

UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Thomas C. Holman
Bankruptcy Judge
Sacramento, California

February 26, 2014 at 9:30 A.M.

1. [13-25503](#)-B-7 SUNRISE VISTA MORTGAGE CONTINUED STATUS CONFERENCE RE:
[13-2262](#) CORPORATION COMPLAINT
U.S. BANK N.A. V. SUNRISE 8-23-13 [[1](#)]
VISTA MORTGAGE CORPORATION

Disposition Without Oral Argument: Oral argument will not aid the court in rendering a decision on this matter.

The status conference is removed from the calendar. On February 24, 2014, the plaintiff filed a notice of voluntary dismissal (Dkt. 43), voluntarily dismissing the case pursuant to Fed. R. Civ. P. 41(a)(1)(A).

2. [13-20126](#)-B-7 EDELGARD WOOD CONTINUED STATUS CONFERENCE RE:
[13-2123](#) COMPLAINT
BRITTON ET AL V. WOOD 4-10-13 [[1](#)]
ADV. CASE DISMISSED 2/11/14

Disposition Without Oral Argument: Oral argument will not aid the court in rendering a decision on this matter.

The status conference is removed from the calendar. The adversary proceeding was dismissed pursuant to the stipulation of the parties filed on February 10, 2014 (Dkt. 28).

3. [13-20645](#)-B-7 ROBERT/TRISTINA KITAY CONTINUED STATUS CONFERENCE RE:
[13-2126](#) AMENDED COMPLAINT
GONZALEZ V. KITAY ET AL 11-19-13 [[45](#)]

Tentative Ruling: The status conference is continued to April 23, 2014 at 9:30 a.m., for resolution of the motion to set aside entry of default and entry of default judgment and to dismiss the adversary proceeding, and for resolution of a motion for entry of default judgment, set for hearing on April 8, 2014, at 9:32 a.m.

The court will issue a minute order.

4. [12-29353](#)-B-11 DANIEL EDSTROM CONTINUED STATUS CONFERENCE RE:
[13-2132](#) AMENDED COMPLAINT
EDSTROM V. AUBURN LAKE TRAILS 8-25-13 [[58](#)]
PROPERTY OWNERS ASSOCIATION

Tentative Ruling: The adversary proceeding is dismissed pursuant to Fed. R. Bankr. P. 7016, incorporating Fed. R. Civ. P. 16(f).

The adversary proceeding is dismissed due to the parties' failure to comply with the court's order entered January 16, 2014 (Dkt. 102) (the "Order"), which Order continued the status conference. The Order required the parties to comply with the court's Order to Confer on Initial Disclosures and Setting Deadlines (the "OTC") (Dkt. 5) if the adversary proceeding were not resolved by January 28, 2014. As of 11:39 a.m. on February 25, 2014, the adversary proceeding is not resolved and there is no evidence of the parties' compliance with the OTC, including, inter alia, the preparation and filing of a joint discovery plan. Accordingly, the adversary proceeding is dismissed.

The court will issue a minute order.

5. [12-37853](#)-B-13 CELIA NEGRON STATUS CONFERENCE RE: COMPLAINT
[13-2394](#) 12-27-13 [[1](#)]
NEGRON V. JPMORGAN CHASE BANK,
N.A. ET AL

Disposition Without Oral Argument: Oral argument will not aid the court in rendering a decision on this matter.

The status conference is removed from the calendar. By order signed February 25, 2014, the court continued status conference to May 21, 2014, at 9:30 a.m.

The court notes that in the joint status conference report and discovery plan filed by the parties on February 11, 2014 (Dkt. 10), that both the plaintiff the defendants believe that the Bankruptcy Dispute Resolution Program may be useful to resolving this adversary proceeding. If the parties wish to participate in BDRP, they are free to submit an Order Appointing Resolution Advocate an Assignment to the Bankruptcy Dispute Resolution Program, form EDC 6-610, to the court for signature.

6. [11-46760](#)-B-7 BRIAN/RANDI THIEL CONTINUED STATUS CONFERENCE RE:
[12-2018](#) AMENDED COMPLAINT
FARM CREDIT WEST, PCA V. THIEL 8-28-12 [[50](#)]
ET AL

Disposition Without Oral Argument: Oral argument will not aid the court in rendering a decision on this matter.

The status conference is continued to July 2, 2014, at 9:30 a.m. The plaintiff shall file and serve a status report regarding the status of the adversary proceeding on or before June 25, 2014.

