

UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable W. Richard Lee
Hearing Date: Thursday, March 13, 2014
Place: Department B – Courtroom #12
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.

9:00 A.M.

1. [13-10302](#)-B-11 GMC DAIRY FARMS LP
THOMAS GILLIS/Atty. for dbt.
CONTINUED STATUS CONFERENCE RE:
VOLUNTARY PETITION
1-17-13 [[1](#)]
2. [13-10302](#)-B-11 GMC DAIRY FARMS LP
UST-1
AUGUST LANDIS/MV
THOMAS GILLIS/Atty. for dbt.
ROBIN TUBESING/Atty. for mv.
RESPONSIVE PLEADING
CONTINUED MOTION TO DISMISS
CASE
12-20-13 [[416](#)]
3. [11-19212](#)-B-11 MERCED FALLS RANCH, LLC
UST-1
TRACY DAVIS/MV
RILEY WALTER/Atty. for dbt.
MOTION TO DISMISS CASE
2-13-14 [[327](#)]
4. [14-10638](#)-B-11 PACHECO PLAZA, LLC
PACHECO PLAZA, LLC/MV
STEVE BARKIN/Atty. for dbt.
MOTION TO EMPLOY STEVE BARKIN
AS ATTORNEY(S)
2-27-14 [[10](#)]
5. [13-17341](#)-B-7 HOWARD SAGASER
KDG-2
HOWARD SAGASER/MV
HAGOP BEDOYAN/Atty. for dbt.
CONVERTED 2/14/14
CONTINUED MOTION TO EMPLOY GARY
I. ISTANBOULIAN AS
ACCOUNTANT(S)
11-27-13 [[24](#)]
6. [13-17341](#)-B-7 HOWARD SAGASER
KDG-5
HAGOP BEDOYAN/MV
HAGOP BEDOYAN/Atty. for dbt.
CONVERTED 2/14/14,
RESPONSIVE PLEADING
CONTINUED MOTION FOR
COMPENSATION BY THE LAW OFFICE
OF KLEIN, DENATALE, GOLDNER,
COOPER, ROSEN LIEB & KIMBALL,
LLP FOR HAGOP T. BEDOYAN,
DEBTOR'S ATTORNEY(S),
1-13-14 [[129](#)]
7. [13-17341](#)-B-7 HOWARD SAGASER
KDG-6
HAGOP BEDOYAN/MV
HAGOP BEDOYAN/Atty. for dbt.
CONVERTED 2/14/14,
RESPONSIVE PLEADING
CONTINUED MOTION FOR
COMPENSATION FOR GARY I.
ISTANBOULIAN, ACCOUNTANT(S),
1-21-14 [[153](#)]

8. [13-12342](#)-B-11 MEHRDAD FAY CONTINUED STATUS CONFERENCE RE:
VOLUNTARY PETITION
4-2-13 [[1](#)]
HAGOP BEDOYAN/Atty. for dbt.
9. [13-12343](#)-B-11 JIROUDI FAY, LLC CONTINUED STATUS CONFERENCE RE:
VOLUNTARY PETITION
4-2-13 [[1](#)]
PETER FEAR/Atty. for dbt.
10. [13-16954](#)-B-11 MADERA ROOFING, INC. MOTION TO APPROVE STIPULATION
BJG-2 FOR RELIEF FROM THE AUTOMATIC
WATHEN-CASTANOS, INC./MV STAY
2-26-14 [[168](#)]
ERIC FROMME/Atty. for dbt.
ROSEANNE LAZZAROTTO/Atty. for mv.
11. [13-16954](#)-B-11 MADERA ROOFING, INC. AMENDED MOTION TO ALLOW AND
EJF-7 AUTHORIZE PAYMENT OF 11 U.S.C.
MADERA ROOFING, INC./MV 503(B)(9) CLAIMS .
2-19-14 [[163](#)]
ERIC FROMME/Atty. for dbt.
12. [13-16954](#)-B-11 MADERA ROOFING, INC. MOTION FOR RELIEF FROM
TL-1 AUTOMATIC STAY
RANCHWOOD CONTRACTORS, INC./MV 2-7-14 [[119](#)]
ERIC FROMME/Atty. for dbt.
THEODORE LIEU/Atty. for mv.

