

**UNITED STATES BANKRUPTCY COURT**

Eastern District of California

Honorable Robert S. Bardwil  
Bankruptcy Judge  
Modesto, California

**June 17, 2014 at 10:00 a.m.**

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**INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS**

**1. Matters resolved without oral argument:**

The court will prepare a civil minute order on each matter listed. If the moving party wants a more specific order, it should submit a proposed amended order to the court.

If the moving party has received a response or is aware of any reason, such as a settlement, that a response may not have been filed, the moving party must contact Nancy Williams, the Courtroom Deputy, at (916) 930-4580 at least one hour prior to the scheduled hearing.

**2. The court will not continue any short cause evidentiary hearings scheduled below.**

**3. If a matter is denied or overruled without prejudice, the moving party may file a new motion or objection to claim with a new docket control number. The moving party may not simply re-notice the original motion.**

**4. If no disposition is set forth below, the matter will be heard as scheduled.**

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1.	11-92802-D-13	LISA NAPOLI	MOTION TO MODIFY PLAN
	CJY-1		5-12-14 [40]
	<b>Final ruling:</b>		

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

2.	12-91708-D-13	JASON/MONICA CRIPE	MOTION TO INCUR DEBT
	JAD-2		5-21-14 [41]

3. 13-91908-D-13 MARTIN OCHOA AND ROSA LUA MOTION FOR RELIEF FROM  
APN-1 AUTOMATIC STAY  
TOYOTA MOTOR CREDIT 5-15-14 [67]  
CORPORATION VS.

4. 13-90218-D-13 DAVID CONTRERAS MOTION TO MODIFY PLAN  
JAD-1 5-8-14 [22]

**Final ruling:**

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

5. 09-91619-D-13 ROBERT/ROBIN KAMP MOTION TO VALUE COLLATERAL OF  
JDP-1 CITIBANK, N.A.  
5-16-14 [68]

**Final ruling:**

The matter is resolved without oral argument. This is the debtors' motion to value the secured claim of Citibank, N.A. at \$0.00, pursuant to § 506(a) of the Bankruptcy Code. The creditor's claim is secured by a junior deed of trust on the debtors' residence and the amount owed on the senior encumbrance exceeds the value of the real property. No timely opposition has been filed and the relief requested in the motion is supported by the record. As such, the court will grant the motion and set the amount of Citibank, N.A.'s secured claim at \$0.00 by minute order. No further relief will be afforded. No appearance is necessary.

6. 10-92521-D-13 BONNIE LITTON MOTION TO SELL  
JCK-3 5-22-14 [72]

7. 09-91022-D-13 TERRANCE/LORALEE BROWN MOTION TO VALUE COLLATERAL OF  
JDP-1 BANK OF AMERICA, N.A.  
5-12-14 [53]

**Final ruling:**

The matter is resolved without oral argument. This is the debtors' motion to value the secured claim of Bank of America, N.A. at \$0.00, pursuant to § 506(a) of the Bankruptcy Code. The creditor's claim is secured by a junior deed of trust on the debtors' residence and the amount owed on the senior encumbrance exceeds the value of the real property. No timely opposition has been filed and the relief requested in the motion is supported by the record. As such, the court will grant the motion and set the amount of Bank of America, N.A.'s secured claim at \$0.00 by minute order. No further relief will be afforded. No appearance is necessary.

8. 12-92729-D-13 DAVID/BARBARA ROSE MOTION TO MODIFY PLAN  
JAD-2 4-30-14 [44]

9. 14-90431-D-13 MARK/ADELE FRINGS OBJECTION TO CONFIRMATION OF  
RDG-2 PLAN BY RUSSELL D. GREER  
5-19-14 [33]

10. 14-90232-D-13 CARLA TURNER MOTION TO CONFIRM PLAN  
DN-1 4-29-14 [36]

