

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable W. Richard Lee

Hearing Date: July 2, 2015

Place: U.S. Courthouse, 510 19th Street

Bakersfield, California

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

1. The following rulings are tentative. The tentative ruling will not become the final ruling until the matter is called at the scheduled hearing. **Pre-disposed matters will generally be called, and the rulings placed on the record at the end of the calendar.** Any party who desires to be heard with regard to a pre-disposed matter may appear at the hearing. If the party wishes to contest the tentative ruling, he/she shall notify the opposing party/counsel of his/her intention to appear. **If no disposition is set forth below, the hearing will take place as scheduled.**

2. Submission of Orders:

Unless the tentative ruling expressly states that the court will prepare a civil minute order, then the tentative ruling will only appear in the minutes. If any party desires an order, then the appropriate form of order, which conforms to the tentative ruling, must be submitted to the court. When the debtor(s) discharge has been entered, proposed orders for relief from stay must reflect that the motion is denied as to the debtor(s) and granted only as to the trustee. Entry of discharge normally is indicated on the calendar.

3. Matters Resolved Without Opposition:

If the tentative ruling states that no opposition was filed, and the moving party is aware of any reason, such as a settlement, why a response may not have been filed, the moving party must advise Vicky McKinney, the Calendar Clerk, at (559) 499-5825 by 4:00 p.m. the day before the scheduled hearing.

4. Matters Resolved by Stipulation:

If the parties resolve a matter by stipulation after the tentative ruling has been posted, but **before the formal order is entered on the docket**, the **moving party** may appear at the hearing and advise the court of the settlement or withdraw the motion. Alternatively, the parties may submit a stipulation and order to modify the tentative ruling together with the proposed order resolving the matter.

5. Resubmittal of Denied Matters:

If the moving party decides to re-file a matter that is denied without prejudice for any reason set forth below, the moving party must file and serve a new set of pleadings with a new docket control number. It may not simply re-notice the original motion.

THE COURT ENDEAVORS TO PUBLISH ITS PREDISPOSITIONS AS SOON AS POSSIBLE,
HOWEVER CALENDAR PREPARATION IS ONGOING AND THESE PREDISPOSITIONS MAY BE
REVISED OR UPDATED AT ANY TIME PRIOR TO 4:00 P.M. THE DAY BEFORE THE
SCHEDULED HEARINGS. PLEASE CHECK AT THAT TIME FOR POSSIBLE UPDATES.

9:00 A.M.

1. 15-11335-B-7 STACY MEDRANO STATUS CONFERENCE RE: COMPLAINT
15-1054 4-17-15 [1]
CALIFORNIA KEYBOARDS MUSIC
CENTER V. MEDRANO
CALIFORNIA KEYBOARDS MUSIC CENTER/Atty.
DISMISSED 5/14/15

This matter will be dropped from calendar without disposition. The adversary proceeding has already been dismissed. No appearance is necessary.

10:00 A.M.

1. 14-11203-B-7 IBRAHIM SNOBAR AND HELEN
MKK-2 AKROUSH
M. KLEIN/MV
ROBERT WILLIAMS/Atty. for dbt.
- MOTION FOR COMPENSATION FOR M.
KATHLEEN KLEIN, ACCOUNTANT(S)
5-15-15 [40]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

2. 14-16103-B-7 JOSE/YENNY ALBERT
BHT-1
DEUTSCHE BANK NATIONAL TRUST
COMPANY/MV
FRANK SAMPLES/Atty. for dbt.
BRIAN TRAN/Atty. for mv.
DISCHARGED
- MOTION FOR RELIEF FROM
AUTOMATIC STAY
5-12-15 [23]

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be denied as moot as to the debtor(s) because their discharge has been entered. The motion will be granted for cause shown as to the chapter 7 trustee. The automatic stay is terminated as it applies to the movant's right to enforce its remedies against the subject property under applicable nonbankruptcy law. The proposed order shall specifically describe the property or action to which the order relates. If the motion involves a foreclosure of real property in California, then the order shall also provide that the bankruptcy proceeding has been finalized for purposes of Cal. Civil Code § 2923.5. If the notice and motion requested a waiver of Rule 4001(a)(3), that relief will be granted. *Unless the court expressly orders otherwise, the proposed order shall not include any other relief.* If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law, must be separately noticed and separately briefed with appropriate legal authority and supporting documentation. No appearance is necessary.

