

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Robert S. Bardwil
Bankruptcy Judge
Modesto, California

July 5, 2016 at 10:00 a.m.

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

1. Matters resolved without oral argument:

Unless otherwise stated, 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. In the event a party wishes to submit such an Order it needs to be titled 'Amended Civil Minute Order.'

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. | 15-91106-D-13 | BARBARA BALLI | MOTION TO CONFIRM PLAN |
| | MLP-3 | | 5-24-16 [60] |

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 referenced in LBR 3015-1(e). The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

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|----|---------------|-------------------|------------------------|
| 2. | 15-91225-D-13 | MARIANNE MAGATHEN | MOTION TO CONFIRM PLAN |
| | DCJ-1 | | 5-23-16 [44] |

3. 16-90227-D-13 NICHOLAS MCFADDEN MOTION TO CONFIRM PLAN
PLG-1 5-23-16 [33]

Final ruling:

This is the debtor's motion to confirm an amended chapter 13 plan. On June 6, 2016, the debtor filed a second amended plan and a motion to confirm it, set for hearing on July 19, 2016. As a result of the filing of the second amended plan, the present motion is moot. The motion will be denied as moot by minute order. No appearance is necessary.

4. 16-90327-D-13 FREDERICK/MARY JOHNSTON OBJECTION TO CONFIRMATION OF
RDG-2 PLAN BY RUSSELL D. GREER
6-2-16 [18]

5. 16-90335-D-13 WILLIAM LEMMONS OBJECTION TO CONFIRMATION OF
EAT-1 PLAN BY WELLS FARGO BANK, N.A.
6-7-16 [29]

6. 16-90141-D-13 REYNALD/ELVIRA WANCE MOTION TO CONFIRM PLAN
SNM-1 5-16-16 [30]

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 referenced in LBR 3015-1(e). The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

7. 16-90441-D-13 JAIME/EVELIA MARTINEZ MOTION FOR RELIEF FROM
PEE-1 AUTOMATIC STAY
RAYMOND GREER CONSTRUCTION 6-3-16 [9]
CO., INC. VS.
8. 16-90362-D-13 KRISTOPHER/JULIE NABORS OBJECTION TO CONFIRMATION OF
RDG-1 PLAN BY RUSSELL D. GREER
6-9-16 [22]
- Final ruling:**
- The debtors have filed a statement of non-opposition to this objection. As such, the court will sustain the objection by minute order. No appearance is necessary.**
9. 12-92669-D-13 KEVIN/DENISE HARDER MOTION TO MODIFY PLAN
JCK-4 5-31-16 [85]
10. 15-91177-D-13 ARTHUR/KATHERINE MARTIN CONTINUED MOTION TO CONFIRM
DCJ-3 PLAN
4-24-16 [43]

11. 15-91177-D-13 ARTHUR/KATHERINE MARTIN
DCJ-4

CONTINUED MOTION TO VALUE
COLLATERAL OF TOYOTA MOTOR
CREDIT CORPORATION
5-24-16 [57]

12. 16-90283-D-13 KIT JORY
RDG-3

OBJECTION TO DEBTOR'S CLAIM OF
EXEMPTIONS
5-23-16 [31]

Final ruling:

This case was dismissed on May 24, 2016. As a result the objection will be overruled by minute order as moot. No appearance is necessary.

13. 16-90195-D-13 ANTONIO LOA AND CHRISTY
SJS-1 RAMIREZ

MOTION TO CONFIRM PLAN
5-16-16 [19]

Final ruling:

This is the debtors' motion to confirm an amended chapter 13 plan. The motion will be denied because the moving parties failed to serve the Employment Development Department and the U.S. Dept. of Housing & Urban Development at their addresses on the Roster of Governmental Agencies, as required by LBR 2002.

As a result of this service defect, the motion will be denied by minute order. No appearance is necessary.

14. 15-91225-D-13 MARIANNE MAGATHEN
DCJ-2

MOTION TO VALUE COLLATERAL OF
PYOD LLC
6-21-16 [56]

15. 11-90028-D-13 STEVEN/BEVERLY LUCEY
CJY-1

MOTION TO REFINANCE
6-14-16 [108]

16. 16-90356-D-13 RICHARD AZIZ
RDG-1

OBJECTION TO CONFIRMATION OF
PLAN BY RUSSELL D. GREER
6-15-16 [21]

Final ruling:

**The debtor has filed a statement of non-opposition to this objection. As such,
the court will sustain the objection by minute order. No appearance is necessary.**

17. 16-90356-D-13 RICHARD AZIZ

OBJECTION TO CONFIRMATION OF
PLAN BY PHH MORTGAGE
CORPORATION
6-15-16 [20]

18. 11-91757-D-13 VISHAL/RAMAN PAUL
CJY-7

MOTION TO VALUE COLLATERAL OF
US BANK
6-21-16 [78]

19. 16-90075-D-13 DANIEL JAMES AND PAULA MOTION TO VACATE ORDER DENYING
EAT-3 FOX-JAMES MOTION TO VALUE COLLATERAL
6-20-16 [57]
20. 11-90990-D-13 JASON NERI MOTION TO VALUE COLLATERAL OF
CJY-5 CITIMORTGAGE, INC.
6-14-16 [112]