

UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable W. Richard Lee
Hearing Date: Thursday, August 20, 2015
Place: Department B – Courtroom #12
Fresno, 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. [14-14514](#)-B-7 GREGORY/MEREDITH LEISLE FINAL PRE-TRIAL CONFERENCE RE:
[14-1149](#) AMENDED COMPLAINT
MORENO V. LEISLE 5-7-15 [[19](#)]
WALTER WHELAN/Atty. for pl.

It appears this adversary proceeding has been settled. The final pretrial 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 60 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 prepare and enter a civil minute order.

2. [15-10734](#)-B-7 DANIEL GARCIA MOTION FOR ENTRY OF DEFAULT
[15-1067](#) RHT-1 JUDGMENT
HAWKINS V. GARCIA 7-22-15 [[12](#)]
ROBERT HAWKINS/Atty. for mv.

The motion for entry of a default judgment will be denied. The debtor's discharge has not yet been entered. Neither the complaint nor the motion designate which subsection of 11 U.S.C. § 727(a) is applicable to the facts. The court has not yet entered an order compelling turnover of the tax refunds and the evidence offered in support of the motion does not establish that the debtor has actually received any refunds for the 2014 tax year. No appearance is necessary.

3. [14-15437](#)-B-7 FRANCISCO GARCIA AND MOTION FOR ENTRY OF DEFAULT
[15-1065](#) DULCE JIMENEZ RHT-1 JUDGMENT
HAWKINS V. GARCIA ET AL 7-23-15 [[19](#)]
ROBERT HAWKINS/Atty. for mv.

The motion for entry of a default judgment will be denied. The debtors' discharge has not yet been entered. The trustee seeks relief under 11 U.S.C. §727(a)(4), however neither the complaint nor the evidence offered in support of the motion establish that the debtors have done anything fraudulently, that they have filed tax returns for the 2014 tax year, or that they have actually received a refund for the 2014 tax year. No appearance is necessary.

4. [13-16155](#)-B-7 MICHAEL WEILERT AND CONTINUED STATUS CONFERENCE RE:
[13-1134](#) GENEVIEVE DE MONTREMARE AMENDED COMPLAINT
BRIAN L. GWARTZ AND CHERYL A. 8-28-14 [[47](#)]
SKIGIN, CO-TRUSTEES V. WEILERT
CHERYL SKIGIN/Atty. for pl.
RESPONSIVE PLEADING

This matter will be continued to September 3, 2015, at 2:30 p.m. The court will prepare a minute order. No appearance is necessary.

5. [13-16155](#)-B-7 MICHAEL WEILERT AND MOTION TO DISMISS DEFENDANT
[13-1134](#) GENEVIEVE DE MONTREMARE CAS-5 GENEVIEVE DE MONTREMARE AND/OR
BRIAN L. GWARTZ AND CHERYL A. MOTION FOR ENTRY OF JUDGMENT
SKIGIN, CO-TRUSTEES V. WEILERT AGAINST MICHAEL WEILERT
7-30-15 [[103](#)]

CHERYL SKIGIN/Atty. for mv.

This matter will be rescheduled to September 3, 2015, at 2:30 p.m. The court will prepare a minute order. No appearance is necessary.

6. [13-16062](#)-B-7 MICHAEL WEILERT, M.D., MOTION TO DISMISS ADVERSARY
[15-1073](#) INC. PROCEEDING/NOTICE OF REMOVAL
BRIAN L. GWARTZ AND CHERYL A. 7-6-15 [[7](#)]
SKIGIN, CO-TRUSTEES V. WILD,
CHERYL SKIGIN/Atty. for mv.
RESPONSIVE PLEADING

This matter will be rescheduled to September 3, 2015, at 2:30 p.m. The court will prepare a minute order. No appearance is necessary.

7. [13-16062](#)-B-7 MICHAEL WEILERT, M.D., STATUS CONFERENCE RE: COMPLAINT
[15-1073](#) INC. 6-3-15 [[1](#)]
BRIAN L. GWARTZ AND CHERYL A.
SKIGIN, CO-TRUSTEES V. WILD,
CHERYL SKIGIN/Atty. for pl.

This matter will be rescheduled to September 3, 2015, at 2:30 p.m. The court will prepare a minute order. No appearance is necessary.

8. [14-16074](#)-B-7 HEATHER VASQUEZ MOTION TO DISMISS ADVERSARY
[15-1066](#) RHT-1 PROCEEDING/NOTICE OF REMOVAL
HAWKINS V. VASQUEZ 7-23-15 [[10](#)]
ROBERT HAWKINS/Atty. for mv.

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 adversary proceeding will be dismissed. The court will enter a civil minute order. No appearance is necessary.

10:00 A.M.

1. [14-11300](#)-B-7 LYDIA ANDRES
AP-1
WELLS FARGO BANK, N.A./MV
JEFF REICH/Atty. for dbt.
JONATHAN CAHILL/Atty. for mv.
DISCHARGED

MOTION FOR RELIEF FROM
AUTOMATIC STAY
7-10-15 [[27](#)]

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.

2. [15-12901](#)-B-7 SCOTT/DARLYNN WEBSTER
JPB-1
SCOTT WEBSTER/MV
JOHN BIANCO/Atty. for dbt.

MOTION TO COMPEL ABANDONMENT
7-29-15 [[7](#)]

3. [14-16009](#)-B-7 CINDY MILLER
JRL-2
CINDY MILLER/MV
JERRY LOWE/Atty. for dbt.