3. [15-10211](#)-B-7 CELINA FERNANDEZ
APN-1
WELLS FARGO BANK, N.A./MV
WILLIAM OLCOTT/Atty. for dbt.
AUSTIN NAGEL/Atty. for mv.
DISCHARGED

MOTION FOR RELIEF FROM
AUTOMATIC STAY
5-14-15 [[15](#)]

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be denied as moot as to the debtor(s) because their discharge has been entered. The motion will be granted for cause shown as to the chapter 7 trustee. The automatic stay is terminated as it applies to the movant's right to enforce its remedies against the subject property under applicable nonbankruptcy law. The proposed order shall specifically describe the property or action to which the order relates. If the motion involves a foreclosure of real property in California, then the order shall also provide that the bankruptcy proceeding has been finalized for purposes of Cal. Civil Code § 2923.5. If the notice and motion requested a waiver of Rule 4001(a)(3), that relief will be granted. Unless the court expressly orders otherwise, the proposed order shall not include any other relief. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law, must be separately noticed and separately briefed with appropriate legal authority and supporting documentation. No appearance is necessary.

4. [14-16117](#)-B-7 DARRELL MORRIS
[15-1043](#)
ALVAREZ V. MORRIS
PATRICK KAVANAGH/Atty. for pl.
RESPONSIVE PLEADING

RESCHEDULED STATUS CONFERENCE
RE: COMPLAINT
4-10-15 [[1](#)]

5. [10-63221](#)-B-7 GARY/KIM BUTLER
RSW-4
GARY BUTLER/MV
ROBERT WILLIAMS/Atty. for dbt.

MOTION TO AVOID LIEN OF
HOUSEHOLD FINANCE CORPORATION
OF CALIFORNIA
6-17-15 [[41](#)]

6. [13-14026](#)-B-7 R & S DENTAL STUDIO,
MKK-2 INC.
M. KLEIN/MV
LEONARD WELSH/Atty. for dbt.

MOTION FOR COMPENSATION FOR M.
KATHLEEN KLEIN, ACCOUNTANT(S)
5-15-15 [[48](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

7. [15-11127](#)-B-7 ANA DENYS MOTION FOR RELIEF FROM
APN-1 AUTOMATIC STAY
SANTANDER CONSUMER USA INC./MV 5-12-15 [[9](#)]
STEVEN STANLEY/Atty. for dbt.
AUSTIN NAGEL/Atty. for mv.

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be granted without oral argument for cause shown. The automatic stay is terminated as it applies to the movant's right to enforce its remedies against the subject property under applicable nonbankruptcy law. The proposed order shall specifically describe the property or action to which the order relates. If the motion involves a foreclosure of real property in California, then the order shall also provide that the bankruptcy proceeding has been finalized for purposes of Cal. Civil Code § 2923.5 to the extent that it applies. If the notice and motion requested a waiver of Rule 4001(a)(3), that relief will be granted. *Unless the court expressly orders otherwise, the proposed order shall not include any other relief.* If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law, must be separately noticed and separately briefed with appropriate legal authority and supporting documentation. No appearance is necessary.

8. [15-11533](#)-B-7 LEONARD/TINA DOMINGUEZ MOTION FOR RELIEF FROM
APN-1 AUTOMATIC STAY
SANTANDER CONSUMER USA INC./MV 5-11-15 [[9](#)]
STEVEN STANLEY/Atty. for dbt.
AUSTIN NAGEL/Atty. for mv.

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be granted without oral argument for cause shown. The automatic stay is terminated as it applies to the movant's right to enforce its remedies against the subject property under applicable nonbankruptcy law. The proposed order shall specifically describe the property or action to which the order relates. If the motion involves a foreclosure of real property in California, then the order shall also provide that the bankruptcy proceeding has been finalized for purposes of Cal. Civil Code § 2923.5 to the extent that it applies. If the notice and motion requested a waiver of Rule 4001(a)(3), that relief will be granted. *Unless the court expressly orders otherwise, the proposed order shall not include any other relief.* If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law, must be separately noticed and separately briefed with appropriate legal authority and supporting documentation. No appearance is necessary.