The court will issue a minute order.

7. [09-37183](#)-B-13 CALANDRA RAIFORD STATUS CONFERENCE RE: COMPLAINT
[13-2350](#) 11-5-13 [[1](#)]
RAIFORD V. JPMORGAN CHASE BANK
N.A. ET AL

Disposition Without Oral Argument: Oral argument will not aid the court in rendering a decision on this matter.

The stipulation filed February 21, 2014 (Dkt. 12) is approved. JPMorgan Chase Bank, N.A., EMC Mortgage Corporation, and Citibank, N.A. (collectively, the "Defendants") shall have to and including March 19, 2014, to file a response to the complaint (Dkt. 1). The status conference is continued to May 21, 2014, at 9:30 a.m. to permit the parties to discuss settlement of the adversary proceeding. If the adversary proceeding is not resolved by April 23, 2014, the parties shall also comply with the court's Order to Confer on Initial Disclosures and Setting Deadlines (Dkt. 5) (the "OTC") as if the date of the continued status conference was the status conference date set in the initial summons (Dkt. 3). Failure to comply with the orders herein or with the OTC may result in the imposition of sanctions under Fed. R. Bankr. P. 7016, incorporating Fed. R. Civ. P. 16(f). Such sanctions may include any of the sanctions listed in F.R.Civ.P. 37(b)(2)(A)(ii)-(vii), including dismissal of the action for plaintiff's failure to comply or the striking of Defendants' answer and the entry of Defendants' default for Defendants' failure to comply.

The court will issue a minute order.

8. [13-32286](#)-B-13 MARCOS SMITH
[13-2392](#)
CORREIA V. SMITH

STATUS CONFERENCE RE: COMPLAINT
12-23-13 [[1](#)]

Disposition Without Oral Argument: Oral argument will not aid the court in rendering a decision on this matter.

The status conference is continued to June 4, 2014, at 9:30 a.m. If the adversary proceeding is not resolved by May 7, 2014, the parties shall also comply with the court's Order to Confer on Initial Disclosures and Setting Deadlines (Dkt. 5) (the "OTC") as if the date of the continued status conference was the status conference date set in the original summons (Dkt. 3). Failure to comply with the orders herein or with the OTC may result in the imposition of sanctions under Fed. R. Bankr. P. 7016, incorporating Fed. R. Civ. P. 16(f). Such sanctions may include any of the sanctions listed in F.R.Civ.P. 37(b)(2)(A)(ii)-(vii), including dismissal of the action for plaintiff's failure to comply or the striking of defendant's answering and the entry of defendant's default for defendant's failure to comply.

The status conference is continued in order to allow the parties to discuss a settlement of this adversary proceeding and for the defendant to attempt confirmation of a chapter 13 plan in his bankruptcy case, case no. 13-32286.

The court will issue a minute order.

9. [13-25191](#)-B-7 AJAY CHANDRA
[13-2204](#)
CENTRAL VALLEY CONCRETE, INC.
V. CHANDRA

CONTINUED STATUS CONFERENCE RE:
COMPLAINT
6-20-13 [[1](#)]

Disposition Without Oral Argument: Oral argument will not aid the court in rendering a decision on this matter.

The status conference is continued to May 7, 2014 at 9:30 a.m. If the adversary proceeding is not resolved by April 9, 2014, all parties appearing in the adversary proceeding shall comply with the court's Order to Confer on Initial Disclosures and Setting Deadlines (Dkt. 5) (the "OTC") as if the date of the continued status conference was the status conference date set in the reissued summons (Dkt. 14). Failure to comply with the orders herein or with the OTC may result in the imposition of sanctions under Fed. R. Bankr. P. 7016, incorporating Fed. R. Civ. P. 16(f). Such sanctions may include any of the sanctions listed in F.R.Civ.P. 37(b)(2)(A)(ii)-(vii), including dismissal of the action for plaintiff's failure to comply or the striking of defendant's answer and entry of defendant's default for defendant's failure to comply.

The status conference is continued to allow for the filing and service of an amended complaint by the plaintiff, and for the filing and service of a response by the defendant, if any, thereto.

The court will issue a minute order.

10. [12-36999](#)-B-7 VIVIAN LILY
[12-2717](#)
OLICK V. LILY

CONTINUED STATUS CONFERENCE RE:
AMENDED COMPLAINT
6-4-13 [[58](#)]

Tentative Ruling: None.