

**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: JUNE 29, 2021
CALENDAR: 1:30 P.M. ADVERSARY PROCEEDINGS

COURT REOPENING

Effective June 14, 2021, courthouses for the Eastern District of California are reopened to the public. General Order No. 631 ¶ 1. Each judge within the district has discretion to continue to hold hearings remotely or to hold hearings in person. *Id.* at ¶ 4. The Honorable Fredrick E. Clement will hold remote and live hearings under the following schedule:

Until July 11, 2021

From the effective date of General Order No. 631 through July 11, 2021, Department A will continue to conduct hearings exclusively on a remote basis. Persons who wish to appear must do so by way of CourtCall; reservations for such an appearance may be arranged by calling (866) 582-6878.

On and After July 12, 2021

Starting July 12, 2021, Department A will resume in person hearings. However, any person preferring to appear via CourtCall may do so, notwithstanding any limitation contained in the "Telephonic Court Appearance through CourtCall Conference Service" on the court's website.

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. [20-23726](#)-A-11 **IN RE: AME ZION WESTERN EPISCOPAL DISTRICT**
[21-2005](#) [FEC-1](#)

STATUS CONFERENCE RE: COMPLAINT
1-14-2021 [[1](#)]

AME ZION CHURCH OF PALO ALTO,
INC. V. AME ZION WESTERN
EDWARD JOHNSON/ATTY. FOR PL.

Final Ruling

This adversary proceeding is not at issue. Accordingly, the status conference is continued to August 31, 2021, at 1:30 p.m. Not later than August 17, 2021, the parties shall meet and confer and file a further status report. The plaintiff shall not grant further enlargements of time to any defendant without leave of court. The court will issue a civil minute order.

2. [20-23029](#)-A-7 **IN RE: SEAN RILEY**
[20-2169](#)

PRE-TRIAL CONFERENCE RE: COMPLAINT FOR DENIAL OF DISCHARGE
11-11-2020 [[1](#)]

SMITH V. RILEY
J. CUNNINGHAM/ATTY. FOR PL.

Final Ruling

The pretrial conference is continued to July 20, 2021, at 1:30 p.m. to coincide with the hearing on the motion to dismiss. The court will issue a civil minute order.

3. [20-25031](#)-A-7 **IN RE: MATHEW/SHANNON GOODWIN**
[21-2011](#)

STATUS CONFERENCE RE: COMPLAINT
2-4-2021 [[1](#)]

LAWS ET AL V. GOODWIN ET AL
JEFFERY SWANSON/ATTY. FOR PL.

Final Ruling

The status conference is continued to August 17, 2021 at 1:30 p.m., to allow the plaintiff to prove up its default judgment. If a judgment has not been entered, not later than August 3, 2021, the plaintiff shall file a status report. The court will issue a civil minute order.

4. [19-23637](#)-A-7 **IN RE: MARK/TERRI COOK**
[19-2105](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT
8-30-2019 [1]

MONIZ V. COOK
SANAZ BERELIANI/ATTY. FOR PL.

Final Ruling

At the suggestion of the plaintiff, the status conference is continued to September 14, 2021, at 1:30 p.m. If the adversary proceeding has not been dismissed, not later than August 31, 2021, the plaintiff shall file a status report. The court will issue a civil minute order.

5. [20-24947](#)-A-13 **IN RE: DANIEL MCARTHEY**
[21-2027](#)

STATUS CONFERENCE RE: COMPLAINT
5-3-2021 [1]

MCARTHEY V. HOME POINT
FINANCIAL CORPORATION
JULIUS CHERRY/ATTY. FOR PL.

Final Ruling

The status conference is continued September 21, 2021, at 1:30 p.m. Order, ECF No. 10. Not later than September 8, 2021, the parties shall file a joint status report.

6. [14-31850](#)-A-13 **IN RE: TUA/SHING VANG**
[20-2168](#)

PRE-TRIAL CONFERENCE RE: COMPLAINT FOR: 1) DECLARATORY RELIEF TO DETERMINE VALUE AND EXTENT OF LIEN; 2) EXTINGUISHMENT OF THE SECOND DEED OF TRUST CLAIM; 3) VIOLATION OF C.C.C. 2941(D), ETC.
11-5-2020 [1]

VANG ET AL V. LOANCARE, LLC
PETER MACALUSO/ATTY. FOR PL.

Final Ruling

The adversary proceeding dismissed, the status conference is concluded.

7. [18-22453](#)-A-7 **IN RE: ECS REFINING, INC.**
[20-2093](#) [DB-4](#)

CONTINUED STATUS CONFERENCE RE: AMENDED COMPLAINT
1-19-2021 [\[104\]](#)

HUSTED V. TAGGART ET AL
CHRISTOPHER SULLIVAN/ATTY. FOR PL.

No Ruling

8. [21-20167](#)-A-13 **IN RE: HARLAN/CHARLOTTE CONFER**
[21-2024](#)

STATUS CONFERENCE RE: COMPLAINT
4-27-2021 [\[1\]](#)

WATSON ET AL V. CONFER, III ET
AL
BARRY SPITZER/ATTY. FOR PL.

Final Ruling

The status conference is continued to July 13, 2021, at 1:30 p.m. to match the date on the reissued summons. The Clerk will docket only one, not two, status conferences for that date. The court will issue a civil minute order.

9. [19-24685](#)-A-13 **IN RE: EMILIA ARDELEAN**
[19-2135](#) [TBG-2](#)

MOTION TO COMPEL
6-1-2021 [\[67\]](#)

MASSIOUI V. ARDELEAN
DANIEL GRIFFIN/ATTY. FOR MV.

No Ruling

10. [17-27892](#)-A-7 **IN RE: DALE EISNER**
[19-2123](#)

CONTINUED PRE-TRIAL CONFERENCE RE: COMPLAINT TO DETERMINE
DISCHARGEABILITY OF TAX DEBT
10-3-2019 [[1](#)]

EISNER V. INTERNAL REVENUE
SERVICE
G. WILLIAMS/ATTY. FOR PL.

No Ruling

11. [20-23457](#)-A-7 **IN RE: ERNESTO/MARILYN PATACSIL**
[20-2167](#) [CLH-1](#)

MOTION TO QUASH O.S.T.
6-17-2021 [[16](#)]

CABARDO ET AL V. PATACSIL ET
AL
CHARLES HASTINGS/ATTY. FOR MV.

No Ruling