9. 14-14042-B-7 EDUARDO/GLORIA LOPEZ
PPR-1
BANK OF AMERICA, N.A./MV
PATRICK KAVANAGH/Atty. for dbt.
CASSANDRA RICHEY/Atty. for mv.
DISCHARGED

MOTION FOR RELIEF FROM
AUTOMATIC STAY
5-15-15 [[40](#)]

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be denied as moot as to the debtor(s) because their discharge has been entered. The motion will be granted for cause shown as to the chapter 7 trustee. The automatic stay is terminated as it applies to the movant's right to enforce its remedies against the subject property under applicable nonbankruptcy law. The proposed order shall specifically describe the property or action to which the order relates. If the motion involves a foreclosure of real property in California, then the order shall also provide that the bankruptcy proceeding has been finalized for purposes of Cal. Civil Code § 2923.5. If the notice and motion requested a waiver of Rule 4001(a)(3), that relief will be granted. Unless the court expressly orders otherwise, the proposed order shall not include any other relief. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law, must be separately noticed and separately briefed with appropriate legal authority and supporting documentation. No appearance is necessary.

10. 13-16845-B-7 KEYSTONE MINE MANAGEMENT
KDG-5 II
VINCENT GORSKI/MV

CONTINUED MOTION TO COMPROMISE
CONTROVERSY/APPROVE SETTLEMENT
AGREEMENT WITH BUSH MANAGEMENT
COMPANY
4-15-15 [[399](#)]

PHILLIP GILLET/Atty. for dbt.
LISA HOLDER/Atty. for mv.
RESPONSIVE PLEADING

11. 13-16845-B-7 KEYSTONE MINE MANAGEMENT
KDG-7 II
VINCENT GORSKI/MV
PHILLIP GILLET/Atty. for dbt.
LISA HOLDER/Atty. for mv.

MOTION TO SELL FREE AND CLEAR
OF LIENS
6-4-15 [[439](#)]

12. 13-16845-B-7 KEYSTONE MINE MANAGEMENT
15-1041 II
BUSH MANAGEMENT COMPANY V.
GORSKI ET AL
JESS BRESSI/Atty. for pl.
- RESCHEDULED STATUS CONFERENCE
RE: COMPLAINT
4-8-15 [[1](#)]
13. 13-16845-B-7 KEYSTONE MINE MANAGEMENT
15-1041 II
BUSH MANAGEMENT COMPANY V.
GORSKI ET AL
MEIR WESTREICH/Atty. for mv.
RESPONSIVE PLEADING
- RESCHEDULED HEARING RE: MOTION
TO DISMISS ADVERSARY
PROCEEDING/NOTICE OF REMOVAL
5-15-15 [[19](#)]
14. 14-15872-B-7 JUANA RODRIGUEZ
DMG-1
JUANA RODRIGUEZ/MV
D. GARDNER/Atty. for dbt.
- CONTINUED MOTION TO AVOID LIEN
OF RIVERWALK HOLDINGS, LTD
4-28-15 [[16](#)]

This matter has been withdrawn. No appearance is necessary.

15. 15-10880-B-7 SARA HARB
RSW-1
SARA HARB/MV
ROBERT WILLIAMS/Atty. for dbt.
- CONTINUED MOTION TO AVOID LIEN
OF L.A. COMMERCIAL GROUP, INC.
4-28-15 [[14](#)]
16. 13-10692-B-7 LUDOVICO PEREZ
14-1116
MAURICIO'S GRILL AND CANTINA,
INC. V. PEREZ
KERI BLAND/Atty. for pl.
RESPONSIVE PLEADING
- RESCHEDULED STATUS CONFERENCE
RE: : COMPLAINT
9-30-14 [[1](#)]

Based on the plaintiff's status report, this matter will be continued to August 25, 2015, at 9:00 a.m., to be heard with the plaintiff's motion to compel. The court will prepare a minute order. No appearance is necessary.

