

**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: THURSDAY

DATE: JULY 18, 2019

CALENDAR: 10:00 A.M. CHAPTER 7 ADVERSARY PROCEEDINGS

Each matter on this calendar will have one of three possible designations: No Ruling, Tentative Ruling, or Final Ruling. These instructions apply to those designations.

No Ruling: All parties will need to appear at the hearing unless otherwise ordered.

Tentative Ruling: If a matter has been designated as a tentative ruling it will be called. The court may continue the hearing on the matter, set a briefing schedule or enter other orders appropriate for efficient and proper resolution of the matter. The original moving or objecting party shall give notice of the continued hearing date and the deadlines. The minutes of the hearing will be the court's findings and conclusions.

Final Ruling: Unless otherwise ordered, there will be no hearing on these matters. The final disposition of the matter is set forth in the ruling and it will appear in the minutes. The final ruling may or may not finally adjudicate the matter. If it is finally adjudicated, the minutes constitute the court's findings and conclusions.

Orders: Unless the court specifies in the tentative or final ruling that it will issue an order, the prevailing party shall lodge an order within 14 days of the final hearing on the matter.

1. [18-14207](#)-A-7 **IN RE: ELMER/KATHLEEN FALK**
[19-1045](#)

CONTINUED STATUS CONFERENCE RE: AMENDED COMPLAINT
5-16-2019 [9](#)

HOME DEPOT U.S.A., INC. V.
SALVEN ET AL
LISA YUN/ATTY. FOR PL.
RESPONSIVE PLEADING

Final Ruling

This status conference is dropped from calendar as moot, given the dismissal of the claims in this adversary proceeding.

2. [18-14207](#)-A-7 **IN RE: ELMER/KATHLEEN FALK**
[19-1045](#) [FEC-1](#)

ORDER TO SHOW CAUSE FOR DISMISSAL (LACK OF SUBJECT MATTER
JURISDICTION)
6-19-2019 [26](#)

HOME DEPOT U.S.A., INC. V.
SALVEN ET AL
RESPONSIVE PLEADING

Final Ruling

Matter: Order to Show Cause for Dismissal of Adversary Proceeding
for Lack of Subject Matter Jurisdiction

Disposition: Dismissal granted

Order: Civil minute order

The court will dismiss this adversary proceeding pursuant to the subject order to show cause as the chapter 7 trustee is no longer asserting interest in the subject proceeds and the parties have also agreed to dismissal. See ECF Nos. 32 & 36.

CIVIL MINUTE ORDER

The court shall issue a civil minute order that conforms substantially to the following form:

Findings of fact and conclusions of law are stated in the civil minutes for the hearing.

The court's Order to Show Cause for Dismissal of Adversary Proceeding for Lack of Subject Matter Jurisdiction has come before the court for hearing. Having considered the order to show cause and the responses to the order,

IT IS ORDERED that all claims in this Adv. Proc. No. 19-1045 are dismissed.

3. [18-14207](#)-A-7 **IN RE: ELMER/KATHLEEN FALK**
[19-1045](#) [LSY-1](#)

CONTINUED MOTION FOR INTERPLEADER DEPOSIT (28 U.S.C. SECTION 1335)

5-16-2019 [[10](#)]

HOME DEPOT U.S.A., INC. V.
SALVEN ET AL
LISA YUN/ATTY. FOR MV.
RESPONSIVE PLEADING

Final Ruling

This motion will be dismissed as moot because the court is dismissing the claims in this adversary proceeding pursuant to its order to show cause (ECF No. 26).

4. [18-14207](#)-A-7 **IN RE: ELMER/KATHLEEN FALK**
[19-1045](#) [MF-1](#)

MOTION TO DISMISS ADVERSARY PROCEEDING/NOTICE OF REMOVAL

5-31-2019 [[18](#)]

HOME DEPOT U.S.A., INC. V.
SALVEN ET AL
MATTHEW OLSON/ATTY. FOR MV.
RESPONSIVE PLEADING

Final Ruling

This motion will be dismissed as moot because the court is dismissing the claims in this adversary proceeding pursuant to its order to show cause (ECF No. 26).

5. [17-11824](#)-A-7 **IN RE: HORISONS UNLIMITED**
[19-1049](#)

STATUS CONFERENCE RE: AMENDED COMPLAINT

6-24-2019 [[7](#)]

SALVEN V. M&W CONSTRUCTION,
INC.
KEVIN BONSIGNORE/ATTY. FOR PL.
REISSUED SUMMONS FOR 8/28/19

Final Ruling

The status conference is continued to August 28, 2019, at 10:00 a.m.

6. [18-14546](#)-A-7 **IN RE: LANE ANDERSON**
[19-1024](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT
2-15-2019 [[1](#)]

MURILLO V. ANDERSON ET AL
RICK MORIN/ATTY. FOR PL.
RESPONSIVE PLEADING

No Ruling

7. [18-14546](#)-A-7 **IN RE: LANE ANDERSON**
[19-1024](#) [FEC-2](#)

ORDER TO SHOW CAUSE
6-19-2019 [[34](#)]

MURILLO V. ANDERSON ET AL
RESPONSIVE PLEADING

No Ruling

8. [19-10952](#)-A-7 **IN RE: DAVID MUSE**
[19-1050](#)

STATUS CONFERENCE RE: COMPLAINT
5-21-2019 [[1](#)]

MURILLO V. MUSE
RICK MORIN/ATTY. FOR PL.

No Ruling

9. [19-10952](#)-A-7 **IN RE: DAVID MUSE**
[19-1050](#) [FEC-2](#)

ORDER TO SHOW CAUSE
6-19-2019 [[10](#)]

MURILLO V. MUSE
RESPONSIVE PLEADING

No Ruling