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be granted without oral argument for cause shown. The automatic stay is terminated as it applies to the movant's right to enforce its remedies in the State Court action under applicable nonbankruptcy law. The proposed order shall specifically describe the action to which the order relates. *Unless the court expressly orders otherwise, the proposed order shall not include any other relief.* If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law, must be separately noticed and separately briefed with appropriate legal authority and supporting documentation. No appearance is necessary.

13. [13-16954](#)-B-11 MADERA ROOFING, INC. MOTION FOR RELIEF FROM
TL-2 AUTOMATIC STAY
RANCHWOOD RESIDENTIAL, INC./MV 2-10-14 [[131](#)]
ERIC FROMME/Atty. for dbt.
THEODORE LIEU/Atty. for mv.

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be granted without oral argument for cause shown. The automatic stay is terminated as it applies to the movant's right to enforce its remedies in the State Court action under applicable nonbankruptcy law. The proposed order shall specifically describe the action to which the order relates. *Unless the court expressly orders otherwise, the proposed order shall not include any other relief.* If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law, must be separately noticed and separately briefed with appropriate legal authority and supporting documentation. No appearance is necessary.

14. [07-10672](#)-B-12 FRANK/ANGELINA CODERNIZ MOTION FOR ENTRY OF DISCHARGE
WW-2 2-10-14 [[124](#)]
FRANK CODERNIZ/MV
RILEY WALTER/Atty. for dbt.

The debtors' motion for entry of a chapter 12 discharge upon conclusion of the case was fully noticed in compliance with the Local Rules and there was no opposition. The motion shall be granted without oral argument. Based on the evidence presented, the court finds that the debtors are eligible for a chapter 12 discharge pursuant to 11 U.S.C. § 1228. Once the chapter 12 trustee's final report has been approved, the case manager may enter the debtors' discharge and proceed to close the case. The court will enter a civil minute order. No appearance is necessary.

15. [13-13388](#)-B-11 GEORGE/MARILYN LANTING CONTINUED STATUS CONFERENCE RE:
VOLUNTARY PETITION
5-10-13 [[1](#)]
NANCY KLEPAC/Atty. for dbt.

16. [14-10588](#)-B-11 J & D WILSON AND SONS
KDG-3 DAIRY
J & D WILSON AND SONS DAIRY/MV
JACOB EATON/Atty. for dbt.

MOTION FOR PRELIMINARY
INJUNCTION
2-27-14 [[41](#)]

The Chapter 11 debtor ("DIP") moves for a preliminary injunction, under §105, staying a state court civil action involving the DIP and two of its non-debtor general partners ("The State Court Action"). For the reasons set forth below, the court intends to deny the motion and will enter a civil minute order. No appearance is necessary.

The State Court Action is for breach of oral/IMPLIED-IN-FACT contract, and open book account, against the DIP and its two general partners. The defendants filed a cross complaint against the plaintiffs on similar claims and seeking similar damages. The trial date was imminent when this bankruptcy case was filed and the State Court Action has been stayed against the DIP.

It appears that the DIP is really requesting an order from this court that the general partners can lodge in the State Court Action in an effort to extend the automatic stay beyond § 362(a)'s limited scope and stay the trial, and all further proceedings, for the benefit of the non-debtor defendants until after plan confirmation. However, to the extent the DIP is attempting to seek an extension of the automatic stay as to non-debtor entities, the DIP's motion is deficient.