17. 15-11492-B-7 JAMIE MEALY
PD-1
U.S. BANK TRUST, N.A./MV
FRANK SAMPLES/Atty. for dbt.
JONATHAN CAHILL/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
5-29-15 [14]

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be granted without oral argument for cause shown. The automatic stay is terminated as it applies to the movant's right to enforce its remedies against the subject property under applicable nonbankruptcy law. The proposed order shall specifically describe the property or action to which the order relates. If the motion involves a foreclosure of real property in California, then the order shall also provide that the bankruptcy proceeding has been finalized for purposes of Cal. Civil Code § 2923.5 to the extent that it applies. If the notice and motion requested a waiver of Rule 4001(a)(3), that relief will be granted. *Unless the court expressly orders otherwise, the proposed order shall not include any other relief.* If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law, must be separately noticed and separately briefed with appropriate legal authority and supporting documentation. No appearance is necessary.

18. 14-15994-B-7 JAMES CONLEY
15-1028 BMO-1
CHEVRON VALLEY CREDIT UNION V.
CONLEY, JR.
BRANDON ORMONDE/Atty. for mv.

RESCHEDULED HEARING RE: MOTION
FOR PROVE-UP HEARING
5-13-15 [14]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent's default will be entered and the motion will be granted in part and denied in part without oral argument for cause shown. The motion for relief under §523(a)(2)(A) and §523(a)(4) is denied. The well pled facts and evidence do not establish fraud, breach of fiduciary duty, or larceny. However, the request for relief under §523(a)(6) is granted. The court is persuaded that the defendant removed parts from the plaintiff's collateral with actual intent to diminish the value of the collateral, to cause injury to the plaintiff, and/or with knowledge that diminution in the value of the collateral and conversion of the plaintiff's interest in the collateral was certain to occur. The plaintiff shall submit a proposed order and judgement. No appearance is necessary.

19. 15-10598-B-7 CARALYNNE BISHOP
MDE-1
CITIMORTGAGE INC./MV
AMANDA BILLYARD/Atty. for dbt.
MARK ESTLE/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
5-11-15 [18]

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be granted without oral argument for cause shown. The automatic stay is terminated as it applies to the movant's right to enforce its remedies against the subject property under applicable nonbankruptcy law. The proposed order shall specifically describe the property or action to which the order relates. If the motion involves a foreclosure of real property in California, then the order shall also provide that the bankruptcy proceeding has been finalized for purposes of Cal. Civil Code § 2923.5 to the extent that it applies. If the notice and motion requested a waiver of Rule 4001(a)(3), that relief will be granted. *Unless the court expressly orders otherwise, the proposed order shall not include any other relief.* If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law, must be separately noticed and separately briefed with appropriate legal authority and supporting documentation. No appearance is necessary.

11:00 A.M.

- | | | |
|---|-----------------------|--|
| 1. <u>15-11427</u> -B-7 | ROBERT/DENISE CARLSON | REAFFIRMATION AGREEMENT WITH
CAPITAL ONE AUTO FINANCE
5-6-15 [<u>10</u>] |
| 2. <u>15-10949</u> -B-7 | | SANTOS URENA |
- JOHN GARNER/Atty. for dbt.
WITHDRAWN
- | |
|---|
| REAFFIRMATION AGREEMENT WITH
AMERICREDIT FINANCIAL SERVICES,
INC.
6-8-15 [<u>30</u>] |
|---|

This matter has been withdrawn by the creditor. No appearance is necessary.

1:30 A.M.

1. 10-18500-B-13 MICHAEL/TAMI BURMAN
LKW-5

MOTION FOR COMPENSATION BY THE
LAW OFFICE OF LAW OFFICE OF
LEONARD K. WELSH FOR LEONARD K.
WELSH, DEBTORS ATTORNEY(S)
5-22-15 [75]

LEONARD WELSH/Atty. for dbt.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

2. 14-15303-B-13 JOSE VARGAS SIERRA AND
MHM-1 ANITA VARGAS
MICHAEL MEYER/MV
IVAN LOPEZ VENTURA/Atty. for dbt.

