

UNITED STATES BANKRUPTCY COURT  
Eastern District of California  
Honorable W. Richard Lee  
Hearing Date: Wednesday, July 30, 2014  
Place: U.S. Courthouse, 510 19<sup>th</sup> 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.**

**1:30 P.M.**

1.    [12-14301](#)-B-13   LIBBY PORTILLO  
         PWG-5  
         LIBBY PORTILLO/MV  
         PHILLIP GILLET/Atty. for dbt.  
  
         MOTION TO INCUR DEBT  
         7-14-14 [[71](#)]
2.    [11-11906](#)-B-13   TAMARA SCHULTZ  
         PK-4  
  
         PATRICK KAVANAGH/Atty. for dbt.  
  
         MOTION FOR COMPENSATION FOR  
         PATRICK KAVANAGH, DEBTOR'S  
         ATTORNEY(S) .  
         7-9-14 [[74](#)]
3.    [11-60509](#)-B-13   JIMMY/WANDA JAMES  
         RSW-5  
         JIMMY JAMES/MV  
         ROBERT WILLIAMS/Atty. for dbt.  
  
         MOTION TO MODIFY PLAN  
         6-11-14 [[118](#)]
4.    [13-17013](#)-B-13   PHILLIP/MELISSA AVALOS  
         PK-2  
  
         PATRICK KAVANAGH/Atty. for dbt.  
         RESPONSIVE PLEADING  
  
         MOTION FOR COMPENSATION FOR  
         PATRICK KAVANAGH, DEBTOR'S  
         ATTORNEY(S) .  
         7-1-14 [[48](#)]
5.    [14-12415](#)-B-13   CHRISTOPHER HARNER  
         DMW-1  
         MARK HARNER/MV  
         ROBERT WILLIAMS/Atty. for dbt.  
         DAVID WISEBLOOD/Atty. for mv.  
         RESPONSIVE PLEADING  
  
         FINAL HEARING RE: MOTION FOR  
         RELIEF FROM AUTOMATIC STAY  
         6-18-14 [[21](#)]
6.    [14-12415](#)-B-13   CHRISTOPHER HARNER  
         DMW-2  
         MARK HARNER/MV  
         ROBERT WILLIAMS/Atty. for dbt.  
         DAVID WISEBLOOD/Atty. for mv.  
         RESPONSIVE PLEADING  
  
         OBJECTION TO CONFIRMATION OF  
         PLAN BY MARK HARNER  
         6-26-14 [[28](#)]

7. [14-12122](#)-B-13 MARIO CABRERA  
NMM-1  
JACKIE DENNEY/MV  
PATRICK KAVANAGH/Atty. for dbt.  
NICOLE MISNER/Atty. for mv.  
RESPONSIVE PLEADING

OBJECTION TO CONFIRMATION OF  
PLAN BY JACKIE DENNEY  
6-26-14 [[20](#)]

8. [14-12122](#)-B-13 MARIO CABRERA  
TGF-1  
ELISEO RAMIREZ/MV  
PATRICK KAVANAGH/Atty. for dbt.  
VINCENT GORSKI/Atty. for mv.  
RESPONSIVE PLEADING

OBJECTION TO CONFIRMATION OF  
PLAN BY ELISEO RAMIREZ  
6-26-14 [[25](#)]

9. [13-11529](#)-B-13 MARK/JESSICA HAWLEY  
LKW-3  
MARK HAWLEY/MV  
LEONARD WELSH/Atty. for dbt.  
RESPONSIVE PLEADING

MOTION TO MODIFY PLAN  
5-30-14 [[52](#)]

**The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules. The trustee's opposition has been withdrawn and the motion will be granted without oral argument for cause shown. The debtor(s) shall submit a proposed confirmation order for approval to the chapter 13 trustee. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed. No appearance is necessary.**

10. [13-11529](#)-B-13 MARK/JESSICA HAWLEY  
LKW-4

CONTINUED MOTION FOR  
COMPENSATION BY THE LAW OFFICE  
OF LEONARD K. WELSH FOR LEONARD  
K. WELSH, DEBTOR'S ATTORNEY(S)  
5-30-14 [[56](#)]

