Accordingly, the respondents' default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

19. [15-13742](#)-B-13 ANTONIO/MARIA NAVARRO
SLS-4
ANTONIO NAVARRO/MV
BARBARA SMART/Atty. for dbt.

MOTION TO VALUE COLLATERAL OF
BANK OF THE WEST
12-2-15 [[45](#)]

This motion to value collateral will be denied as moot. There is no case or controversy. The creditor has filed a proof of secured claim, which values its collateral in the same amount as stated in the motion. In the Eastern District of California, the amount and classification of a claim is determined by the proof of claim and applicable non-bankruptcy law. No further relief is required unless the granting of a motion will affect the treatment of the claim.

In addition, the form of the proof of service does not comply with Local Bankruptcy Rule 9014-1(d) (2) (see Local Rules, Appendix II, EDC.002-901, Revised Guidelines for the Preparation of Documents (5)). No appearance is necessary.

20. [15-13742](#)-B-13 ANTONIO/MARIA NAVARRO
SLS-5
ANTONIO NAVARRO/MV
BARBARA SMART/Atty. for dbt.

MOTION TO VALUE COLLATERAL OF
BANK OF THE WEST
12-2-15 [[40](#)]

This motion to value collateral will be denied as moot. There is no case or controversy. The creditor has filed a proof of secured claim, which values its collateral in the same amount as stated in the motion. In the Eastern District of California, the amount and classification of a claim is determined by the proof of claim and applicable non-bankruptcy law. No further relief is required unless the granting of a motion will affect the treatment of the claim.

In addition, the form of the proof of service does not comply with Local Bankruptcy Rule 9014-1(d) (2) (see Local Rules, Appendix II, EDC.002-901, Revised Guidelines for the Preparation of Documents (5)). No appearance is necessary.

21. [15-13948](#)-B-13 TONYA STRANE
[15-1128](#)
U.S. TRUSTEE V. STRANE
ROBIN TUBESING/Atty. for pl.

STATUS CONFERENCE RE: COMPLAINT
10-19-15 [[1](#)]

It appears the defendant's default has already been entered and a hearing on a motion for entry of default judgment is scheduled on this same calendar. No appearance is necessary.

22. [15-13948](#)-B-13 TONYA STRANE
[15-1128](#) UST-1
U.S. TRUSTEE V. STRANE
ROBIN TUBESING/Atty. for mv.

MOTION FOR ENTRY OF DEFAULT
JUDGMENT
12-10-15 [[8](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument for cause shown. Injunctive relief will be granted and the debtor will be barred from filing another bankruptcy case for two years. The U.S. Trustee shall submit a proposed order. No appearance is necessary.

23. [14-14351](#)-B-7 TEODORA MORENO
MHM-2
MICHAEL MEYER/MV
RICHARD STURDEVANT/Atty. for dbt.
CONVERTED 11/19/15

MOTION TO DISMISS CASE
11-13-15 [[57](#)]

The motion will be denied as moot. The debtor's case has been voluntarily converted to chapter 7 and performance under the chapter 13 plan is no longer relevant. No appearance is necessary.

24. [15-14151](#)-B-13 MATHEW ALFORD

OCWEN LOAN SERVICING, LLC/MV

SCOTT LYONS/Atty. for dbt.
JESSICA ABDOLLAHI/Atty. for mv.

OBJECTION TO CONFIRMATION OF
PLAN BY OCWEN LOAN SERVICING,
LLC
12-10-15 [[42](#)]

The motion will be denied without prejudice. The moving papers do not include an appropriate docket control number as required by Local Bankruptcy Rule 9014-1(c).

In addition, the record shows that the debtor filed a modified plan on December 20, 2015, which has been set for a hearing on a future date. The plan that is the subject of this objection is deemed withdrawn. The court will prepare and enter a civil minute order. No appearance is necessary.

25. [15-14151](#)-B-13 MATHEW ALFORD
JAA-1
U.S. BANK NATIONAL
ASSOCIATION/MV
SCOTT LYONS/Atty. for dbt.
JESSICA ABDOLLAHI/Atty. for mv.
U.S. BANK NATIONAL
ASSOCIATION VS.

OBJECTION TO CONFIRMATION OF
PLAN BY U.S. BANK NATIONAL
ASSOCIATION
1-5-16 [[46](#)]

The motion will be denied without prejudice. The moving papers do not include an appropriate docket control number as required by Local Bankruptcy Rule 9014-1(c).

In addition, the record shows that the debtor filed a modified plan on December 20, 2015, which has been set for a hearing on a future date. The plan that is the subject of this objection is deemed withdrawn. The court will prepare and enter a civil minute order. No appearance is necessary.