MOTION TO AVOID LIEN OF PMGI,
LLC
7-2-15 [[33](#)]

The motion will be denied without prejudice. No appearance is necessary. The record does not establish that the motion was served on the named respondent in compliance with Federal Rule of Bankruptcy Procedure 7004(b)(1) (service on an individual), 7004(b)(3) (corporation, partnership or unincorporated association) or 7004(h) (FDIC Insured Depository Institution). *In re Villar*, 317 B.R. 88 (9th Cir. BAP 2004). Information regarding service on a corporation may be obtained from the California Secretary of State's Internet Website, see <http://kepler.sos.ca.gov/>. For a directory of FDIC Insured Institutions, see <http://www3.fdic.gov/idasp/main.asp>. Litigants are encouraged to attach a copy of their information source (web page, etc.) to the proof of service to assist the court in evaluating compliance with Rule 7004.

Also, the moving papers do not include an appropriate docket control number as required by Local Rule 9014-1(c). Docket control number JRL-2 has already been used for a prior motion that was denied.

In addition, the motion is not supported by any evidence of the purported judgment lien, including the date and place it was originally recorded. The "Application for and Renewal of Judgment," attached as Exhibit A, just establishes that the respondent holds a potentially dischargeable claim, it is not a judgment lien. Pursuant to C.C.P. § 683.180, the recording of the "Application for and Renewal of Judgment" only renews a valid judgment lien that was previously recorded in the same county.

4. [14-16009](#)-B-7 CINDY MILLER
JRL-3
CINDY MILLER/MV
JERRY LOWE/Atty. for dbt.

MOTION TO AVOID LIEN OF
PALISADES COLLECTION, LLC
7-2-15 [[37](#)]

This motion will be continued to September 10, 2015, at 1:30 p.m., for submission of additional evidence. The motion is not supported by any evidence of the purported judgment lien or any information about the judgment lien, including the date or place it was originally recorded. The "Application for and Renewal of Judgment," attached as Exhibit A, just establishes that the respondent holds a potentially dischargeable claim, it is not a judicial lien. Pursuant to C.C.P. § 683.180, the recording of the "Application for and Renewal of Judgment" only renews a valid judgment lien that was previously recorded in the same county. No appearance is necessary.

5. 15-11610-B-7 JORGE CANO AND LORENA MOTION TO CONVERT CASE FROM
 TOG-1 CHAVEZ CHAPTER 7 TO CHAPTER 13
 JORGE CANO/MV 7-10-15 [[17](#)]
 THOMAS GILLIS/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 case will be converted to chapter 13. The court will enter a civil minute order. No appearance is necessary.

6. 15-11021-B-7 JOSEPH RICCARDI MOTION FOR RELIEF FROM
 AP-1 AUTOMATIC STAY
 FEDERAL NATIONAL MORTGAGE 7-6-15 [[17](#)]
 ASSOCIATION/MV
 JONATHAN CAHILL/Atty. for mv.
 DISCHARGED

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.

7. [15-12321](#)-B-7 JOSE SANCHEZ
RDN-1
U.S. BANK TRUST, N.A./MV
MARK ZIMMERMAN/Atty. for dbt.
RANDALL NAIMAN/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
7-23-15 [[15](#)]

This motion for relief from stay will be granted in part and denied in part. The motion for relief under U.S.C. § 362(d)(1) & (2) 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.

The request for relief under 11 U.S.C. § 362(d)(4), indicated in the summary sheet, will be denied. Relief under that subsection was not requested in the motion and is not supported by the evidence. No appearance is necessary.

8. [15-11223](#)-B-7 TERRY/RHONDA BAKER
PBB-1
TERRY BAKER/MV
PETER BUNTING/Atty. for dbt.

MOTION TO COMPEL ABANDONMENT
7-9-15 [[15](#)]

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.

9. [15-11825](#)-B-7 BLANCA AGUILAR
AP-1
BANK OF AMERICA, N.A./MV
JONATHAN CAHILL/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
7-10-15 [[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.

10. [15-12225](#)-B-7 DANIEL/SARAH MEJIA
RHT-1

OPPOSITION RE: TRUSTEE'S MOTION
TO DISMISS FOR FAILURE TO
APPEAR AT SEC. 341(A) MEETING
OF CREDITORS
7-9-15 [[9](#)]

KARNEY MEKHITARIAN/Atty. for dbt.

11. [10-19343](#)-B-7 CESAR CHENG AND CELESTE
TCS-4 OSUNA-CHENG
CESAR CHENG/MV
TIMOTHY SPRINGER/Atty. for dbt.

MOTION TO AVOID LIEN OF
YELLOWBOOK SALES & DISTRIBUTION
7-28-15 [[33](#)]

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.

12. [08-12145](#)-B-7 TOULU THAO
RWR-2
JAMES SALVEN/MV

MOTION TO COMPROMISE
CONTROVERSY/APPROVE SETTLEMENT
AGREEMENT WITH DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT
AND/OR MOTION FOR COMPENSATION
FOR JACOB M. WEISBERG, SPECIAL
COUNSEL(S)
7-20-15 [[36](#)]

DAVID JENKINS/Atty. for dbt.
RUSSELL REYNOLDS/Atty. for mv.

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.

13. [15-12049](#)-B-7 RONALD/JEANETTE MOLINA
JES-1

OPPOSITIONS RE: TRUSTEE'S
MOTION TO DISMISS FOR FAILURE
TO APPEAR AT SEC. 341(A)
MEETING OF CREDITORS
6-19-15 [[17](#)]

RESPONSIVE PLEADING

The trustee's motion to dismiss will be denied. It appears from the record that the meeting of creditors has now been concluded and the cause for dismissal has been cured. No appearance is necessary.

14. [15-11652](#)-B-7 AMILTON BARBOZA
BHT-1
U.S. BANK NATIONAL
ASSOCIATION/MV
DAVID JENKINS/Atty. for dbt.
BRIAN TRAN/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
7-20-15 [[22](#)]

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.