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.**

11. [10-16330](#)-B-13 FRANK/ELIZABETH CASTRO  
PK-8

PATRICK KAVANAGH/Atty. for dbt.  
RESPONSIVE PLEADING

MOTION FOR COMPENSATION FOR  
PATRICK KAVANAGH, DEBTOR'S  
ATTORNEY(S).  
7-9-14 [[116](#)]

12. [09-61432](#)-B-13 RAMON/GENEVIEVE NEREZ  
PK-12

PATRICK KAVANAGH/Atty. for dbt.  
RESPONSIVE PLEADING

MOTION FOR COMPENSATION FOR  
PATRICK KAVANAGH, DEBTOR'S  
ATTORNEY(S).  
7-10-14 [[148](#)]

13. [12-19140](#)-B-13 RICHARD/CALLIANDRA MURRAY CONTINUED MOTION FOR  
LKW-3 COMPENSATION FOR LEONARD K.  
WELSH, DEBTOR'S ATTORNEY(S).  
5-30-14 [[50](#)]

LEONARD WELSH/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.**

14. [12-19140](#)-B-13 RICHARD/CALLIANDRA MURRAY MOTION TO MODIFY PLAN  
LKW-4 5-30-14 [[59](#)]  
RICHARD MURRAY/MV  
LEONARD WELSH/Atty. for dbt.

**The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The debtor(s) shall submit a proposed confirmation order for approval to the chapter 13 trustee. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed. No appearance is necessary.**

15. [11-63847](#)-B-13 PAUL WALKER AND PAMULA MOTION FOR COMPENSATION FOR  
PWG-4 WILBORNE - WALKER PHILLIP W. GILLET, JR.,  
DEBTOR'S ATTORNEY(S).  
6-12-14 [[92](#)]

PHILLIP GILLET/Atty. for dbt.  
RESPONSIVE PLEADING

16. [14-11849](#)-B-13 CHERYL ZUZON LOPEZ MOTION TO CONFIRM PLAN  
DMG-2 6-3-14 [[28](#)]  
CHERYL ZUZON LOPEZ/MV  
D. GARDNER/Atty. for dbt.

**The motion will be continued to September 3, 2014, at 1:30, for filing a corrected proof of service. The form of the proof of service does not comply with LBR 9014-1(d)(1) and needs to be amended (see Local Rules, Appendix II, EDC.002-901, Revised Guidelines for the Preparation of Documents (4)(e)). The court will prepare a minute order. No appearance is necessary.**

17. [14-11849](#)-B-13 CHERYL ZUZON LOPEZ  
MHM-1  
MICHAEL MEYER/MV  
CONTINUED MOTION TO DISMISS  
CASE FOR UNREASONABLE DELAY  
THAT IS PREJUDICIAL TO  
CREDITORS AND/OR MOTION TO  
DISMISS CASE  
6-2-14 [[24](#)]

D. GARDNER/Atty. for dbt.

**The matter has been withdrawn. No appearance is necessary.**

18. [11-63051](#)-B-13 BRIAN/STEPHANIE JONES  
LKW-7  
MOTION FOR COMPENSATION FOR  
LEONARD K. WELSH, DEBTOR'S  
ATTORNEY(S) .  
7-8-14 [[107](#)]

LEONARD WELSH/Atty. for dbt.

19. [13-12951](#)-B-13 GUADALUPE/YURALVA JIMENEZ  
PK-4  
GUADALUPE JIMENEZ/MV  
PATRICK KAVANAGH/Atty. for dbt.  
RESPONSIVE PLEADING  
MOTION TO MODIFY PLAN  
6-10-14 [[73](#)]

20. [14-12955](#)-B-13 MILTON MINER  
MILTON MINER/MV  
AMENDED MOTION TO CONTINUE  
HEARING RE: MOTION FOR RELIEF  
FROM AUTOMATIC STAY  
7-16-14 [[37](#)]

