

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

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

**PRE-HEARING DISPOSITIONS**

**DAY:** WEDNESDAY

**DATE:** MAY 1, 2019

**CALENDAR:** 2:00 P.M. CHAPTERS 11 AND 9 ADVERSARY PROCEEDINGS

Each matter on this calendar will have one of three possible designations: No Ruling, Tentative Ruling, or Final Ruling. These instructions apply to those designations.

**No Ruling:** All parties will need to appear at the hearing unless otherwise ordered.

**Tentative Ruling:** If a matter has been designated as a tentative ruling it will be called. The court may continue the hearing on the matter, set a briefing schedule or enter other orders appropriate for efficient and proper resolution of the matter. The original moving or objecting party shall give notice of the continued hearing date and the deadlines. The minutes of the hearing will be the court's findings and conclusions.

**Final Ruling:** Unless otherwise ordered, there will be no hearing on these matters. The final disposition of the matter is set forth in the ruling and it will appear in the minutes. The final ruling may or may not finally adjudicate the matter. If it is finally adjudicated, the minutes constitute the court's findings and conclusions.

**Orders:** Unless the court specifies in the tentative or final ruling that it will issue an order, the prevailing party shall lodge an order within 14 days of the final hearing on the matter.

1. [16-10015](#)-A-9    **IN RE: SOUTHERN INYO HEALTHCARE DISTRICT**  
[17-1077](#)    [FL-6](#)

MOTION FOR SUMMARY JUDGMENT  
3-21-2019    [\[183\]](#)

SOUTHERN INYO HEALTHCARE  
DISTRICT V. OPTUM BANK, INC.  
MICHAEL DELANEY/ATTY. FOR MV.  
RESPONSIVE PLEADING

### **Final Ruling**

This motion is continued to May 22, 2019, at 2:00 p.m. The record in support of and in opposition to the motion is closed. Absent leave of court obtained in advance of filing, neither party may file further documents in support of or opposition to the motion. The court will issue a civil minute order.

2. [16-10015](#)-A-9    **IN RE: SOUTHERN INYO HEALTHCARE DISTRICT**  
[17-1077](#)    [FWP-8](#)

MOTION FOR SUMMARY JUDGMENT  
3-20-2019    [\[173\]](#)

SOUTHERN INYO HEALTHCARE  
DISTRICT V. OPTUM BANK, INC.  
GERALD SIMS/ATTY. FOR MV.  
RESPONSIVE PLEADING

### **Final Ruling**

This motion is continued to May 22, 2019, at 2:00 p.m. The record in support of and in opposition to the motion is closed. Absent leave of court obtained in advance of filing, neither party may file further documents in support of or opposition to the motion. The court will issue a civil minute order.

3. [16-10015](#)-A-9     **IN RE: SOUTHERN INYO HEALTHCARE DISTRICT**  
[18-1031](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT  
5-30-2018    [\[1\]](#)

SOUTHERN INYO HEALTHCARE  
DISTRICT V. HEALTHCARE  
JEFFREY SHINBROT/ATTY. FOR PL.

**Final Ruling**

This status conference is continued to June 26, 2019, at 2:00 p.m.  
Order, ECF No. 62.

4. [16-10015](#)-A-9     **IN RE: SOUTHERN INYO HEALTHCARE DISTRICT**  
[18-1031](#)     [JSS-1](#)

CONTINUED MOTION FOR PRELIMINARY INJUNCTION  
11-1-2018    [\[29\]](#)

SOUTHERN INYO HEALTHCARE  
DISTRICT V. HEALTHCARE  
JEFFREY SHINBROT/ATTY. FOR MV.  
ECF ORDER #62 CONTINUING TO 6/26/19

**Final Ruling**

This motion is continued to June 26, 2019, at 2:00 p.m. Order, ECF  
No. 62.

5. [18-11651](#)-A-11     **IN RE: GREGORY TE VELDE**  
[19-1007](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT  
1-7-2019    [\[1\]](#)

SUGARMAN V. BOARDMAN TREE  
FARM, LLC ET AL  
JOHN MACCONAGHY/ATTY. FOR PL.  
RESPONSIVE PLEADING

**Final Ruling**

At the suggestion of plaintiff Randy Sugarman and the record devoid  
of any indication that any defendant disagrees with that suggestion,  
the status conference is continued to May 22, 2019, at 2:00 p.m.

Not later than May 15, 2019, the following parties shall file a statement of consent/non-consent to the entry of final orders and judgments, Fed. R. Bankr. P. 7012(b): (A) Boardman Tree Farm, (B) Sineco Construction, LLC; (C) Rabobank, N.A.; and (D) Overland Stockyard.

Also, not later than May 15, 2019, Randy Sugarman and Koncrete Industries, Inc. will upload an order approving the Stipulation, April 17, 2019, ECF # 39. The court will issue a civil minute order.

Also, not later than May 15, 2019, each defendant is invited to file a status report addressing (A) plaintiff trustee Randy Sugarman's proposed handling of this adversary proceeding, Status Conference Statement 3:25-6:17, April 26, 2019, ECF # 40; and (B) the handling of this adversary proceeding vis-à-vis adversary proceedings # 19-1037 and 19-1038.

6. [18-11651](#)-A-11     **IN RE: GREGORY TE VELDE**  
[19-1007](#)     [KDG-1](#)

CONTINUED MOTION TO DISMISS, STAY OR ABATE FIRST CLAIM FOR  
RELIEF  
2-4-2019     [[11](#)]

SUGARMAN V. BOARDMAN TREE  
FARM, LLC ET AL  
HAGOP BEDOYAN/ATTY. FOR MV.  
ECF ORDER #37 CONTINUING TO 5/22/19

### **Final Ruling**

This motion is continued to May 22, 2019, at 2:00 p.m.