The Ninth Circuit has "consistently held that the automatic stay does not apply to suits against non-debtors." *Solidus Networks, Inc. v. Excel Innovations, Inc. (In re Excel Innovations, Inc.)*, 502 F.3d 1086, 1905 (9th Cir. 2007). As a result, a party seeking an extension of the stay is actually requesting a new injunction under the court's § 105(a) authority. "Section 105(a) gives the bankruptcy courts the power to stay actions that are not subject to the 11 U.S.C. § 362(a) automatic stay but threaten the integrity of a bankrupt's estate." *Id.* at 1093 (internal quotation marks omitted). To determine whether to "extend the automatic stay," the Ninth Circuit has held that the "usual preliminary injunction standard applies" because the "usual standard helps to ensure that stays would not be granted lightly." *Id.* at 1095-96. In the bankruptcy context, this requires the bankruptcy court to consider (1) "whether the debtor has a reasonable likelihood of a successful reorganization," (2) "the relative hardship of the parties," and (3) "any public interest concerns if relevant." *Id.* at 1096.

The DIP's request is procedurally improper. To the extent the DIP is asking this court to enjoin non-bankruptcy proceedings against non-debtor parties, the DIP cannot proceed by motion in the main bankruptcy case. Bankruptcy Rule 7001 requires an adversary proceeding for "a proceeding to obtain an injunction or other equitable relief." Fed. R. Bankr. P. 7001(7), *In re Gledhill*, 76 F.3d 1070 (C.A. 10, 1996). In an adversary proceeding the DIP bears the burden of proof of satisfying the elements for injunctive relief, including jurisdiction.

In conclusion, the court notes from review of the pleadings that there may actually be several reasons to grant relief from the automatic stay to permit prompt resolution of the State Court Action. First, the amounts in controversy are significant, in excess of one-hundred thousand dollars. It appears that the State Court Action is ready for trial and can be litigated to conclusion long before the DIP has to file its plan of reorganization. Second, DIP and the general partners are plaintiffs in the cross-complaint in the State Court Action. The DIP has listed its claim in this cross-complaint as an asset of the estate. The DIP is not bound by the automatic stay in pursuit of that cross complaint and liquidation of that "asset" cannot occur until the State Court Action is litigated. Third, the State Court Action will serve to liquidate a substantial claim against the DIP and its principles. When ruling on plan confirmation, the court must evaluate the possible effect of a large judgment on the feasibility of the plan. It cannot do so until the State Court Action is concluded.

17. [13-17341](#)-B-7 HOWARD SAGASER
KDG-7
HOWARD SAGASER/MV

HAGOP BEDOYAN/Atty. for dbt.
ORDER 3/7/14

RESCHEDULED HEARING RE: MOTION
TO QUASH AND/OR MOTION FOR
PROTECTIVE ORDER
2-13-14 [[210](#)]

This motion will be dropped from calendar. It appears that this matter has been settled. No appearance is necessary.

10:30 A.M.

1. [11-63503](#)-B-7 FRANK/ALICIA ITALIANE CONTINUED STATUS CONFERENCE RE:
[13-1084](#) AMENDED COMPLAINT
SALVEN V. ITALIANE ET AL 9-30-13 [[13](#)]
TRUDI MANFREDO/Atty. for pl.
NOTICE OF SETTLEMENT

It appears this adversary proceeding has been settled. The status conference will be dropped from calendar and may be reset by any party on 10 days' notice. No appearance is necessary. The clerk of the court may close the adversary proceeding without notice in 60 days unless the adversary proceeding has been concluded or set for a further status conference within that time. Either party may request an extension of this time up to 30 days by ex parte application for cause. After the adversary proceeding has been closed, the parties will have to file an application to reopen the adversary proceeding if further action is required. The court will issue a civil minute order.

2. [13-15027](#)-B-7 JAVIER MALDONADO AND STATUS CONFERENCE RE: COMPLAINT
[13-1120](#) ESMERALDA TREVINO 10-29-13 [[1](#)]
VASQUEZ V. MALDONADO ET AL
EDWARD RAMIREZ/Atty. for pl.
REISSUED SUMMONS FOR 4/10/14

This status conference will be dropped from calendar. The summons has been reissued and a new status conference has been set in the reissued summons. No appearance is necessary.