21. [14-12955](#)-B-13 MILTON MINER  
RDN-1  
JPMORGAN CHASE BANK, NATIONAL  
ASSOCIATION/MV  
RANDALL NAIMAN/Atty. for mv.  
MOTION FOR RELIEF FROM  
AUTOMATIC STAY  
6-23-14 [[20](#)]

22. [14-12556](#)-B-13 YOLANDA ROBLEDO  
PK-1  
YOLANDA ROBLEDO/MV  
PATRICK KAVANAGH/Atty. for dbt.  
RESPONSIVE PLEADING  
MOTION TO CONFIRM PLAN  
6-19-14 [[20](#)]

**This matter will be continued to September 3, 2014, at 1:30 p.m. The trustee has not been able to conclude the meeting of creditors and has obtained an extension of time to object to the original plan. The trustee has filed an objection to this modified plan. However, the court is not going to consider a plan for confirmation until the debtor concludes the meeting of creditors. If the meeting of creditors is concluded, the debtor's reply, if any, shall be filed and served not later than August 20, 2014. The court will prepare a minute order. No appearance is necessary.**

23. [11-18681](#)-B-13 ELIAS/YVONNE SALCIDO  
PWG-1  
ELIAS SALCIDO/MV  
PHILLIP GILLET/Atty. for dbt.  
RESPONSIVE PLEADING  
MOTION TO MODIFY PLAN  
6-10-14 [[32](#)]
24. [11-18681](#)-B-13 ELIAS/YVONNE SALCIDO  
PWG-2  
PHILLIP GILLET/Atty. for dbt.  
RESPONSIVE PLEADING  
MOTION FOR COMPENSATION FOR  
PHILLIP GILLET, JR., DEBTOR'S  
ATTORNEY(S) .  
6-10-14 [[38](#)]
25. [14-10381](#)-B-13 CAROLYN MINER  
MHM-1  
MICHAEL MEYER/MV  
CONTINUED MOTION TO DISMISS  
CASE FOR UNREASONABLE DELAY  
THAT IS PREJUDICIAL TO  
CREDITORS AND/OR MOTION TO  
DISMISS CASE FOR FAILURE TO  
MAKE PLAN PAYMENTS , MOTION TO  
DISMISS CASE  
3-10-14 [[46](#)]
26. [13-18094](#)-B-13 MAGDALENO/VIRGINIA  
ECH-3 MARTINEZ  
MAGDALENO MARTINEZ/MV  
ERIC HANSON/Atty. for dbt.  
RESPONSIVE PLEADING  
MOTION TO CONFIRM PLAN  
6-2-14 [[66](#)]

**2:00 P.M.**

1. [13-18002](#)-B-13 JUVENTINO/MARIA RUELAS  
MHM-3  
MICHAEL MEYER/MV  
  
THOMAS GILLIS/Atty. for dbt.  
  
MOTION TO DISMISS CASE FOR  
UNREASONABLE DELAY THAT IS  
PREJUDICIAL TO CREDITORS AND/OR  
MOTION TO DISMISS CASE  
7-16-14 [[38](#)]
2. [14-10606](#)-B-13 OSCAR MORENO AND EBONY  
MHM-1 WILLIAMS MORENO  
MICHAEL MEYER/MV  
ROBERT WILLIAMS/Atty. for dbt.  
  
MOTION TO DISMISS CASE FOR  
FAILURE TO MAKE PLAN PAYMENTS  
7-8-14 [[36](#)]
3. [14-10908](#)-B-13 SUSAN/JAMES DIETZ  
MHM-1  
MICHAEL MEYER/MV  
  
CHELLEI JIMENEZ/Atty. for dbt.  
  
MOTION TO DISMISS CASE FOR  
UNREASONABLE DELAY THAT IS  
PREJUDICIAL TO CREDITORS AND/OR  
MOTION TO DISMISS CASE FOR  
FAILURE TO MAKE PLAN PAYMENTS ,  
MOTION TO DISMISS CASE  
7-2-14 [[43](#)]
4. [13-17626](#)-B-13 MARK SOLORIO  
MHM-2  
MICHAEL MEYER/MV  
MARK ALONSO/Atty. for dbt.  
  
