

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

Honorable Fredrick E. Clement
Sacramento Federal Courthouse
501 I Street, 7th Floor
Courtroom 28, Department A
Sacramento, California

DAY: TUESDAY
DATE: MAY 18, 2021
CALENDAR: 1:30 P.M. ADVERSARY PROCEEDINGS

RULINGS

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

"No Ruling" means the likely disposition of the matter will not be disclosed in advance of the hearing. The matter will be called; parties wishing to be heard should rise and be heard.

"Tentative Ruling" means the likely disposition, and the reasons therefor, are set forth herein. The matter will be called. Aggrieved parties or parties for whom written opposition was not required should rise and be heard. Parties favored by the tentative ruling need not appear. Non-appearing parties are advised that the court may adopt a ruling other than that set forth herein without further hearing or notice.

"Final Ruling" means that the matter will be resolved in the manner, and for the reasons, indicated below. The matter will not be called; parties and/or counsel need not appear and will not be heard on the matter.

CHANGES TO PREVIOUSLY PUBLISHED RULINGS

On occasion, the court will change its intended ruling on some of the matters to be called and will republish its rulings. The parties and counsel are advised to recheck the posted rulings after 3:00 p.m. on the next business day prior to the hearing. Any such changed ruling will be preceded by the following bold face text: **"[Since posting its original rulings, the court has changed its intended ruling on this matter]"**.

ERRORS IN RULINGS

Clerical errors of an insignificant nature, e.g. nomenclature ("2017 Honda Accord," rather than "2016 Honda Accord"), amounts, ("\$880," not "\$808"), may be corrected in (1) tentative rulings by appearance at the hearing; or (2) final rulings by appropriate ex parte application. Fed. R. Civ. P. 60(a) *incorporated by* Fed. R. Bankr. P. 9024. All other errors, including those occasioned by mistake, inadvertence, surprise or excusable neglect, must be corrected by noticed motion. Fed. R. Bankr. P. 60(b), *incorporated by* Fed. R. Bankr. P. 9023.

1. [20-25614](#)-A-7 **IN RE: GREGORY SCHMIDT**
[21-2018](#)

STATUS CONFERENCE RE: COMPLAINT
3-23-2021 [[1](#)]

SPENCER T. MALYSIAK PROFIT
SHARING PLAN ET AL V. SCHMIDT
ERIK LARSON/ATTY. FOR PL.
RESPONSIVE PLEADING

No Ruling

2. [07-22338](#)-A-13 **IN RE: KEVIN/AMANDA MUNOZ**
[20-2186](#)

CONTINUED STATUS CONFERENCE RE: AMENDED COMPLAINT
1-16-2021 [[8](#)]

MUNOZ ET AL V. GMAC MORTGAGE,
LLC. ET AL
PETER MACALUSO/ATTY. FOR PL.

No Ruling

3. [19-23452](#)-A-7 **IN RE: CIAO RESTAURANTS, LLC**
[20-2110](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT
6-2-2020 [[1](#)]

HUSTED V. OLD REPUBLIC TITLE
COMPANY
NICHOLAS KOHLMAYER/ATTY. FOR PL.

Final Ruling

At the suggestion of the parties, the status conference is continued to July 13, 2021, at 1:30 p.m. Not later than 14 days before the parties shall file a joint status report. A civil minute order will issue.

4. [19-27775](#)-A-13 **IN RE: RANKIN LYMAN**
[21-2017](#)

STATUS CONFERENCE RE: COMPLAINT
3-15-2021 [[1](#)]

LYMAN V. AMERICAN BUILDERS &
CONTRACTORS SUPPLY CO., INC.
PETER MACALUSO/ATTY. FOR PL.

Final Ruling

The adversary proceeding having been dismissed, the status conference is concluded.