

**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: TUESDAY
DATE: SEPTEMBER 29, 2020
CALENDAR: 1:30 P.M. ADVERSARY PROCEEDINGS

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. [18-25346](#)-A-7 **IN RE: SHIV SINGH**
[18-2196](#)

CONTINUED PRE-TRIAL CONFERENCE RE: COMPLAINT FOR
NON-DISCHARGE OF DEBT
12-17-2018 [[1](#)]

SANDHU V. SINGH
JUSTIN KUNEY/ATTY. FOR PL.

Final Ruling

At the suggestion of the parties, the status conference is continued to October 20, 2020, at 1:30 p.m.

2. [19-23452](#)-A-7 **IN RE: CIAO RESTAURANTS, LLC**
[20-2110](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT
6-2-2020 [[1](#)]

HUSTED V. OLD REPUBLIC TITLE
COMPANY
NICHOLAS KOHLMAYER/ATTY. FOR PL.
RESPONSIVE PLEADING

Final Ruling

At the suggestion of the parties, the status conference is continued to November 24, 2020, at 1:30 p.m. Not later than November 10, 2020, the parties shall file a joint status report.

3. [19-23452](#)-A-7 **IN RE: CIAO RESTAURANTS, LLC**
[20-2110](#)

STATUS CONFERENCE RE: THIRD-PARTY COMPLAINT
7-29-2020 [[13](#)]

HUSTED V. OLD REPUBLIC TITLE
COMPANY
EDWARD SMITH/ATTY. FOR PL.
RESPONSIVE PLEADING

Final Ruling

At the suggestion of the parties, the status conference is continued to November 24, 2020, at 1:30 p.m. Not later than November 10, 2020, the parties shall file a joint status report.

4. [18-22453](#)-A-7 **IN RE: ECS REFINING, INC.**
[20-2093](#)

CONTINUED STATUS CONFERENCE RE: AMENDED COMPLAINT
7-17-2020 [[28](#)]

HUSTED V. TAGGART ET AL
CHRISTOPHER SULLIVAN/ATTY. FOR PL.

Final Ruling

The status conference is removed from calendar. After the court has ruled on the individual defendants' motion to dismiss, PH-2, and the entity defendants' motion to dismiss, DB-2, and by separate order, the court will reconvene the status conference. The court will issue a civil minute order.

5. [18-22453](#)-A-7 **IN RE: ECS REFINING, INC.**
[20-2093](#) [DB-2](#)

MOTION TO DISMISS ADVERSARY PROCEEDING/NOTICE OF REMOVAL
8-19-2020 [[48](#)]

HUSTED V. TAGGART ET AL
JAMIE DREHER/ATTY. FOR MV.

Final Ruling

The hearing on the entity defendants' motion to dismiss, DB-2, is removed from calendar to allow the court additional time to consider the matter. After the court has done so, and by separate order, the court will schedule oral argument. The record is closed and no further filings with respect to the motion to dismiss are authorized. The court will issue a civil minute order.

6. [18-22453](#)-A-7 **IN RE: ECS REFINING, INC.**
[20-2093](#) [PH-2](#)

MOTION TO DISMISS ADVERSARY PROCEEDING/NOTICE OF REMOVAL
8-19-2020 [[41](#)]

HUSTED V. TAGGART ET AL
HOWARD PRIVETTE/ATTY. FOR MV.

Final Ruling

The hearing on the individual defendants' motion to dismiss, PD-2, is removed from calendar to allow the court additional time to consider the matter. After the court has done so, and by separate order, the court will schedule oral argument. The record is closed and no further filings with respect to the motion to dismiss are authorized. The court will issue a civil minute order.

7. [19-26462](#)-A-7 **IN RE: GINA/GILBERT SAVALA**
[20-2005](#) [BHS-1](#)

CONTINUED MOTION TO COMPEL AND/OR MOTION FOR SANCTIONS
8-3-2020 [[40](#)]

THREE LAKES DESIGN V. SAVALA
BARRY SPITZER/ATTY. FOR MV.
RESPONSIVE PLEADING

No Ruling

8. [19-21879](#)-A-7 **IN RE: MARY/NICHOLAS HEDGE**
[19-2069](#)

CONTINUED PRE-TRIAL CONFERENCE RE: COMPLAINT FOR:
DECLARATORY RELIEF REGARDING CONSTRUCTIVE TRUST; OBJECTION
TO CLAIM OF EXEMPTION IN PROPERTY HELD IN CONSTRUCTIVE
TRUST, ET AL.
5-29-2019 [[1](#)]

ANELLI V. HEDGE ET AL
THOMAS PHINNEY/ATTY. FOR PL.

Final Ruling

Judgment having been entered on August 19, 2020, ECF No. #34, the Pre-Trial Conference is dropped as moot.

9. [20-21284](#)-A-7 **IN RE: DORSIE LAKE**
[20-2114](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT
6-10-2020 [[1](#)]

LAKE V. LAKE
JONATHAN STEIN/ATTY. FOR PL.

No Ruling

10. [19-25888](#)-A-7 **IN RE: RAMESHWAR PRASAD**
[20-2132](#)

STATUS CONFERENCE RE: COMPLAINT
7-27-2020 [[1](#)]

PRASAD V. ITRIA VENTURES, LLC
ET AL
CHARLES HASTINGS/ATTY. FOR PL.

No Ruling