MOTION TO DISMISS CASE FOR  
FAILURE TO MAKE PLAN PAYMENTS  
7-8-14 [[49](#)]
5. [14-10635](#)-B-13 JOE/ARLENE VIZCARRA  
MHM-2  
MICHAEL MEYER/MV  
ROBERT WILLIAMS/Atty. for dbt.  
  
MOTION TO DISMISS CASE FOR  
FAILURE TO MAKE PLAN PAYMENTS  
7-8-14 [[31](#)]

**The matter has been withdrawn or resolved by stipulation of the parties.  
No appearance is necessary.**

6. [14-10038](#)-B-13 FRED/KAREN FRANK  
MHM-1  
MICHAEL MEYER/MV  
ROBERT WILLIAMS/Atty. for dbt.  
  
MOTION TO DISMISS CASE FOR  
FAILURE TO MAKE PLAN PAYMENTS  
7-8-14 [[23](#)]
7. [14-10941](#)-B-13 ALVA/BEVERLY ARCHER  
MHM-1  
MICHAEL MEYER/MV  
  
ROBERT WILLIAMS/Atty. for dbt.  
  
MOTION TO DISMISS CASE FOR  
UNREASONABLE DELAY THAT IS  
PREJUDICIAL TO CREDITORS AND/OR  
MOTION TO DISMISS CASE  
7-2-14 [[37](#)]

8. [14-11442](#)-B-13 JUANITA/RONALD GRIEGER  
MHM-1  
STEVEN ALPERT/Atty. for dbt.  
OBJECTION TO CONFIRMATION OF  
PLAN BY TRUSTEE MICHAEL H.  
MEYER  
6-25-14 [[25](#)]
9. [14-11442](#)-B-13 JUANITA/RONALD GRIEGER  
MHM-2  
MICHAEL MEYER/MV  
STEVEN ALPERT/Atty. for dbt.  
OBJECTION TO DEBTOR'S CLAIM OF  
EXEMPTIONS  
6-25-14 [[28](#)]
10. [10-62666](#)-B-13 STEVE/SHERRY HODSON  
MHM-2  
MICHAEL MEYER/MV  
ROBERT WILLIAMS/Atty. for dbt.  
MICHAEL MEYER/Atty. for mv.  
RESPONSIVE PLEADING  
MOTION TO DISMISS CASE FOR  
FAILURE TO PROVIDE TAX  
DOCUMENTS AND/OR MOTION TO  
DISMISS CASE  
6-26-14 [[114](#)]
11. [14-12269](#)-B-13 DONALD/MARGIE MCKAY  
MHM-1  
MICHAEL MEYER/MV  
LEONARD WELSH/Atty. for dbt.  
MOTION TO DISMISS CASE FOR  
UNREASONABLE DELAY THAT IS  
PREJUDICIAL TO CREDITORS AND/OR  
MOTION TO DISMISS CASE  
6-23-14 [[14](#)]

**The motion has been withdrawn. No appearance is necessary.**

12. [14-12570](#)-B-13 STEPHEN/CAROL CHOAT  
MHM-1  
MICHAEL MEYER/MV  
D. GARDNER/Atty. for dbt.  
WITHDRAWN  
MOTION TO DISMISS CASE FOR  
UNREASONABLE DELAY THAT IS  
PREJUDICIAL TO CREDITORS AND/OR  
MOTION TO DISMISS CASE FOR  
FAILURE TO TIMELY FILE TAX  
RETURN UNDER SECTION 521(J) (1)  
TAX YEAR: 2013  
6-24-14 [[24](#)]

**The motion has been withdrawn. No appearance is necessary.**

13. [14-10788](#)-B-13 BOBBY QUINONEZ  
MHM-2  
MICHAEL MEYER/MV  
PATRICK KAVANAGH/Atty. for dbt.  
MOTION TO DISMISS CASE FOR  
FAILURE TO MAKE PLAN PAYMENTS  
6-20-14 [[28](#)]