15. [15-11554](#)-B-7 STEPHEN/CRESTALYN GARDEA
UST-1
TRACY DAVIS/MV
LAYNE HAYDEN/Atty. for dbt.
ROBIN TUBESING/Atty. for mv.

MOTION TO DISMISS CASE PURSUANT
TO 11 U.S.C. SECTION 707(B)
7-8-15 [[21](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondents' default will be entered and the motion will be granted without oral argument for cause shown. The case shall be dismissed for cause shown. The U.S. Trustee shall submit a proposed order. No appearance is necessary.

16. [11-61158](#)-B-7 ADVANCED CARE
MKK-2 MANAGEMENT, INC.
M. KLEIN/MV
RILEY WALTER/Atty. for dbt.

MOTION FOR COMPENSATION FOR M.
KATHLEEN KLEIN, ACCOUNTANT(S)
7-22-15 [[71](#)]

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.

17. [13-13759](#)-B-7 JOHNNY GOLI
ASW-1
BANK OF NEW YORK MELLON/MV
JOELY BUI/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
7-2-15 [[61](#)]

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. [13-16062](#)-B-7 MICHAEL WEILERT, M.D.,
RHT-2 INC.
ROBERT HAWKINS/MV

CONTINUED MOTION TO COMPROMISE
CONTROVERSY/APPROVE SETTLEMENT
AGREEMENT WITH PATHOLOGY
ASSOCIATES
6-4-15 [[95](#)]

RILEY WALTER/Atty. for dbt.
ROBERT HAWKINS/Atty. for mv.

This matter will be continued to September 3, 2015, at 2:30 p.m. The court will prepare a minute order. No appearance is necessary.

19. [15-11163](#)-B-7 CHA THAO
PSJ-2
CHA THAO/MV
PAUL JAMES/Atty. for dbt.

MOTION TO AVOID LIEN OF CAVALRY
SPV I, LLC
7-14-15 [[23](#)]

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.

20. [15-11463](#)-B-7 JAIME HERNANDEZ
JRL-2
JAIME HERNANDEZ/MV
JERRY LOWE/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO REDEEM
7-6-15 [[36](#)]

Based on the respondent's opposition, this matter will be continued to September 10, 2015, at 10:00 a.m. This matter is now deemed to be a contested matter. Pursuant to FRBP 9014(c), the federal rules of discovery apply to contested matters. The respondent shall make the subject vehicle reasonably available for inspection and appraisal in preparation for an evidentiary hearing. The parties shall immediately commence formal discovery, exchange appraisals, meet and confer, set deposition dates if necessary, and be prepared for the court to set an early evidentiary hearing if the matter is not resolved by the continued hearing date. The court will prepare and enter a civil minute order. No appearance is necessary.

21. [15-12872](#)-B-7 MARIA QUIJANO
JMA-9
CV APARTMENTS OWNER, LLC/MV
JULIA ADAMS/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
7-31-15 [[14](#)]

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

22. [11-61480](#)-B-7 LAURA TORRES
MAR-2
LAURA TORRES/MV
MICHAEL RIVERA/Atty. for dbt.

MOTION TO AVOID LIEN OF EQUABLE
ASCENT FINANCIAL, LLC
7-15-15 [[23](#)]

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.

23. [15-12492](#)-B-7 JORGE/INES SALINAS
APN-1
WELLS FARGO BANK, N.A./MV
MARIO LANGONE/Atty. for dbt.
AUSTIN NAGEL/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
7-17-15 [[11](#)]

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.

24. [15-12199](#)-B-7 THOMAS SCHIFFLER
CJO-1
GREEN TREE SERVICING LLC/MV
RAYMOND ISLEIB/Atty. for dbt.
CHRISTINA O/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
7-30-15 [[13](#)]

11:00 A.M.

1. [15-12096](#)-B-7 MOISES RIOS AND VICTORIA REAFFIRMATION AGREEMENT WITH
 ARENAS CALIFORNIA REPUBLIC BANK
 7-28-15 [[15](#)]

 THOMAS GILLIS/Atty. for dbt.

The court intends to deny approval of the reaffirmation agreement and the hearing will be dropped from calendar. Debtors were represented by counsel when they entered into the reaffirmation agreement. Pursuant to 11 U.S.C. § 524(c)(3), "if the debtor is represented by counsel, the agreement *must* be accompanied by an affidavit of the debtor(s) attorney attesting to the referenced items before the agreement will have legal effect." *In re Minardi*, 399 B.R. 841, 846 (Bankr. N.D. Ok, 2009) (emphasis in original). In this case, the debtors's attorney affirmatively represented that he could not recommend the reaffirmation agreement. Therefore, the agreement does not meet the requirements of 11 U.S.C. § 524(c) and is not enforceable. In addition, both the reaffirmation agreement and the bankruptcy schedules show that reaffirmation of this debt creates a presumption of undue hardship which has not been rebutted in the reaffirmation agreement. No appearance is necessary.

1:30 P.M.

1. [12-15106](#)-B-13 ELIZABETH LEGASPI MOTION TO DISMISS CASE
MHM-3 6-18-15 [[51](#)]
MICHAEL MEYER/MV
GARY HUSS/Atty. for dbt.

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

2. [15-10408](#)-B-13 ROEUNG BO MOTION TO DISMISS CASE
MHM-2 6-19-15 [[31](#)]
MICHAEL MEYER/MV
TIMOTHY SPRINGER/Atty. for dbt.