26. [15-14151](#)-B-13 MATHEW ALFORD
MHM-1
MICHAEL MEYER/MV
SCOTT LYONS/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
12-1-15 [[30](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

27. [15-12352](#)-B-13 PATRICIA CHAMBERS
DJC-1
PATRICIA CHAMBERS/MV
DIANA CAVANAUGH/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO MODIFY PLAN
11-13-15 [[40](#)]

28. [15-14152](#)-B-13 JOSE MERCADO
MHM-1
MICHAEL MEYER/MV
NELSON GOMEZ/Atty. for dbt.
JOINDER FILED BY CREDITOR
WELLS FARGO BANK

MOTION TO DISMISS CASE
12-1-15 [[24](#)]

This motion will be denied as moot. The debtor has requested that his case be dismissed and the court has issued an order dismissing the case pursuant to §1307(b). No appearance is necessary.

29. [15-14152](#)-B-13 JOSE MERCADO
NFG-1
JOSE MERCADO/MV
NELSON GOMEZ/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO VALUE COLLATERAL OF
WELLS FARGO HOME MORTGAGE
11-23-15 [[18](#)]

This matter will be dropped from calendar without a disposition. The debtor has requested that his case be dismissed and the court has issued an order dismissing the case pursuant to §1307(b). No appearance is necessary.

30. [12-16958](#)-B-13 BENJAMIN BRUFFETT
MHM-4
MICHAEL MEYER/MV
TIMOTHY SPRINGER/Atty. for dbt.

MOTION TO DISMISS CASE
11-17-15 [[80](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

31. [15-13659](#)-B-13 TONY MESA
BF-5
FINANCIAL FREEDOM/MV

SCOTT LYONS/Atty. for dbt.
BRANDYE FOREMAN/Atty. for mv.

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY
FINANCIAL FREEDOM
11-3-15 [[26](#)]

This matter will be continued to January 28, 2016, at 1:30 p.m. The trustee has not yet concluded the meeting of creditors and by prior order of the court, the trustee has another 7 days after completion of the creditors' meeting to file his objection to the plan. The court will prepare and enter a civil minute order. No appearance is necessary.

32. [14-15861](#)-B-13 MANUEL/GUILLERMINA COSSIO
MHM-2
MICHAEL MEYER/MV
SCOTT SAGARIA/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
12-2-15 [[57](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

33. [15-10263](#)-B-13 RUBY GARCIA
MHM-1
MICHAEL MEYER/MV
PETER BUNTING/Atty. for dbt.
WITHDRAWN
MOTION TO DISMISS CASE
11-13-15 [[42](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

34. [13-12064](#)-B-13 KEITH/MARGARET WILD
JDM-2
KEITH WILD/MV
JAMES MILLER/Atty. for dbt.
MOTION TO SELL
12-10-15 [[35](#)]

35. [15-14169](#)-B-13 MICHELLE AVILA
MHM-1
MICHAEL MEYER/MV
CASE DISMISSED 1/5/16
MOTION TO DISMISS CASE
12-23-15 [[45](#)]

This matter will be dropped from calendar without a disposition. The case has already been dismissed. No appearance is necessary.

36. [15-14169](#)-B-13 MICHELLE AVILA
WFM-1
CITIMORTGAGE, INC./MV
WILLIAM MCDONALD/Atty. for mv.
CASE DISMISSED 1/5/16
OBJECTION TO CONFIRMATION OF
PLAN BY CITIMORTGAGE, INC.
12-15-15 [[28](#)]

This matter will be dropped from calendar without a disposition. The case has already been dismissed. No appearance is necessary.

37. [11-10171](#)-B-13 DWAYNE/RENEE KENNEDY
PLF-4
PETER FEAR/Atty. for dbt.
MOTION FOR COMPENSATION BY THE
LAW OFFICE OF FEAR LAW GROUP
FOR PETER L. FEAR, DEBTORS
ATTORNEY(S)
12-17-15 [[78](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

38. [15-13571](#)-B-13 LARRY/MARTHA BLACK
JRL-1
LARRY BLACK/MV
JERRY LOWE/Atty. for dbt.

CONTINUED MOTION TO CONFIRM
PLAN
11-10-15 [[25](#)]

The motion to confirm the chapter 13 plan will be denied without prejudice. Pursuant to Local Rule 3015-1(j), if a proposed plan will reduce or eliminate a secured claim based on the value of its collateral or the avoidability of a lien pursuant to 11 U.S.C. § 522(f), the debtor must file, serve, and set for hearing a valuation motion and/or a lien avoidance motion. The hearing must be concluded before or in conjunction with the confirmation of the plan. If a motion is not filed, or it is unsuccessful, the Court may deny confirmation of the plan. No appearance is necessary.

39. [15-13571](#)-B-13 LARRY/MARTHA BLACK
JRL-2
LARRY BLACK/MV
JERRY LOWE/Atty. for dbt.

CONTINUED MOTION TO VALUE
COLLATERAL OF CITIFINANCIAL
11-9-15 [[20](#)]

The motion to value collateral will be denied without prejudice. The motion was continued to permit the debtor to submit additional evidence showing that the respondent was properly served pursuant to FRBP 7004. The record does not show that Citifinancial Servicing, LLC, was served pursuant to FRBP 7004. No appearance is necessary.