**3:00 P.M.**

1. [13-16845](#)-B-7 KEYSTONE MINE MANAGEMENT CONTINUED MOTION TO SELL FREE  
KDG-2 II AND CLEAR OF LIENS  
VINCENT GORSKI/MV 5-8-14 [[166](#)]  
PHILLIP GILLET/Atty. for dbt.  
LISA HOLDER/Atty. for mv.
2. [14-10588](#)-B-11 J & D WILSON AND SONS CONTINUED STATUS CONFERENCE RE:  
DAIRY VOLUNTARY PETITION  
2-7-14 [[1](#)]  
  
JACOB EATON/Atty. for dbt.
3. [14-10588](#)-B-11 J & D WILSON AND SONS CONTINUED MOTION FOR  
KDG-15 DAIRY COMPENSATION BY THE LAW OFFICE  
OF KLEIN, DENATALE, GOLDNER,  
COOPER, ROSENLIB AND KIMBALL,  
LLP FOR JACOB L. EATON,  
DEBTOR'S ATTORNEY(S).  
6-12-14 [[192](#)]  
  
JACOB EATON/Atty. for dbt.
4. [14-10588](#)-B-11 J & D WILSON AND SONS CONTINUED MOTION FOR  
KDG-16 DAIRY COMPENSATION FOR FRAZER, LLP,  
FRAZER, LLP/MV ACCOUNTANT(S).  
6-12-14 [[198](#)]  
  
JACOB EATON/Atty. for dbt.
5. [14-10588](#)-B-11 J & D WILSON AND SONS CONTINUED MOTION FOR  
KDG-17 DAIRY COMPENSATION FOR GLASSRATNER  
GLASSRATNER ADVISORY & CAPITAL ADVISORY AND CAPITAL GROUP,  
GROUP, LLC/MV LLC, OTHER PROFESSIONAL(S).  
6-12-14 [[205](#)]  
  
JACOB EATON/Atty. for dbt.
6. [11-15697](#)-B-11 REAL WILSON ENTERPRISES, CONTINUED STATUS CONFERENCE RE:  
INC. VOLUNTARY PETITION  
5-17-11 [[1](#)]  
  
HILTON RYDER/Atty. for dbt.

**Based on the debtor's status report it appears that this case is not yet ready to move forward with confirmation of a plan. This matter will be continued to September 3, 2014, at 3:00 p.m. The debtor shall file a status report regarding the escrow if the case is still not ready to move forward. The court will prepare a minute order. No appearance is necessary.**

7. [11-15697](#)-B-11 REAL WILSON ENTERPRISES, AMENDED DISCLOSURE STATEMENT  
HAR-7 INC. 6-25-14 [[601](#)]  
HILTON RYDER/Atty. for dbt.

Based on the debtor's status report it appears that this case is not yet ready to move forward with confirmation of a plan. This matter will be continued to September 3, 2014, at 3:00 p.m. The debtor shall file a status report regarding the escrow if the case is still not ready to move forward. The court will prepare a minute order. No appearance is necessary.

3:30 P.M.

1.    [12-17199](#)-B-7    GURSEV KAUR                    MOTION IN LIMINE NO. 1  
      [12-1188](#)            LRP-1                    7-1-14 [[118](#)]  
      VETTER V. KAUR  
      RENE LASTRETO/Atty. for mv.

**This matter was deemed to be a response to DC No. DMG-1 and has been fully resolved in the court's civil minute order dated July 7, 2014. No further relief is necessary.**

2.    [12-17199](#)-B-7    GURSEV KAUR                    MOTION IN LIMINE NO. 2  
      [12-1188](#)            LRP-2                    7-1-14 [[122](#)]  
      VETTER V. KAUR  
      RENE LASTRETO/Atty. for mv.
3.    [12-17199](#)-B-7    GURSEV KAUR                    MOTION IN LIMINE NO. 3  
      [12-1188](#)            LRP-3                    7-1-14 [[130](#)]  
      VETTER V. KAUR  
      RENE LASTRETO/Atty. for mv.
4.    [12-17199](#)-B-7    GURSEV KAUR                    MOTION IN LIMINE NO. 4  
      [12-1188](#)            LRP-4                    7-1-14 [[136](#)]  
      VETTER V. KAUR  
      RENE LASTRETO/Atty. for mv.