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

3. [12-16812](#)-B-13 RICHARD LIMA MOTION TO DISMISS CASE
MHM-3 6-18-15 [[64](#)]
MICHAEL MEYER/MV
HENRY NUNEZ/Atty. for dbt.
WITHDRAWN

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

4. [14-15220](#)-B-13 CARMELO RODRIGUEZ MOTION TO DISMISS CASE
MHM-1 6-26-15 [[46](#)]
MICHAEL MEYER/MV
HENRY NUNEZ/Atty. for dbt.
MICHAEL MEYER/Atty. for mv.

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

5. [15-12220](#)-B-13 MYSTI MEDINA OBJECTION TO CONFIRMATION OF
APN-1 PLAN BY WELLS FARGO BANK, N.A.
WELLS FARGO BANK, N.A./MV 7-21-15 [[28](#)]

PERRY POPOVICH/Atty. for dbt.
AUSTIN NAGEL/Atty. for mv.

The court deems this objection to be a motion by the secured creditor to value its collateral for purposes of fixing the treatment of its claim in a chapter 13 plan. Therefore, this matter will be continued to September 10, 2015, at 1:30 p.m. This matter is now deemed to be a contested matter. Pursuant to FRBP 9014(c), the federal rules of discovery apply to contested matters. The debtor(s) shall make the subject property available for inspection on reasonable notice. The parties shall immediately commence formal discovery, exchange appraisals, meet and confer, set deposition dates if necessary, and be prepared for the court to set an early evidentiary hearing if the matter is not resolved by the continued hearing date. The court will prepare and enter a civil minute order. No appearance is necessary.

6. [15-12220](#)-B-13 MYSTI MEDINA
PPR-1
BANK OF AMERICA, N.A./MV
PERRY POPOVICH/Atty. for dbt.
ASYA LANDA/Atty. for mv.

OBJECTION TO CONFIRMATION OF
PLAN BY BANK OF AMERICA, N.A.
7-20-15 [[23](#)]

This matter will be continued to September 10, 2015, at 1:30 p.m. for hearing after the court rules on the OSC regarding dismissal of the debtor's case for lack of eligibility under chapter 13. The court will prepare a minute order. No appearance is necessary.

7. [15-13021](#)-B-13 JAMES/ANNETTE KROPP
ACW-1
JAMES KROPP/MV

ANDY WARSHAW/Atty. for dbt.

MOTION TO IMPOSE AUTOMATIC STAY
AND/OR MOTION TO EXTEND
AUTOMATIC STAY
7-31-15 [[7](#)]

8. [15-10822](#)-B-13 STEVE VALDIVIESO
LRP-1
KENNETH WRIGHT/MV

DAVID JENKINS/Atty. for dbt.
CRAIG FRY/Atty. for mv.
RESPONSIVE PLEADING

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY KENNETH
WRIGHT M.D. AND KAREN WRIGHT
4-21-15 [[29](#)]

This matter has been continued by prior order to October 15, 2015, at 10:00 a.m. The court will prepare a minute order. No appearance is necessary.

9. [15-10822](#)-B-13 STEVE VALDIVIESO
LRP-7
KENNETH WRIGHT/MV

DAVID JENKINS/Atty. for dbt.
CRAIG FRY/Atty. for mv.

MOTION TO EXTEND DEADLINE TO
FILE A COMPLAINT OBJECTING TO
DISCHARGEABILITY OF A DEBT
8-6-15 [[119](#)]

10. [13-16725](#)-B-13 CLINE/SABRINA GARNER
MHM-2
MICHAEL MEYER/MV
GARY HUSS/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
6-18-15 [[36](#)]

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

11. [15-12326](#)-B-13 FRED/EVA ARREOLA
PLF-1
FRED ARREOLA/MV

PETER FEAR/Atty. for dbt.

MOTION TO VALUE COLLATERAL OF
FRESNO POLICE DEPARTMENT CREDIT
UNION
7-23-15 [[16](#)]

This motion to value respondent's collateral was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be granted for cause shown without oral argument. Based on the evidence presented, the respondent's secured claim will be fixed at \$15,003. The moving party shall submit a proposed order consistent with this ruling. *The proposed order shall specifically identify the collateral, and if applicable, the proof of claim to which it relates.* The order will be effective upon confirmation of the chapter 13 plan. No appearance is necessary.

12. [15-11732](#)-B-13 FABIAN SISNEROS
MHM-1
MICHAEL MEYER/MV
RICHARD STURDEVANT/Atty. for dbt.

MOTION TO DISMISS CASE
7-17-15 [[36](#)]

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

13. [15-12132](#)-B-13 KEVIN/MACKENZIE FERREIRA
BHT-1
CALIFORNIA HOUSING FINANCE
AGENCY/MV
C. HUGHES/Atty. for dbt.
BRIAN TRAN/Atty. for mv.

OBJECTION TO CONFIRMATION OF
PLAN BY CALIFORNIA HOUSING
FINANCE AGENCY
7-21-15 [[23](#)]

This matter will be continued to October 22, 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 and enter a civil minute order. No appearance is necessary.

14. [14-10137](#)-B-13 RENEE RILEY
MHM-2
MICHAEL MEYER/MV

MOTION TO DISMISS CASE
6-18-15 [[56](#)]

DAVID JENKINS/Atty. for dbt.
WITHDRAWN

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

15. [11-63239](#)-B-13 THOMAS/KRISTAN ADAMS MOTION TO MODIFY PLAN
GMA-2 7-23-15 [[72](#)]
THOMAS ADAMS/MV
GEOFFREY ADALIAN/Atty. for dbt.
RESPONSIVE PLEADING

16. [14-10240](#)-B-7 ANTHONY/TAWNY JONES MOTION TO DISMISS CASE
MHM-1 6-19-15 [[27](#)]
MICHAEL MEYER/MV
THOMAS ARMSTRONG/Atty. for dbt.