MOTION TO DISMISS CASE
6-4-15 [41]

The trustee's motion has been withdrawn. No appearance is necessary.

3. 13-13907-B-13 STEVE/LILLY PADILLA
RSW-1
STEVE PADILLA/MV
ROBERT WILLIAMS/Atty. for dbt.
OST 6/19/15

MOTION TO SELL
6-19-15 [36]

4. 11-17609-B-13 ERMELINDA RAMIREZ
MHM-4
MICHAEL MEYER/MV
ROBERT WILLIAMS/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO DISMISS CASE
5-20-15 [112]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules. The record shows there is a material default in plan payments. The debtor's response is not supported by admissible evidence and does not show that the default has been cured. The trustee has not withdrawn the motion. Accordingly, the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare a civil minute order. No appearance is necessary.

5. 14-13509-B-13 BEATRIZ AGUILAR
MHM-2
MICHAEL MEYER/MV
ROBERT WILLIAMS/Atty. for dbt.

MOTION TO DISMISS CASE
5-20-15 [39]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The respondent's default will be entered. The record shows there is a material default in the confirmed plan that has not been cured. Accordingly, the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare a civil minute order. No appearance is necessary.

6. 12-16014-B-13 WENDY REDWINE
MHM-2
MICHAEL MEYER/MV
ROBERT WILLIAMS/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
5-14-15 [[55](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

7. 15-11220-B-13 GEORGE MELENDEZ
WLG-1
GEORGE MELENDEZ/MV
NICHOLAS WAJDA/Atty. for dbt.

MOTION TO CONFIRM PLAN
5-22-15 [[23](#)]

This motion will be denied without prejudice. The proof of service fails to comply with Local Rule 9014-1(e) (3).

In addition, the form and/or content of the notice do not comply with Local Rule 9014-1(d).

Finally, the proof of service filed with the moving papers (Document Number 24) is incomplete, it does not have a docket control number, it does not comply with Local Rule 9014-1(d) (2), and it does not show that the modified plan and the moving papers were served on anyone. No appearance is necessary.

8. 15-10928-B-13 DAVID FOX
DMG-1
DAVID FOX/MV

D. GARDNER/Atty. for dbt.
RESPONSIVE PLEADING

CONTINUED MOTION TO VALUE
COLLATERAL OF BANK OF AMERICA
HOME LOANS
3-30-15 [[15](#)]

9. 15-11029-B-13 TERRY WHEELER
PK-1
TERRY WHEELER/MV
PATRICK KAVANAGH/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO CONFIRM PLAN
5-21-15 [[35](#)]

This matter will be continued to July 20, 2015, at 1:30 p.m. The trustee has not yet concluded the meeting of creditors and by prior order of the court, the trustee has another 7 days after completion of the creditors' meeting to file his objection to the plan. The court will prepare a civil minute order. No appearance is necessary.

10. 14-15931-B-13 DAVID/ALENE SMITH
BHT-1
OCWEN LOAN SERVICING, LLC/MV

ROBERT WILLIAMS/Atty. for dbt.
BRIAN TRAN/Atty. for mv.
- CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY OCWEN
LOAN SERVICING, LLC
4-28-15 [[34](#)]

This objection to confirmation of the chapter 13 plan will be overruled without prejudice. The debtor(s) has (have) filed and set for hearing a modified plan. The plan that this objection relates to is deemed withdrawn. No appearance is necessary.

11. 14-15931-B-13 DAVID/ALENE SMITH
RSW-1
DAVID SMITH/MV
ROBERT WILLIAMS/Atty. for dbt.
- MOTION TO AVOID LIEN OF CARY D.
DAVIS AND LATRICIA A. DAVIS
6-8-15 [[51](#)]

This motion will be denied without prejudice. One of the two named respondents, Latricia A. Davis, was not served with the motion. In addition, the relief requested, avoidance of the entire lien, is not available because the debtors' schedules show that they have approximately \$28,611 of equity in the Lake Street property in excess of the exemption claimed for that property. Moreover, the debtors request that the lien be avoided as all of the properties listed on schedule A, however no evidence has been submitted or appears on the record that the debtors possessed an interest in the California Avenue and the Niles Street properties to which the judgment lien could have attached at the time the judgment lien was recorded. *Farrey v. Sanderfoot*, 111 S.Ct. 667. The court will prepare a minute order. No appearance is necessary.

