

**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: JUNE 29, 2016
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. [12-12304](#)-A-7 MARTHA FAIR CONTINUED STATUS CONFERENCE RE:
[15-1053](#) COMPLAINT
FAIR V. BANK OF AMERICA, N.A. 4-22-15 [[1](#)]
ET AL
THOMAS ARMSTRONG/Atty. for pl.

Final Ruling

Judgment entered, the status conference is concluded.

2. [15-13304](#)-A-7 RAFAEL OROZCO ACEVEDO STATUS CONFERENCE RE: COMPLAINT
[16-1052](#) 4-29-16 [[1](#)]
FEAR V. CHAVEZ
ROBERT HAWKINS/Atty. for pl.

Final Ruling

The status conference is continued to August 24, 2016, at 10:00 a.m.
If a judgment or dismissal is not in the file, not later than August
10, 2016, the plaintiff shall file a status report.

3. [11-17165](#)-A-7 OAKHURST LODGE, INC., A MOTION TO DISMISS CAUSE(S) OF
[15-1017](#) CALIFORNIA CORPORATION ACTION FROM FIRST AMENDED
FCB-2 COMPLAINT
OAKHURST LODGE, INC. V. 4-21-16 [[158](#)]
FIRST-CITIZENS BANK & TRUST
AARON MALO/Atty. for mv.
ORDER DENYING ECF NO. 174

Final Ruling

The motion denied by order, filed April 29, 2016, ECF # 174, the
matter is dropped from calendar.

4. [11-17165](#)-A-7 OAKHURST LODGE, INC., A MOTION TO STRIKE
[15-1017](#) CALIFORNIA CORPORATION 4-21-16 [[162](#)]
FCB-3
OAKHURST LODGE, INC. V.
FIRST-CITIZENS BANK & TRUST
AARON MALO/Atty. for mv.
ORDER DENYING ECF NO. 174

Final Ruling

The motion denied by order, filed April 29, 2016, ECF # 174, the
matter is dropped from calendar.

5. [13-17444](#)-A-7 A & A TRANSPORT, CO.,
[15-1072](#) INC.
MANFREDO V. ADAMS
DAVID JENKINS/Atty. for pl.
RESPONSIVE PLEADING

CONTINUED STATUS CONFERENCE RE:
COMPLAINT
6-2-15 [[1](#)]

No tentative ruling.