The motion will be denied. The debtors have voluntarily converted this case to chapter 7. The default in chapter 13 plan payments is now a moot issue. No appearance is necessary.

17. [10-61841](#)-B-13 ROBERT/KAREN NORMAN MOTION FOR RELIEF UPON DEATH OF
GMA-1 DEBTOR
ROBERT NORMAN/MV 7-1-15 [[39](#)]
GEOFFREY ADALIAN/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 requirement to file a §1328 certificate will be waived for the debtor Robert Norman. The moving party shall submit a proposed order after filing a properly redacted death certificate. No appearance is necessary.

18. [14-14641](#)-B-13 HENRY RIOS MOTION TO DISMISS CASE
MHM-2 6-26-15 [[61](#)]
MICHAEL MEYER/MV
JERRY LOWE/Atty. for dbt.

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

19. [11-61443](#)-B-13 DALTON ELAM MOTION TO MODIFY PLAN
PLG-5 6-25-15 [[123](#)]
DALTON ELAM/MV
STEVEN ALPERT/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.

20. [15-10849](#)-B-13 ERIC SANBRANO
TCS-1
ERIC SANBRANO/MV
TIMOTHY SPRINGER/Atty. for dbt.

MOTION TO CONFIRM PLAN
7-8-15 [[21](#)]

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.

21. [10-19451](#)-B-13 LAWRENCE/LINDA MCCOLLUM
MHM-2
MICHAEL MEYER/MV
M. ENMARK/Atty. for dbt.

MOTION TO DISMISS CASE
6-17-15 [[148](#)]

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

22. [12-14852](#)-B-13 REGINA MCALISTER
MHM-2
MICHAEL MEYER/MV
JOSEPH ARNOLD/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
6-18-15 [[65](#)]

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

23. [15-10952](#)-B-13 ALFRED/MARY ZALDANA
PLG-1
ALFRED ZALDANA/MV
STEVEN ALPERT/Atty. for dbt.

MOTION TO VALUE COLLATERAL OF
CARMAX BUSINESS SERVICES, LLC
7-16-15 [[22](#)]

This motion to value respondent's collateral was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be granted for cause shown without oral argument. Based on the evidence presented, the respondent's secured claim will be fixed at \$8,500. The moving party shall submit a proposed order consistent with this ruling. *The proposed order shall specifically identify the collateral, and if applicable, the proof of claim to which it relates.* The order will be effective upon confirmation of the chapter 13 plan. No appearance is necessary.

24. [15-10859](#)-B-13 DAVID/LISA WOODS
MDE-1
NATIONSTAR MORTGAGE LLC/MV
C. HUGHES/Atty. for dbt.
MARK ESTLE/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
7-9-15 [[28](#)]

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.

25. [15-10859](#)-B-13 DAVID/LISA WOODS
MHM-1
MICHAEL MEYER/MV
C. HUGHES/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO DISMISS CASE
6-29-15 [[24](#)]

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

26. [12-14660](#)-B-13 JESUS/YSIDRA SANTOS
MHM-1
MICHAEL MEYER/MV
PETER BUNTING/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
6-17-15 [[46](#)]

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

27. [15-11860](#)-B-13 WILLIAM MELLO
LRP-1
MANPREET RAI/MV
DAVID JOHNSTON/Atty. for dbt.
MICHAEL GOMEZ/Atty. for mv.
RESPONSIVE PLEADING

CONTINUED MOTION FOR RELIEF
FROM AUTOMATIC STAY
6-25-15 [[26](#)]

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

28. [15-11860](#)-B-13 WILLIAM MELLO
LRP-2
MANPREET RAI/MV
DAVID JOHNSTON/Atty. for dbt.
MICHAEL GOMEZ/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
8-5-15 [[61](#)]

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

29. [15-11860](#)-B-13 WILLIAM MELLO
MHM-1
MICHAEL MEYER/MV
DAVID JOHNSTON/Atty. for dbt.

MOTION TO DISMISS CASE
7-21-15 [[49](#)]

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

30. [14-15861](#)-B-13 MANUEL/GUILLERMINA COSSIO MOTION TO MODIFY PLAN
EWG-1 7-14-15 [[29](#)]
MANUEL COSSIO/MV
SCOTT SAGARIA/Atty. for dbt.
RESPONSIVE PLEADING
31. [14-15861](#)-B-13 MANUEL/GUILLERMINA COSSIO MOTION TO DISMISS CASE
MHM-1 6-19-15 [[21](#)]
MICHAEL MEYER/MV
SCOTT SAGARIA/Atty. for dbt.
RESPONSIVE PLEADING

This matter will be continued to August 27, 2015, at 1:30 p.m., to be decided after the court rules on the motion to confirm a modified plan above. The court will prepare a minute order. No appearance is necessary.

32. [14-15962](#)-B-13 KIMBERLY SHACKELFORD MOTION TO DISMISS CASE
MHM-1 6-19-15 [[39](#)]
MICHAEL MEYER/MV
SUSAN HEMB/Atty. for dbt.

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the debtor's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

33. [13-16764](#)-B-13 KENNETH ROMERO MOTION TO DISMISS CASE
MHM-1 6-18-15 [[40](#)]
MICHAEL MEYER/MV
PETER BUNTING/Atty. for dbt.
WITHDRAWN

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

34. [15-11966](#)-B-13 SAMUEL FRANCO DELGADO AND AMENDED MOTION TO VALUE
SL-1 MARIA RODRIGUEZ DE FRANCO COLLATERAL OF BANK OF THE
SAMUEL FRANCO DELGADO/MV SIERRA, INC.
7-24-15 [[28](#)]
SCOTT LYONS/Atty. for dbt.