12. 15-11731-B-13 CLAUDIA AREVALO

PATRICK KAVANAGH/Atty. for dbt.
PAID \$156 ON 6/10/15
- ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
6-4-15 [[24](#)]

13. 15-11333-B-13 PHILLIP MARQUEZ

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
6-10-15 [[23](#)]

14. 15-11333-B-13 PHILLIP MARQUEZ
MHM-1
MICHAEL MEYER/MV
- MOTION TO DISMISS CASE
6-9-15 [[19](#)]

15. 14-14635-B-13 ODIE LOSA
JMV-2
JEFFREY VETTER/MV

VINCENT GORSKI/Atty. for dbt.

MOTION FOR COMPENSATION FOR
JEFFREY M. VETTER, CHAPTER 7
TRUSTEE(S)
6-3-15 [61]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The applicant's fees and costs shall be paid through the chapter 13 plan by the chapter 13 trustee as a chapter 7 administrative expense. The moving party shall submit a proposed order. No appearance is necessary.

16. 15-10538-B-13 DARIEA GARIBALDI
MHM-2
MICHAEL MEYER/MV
ROBERT WILLIAMS/Atty. for dbt.
DISMISSED

MOTION TO DISMISS CASE
6-3-15 [35]

This matter will be dropped from calendar without a disposition. The case has already been dismissed. No appearance is necessary.

17. 14-13540-B-13 MARK LUNA
MHM-1
MICHAEL MEYER/MV
STEVEN ALPERT/Atty. for dbt.

MOTION TO DISMISS CASE
5-20-15 [24]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The respondent's default will be entered. The record shows there is a material default in the confirmed plan that has not been cured. Accordingly, the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare a civil minute order. No appearance is necessary.

18. 12-10343-B-13 VICTOR/JOANNE CLARKE
VICTOR CLARKE/MV

MOTION TO WAIVE JOINT DEBTOR'S REQUIREMENT TO COMPLETE DEBTOR'S 11 U.S.C. § 1328 CERTIFICATE (FORM EDC 3-190) AND CERTIFICATE OF CHAPTER 13 DEBTOR REGARDING 11 U.S.C. § 522 (Q) EXEMPTIONS (FORM EDC 3-191)
6-2-15 [51]

RABIN POURNAZARIAN/Atty. for dbt.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

19. 12-10343-B-13 VICTOR/JOANNE CLARKE
MHM-1
MICHAEL MEYER/MV
RABIN POURNAZARIAN/Atty. for dbt.
RESPONSIVE PLEADING
- OBJECTION TO DISCHARGE BY
TRUSTEE MICHAEL H. MEYER
5-27-15 [[47](#)]

The trustee's objection will be overruled as moot based on the debtors' unopposed motion above. No appearance is necessary.

20. 14-15948-B-13 KRISTAN CAFFEE
LKW-2

LEONARD WELSH/Atty. for dbt.
- MOTION FOR COMPENSATION FOR
LEONARD K. WELSH, DEBTORS
ATTORNEY(S)
6-4-15 [[32](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

21. 13-12951-B-13 GUADALUPE/YURALVA JIMENEZ
MHM-3
MICHAEL MEYER/MV
PATRICK KAVANAGH/Atty. for dbt.
RESPONSIVE PLEADING
- MOTION TO DISMISS CASE
5-19-15 [[103](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

22. 15-11859-B-13 ARTURO/BERENICE FLORES
MHM-1
MICHAEL MEYER/MV
ROBERT WILLIAMS/Atty. for dbt.
- MOTION TO DISMISS CASE
6-9-15 [[19](#)]

23. 15-11859-B-13 ARTURO/BERENICE FLORES
RDW-1
DRRF TRUST 2015-1/MV
ROBERT WILLIAMS/Atty. for dbt.
REILLY WILKINSON/Atty. for mv.
- OBJECTION TO CONFIRMATION OF
PLAN BY DRRF TRUST 2015-1
6-10-15 [[24](#)]

This matter will be continued to August 25, 2015, at 1:30 p.m. The trustee has not yet concluded the meeting of creditors and by prior order of the court, the trustee has another 7 days after completion of the creditors' meeting to file his objection to the plan. The court will prepare a civil minute order. No appearance is necessary.