3. [13-17930](#)-B-11 ELIAZAR/LOURDES GONZALEZ ORDER TO SHOW CAUSE WHY CASE
SHOULD NOT BE DISMISSED
3-3-14 [[60](#)]
THOMAS GILLIS/Atty. for dbt.
4. [13-17930](#)-B-11 ELIAZAR/LOURDES GONZALEZ RESCHEDULED STATUS CONFERENCE
RE: VOLUNTARY PETITION
12-19-13 [[1](#)]
THOMAS GILLIS/Atty. for dbt.
5. [13-17930](#)-B-11 ELIAZAR/LOURDES GONZALEZ STATUS CONFERENCE RE: COMPLAINT
[14-1006](#) 1-14-14 [[1](#)]
U.S. TRUSTEE V. GONZALEZ ET AL
ROBIN TUBESING/Atty. for pl.
RESPONSIVE PLEADING

6. [13-16432](#)-B-7 PATRICK/MARGARET BOWMAN STATUS CONFERENCE RE: COMPLAINT
[14-1002](#) 1-5-14 [[1](#)]
AVALOS ET AL V. BOWMAN
DANIEL MALAKAUSKAS/Atty. for pl.
RESPONSIVE PLEADING
7. [13-14675](#)-B-7 JERRY KUTUMIAN CONTINUED STATUS CONFERENCE RE:
[13-1112](#) COMPLAINT
ADAMS ET AL V. KUTUMIAN 10-11-13 [[1](#)]
MITCHELL GOLUB/Atty. for pl.
AMENDED COMPLAINT 3/7/14
8. [13-15582](#)-B-7 JEFF HEDGES STATUS CONFERENCE RE: AMENDED
[13-1111](#) COMPLAINT
PACIFIC GAS AND ELECTRIC 1-2-14 [[23](#)]
COMPANY V. HEDGES
MARTHA SIMON/Atty. for pl.

It appears that a request to enter the defendant's default has been filed and is being reviewed by the court. The status conference will be dropped from calendar and may be reset by any party on 10 days' notice. No appearance is necessary. The court will issue a civil minute order.

9. [12-12392](#)-B-7 RICHARD/MARY VIZZOLINI CONTINUED STATUS CONFERENCE RE:
[12-1112](#) COMPLAINT
AMERICAN EXPRESS TRAVEL 6-25-12 [[1](#)]
RELATED SERVICES COMPANY, V.
JOHN O'CONNOR/DONNELL/Atty. for pl.
RESPONSIVE PLEADING
10. [13-17492](#)-B-7 DOUGLAS CRENSHAW STATUS CONFERENCE RE: COMPLAINT
[14-1001](#) 1-3-14 [[1](#)]
U.S. TRUSTEE V. CRENSHAW
ROBIN TUBESING/Atty. for pl.

It appears that the defendant's default has been entered. The status conference will be dropped from calendar and may be reset by any party on 10 days' notice. No appearance is necessary. The clerk of the court may close the adversary proceeding without notice in 60 days unless the adversary proceeding has been concluded or set for a further status conference within that time. Either party may request an extension of this time up to 30 days by ex parte application for cause. After the adversary proceeding has been closed, the parties will have to file an application to reopen the adversary proceeding if further action is required. The court will issue a civil minute order..

1:30 P.M.

1. [13-10817](#)-B-13 SONIA MIKHAIL MOTION FOR RELIEF FROM
JHW-1 AUTOMATIC STAY
DAIMLER TRUST/MV 2-4-14 [[19](#)]
DAVID JENKINS/Atty. for dbt.
JENNIFER WANG/Atty. for mv.

This motion for relief from the automatic stay will be denied as moot. The claim relating to this leased property is provided for in ¶ 3.02 of the debtors's confirmed chapter 13 plan. Upon confirmation of the chapter 13 plan, the automatic stay was modified to permit the non-debtor parties to this lease to obtain possession of the leased property and to dispose of it under applicable law in the event of a default. No further relief appears to be necessary. No attorney's fees will be awarded in relation to this motion. No appearance is necessary.