35. [14-12967](#)-B-13 DAVID/SHEREE PIEPER MOTION TO DISMISS CASE
MHM-2 6-19-15 [[58](#)]
MICHAEL MEYER/MV
NANCY KLEPAC/Atty. for dbt.

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the debtors' default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

36. [15-12567](#)-B-13 CAROLYN DE BEM MOTION TO CONFIRM PLAN
MAZ-1 7-7-15 [[17](#)]

CAROLYN DE BEM/MV
MARK ZIMMERMAN/Atty. for dbt.
DISMISSED

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

37.	14-15968 -B-13	BRADLEY JAURIQUE	MOTION TO DISMISS CASE
	MHM-3		6-26-15 [47]
	MICHAEL MEYER/MV		
	NANCY KLEPAC/Atty. for dbt.		
	DISMISSED		

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

38.	10-18769 -B-13	BRIAN ABRAHAMS AND	MOTION TO WITHDRAW CLAIM NUMBER
	SAS-1	HEATHER THOMAS	10
	PNC BANK, NATIONAL		6-29-15 [106]
	ASSOCIATION/MV		
	BRIAN AUSTIN/Atty. for dbt.		
	SBLEND SBLENDORIO/Atty. for mv.		
	RESPONSIVE PLEADING		

39.	13-15371 -B-13	CHRISTANIA HAUGHTON	MOTION TO DISMISS CASE
	MHM-2		6-18-15 [32]
	MICHAEL MEYER/MV		
	GEOFFREY ADALIAN/Atty. for dbt.		
	WITHDRAWN		

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

40.	14-13571 -B-13	LEONARD/ROSELINE DUVAL	MOTION TO MODIFY PLAN
	PLG-3		6-25-15 [67]
	LEONARD DUVAL/MV		
	CHELSEA RYAN/Atty. for dbt.		
	RESPONSIVE PLEADING		

41. [15-11172](#)-B-13 FELIPE/AURORA ALVARADO MOTION TO CONFIRM PLAN
TOG-4 7-6-15 [[53](#)]
FELIPE ALVARADO/MV
THOMAS GILLIS/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.

42. [13-17973](#)-B-13 MARIA VASQUEZ MOTION TO DISMISS CASE
MHM-1 6-18-15 [[67](#)]
MICHAEL MEYER/MV
GEOFFREY ADALIAN/Atty. for dbt.
RESPONSIVE PLEADING

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

43. [14-15876](#)-B-13 SCOTT NAGEL MOTION TO DISMISS CASE
MHM-1 6-19-15 [[43](#)]
MICHAEL MEYER/MV
SCOTT SAGARIA/Atty. for dbt.

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the debtor's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

44. [14-14477](#)-B-13 RICHIE/YESENIA CHOI MOTION TO DISMISS CASE
MHM-2 6-19-15 [[86](#)]
MICHAEL MEYER/MV
PETER BUNTING/Atty. for dbt.

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the debtors' default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

45. [12-11878](#)-B-13 MAUREY/MARY COPELAND MOTION TO DISMISS CASE
MHM-1 6-17-15 [[56](#)]
MICHAEL MEYER/MV
ADRIAN WILLIAMS/Atty. for dbt.
WITHDRAWN

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

46. [11-16480](#)-B-13 DAVID RUSSO MOTION TO DISMISS CASE
MHM-3 6-17-15 [[75](#)]

MICHAEL MEYER/MV
GARY HUSS/Atty. for dbt.
WITHDRAWN

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

47. [10-17482](#)-B-13 RORY/SHERIE BENEDICT MOTION TO DISMISS CASE
MHM-2 6-15-15 [[106](#)]
MICHAEL MEYER/MV
PETER FEAR/Atty. for dbt.
WITHDRAWN

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

48. [15-11788](#)-B-13 MARK/AMY AVILA ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
7-27-15 [[44](#)]
MARCUS TORIGIAN/Atty. for dbt.
FEE PAID IN FULL

The record shows that the required fee has been paid in full. The OSC will be dropped from calendar. No appearance is necessary.

49. [15-11788](#)-B-13 MARK/AMY AVILA MOTION TO DISMISS CASE
MHM1 7-21-15 [[39](#)]
MICHAEL MEYER/MV
MARCUS TORIGIAN/Atty. for dbt.
WITHDRAWN

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

50. [10-19089](#)-B-13 DOUGLAS STROLE AND GAIL MOTION TO DISMISS CASE
MHM-1 JAMES-STROLE 6-15-15 [[58](#)]
MICHAEL MEYER/MV
GARY HUSS/Atty. for dbt.
WITHDRAWN

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

51. [13-16590](#)-B-13 JOSE VERA MOTION TO DISMISS CASE
MHM-2 6-18-15 [[67](#)]
MICHAEL MEYER/MV
STEVEN ALPERT/Atty. for dbt.
WITHDRAWN

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

52. [15-12591](#)-B-13 CHRISTOPHER NIEBLAS ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
8-4-15 [[20](#)]

FRANCISCO ALDANA/Atty. for dbt.
FEE PAID 8/5/15

53. [10-19692](#)-B-13 SIMON/JOSEPHINE DOMINGUEZ MOTION TO DISMISS CASE
MHM-1 6-17-15 [[77](#)]
MICHAEL MEYER/MV
JANINE ESQUIVEL/Atty. for dbt.
WITHDRAWN

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

54. [12-15392](#)-B-13 GLEN/ELLEN SCHAFER MOTION TO MODIFY PLAN
GEG-4 6-29-15 [[58](#)]
GLEN SCHAFER/MV
GLEN GATES/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.

