

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA**

Honorable Fredrick E. Clement
Fresno Federal Courthouse
2500 Tulare Street, 5th Floor
Courtroom 11, Department A
Fresno, California

PRE-HEARING DISPOSITIONS

DAY: WEDNESDAY
DATE: APRIL 26, 2017
CALENDAR: 10:00 A.M. CHAPTER 7 ADVERSARY PROCEEDINGS

GENERAL DESIGNATIONS

Each pre-hearing disposition is prefaced by the words "Final Ruling," "Tentative Ruling" or "No Tentative Ruling." Except as indicated below, matters designated "Final Ruling" will not be called and counsel need not appear at the hearing on such matters. Matters designated "Tentative Ruling" or "No Tentative Ruling" will be called.

ORAL ARGUMENT

For matters that are called, the court may determine in its discretion whether the resolution of such matter requires oral argument. See *Morrow v. Topping*, 437 F.2d 1155, 1156-57 (9th Cir. 1971); accord LBR 9014-1(h). When the court has published a tentative ruling for a matter that is called, the court shall not accept oral argument from any attorney appearing on such matter who is unfamiliar with such tentative ruling or its grounds.

COURT'S ERRORS IN FINAL RULINGS

If a party believes that a final ruling contains an error that would, if reflected in the order or judgment, warrant a motion under Federal Rule of Civil Procedure 60(a), as incorporated by Federal Rules of Bankruptcy Procedure 9024, then the party affected by such error shall, not later than 4:00 p.m. (PST) on the day before the hearing, inform the following persons by telephone that they wish the matter either to be called or dropped from calendar, as appropriate, notwithstanding the court's ruling: (1) all other parties directly affected by the motion; and (2) Kathy Torres, Judicial Assistant to the Honorable Fredrick E. Clement, at (559) 499-5860. Absent such a timely request, a matter designated "Final Ruling" will not be called.

1. [16-14562](#)-A-7 SUSAN SCHOLZKEYTON STATUS CONFERENCE RE: COMPLAINT
[17-1017](#) 2-23-17 [[1](#)]
SCHOLZ-KEYTON V. DEBT
MANAGEMENT AND COLLECTIONS
SUSAN HEMB/Atty. for pl.

No tentative ruling.

2. [15-14365](#)-A-7 APRIL ADAMS MOTION FOR ENTRY OF DEFAULT
[17-1005](#) JUDGMENT
SALVEN V. DIMERY ET AL 4-7-17 [[20](#)]
RUSSELL REYNOLDS/Atty. for mv.

Tentative Ruling

Motion: Entry of Default Judgment

Notice: LBR 9014-1(f)(2); no written opposition required

Disposition: Granted

Order: Prepared by moving party

The clerk has entered default against the defendant in this proceeding. The default was entered because the defendant failed to appear, answer or otherwise defend against the action brought by the plaintiff. Fed. R. Civ. P. 55(b)(2), *incorporated by* Fed R. Bankr. P. 7055. The plaintiff has moved for default judgment.

Under Federal Rule of Civil Procedure 8(b)(6), the allegations of the complaint are admitted except for allegations relating to the amount of damages. Fed. R. Civ. P. 8(b)(6), *incorporated by* Fed. R. Bankr. P. 7008(a). Having accepted the well-pleaded facts in the complaint as true, and for the reasons stated in the motion and supporting papers, the court finds that default judgment should be entered against the defendant. Fed. R. Civ. P. 55(b)(2), *incorporated by* Fed. R. Bankr. P. 7055.

The real property located at 348 West Florence Avenue, Fresno, CA, shall be sold free and clear of the interests of the co-owners, and their interests shall attach to the proceeds of sale with the same validity and effect as they had before the sale.

3. [15-11079](#)-A-7 WEST COAST GROWERS, INC. STATUS CONFERENCE RE: COMPLAINT
[17-1011](#) A CALIFORNIA CORPORATION 2-17-17 [[1](#)]
HAWKINS V. CENTRAL CAL AG
HAGOP BEDOYAN/Atty. for pl.

Final Ruling

The matter is continued to June 29, 2017, at 10:00 a.m. In the event that a dismissal or judgment is not in the file, not later than 14 days prior to the continue hearing the plaintiff shall file a status report.

4. [15-11079](#)-A-7 WEST COAST GROWERS, INC. STATUS CONFERENCE RE: COMPLAINT
[17-1012](#) A CALIFORNIA CORPORATION 2-17-17 [[1](#)]
HAWKINS V. GIGI AG
HAGOP BEDOYAN/Atty. for pl.

Final Ruling

The matter is continued to June 29, 2017, at 10:00 a.m. In the event that a dismissal or judgment is not in the file, not later than 14 days prior to the continue hearing the plaintiff shall file a status report.

5. [15-11079](#)-A-7 WEST COAST GROWERS, INC. STATUS CONFERENCE RE: COMPLAINT
[17-1013](#) A CALIFORNIA CORPORATION 2-17-17 [[1](#)]
HAWKINS V. GREG GILL COMMODITY
FUMIGATIONS
HAGOP BEDOYAN/Atty. for pl.
DISMISSED

Final Ruling

Plaintiff having filed a request to dismiss the case and no defendant having filed an answer or summary judgment, the case is dismissed. Fed. R. Civ. P. 41(a)(1)(A)(i), *incorporated by* Fed. R. Bank. P. 7041. The court will issue a civil minute order.

6. [15-11079](#)-A-7 WEST COAST GROWERS, INC. STATUS CONFERENCE RE: COMPLAINT
[17-1014](#) A CALIFORNIA CORPORATION 2-17-17 [[1](#)]
HAWKINS V. QUINN COMPANY
HAGOP BEDOYAN/Atty. for pl.

No tentative ruling.

7. [15-11079](#)-A-7 WEST COAST GROWERS, INC. STATUS CONFERENCE RE: COMPLAINT
[17-1019](#) A CALIFORNIA CORPORATION 2-28-17 [[1](#)]
HAWKINS V. GEORGIA-PACIFIC
CORRUGATED LLC
HAGOP BEDOYAN/Atty. for pl.

No tentative ruling.