2. [11-11320](#)-B-13 ROBIN BLAKE MOTION TO DETERMINE FINAL CURE
MHM-1 AND MORTGAGE PAYMENT RULE
MICHAEL MEYER/MV 3002.1
2-5-14 [[28](#)]

JOHN SARAI/Atty. for dbt.
RESPONSIVE PLEADING

3. [13-16721](#)-B-13 MICHAEL/GUADALUPE ORDER TO SHOW CAUSE - FAILURE
CANIZALEZ TO PAY FEES
2-18-14 [[47](#)]

RICHARD BAMBL/Atty. for dbt.
FINAL INSTALLMENT PAID
2/20/14

The record shows that the required fee has been paid in full. The OSC will be dropped from calendar. No appearance is necessary.

4. [14-10623](#)-B-13 JOSHUA JONE AND MANDY MOTION FOR RELIEF FROM
HTP-1 JONES AUTOMATIC STAY
BANK OF THE SIERRA/MV 2-27-14 [[13](#)]
HANNO POWELL/Atty. for mv.
OST 3/3

5. [09-14025](#)-B-13 JOEL/GINA VANCE
ASW-5
JOEL VANCE/MV

ADRIAN WILLIAMS/Atty. for dbt.

MOTION TO VALUE COLLATERAL OF
HSEC AUTO FINANCE, PRA
RECEIVABLES MANAGEMENT, LLC
2-5-14 [[64](#)]

This motion to value respondent's collateral 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 presented, the respondent's secured claim will be fixed at \$11,300. 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.

6. [13-16725](#)-B-13 CLINE/SABRINA GARNER

GARY HUSS/Atty. for dbt.
FINAL INSTALLMENT PAID
2/19/14

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
2-18-14 [[21](#)]

The record shows that the required fee has been paid in full. The OSC will be dropped from calendar. No appearance is necessary.

7. [13-16636](#)-B-13 SOLOMON OLIVAS
SL-2
SOLOMON OLIVAS/MV
SCOTT LYONS/Atty. for dbt.

MOTION TO CONFIRM PLAN
1-29-14 [[33](#)]

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.

8. [13-16639](#)-B-13 GEORGE LOGAN
GGL-1
GEORGE LOGAN/MV
GEORGE LOGAN/Atty. for dbt.

MOTION TO CONFIRM PLAN
1-30-14 [[30](#)]

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.

9. [10-60541](#)-B-13 SYLVIA PLASENCIA MOTION TO MODIFY PLAN
PBB-4 2-4-14 [[64](#)]
SYLVIA PLASENCIA/MV
PETER BUNTING/Atty. for dbt.

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.

10. [11-61443](#)-B-13 DALTON ELAM MOTION TO MODIFY PLAN
PLG-2 1-24-14 [[65](#)]
DALTON ELAM/MV
ALLAN WILLIAMS/Atty. for dbt.
RESPONSIVE PLEADING

11. [13-15946](#)-B-13 ROBERTO RODRIGUEZ AND MOTION TO CONFIRM PLAN
TOG-5 TERESA AGUILAR 1-20-14 [[83](#)]
ROBERTO RODRIGUEZ/MV
THOMAS GILLIS/Atty. for dbt.
WITHDRAWAL OF 1ST AMENDED
PLAN

The motion has been withdrawn. No appearance is necessary.

12. [13-15946](#)-B-13 ROBERTO RODRIGUEZ AND MOTION TO CONFIRM PLAN
TOG-6 TERESA AGUILAR 1-23-14 [[91](#)]
ROBERTO RODRIGUEZ/MV
THOMAS GILLIS/Atty. for dbt.
WITHDRAWAL OF 2ND AMENDED
PLAN

The motion has been withdrawn. No appearance is necessary.

13. [13-18049](#)-B-13 CHEVANN RIVERA MOTION TO AVOID LIEN OF
SL-2 SOUTHONE SISOUNTHONE
CHEVANN RIVERA/MV 2-7-14 [[21](#)]
STEPHEN LABIAK/Atty. for dbt.