55. [12-14296](#)-B-13 MICHAEL/JAIME BAEZA ORDER TO SHOW CAUSE - FAILURE
TO TENDER FEE FOR FILING
TRANSFER OF CLAIM
6-15-15 [[40](#)]

ROBERT WILLIAMS/Atty. for dbt.
FEE PAID 7/8/15

The record shows that the required fee has been paid in full. The OSC will be dropped from calendar. No appearance is necessary.

56. [14-12397](#)-B-13 WILLY JIMENEZ MOTION TO DISMISS CASE
MHM-1 6-19-15 [[20](#)]
MICHAEL MEYER/MV
PETER BUNTING/Atty. for dbt.
WITHDRAWN

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

57. [15-12881](#)-B-13 JOHN/NANCY ALVA
TCS-1
JOHN ALVA/MV
TIMOTHY SPRINGER/Atty. for dbt.
DEBTOR DISMISSED:
08/10/2015
JOINT DEBTOR DISMISSED:
08/10/2015
OST

MOTION TO VACATE DISMISSAL OF
CASE
8-14-15 [[18](#)]

58. [15-12881](#)-B-13 JOHN/NANCY ALVA
TCS-2
JOHN ALVA/MV
TIMOTHY SPRINGER/Atty. for dbt.
DEBTOR DISMISSED:
08/10/2015
JOINT DEBTOR DISMISSED:
08/10/2015

MOTION TO EXTEND AUTOMATIC STAY
8-14-15 [[22](#)]

2:30 P.M.

1. [13-10302](#)-B-11 GMC DAIRY FARMS LP
TLC-14
GMC DAIRY FARMS LP/MV

CHRISTIAN JINKERSON/Atty. for dbt.
WITHDRAWN
- RESCHEDULED HEARING RE: MOTION
FOR FINAL DECREE AND ORDER
CLOSING CASE
6-10-15 [[766](#)]

This motion has been withdrawn and will be dropped from calendar. No appearance is necessary.

2. [15-10705](#)-B-11 CHARLOTTE SALWASSER
JES-1
JAMES SALVEN/MV

THOMAS ARMSTRONG/Atty. for dbt.
RESPONSIVE PLEADING
- MOTION FOR COMPENSATION FOR
JAMES E. SALVEN, OTHER
PROFESSIONAL(S)
7-8-15 [[424](#)]

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.

3. [15-10705](#)-B-11 CHARLOTTE SALWASSER
JES-2
JAMES SALVEN/MV
THOMAS ARMSTRONG/Atty. for dbt.
RESPONSIVE PLEADING
- MOTION TO SELL
7-15-15 [[437](#)]

This matter will be continued to August 27, 2015, at 2:30 p.m. Any opposition with supporting evidence must be filed and served by August 25, 2015. The court will prepare a minute order. No appearance is necessary.

4. [15-10705](#)-B-11 CHARLOTTE SALWASSER
JES-3
JAMES SALVEN/MV
THOMAS ARMSTRONG/Atty. for dbt.
RESPONSIVE PLEADING
- MOTION TO SELL
7-16-15 [[442](#)]

This matter will be continued to August 27, 2015, at 2:30 p.m. Any opposition with supporting evidence must be filed and served by August 25, 2015. The court will prepare a minute order. No appearance is necessary.

5. [15-10705](#)-B-11 CHARLOTTE SALWASSER MOTION TO SELL
JES-4 7-16-15 [[447](#)]
JAMES SALVEN/MV
THOMAS ARMSTRONG/Atty. for dbt.
RESPONSIVE PLEADING

This matter will be continued to August 27, 2015, at 2:30 p.m. Any opposition with supporting evidence must be filed and served by August 25, 2015. The court will prepare a minute order. No appearance is necessary.

6. [15-10705](#)-B-11 CHARLOTTE SALWASSER MOTION TO SELL FREE AND CLEAR
KDG-2 OF LIENS , AND/OR MOTION TO PAY
WEST COAST GROWERS, INC./MV , MOTION FOR SURCHARGE PROCEEDS
PURSUANT TO 11 U.S.C. SECTION
506(C)
7-23-15 [[482](#)]

THOMAS ARMSTRONG/Atty. for dbt.
HAGOP BEDOYAN/Atty. for mv.
RESPONSIVE PLEADING

7. [15-10705](#)-B-11 CHARLOTTE SALWASSER MOTION TO APPROVE STIPULATION
KFV-1 REGARDING LIEN ON FTB
CENTRAL VALLEY COMMUNITY WITHHOLDING RE REAL PROPERTY
BANK/MV SALES PROCEEDS
7-2-15 [[399](#)]

THOMAS ARMSTRONG/Atty. for dbt.
KURT VOTE/Atty. for mv.

8. [15-10705](#)-B-11 CHARLOTTE SALWASSER MOTION FOR COMPENSATION FOR
SAS-1 SHERYL A. STRAIN, ACCOUNTANT(S)
SHERYL STRAIN/MV 7-22-15 [[468](#)]
THOMAS ARMSTRONG/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.

9. [15-10705](#)-B-11 CHARLOTTE SALWASSER
THA-20
CHARLOTTE SALWASSER/MV

MOTION TO EXTEND EXCLUSIVITY
PERIOD FOR FILING A CHAPTER 11
PLAN AND MOTION/APPLICATION TO
EXTEND EXCLUSIVITY PERIOD FOR
FILING A CHAPTER 11 PLAN AND
DISCLOSURE STATEMENT FILED BY
DEBTOR CHARLOTTE ELLEN
SALWASSER
6-26-15 [[384](#)]

THOMAS ARMSTRONG/Atty. for dbt.