11. 14-90433-D-13 AMARPAL DOSANJH  
GSD-1  
OBJECTION TO CONFIRMATION OF  
PLAN BY UNITED STATES FIRE  
INSURANCE COMPANY  
5-12-14 [28]
12. 14-90433-D-13 AMARPAL DOSANJH  
GSD-2  
UNITED STATES FIRE INSURANCE  
COMPANY VS.  
MOTION FOR RELIEF FROM  
AUTOMATIC STAY  
5-19-14 [36]
13. 14-90433-D-13 AMARPAL DOSANJH  
RDG-1  
OBJECTION TO CONFIRMATION OF  
PLAN BY RUSSELL D. GREER  
5-19-14 [33]
14. 14-90034-D-13 MARIA SALAS  
TOG-7  
MOTION TO VALUE COLLATERAL OF  
OCWEN LOAN SERVICING, LLC  
4-30-14 [66]

15. 13-91935-D-13 EMILIO REBOLLEDO AND MOTION FOR RELIEF FROM  
NLG-1 MARIA FERNANDEZ AUTOMATIC STAY  
J.P. MORGAN MORTGAGE 5-20-14 [75]  
ACQUISITION CORP. VS.

**Final ruling:**

**This matter is resolved without oral argument. This is J.P. Morgan Mortgage Acquisition Corp.'s motion for relief from automatic stay. The court records indicate that no timely opposition has been filed. The motion along with the supporting pleadings demonstrate that there is no equity in the property and the movant's interest in the property is not adequately protected. Accordingly, the court finds there is cause for granting relief from stay. The court will grant relief from stay by minute order. There will be no further relief afforded. No appearance is necessary.**

16. 12-91246-D-13 BARRY/ELIZABETH WORTHAM MOTION TO APPROVE LOAN  
CJY-12 MODIFICATION  
5-20-14 [174]

17. 12-91246-D-13 BARRY/ELIZABETH WORTHAM MOTION TO APPROVE LOAN  
CJY-13 MODIFICATION  
5-20-14 [179]

18. 12-91246-D-13 BARRY/ELIZABETH WORTHAM MOTION TO APPROVE LOAN  
CJY-14 MODIFICATION  
5-20-14 [184]

19. 09-92153-D-13 DANIEL/PATSY CHMIELESKI MOTION TO VALUE COLLATERAL OF  
JDP-1 BANK OF AMERICA, N.A.  
5-16-14 [56]

**Final ruling:**

The matter is resolved without oral argument. This is the debtors' motion to value the secured claim of Bank of America, N.A. at \$0.00, pursuant to § 506(a) of the Bankruptcy Code. The creditor's claim is secured by a junior deed of trust on the debtors' residence and the amount owed on the senior encumbrance exceeds the value of the real property. No timely opposition has been filed and the relief requested in the motion is supported by the record. As such, the court will grant the motion and set the amount of Bank of America, N.A.'s secured claim at \$0.00 by minute order. No further relief will be afforded. No appearance is necessary.

20. 14-90456-D-13 EDWARD/ANGELA SPEAR OBJECTION TO CONFIRMATION OF  
RDG-1 PLAN BY RUSSELL D. GREER  
5-19-14 [21]

21. 14-90461-D-13 JANIS WHITBY OBJECTION TO CONFIRMATION OF  
RDG-1 PLAN BY RUSSELL D. GREER  
5-19-14 [24]

22. 09-91271-D-13 JOHN/KATHLEEN MASON MOTION TO VALUE COLLATERAL OF  
JDP-1 JP MORGAN CHASE BANK, N.A.  
5-12-14 [69]

**Final ruling:**

The matter is resolved without oral argument. This is the debtors' motion to value the secured claim of JP Morgan Chase Bank, N.A. at \$0.00, pursuant to § 506(a) of the Bankruptcy Code. The creditor's claim is secured by a junior deed of trust on the debtors' residence and the amount owed on the senior encumbrance exceeds the value of the real property. No timely opposition has been filed and the relief requested in the motion is supported by the record. As such, the court will grant the motion and set the amount of JP Morgan Chase Bank, N.A.'s secured claim at \$0.00 by minute order. No further relief will be afforded. No appearance is necessary.