24. 12-12261-B-13 ROEL/BERNADETTE GUINTO
MHM-3
MICHAEL MEYER/MV
D. GARDNER/Atty. for dbt.
MICHAEL MEYER/Atty. for mv.

MOTION TO DISMISS CASE
5-14-15 [[86](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

25. 12-17566-B-13 RIGOBERTO/SANDRA SANCHEZ
PWG-2
RIGOBERTO SANCHEZ/MV
PHILLIP GILLET/Atty. for dbt.

MOTION TO INCUR DEBT
6-18-15 [[65](#)]

26. 15-10167-B-13 HENRY/ANNABELLE RUBALCADO
MHM-1
MICHAEL MEYER/MV
ROBERT WILLIAMS/Atty. for dbt.

MOTION TO DISMISS CASE
5-13-15 [[33](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The respondent's default will be entered. The record shows there the debtors have made no post petition payments and there is a material default of the proposed chapter 13 plan. Accordingly, the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare a civil minute order. No appearance is necessary.

27. 15-11067-B-13 FREDERICK/HAYLEY JAMES
MHM-1

ROBERT WILLIAMS/Atty. for dbt.
WITHDRAWN

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY TRUSTEE
MICHAEL H. MEYER
5-14-15 [[16](#)]

The trustee's objection has been withdrawn. No appearance is necessary.

28. 15-11067-B-13 FREDERICK/HAYLEY JAMES
MHM-2
MICHAEL MEYER/MV
ROBERT WILLIAMS/Atty. for dbt.
WITHDRAWN

OBJECTION TO DEBTOR'S CLAIM OF
EXEMPTIONS
6-2-15 [[21](#)]

The trustee's objection has been withdrawn. No appearance is necessary.

29. 13-10669-B-13 KRISTINA PECKHAM

CURTIS FLOYD/Atty. for dbt.

ORDER TO SHOW CAUSE - FAILURE
TO TENDER FEE FOR FILING
TRANSFER OF CLAIM
6-15-15 [[40](#)]

30. 15-10678-B-13 THOMAS MUÑOZ
BHT-1
U.S. BANK NATIONAL
ASSOCIATION/MV
ROBERT WILLIAMS/Atty. for dbt.
BRIAN TRAN/Atty. for mv.
RESPONSIVE PLEADING

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY U.S.
BANK NATIONAL ASSOCIATION
5-6-15 [[28](#)]
31. 15-10678-B-13 THOMAS MUÑOZ
MHM-1

ROBERT WILLIAMS/Atty. for dbt.

FINAL HEARING RE: OBJECTION TO
CONFIRMATION OF PLAN BY TRUSTEE
MICHAEL H. MEYER
5-14-15 [[32](#)]
32. 15-10678-B-13 THOMAS MUÑOZ
RSW-1
THOMAS MUÑOZ/MV

ROBERT WILLIAMS/Atty. for dbt.
RESPONSIVE PLEADING

CONTINUED MOTION TO VALUE
COLLATERAL OF OCWEN LOAN
SERVICING, LLC
4-27-15 [[23](#)]
33. 15-10581-B-13 ANGEL BELTRAN
SJS-3
ANGEL BELTRAN/MV
SUSAN SALEHI/Atty. for dbt.

MOTION TO VALUE COLLATERAL OF
WELLS FARGO BANK, N.A.
5-19-15 [[40](#)]

This motion will be continued to July 20, 2015, at 1:30 p.m. The motion needs to be served and noticed to counsel for Nationstar Mortgage, LLC, in compliance with the request for notice filed and served on March 16, 2015 (Docket Number 18). The court will prepare a minute order. No appearance is necessary.

