

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA**

Honorable Fredrick E. Clement
Sacramento Federal Courthouse
501 I Street, 7th Floor
Courtroom 28, Department A
Sacramento, California

DAY: MONDAY
DATE: SEPTEMBER 28, 2020
CALENDAR: 1:30 P.M. CHAPTERS 9, 11 AND 12 CASES

RULINGS

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

"No Ruling" means the likely disposition of the matter will not be disclosed in advance of the hearing. The matter will be called; parties wishing to be heard should rise and be heard.

"Tentative Ruling" means the likely disposition, and the reasons therefor, are set forth herein. The matter will be called. Aggrieved parties or parties for whom written opposition was not required should rise and be heard. Parties favored by the tentative ruling need not appear. Non-appearing parties are advised that the court may adopt a ruling other than that set forth herein without further hearing or notice.

"Final Ruling" means that the matter will be resolved in the manner, and for the reasons, indicated below. The matter will not be called; parties and/or counsel need not appear and will not be heard on the matter.

CHANGES TO PREVIOUSLY PUBLISHED RULINGS

On occasion, the court will change its intended ruling on some of the matters to be called and will republish its rulings. The parties and counsel are advised to recheck the posted rulings after 3:00 p.m. on the next business day prior to the hearing. Any such changed ruling will be preceded by the following bold face text: **"[Since posting its original rulings, the court has changed its intended ruling on this matter]"**.

ERRORS IN RULINGS

Clerical errors of an insignificant nature, e.g. nomenclature ("2017 Honda Accord," rather than "2016 Honda Accord"), amounts, ("\$880," not "\$808"), may be corrected in (1) tentative rulings by appearance at the hearing; or (2) final rulings by appropriate ex parte application. Fed. R. Civ. P. 60(a) *incorporated by* Fed. R. Bankr. P. 9024. All other errors, including those occasioned by mistake, inadvertence, surprise or excusable neglect, must be corrected by noticed motion. Fed. R. Bankr. P. 60(b), *incorporated by* Fed. R. Bankr. P. 9023.

1. [19-22025](#)-A-12 **IN RE: JEFFREY DYER AND JAN WING-DYER**
[BUC-1](#)

CONTINUED COUNTER MOTION FOR RELIEF FROM AUTOMATIC STAY
8-17-2020 [[185](#)]

STEPHEN REYNOLDS/ATTY. FOR DBT.
VALERIE PEO/ATTY. FOR MV.
RABO AGRIFINANCE LLC VS.
RESPONSIVE PLEADING

No Ruling

2. [19-22025](#)-A-12 **IN RE: JEFFREY DYER AND JAN WING-DYER**
[RLC-7](#)

CONTINUED MOTION TO MODIFY CHAPTER 12 PLAN
7-28-2020 [[176](#)]

STEPHEN REYNOLDS/ATTY. FOR DBT.
RESPONSIVE PLEADING

No Ruling

3. [20-23726](#)-A-11 **IN RE: AME ZION WESTERN EPISCOPAL DISTRICT**
[GEL-2](#)

CONTINUED MOTION TO EMPLOY GABRIEL E. LIBERMAN AS
ATTORNEY(S)
8-13-2020 [[23](#)]

GABRIEL LIBERMAN/ATTY. FOR DBT.

Final Ruling

This matter is continued to October 19, 2020. The movant has not complied with this court's instruction in Civil Minutes, September 4, 2020, ECF No. 34. The conclusory allegation in the supplemental declaration, Moses decl. ¶ 3, September 4, 2020, ECF No. 40, is insufficient as a matter of law. Counsel is reminded of his obligations under Rule of Professional Conduct 1.8.6. Moreover, the declarant indicates that he is the "sole shareholder" of the "Winston Chapel," but has signed the declaration using the title "pastor." This court believes that Winston Chapel is, in fact, a religious corporation, and does not have shareholders. Cal. Corp. Code § 9110 et seq. Not later than October 5, 2020, the movant may file a second supplemental declaration that addresses (1) the issues set forth in the Civil Minutes No. 34; (2) Rule of Professional Conduct 1.8.6; and (3) Winston Chapel is a religious corporation; and (4) who under applicable articles and/or bylaws has the

authority to declare compliance with this court's prior order and with Rule 1.8.6. Since this is the second continuance of this application, absent a sufficient and timely declaration addressing these issues, the court will deny the application without further notice or hearing. A civil minute order will issue.

4. [20-23726](#)-A-11 **IN RE: AME ZION WESTERN EPISCOPAL DISTRICT
[GEL-3](#)**

MOTION TO REJECT LEASE OR EXECUTORY CONTRACT
9-4-2020 [[35](#)]

GABRIEL LIBERMAN/ATTY. FOR DBT.

No Ruling

5. [19-25064](#)-A-11 **IN RE: SLIDEBELTS INC.
[DRB-6](#)**

MOTION TO RECONSIDER
9-4-2020 [[488](#)]

BRIAN ROTHSCHILD/ATTY. FOR DBT.
DAREN BRINKMAN/ATTY. FOR MV.
DEBTOR DISMISSED: 06/30/2020

Final Ruling

The court continued this motion to November 2, 2020 at 1:30 p.m.
Order September 21, 2020, ECF No. 497.