40. [11-12572](#)-B-13 JOSE/MARIA ESCOBEDO
MHM-4
MICHAEL MEYER/MV
ADRIAN WILLIAMS/Atty. for dbt.

MOTION TO DISMISS CASE
11-17-15 [[113](#)]

The trustee has withdrawn his motion. No appearance is necessary.

41. [15-11172](#)-B-13 FELIPE/AURORA ALVARADO
MHM-1
MICHAEL MEYER/MV
THOMAS GILLIS/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
11-13-15 [[66](#)]

The trustee has withdrawn his motion. No appearance is necessary.

42. [15-13573](#)-B-13 ROUDNI/MELISSA HAROUN
JRL-1
ROUDNI HAROUN/MV

AMENDED MOTION TO VALUE
COLLATERAL OF CAPITAL ONE AUTO
FINANCE
12-1-15 [[34](#)]

JERRY LOWE/Atty. for dbt.

The motion will be denied without prejudice. No appearance is necessary. The record does not establish that the motion was served on the named respondent, Capital One, N.A., in compliance with Federal Rule of Bankruptcy Procedure 7004(b)(1) (service on an individual), 7004(b)(3) (corporation, partnership or unincorporated association) or 7004(h) (FDIC Insured Depository Institution). *In re Villar*, 317 B.R. 88 (9th Cir. BAP 2004). Information regarding service on a corporation may be obtained from the California Secretary of State's Internet Website, see <http://kepler.sos.ca.gov/>. For a directory of FDIC Insured Institutions, see <http://www3.fdic.gov/idas/main.asp>. Litigants are encouraged to attach a copy of their information source (web page, etc.) to the proof of service to assist the court in evaluating compliance with Rule 7004.

Although it appears that the moving papers were mailed to "Corporation Service Company Which Will do Business in California as CSC-Lawyers Incorporation Service," respondent's purported agent for service of process, nothing in the address indicates the identity of the respondent or notifies the agent that the envelope constitutes service on one of its principals.

43. [14-15875](#)-B-13 RICHARD/VERONICA ESPINOZA
MHM-1
MICHAEL MEYER/MV

MOTION TO DISMISS CASE
11-13-15 [[37](#)]

TIMOTHY SPRINGER/Atty. for dbt.

44. [15-12078](#)-B-13 MANUEL/CAROLE CAMILO
TCS-3
MANUEL CAMILO/MV

CONTINUED MOTION TO VALUE
COLLATERAL OF FINANCE AND
THRIFT COMPANY
10-14-15 [[59](#)]

TIMOTHY SPRINGER/Atty. for dbt.

This motion to value respondent's collateral was fully noticed in compliance with the Local Rules and the respondent has withdrawn its opposition. The motion will be granted for cause shown without oral argument. Based on the evidence presented, the respondent's secured claim will be fixed at \$ 1,907. The moving party shall submit a proposed order consistent with this ruling. The proposed order shall specifically identify the collateral, and if applicable, the proof of claim to which it relates. The order will be effective upon confirmation of the chapter 13 plan. No appearance is necessary.

45. [15-14178](#)-B-13 JOSEPH AUGUSTO
AP-1
WELLS FARGO BANK, N.A./MV
SCOTT LYONS/Atty. for dbt.
JONATHAN CAHILL/Atty. for mv.

OBJECTION TO CONFIRMATION OF
PLAN BY WELLS FARGO BANK, N.A.
12-15-15 [[23](#)]

This matter will be continued to January 28, 2016, at 1:30 p.m. The trustee has not yet concluded the meeting of creditors and by prior order of the court, the trustee has another 7 days after completion of the creditors' meeting to file his objection to the plan. The court will prepare and enter a civil minute order. No appearance is necessary.

46. [12-16981](#)-B-13 ROSS/LYNDY RICE
MHM-1
MICHAEL MEYER/MV
PETER BUNTING/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
11-13-15 [[72](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

47. [15-14294](#)-B-13 ERLINDA MAGLIBA
AGM-2
ERLINDA MAGLIBA/MV
ALBERTO MONTEFALCON/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO CONFIRM PLAN
12-4-15 [[26](#)]

This matter will be continued to January 28, 2016, at 1:30 p.m. The trustee has not yet concluded the meeting of creditors and by prior order of the court, the trustee has another 7 days after completion of the creditors' meeting to file his objection to the plan. The court will prepare and enter a civil minute order. No appearance is necessary.

48. [15-14294](#)-B-13 ERLINDA MAGLIBA
JHW-1
AMERICREDIT FINANCIAL
SERVICES, INC./MV
ALBERTO MONTEFALCON/Atty. for dbt.
JENNIFER WANG/Atty. for mv.

OBJECTION TO CONFIRMATION OF
PLAN BY AMERICREDIT FINANCIAL
SERVICES, INC.
12-11-15 [[32](#)]

The movant's motion has been withdrawn. No appearance is necessary.