34. 11-16485-B-13 MICHAEL MANN
MHM-3
MICHAEL MEYER/MV
PATRICK KAVANAGH/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO DISMISS CASE
5-14-15 [[166](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

35. 13-10685-B-13 GEORGE/ELISA RUBIO
MHM-1
MICHAEL MEYER/MV
PHILLIP GILLET/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO DISMISS CASE
5-14-15 [[69](#)]

Based on the debtors' response, this matter will be continued to August 25, 2015, at 1:30 p.m. The parties shall file a status report unless the debtors have a modified plan set for a confirmation hearing or have converted their case to chapter 7. The court will prepare a minute order. No appearance is necessary.

36. 12-18488-B-13 RONALD/BARBARA PIERCE
RSW-2
RONALD PIERCE/MV
ROBERT WILLIAMS/Atty. for dbt.

MOTION TO MODIFY PLAN
5-21-15 [[46](#)]

37. 13-14088-B-13 TOMAS/MA JULIZA GALLEGOS
MHM-1
MICHAEL MEYER/MV
NEIL SCHWARTZ/Atty. for dbt.

MOTION TO DISMISS CASE
5-20-15 [[19](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules. The debtors filed a statement of non-opposition. The record shows there is a material default in the confirmed chapter 13 plan that has not been cured. Accordingly, the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare a civil minute order. No appearance is necessary.

38. 15-11290-B-13 ORLANDO GONZALES
MHM-1

ROBERT WILLIAMS/Atty. for dbt.

OBJECTION TO CONFIRMATION OF
PLAN BY TRUSTEE MICHAEL H.
MEYER
6-10-15 [[21](#)]

This objection to confirmation was noticed as a preliminary hearing. The objection will be continued and set for a final hearing on July 20, 2015, at 1:30 p.m. Unless this case is voluntarily converted to chapter 7 or dismissed or the objection has been withdrawn, the debtor shall file and serve a written response not later than July 13, 2015. The response shall specifically address each issue raised in the objection, state whether the issue is disputed or undisputed, and include admissible evidence to support the debtor' position. If the debtor elects to withdraw this plan and file a modified plan in lieu of filing a response, then a confirmable modified plan shall be filed, served, and set for hearing, not later than July 13, 2015. If the debtor does not timely file a modified plan or a written response, the objection will be sustained on the grounds stated and confirmation will be denied without a further hearing. The court will prepare a civil minute order.

39. 15-11091-B-13 TROY KELLY
MHM-1
MICHAEL MEYER/MV
PHILLIP GILLET/Atty. for dbt.

MOTION TO DISMISS CASE
6-3-15 [[23](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The respondent's default will be entered. Based on the evidence offered in support of the motion, it appears that the debtor is not eligible to be in chapter 13. Accordingly, the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare a civil minute order. No appearance is necessary.

40. 13-10792-B-13 PATSY CALDWELL
MHM-1
MICHAEL MEYER/MV
CURTIS FLOYD/Atty. for dbt.

MOTION TO DISMISS CASE
5-14-15 [45]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The respondent's default will be entered. The record shows there is a material default in the performance of the confirmed plan that has not been cured. Accordingly, the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare a civil minute order. No appearance is necessary.

41. 11-60992-B-13 ELDON/NAOMI ECKELS
15-1042
ECKELS V. BANK OF AMERICA,
N.A.
PETER CIANCHETTA/Atty. for pl.

STATUS CONFERENCE RE: COMPLAINT
4-9-15 [1]

From the joint status conference statement it appears that this adversary proceeding has been settled. The status conference will be dropped from calendar and may be reset by any party on 10 days' notice. No appearance is necessary. The clerk of the court may close the adversary proceeding without notice in 90 days unless the adversary proceeding has been concluded or set for a further status conference within that time. Either party may request an extension of this time up to 30 days by ex parte application for cause. After the adversary proceeding has been closed, the parties will have to file an application to reopen the adversary proceeding if further action is required. The court will issue a civil minute order.

42. 12-13294-B-13 RODOLFO/PATRICIA SERAFICA
MHM-4
MICHAEL MEYER/MV
PATRICK KAVANAGH/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO DISMISS CASE
5-20-15 [136]

The trustee's motion has been dismissed. No appearance is necessary.