The motion will be denied. No appearance is necessary. The motion and record in this case do not establish "cause" for the relief requested as required by 11 U.S.C. § 1121(d)(2). The termination of "exclusivity" appears to be a non-issue in this case. The debtor only requests an extension of eight days after the noticed hearing. The debtor has not communicated to this court, at any time, an intent to file a plan and disclosure statement. The declaration of debtor's counsel filed in support of the motion is equivocal with regard to that issue. There is no creditors committee in this case and nothing in the record suggests that an individual creditor intends to take up the responsibility and burden of filing a plan and disclosure statement before the proposed extension would expire on August 28, 2015.

10. [15-10705](#)-B-11 CHARLOTTE SALWASSER
THA-25
CHARLOTTE SALWASSER/MV
THOMAS ARMSTRONG/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO SELL
7-21-15 [[461](#)]

This matter will be continued to August 27, 2015, at 2:30 p.m. Any opposition with supporting evidence must be filed and served by August 25, 2015. The court will prepare a minute order. No appearance is necessary.

11. [15-10705](#)-B-11 CHARLOTTE SALWASSER
THA-26
CHARLOTTE SALWASSER/MV
THOMAS ARMSTRONG/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO SELL
7-23-15 [[487](#)]

This matter will be continued to August 27, 2015, at 2:30 p.m. Any additional opposition with supporting evidence must be filed and served by August 25, 2015. The court will prepare a minute order. No appearance is necessary.

12. [15-10705](#)-B-11 CHARLOTTE SALWASSER MOTION TO SELL
THA-27 7-23-15 [[493](#)]
CHARLOTTE SALWASSER/MV
THOMAS ARMSTRONG/Atty. for dbt.
RESPONSIVE PLEADING

This matter will be continued to August 27, 2015, at 2:30 p.m. Any opposition with supporting evidence must be filed and served by August 25, 2015. The court will prepare a minute order. No appearance is necessary.

13. [15-10705](#)-B-11 CHARLOTTE SALWASSER MOTION FOR AUTHORITY TO UTILIZE
THA-29 UNENCUMBERED PERSONAL PROPERTY
CHARLOTTE SALWASSER/MV AUCTION PROCEEDS FOR CONTINUED
FARMING OPERATIONS AND PAYMENT
OF ADMINISTRATIVE CLAIMS
8-6-15 [[519](#)]

THOMAS ARMSTRONG/Atty. for dbt.

14. [15-12705](#)-A-11 GEORGE SALWASSER MOTION FOR RELIEF FROM
THA-1 AUTOMATIC STAY
CHARLOTTE SALWASSER/MV 8-6-15 [[43](#)]
JUSTIN HARRIS/Atty. for dbt.
THOMAS ARMSTRONG/Atty. for mv.

This case has been re-assigned to Department A. Accordingly, the hearing will be dropped from this calendar. The motion needs to be re-noticed for a hearing in Department A. No appearance is necessary.

15. [15-11079](#)-B-11 WEST COAST GROWERS, INC. MOTION TO APPROVE STIPULATION
KDG-10 A CALIFORNIA CORPORATION BETWEEN WEST COAST GROWERS,
WEST COAST GROWERS, INC. A INC. AND THE GROWERS
CALIFORNIA CORPORATION/MV 7-16-15 [[348](#)]
HAGOP BEDOYAN/Atty. for dbt.
RESPONSIVE PLEADING

The motion will be denied. The debtor has entered into a stipulation with a group of entities referred to collectively as "the Growers." However, the stipulation assumes the defacto existence of a "Growers Committee." The court has never been asked to order, nor ordered, the appointment of a formal "Growers Committee" pursuant to 11 U.S.C. §1102(a)(2) which might act on behalf of all "growers" similarly situated and exercise the rights and powers contemplated in the stipulation. The court is not prepared to confer these rights and powers to each individual grower included in the "Grower" group. No appearance is necessary.

16. [15-11079](#)-B-11 WEST COAST GROWERS, INC.
KDG-11 A CALIFORNIA CORPORATION
WEST COAST GROWERS, INC. A
CALIFORNIA CORPORATION/MV

HAGOP BEDOYAN/Atty. for dbt.
RESPONSIVE PLEADING
17. [15-11079](#)-B-11 WEST COAST GROWERS, INC.
KDG-5 A CALIFORNIA CORPORATION
WEST COAST GROWERS, INC. A
CALIFORNIA CORPORATION/MV

HAGOP BEDOYAN/Atty. for dbt.
RESPONSIVE PLEADING
18. [15-11079](#)-B-11 WEST COAST GROWERS, INC.
RAC-2 A CALIFORNIA CORPORATION

HAGOP BEDOYAN/Atty. for dbt.
- MOTION TO SELL FREE AND CLEAR
OF LIENS AND/OR MOTION TO PAY ,
MOTION FOR SURCHARGE PROCEEDS
PURSUANT TO 11 U.S.C. SECTION
506(C)
7-23-15 [[365](#)]
- CONTINUED MOTION FOR ORDER
AUTHORIZING
DEBTOR-IN-POSSESSION TO MAKE
FIRST INTERIM DISTRIBUTION TO
2014 GROWERS
4-23-15 [[117](#)]
- MOTION FOR COMPENSATION BY THE
LAW OFFICE OF BLAKELEY LLP FOR
RONALD A. CLIFFORD, CREDITORS
ATTORNEY(S)
7-23-15 [[358](#)]
- 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. [15-11080](#)-B-11 SALWASSER, INC.
KDG-1
WEST COAST GROWERS, INC./MV

PETER FEAR/Atty. for dbt.
HAGOP BEDOYAN/Atty. for mv.
RESPONSIVE PLEADING
20. [13-13388](#)-B-11 GEORGE/MARILYN LANTING
TCS-13
GEORGE LANTING/MV
NANCY KLEPAC/Atty. for dbt.
- MOTION TO SELL
7-29-15 [[361](#)]