This matter will be continued to April 10, 2014, at 1:30 p.m. The evidence does not show that the judgment lien relates to a debt against the debtor, or that the debtor owned any interest in the property at the time the lien attached. The debtor shall file a copy of the subject abstract of judgment or other evidence to show that the judgment lien is related to a debt owed by the debtor and that the debtor owned the subject property at the time the judgment lien attached. *Farrey v. Sanderfoot*, 111 S.Ct. 667. The court will prepare a minute order. No appearance is necessary.

14. [13-18049](#)-B-13 CHEVANN RIVERA
SL-3
CHEVANN RIVERA/MV
STEPHEN LABIAK/Atty. for dbt.

MOTION TO VALUE COLLATERAL OF
MOR FURNITURE
2-11-14 [[34](#)]

This motion to value respondent's collateral 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 presented, the respondent's secured claim will be fixed at \$300. 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.

15. [13-17953](#)-B-13 STEVEN HOLDRIDGE

RICHARD BAMBL/Atty. for dbt.

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
1-24-14 [[22](#)]

This matter will be dropped from calendar. The OSC will be withdrawn. It appears that the first fee installment was tendered on time but returned by the clerk due to a misunderstanding by the debtor. The debtor promptly corrected the problem and subsequently paid the second installment payment on time. No appearance is necessary.

16. [12-17857](#)-B-13 RANULFO ALMANZA AND
SL-4 CARMEN FLORES ALMANZA
RANULFO ALMANZA/MV
SCOTT LYONS/Atty. for dbt.
RESPONSIVE PLEADING

CONTINUED MOTION TO MODIFY PLAN
1-6-14 [[47](#)]

17. [13-17563](#)-B-13 LISA THAI
UST-1
U.S. TRUSTEE/MV

MOTION AGAINST MELODIE FURTADO
FOR FINES AND PAYMENT TO
DEBTORS PURSUANT TO 11 U.S.C.
SECTION 110
2-6-14 [[42](#)]

ROBIN TUBESING/Atty. for mv.
CASE DISMISSED

Based on the U.S. Trustee's status report and notice of pending settlement, this matter will be continued to April 10, 2014, at 1:30 p.m. The court will prepare a minute order. No appearance is necessary.

18. [13-17973](#)-B-13 MARIA VASQUEZ
GMA-1
MARIA VASQUEZ/MV
GEOFFREY ADALIAN/Atty. for dbt.

MOTION TO AVOID LIEN OF KINGS
CREDIT SERVICES
2-3-14 [[18](#)]

This matter will be continued to April 10, 2014, at 1:30 p.m. The debtor(s) shall file a copy of the subject abstract of judgment or other evidence to show that the judgment lien is related to a debt owed by the debtor(s) and that the debtor(s) owned the subject property at the time the judgment lien attached. *Farrey v. Sanderfoot*, 111 S.Ct. 667. The court will prepare a minute order. No appearance is necessary.

19. [13-17973](#)-B-13 MARIA VASQUEZ
GMA-2
MARIA VASQUEZ/MV

GEOFFREY ADALIAN/Atty. for dbt.

MOTION TO AVOID LIEN OF
EMPLOYMENT DEVELOPMENT
DEPARTMENT
2-3-14 [[22](#)]

This matter will be continued to April 10, 2014, at 1:30 p.m. The debtor(s) shall file a copy of the subject abstract of judgment or other evidence to show that the judgment lien is related to a debt owed by the debtor(s) and that the debtor(s) owned the subject property at the time the judgment lien attached. *Farrey v. Sanderfoot*, 111 S.Ct. 667. The court will prepare a minute order. No appearance is necessary.

20. [08-13476](#)-B-13 ELIGIO/GUILLERMINA TAPIA
ALG-1

GEOFFREY ADALIAN/Atty. for dbt.
RESPONSIVE PLEADING

TRUSTEE'S FINAL REPORT AND
ACCOUNT, MOTION TO DISMISS CASE
1-6-14 [[80](#)]

This matter will be rescheduled to April 23, 2014, at 1:30 p.m., to be called with the hearing on the debtors' claim objection, DC# GMA-1. This contested matter will be consolidated with the claim objection for all purposes including discovery and trial if necessary. The court will prepare a minute order. No appearance is necessary.