23. 11-91975-D-13 MICHAEL/CHRISTINE AYRES MOTION TO VALUE COLLATERAL OF  
JDP-1 CITIBANK, N.A.  
5-8-14 [44]

**Final ruling:**

The matter is resolved without oral argument. This is the debtors' motion to value the secured claim of Citibank, N.A. at \$0.00, pursuant to § 506(a) of the Bankruptcy Code. The creditor's claim is secured by a junior deed of trust on the debtors' residence and the amount owed on the senior encumbrance exceeds the value of the real property. No timely opposition has been filed and the relief requested in the motion is supported by the record. As such, the court will grant the motion and set the amount of Citibank, N.A.'s secured claim at \$0.00 by minute order. No further relief will be afforded. No appearance is necessary.

24. 14-90476-D-13 MIGUEL/LETICIA HERNANDEZ OBJECTION TO CONFIRMATION OF  
RDG-1 PLAN BY RUSSELL D. GREER  
5-19-14 [21]

25. 14-90477-D-13 BONI CORDOVA-GRIMALDI OBJECTION TO CONFIRMATION OF  
RDG-1 PLAN BY RUSSELL D. GREER  
5-19-14 [32]

26. 14-90479-D-13 HOMERO/MIDESSLAVA OBJECTION TO CONFIRMATION OF  
RDG-2 CAMPOZANO PLAN BY RUSSELL D. GREER  
5-19-14 [14]

**Final ruling:**

The matter is resolved without oral argument. This is the debtors' motion to value the secured claim of Sandia Lab Federal Credit Union at \$0.00, pursuant to § 506(a) of the Bankruptcy Code. The creditor's claim is secured by a junior deed of trust on the debtors' residence and the amount owed on the senior encumbrance exceeds the value of the real property. No timely opposition has been filed and the relief requested in the motion is supported by the record. As such, the court will grant the motion and set the amount of Sandia Lab Federal Credit Union's secured claim at \$0.00 by minute order. No further relief will be afforded. No appearance is necessary.

27. 14-90380-D-13  
RDG-2

DENNIS/CHRISTA MEYERS

OBJECTION TO DEBTORS' CLAIM OF  
EXEMPTIONS  
5-2-14 [23]

**Final ruling:**

The matter is resolved without oral argument. The court's record indicates that no timely opposition/response has been filed. The objection is supported by the record. The court will sustain the trustee's objection debtors' claim of exemptions. Moving party is to submit an appropriate order. No appearance is necessary.

28. 09-91887-D-13  
CJY-1

ESAD/SABRINA TUCAKOVIC

MOTION TO MODIFY PLAN  
5-8-14 [35]

**Final ruling:**

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

29. 10-92297-D-13  
JDP-1

ARTHUR/JANELLE AVALOS

MOTION TO AVOID LIEN OF  
CITIBANK, N.A.  
5-12-14 [40]

**Final ruling:**

This is the debtors' motion to avoid a judicial lien allegedly held by Citibank, N.A. The court is not prepared to consider the motion at this time because the copy of the abstract of judgement referred to in the motion and supporting declaration as an exhibit is not on file. The court will continue the hearing to July 1, 2014, at 10:00 a.m., the moving parties to file and serve a copy of the abstract of judgment no later than June 19, 2014, and to serve a proof of service no later than June 20, 2014. The exhibit cover sheet shall contain the date and time of the continued hearing.

The hearing will be continued by minute order. No appearance is necessary on June 17, 2014.

30. 13-92099-D-13 LINDA VAUGHAN MOTION TO CONFIRM PLAN  
RJ-14 4-22-14 [175]

**Final ruling:**

**This case was dismissed on April 25, 2014. As a result the motion will be denied by minute order as moot. No appearance is necessary.**

31. 11-90732-D-13 CARLOS/RUBY TAGRE MOTION TO SELL  
MLP-2 6-3-14 [35]

32. 11-90732-D-13 CARLOS/RUBY TAGRE MOTION TO INCUR DEBT  
MLP-3 6-3-14 [40]

33. 10-93460-D-13 ALEX/LORENA GARCIA MOTION TO SELL  
CJY-1 5-28-14 [34]