

UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Thomas Holman
Bankruptcy Judge
Sacramento, California

September 4, 2013 at 9:30 A.M.

1. [11-49408](#)-B-7 PATRICK/RETHA KENOYER STATUS CONFERENCE RE: COMPLAINT
[13-2119](#) 4-5-13 [[1](#)]
WHATLEY V. KENOYER ET AL

Disposition Without Oral Argument: The status conference is continued to October 30, 2013, at 9:30 a.m., to allow the plaintiff time to file and set for hearing a motion for entry of default judgment. If the adversary proceeding has not been resolved by October 1, 2013, the parties shall comply with the court's Order to Confer on Initial Disclosures and Setting Deadlines (Dkt. 5) (the "OTC") as if October 30, 2013 were the status conference date set in the original summons (Dkt. 3). Failure to comply with the orders herein or with the OTC may result in the imposition of sanctions under F.R.Bankr.P. 7016, incorporating F.R.Civ.P. 16(f). Such sanctions may include any of the sanctions listed in F.R.Civ.P. 37(b)(2)(A)(ii)-(vii), including dismissal of the action for plaintiff's failure to comply or striking defendant's answer and entering defendant's default for defendant's failure to comply.

The court will issue a minute order.

2. [11-35325](#)-B-7 JAMES COXETER CONTINUED STATUS CONFERENCE RE:
[11-2643](#) COMPLAINT
MISKE V. COXETER 9-19-11 [[1](#)]

Disposition Without Oral Argument: The status conference is continued to October 2, 2013, at 9:30 a.m. On or before September 25, 2013, the parties shall file and serve status reports regarding the status of this adversary proceeding. Failure to comply with the orders herein may result in the imposition of sanctions under F.R.Bankr.P. 7016, incorporating F.R.Civ.P. 16(f), including dismissal of the action for plaintiff's failure to comply or striking defendant's answer and entering defendant's default for defendant's failure to comply.

The court will issue a minute order.

3. [11-43946](#)-B-13 DAVID/TRACY REMICK CONTINUED STATUS CONFERENCE RE:
[13-2017](#) COMPLAINT
REMICK ET AL V. BANK OF 1-15-13 [[1](#)]
AMERICA, N.A.
ADV. CASE DISMISSED 8/20/13

Disposition Without Oral Argument: Oral argument will not aid the court in rendering a decision on this matter.

The status conference is removed from the calendar. By notice of dismissal filed August 20, 2013 (Dkt. 34), the plaintiffs voluntarily dismissed the adversary proceeding.

The court will issue a minute order.

4. [09-46575](#)-B-13 ROMAN BANAKH CONTINUED STATUS CONFERENCE RE:
[13-2106](#) COMPLAINT
BANAKH V. BANK OF AMERICA, 3-26-13 [[1](#)]
N.A.

Disposition Without Oral Argument: The status conference is continued to November 13, 2013, at 9:30 a.m. to allow the plaintiff time to seek entry of default judgment following the entry of a discharge in his parent chapter 13 case. If the adversary proceeding is not resolved by October 15, 2013, the parties shall comply with the court's Order to Confer on Initial Disclosures and Setting Deadlines (Dkt. 5) (the "OTC") as if the date of the continued status conference were the status conference date set in the original summons (Dkt. 3). Failure to comply with the orders herein or with the OTC may result in the imposition of sanctions under Fed. R. Bankr. P. 7016, incorporating Fed. R. Civ. P. 16(f). Such sanctions may include any of the sanctions listed in F.R.Civ.P. 37(b) (2) (A) (ii)-(vii), including dismissal of the action for plaintiff's failure to comply or striking defendant's answer and entering defendant's default for defendant's failure to comply.

After a review of the docket in the debtor's parent case and consultation with the court clerk's office, the court is informed that a Form EDC 5-300, Notice of Intent to Enter Chapter 13 Discharge (the "Notice of Intent") will soon be entered in this case, as the debtor has filed his certificate of completion of an instructional course in financial management on August 8, 2013. The status conference is continued to allow time for entry of the chapter 13 discharge - assuming no objections to the Notice of Intent are filed - and to allow the debtor to file and set for hearing a motion for entry of default judgment on proper notice to the defendant.

The court will issue a minute order.

5. [12-38199](#)-B-7 STEVE GREGORY
[13-2022](#)
GREGORY V. GREGORY

CONTINUED STATUS CONFERENCE RE:
COMPLAINT
1-22-13 [[1](#)]

Disposition Without Oral Argument: The status conference is continued to October 30, 2013, at 9:30 a.m. for resolution of the motion for entry of default judgment set for hearing on October 1, 2013. If the adversary proceeding is not resolved by October 1, 2013, the parties shall comply with the court's Order to Confer on Initial Disclosures and Setting Deadlines (Dkt. 5) (the "OTC") as if the date of the continued status conference were the status conference date set in the original summons (Dkt. 3). Failure to comply with the orders herein or with the OTC may result in the imposition of sanctions under Fed. R. Bankr. P. 7016, incorporating Fed. R. Civ. P. 16(f). Such sanctions may include any of the sanctions listed in F.R.Civ.P. 37(b)(2)(A)(ii)-(vii), including dismissal of the action for plaintiff's failure to comply or striking defendant's answer and entering defendant's default for defendant's failure to comply.

The court will issue a minute order.