21. [13-18092](#)-B-13 TIMOTHY/JULIE BEIRNE
JHW-1
GM FINANCIAL SERVICES, INC./MV
REYNALDO PULIDO/Atty. for dbt.
JENNIFER WANG/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
1-30-14 [[17](#)]

This matter will be trailed to the 2:00 p.m. calendar and called with the trustee's motion to dismiss. No appearance is necessary at 1:30 p.m.

22. [10-10795](#)-B-13 JOSE/CAROL MARTINEZ CONTINUED MOTION TO SELL
MNE-5 12-26-13 [[73](#)]
JOSE MARTINEZ/MV
M. ENMARK/Atty. for dbt.
RESPONSIVE PLEADING

This motion will be denied without prejudice. This matter was continued from February 13, 2014, for more information and disclosure regarding the proposed sale of the debtors' residence. Nothing else has been filed. No appearance is necessary.

23. [13-13398](#)-B-13 LORENZO/CRISPINA GIRON MOTION FOR COMPENSATION BY THE
PLF-2 LAW OFFICE OF PETER L. FEAR FOR
PETER FEAR/MV PETER L. FEAR, DEBTOR'S
ATTORNEY(S),
2-11-14 [[57](#)]

PETER FEAR/Atty. for dbt.

This matter 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 moving party shall submit a proposed order. No appearance is necessary.

24. [14-10623](#)-B-13 JOSHUA JONE AND MANDY MOTION FOR RELIEF FROM
HTP-1 JONES AUTOMATIC STAY
BANK OF THE SIERRA/MV 2-27-14 [[13](#)]
HANNO POWELL/Atty. for mv.

This matter will be dropped from calendar. It appears to be a duplicate entry for calendar docket #4, above. No appearance is necessary.

25. [13-11607](#)-B-13 JUDIE HOUSTON MOTION TO APPROVE LOAN
RN-1 MODIFICATION
JUDIE HOUSTON/MV 3-5-14 [[32](#)]
ROSALINA NUNEZ/Atty. for dbt.
OST 3/5

26. [14-10663](#)-B-13 MARIA RESENDEZ MOTION TO EXTEND AUTOMATIC STAY
SL-1 3-5-14 [[10](#)]
MARIA RESENDEZ/MV
SCOTT LYONS/Atty. for dbt.

27. [11-13917](#)-B-13 WESLEY/TERESA HAMMER MOTION TO SELL
PK-2 3-7-14 [[43](#)]
WESLEY HAMMER/MV
PATRICK KAVANAGH/Atty. for dbt.

2:00 P.M.

1. [13-16881](#)-B-13 JOHNNY/GLORIA ALEJANDREZ
MHM-2
MICHAEL MEYER/MV
PETER BUNTING/Atty. for dbt. MOTION TO DISMISS CASE FOR
FAILURE TO MAKE PLAN PAYMENTS
2-27-14 [[49](#)]

2. [13-17890](#)-B-13 NADEZHDA DUBINSKAYA
MHM-1
MICHAEL MEYER/MV MOTION TO DISMISS CASE FOR
UNREASONABLE DELAY THAT IS
PREJUDICIAL TO CREDITORS AND/OR
MOTION TO DISMISS CASE FOR
FAILURE TO MAKE PLAN PAYMENTS ,
MOTION TO DISMISS CASE FOR
FAILURE TO FILE DOCUMENTS ,
MOTION TO DISMISS CASE
2-20-14 [[28](#)]

3. [13-18092](#)-B-13 TIMOTHY/JULIE BEIRNE
MHM-1
MICHAEL MEYER/MV
REYNALDO PULIDO/Atty. for dbt. MOTION TO DISMISS CASE FOR
FAILURE TO MAKE PLAN PAYMENTS
2-27-14 [[29](#)]