

**UNITED STATES BANKRUPTCY COURT**

Eastern District of California

Honorable Ronald H. Sargis  
Bankruptcy Judge  
Modesto, California

**October 10, 2013 at 3:30 p.m.**

- 
1. [11-92004-E-11](#) GREGORY/CYNTHIA SHINKWIN CONTINUED STATUS CONFERENCE RE:  
VOLUNTARY PETITION  
6-3-11 [[1](#)]

Debtors' Atty: David C. Johnston

**Tentative Ruling: The Status Conference is continued to 2:30 p.m. on November --, 2013**, as a check date for the Plan Administrator filing the motion to administratively close this case.

Notes:

Continued from 7/18/13. Counsel for the Debtors in Possession to have filed and heard all motions for allowance of fees for counsel and other professionals engaged by the Debtors in Possession prior to 10/10/13.

Operating Reports filed: 8/19/13 [Feb, Mar, Apr, May, Jun, Jul]

[DCJ-2] Motion of David C. Johnston for Final Approval of Compensation filed 9/5/13 [Dckt 202]; Order granting filed 10/2/13 [Dckt 211]

**OCTOBER 10, 2013 STATUS CONFERENCE**

The order confirming the Chapter 11 Plan was entered on July 19, 2013. Dckt. 186. An order approving compensation for Debtor in Possession counsel was filed on October 2, 2013. Dckt. 211. The payments due under the confirmed plan are to be paid from the operation of the Debtor's dental practice, and no further orders of the court are required. Objections to claims were to be filed 30 days after the effective date of the Plan (August 6, 2013). No objection to any claims in this case have been filed.

On or before **October ----, 2013**, the Plan Administrator shall file an ex parte motion to administratively close this Chapter 11 case.

2. [11-94004-E-11](#) LUIS/ANGELA SOUSA

CONTINUED STATUS CONFERENCE RE:  
VOLUNTARY PETITION  
11-18-11 [[1](#)]

Debtors' Atty: Thomas O. Gillis

Notes:

Continued from 9/26/13 to be heard in conjunction with continued confirmation hearing.

3. [11-94004-E-11](#) LUIS/ANGELA SOUSA  
TOG-14 Thomas O. Gillis

CONTINUED CONFIRMATION OF PLAN  
OF REORGANIZATION FILED BY  
DEBTORS  
7-1-13 [[324](#)]

**CONT. FROM 9-26-13**

Local Rule 9014-1(f) (1) Motion - Opposition Filed.

Correct Notice Provided. The Proof of Service states that the Motion and supporting pleadings were served on creditors requesting special notice and Office of the United States Trustee on July 16, 2013. By the court's calculation, 72 days' notice was provided.

**No Tentative Ruling:** The Confirmation of Plan has been set for hearing on the notice required by Local Bankruptcy Rule 9014-1(f) (1).

**The court's decision is to ----- the Chapter 11 Plan of Reorganization.** Oral argument may be presented by the parties at the scheduled hearing, where the parties shall address the issues identified in this tentative ruling and such other issues as are necessary and appropriate to the court's resolution of the matter. If the court's tentative ruling becomes its final ruling, the court will make the following findings of fact and conclusions of law:

The Plan Proponent has complied with the Service and Filing Requirements for Confirmation:

<u>7/17/13</u>	Plan, Disclosure Statement, Disc Stmt Order, and Ballots Mailed
<u>8/18/13</u>	Last Day for Submitting Written Acceptances or Rejections
<u>8/18/13</u>	Last Day to File Objections to Confirmation
<u>9/3/13</u>	Last Day to File Replies to Objections, Tabulation of Ballots, Proof of Service

October 10, 2013 at 3:30 p.m.

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Tabulation of Ballots:

Class	Voting	Ballot Percentage Calculation	Claim Percentage Calculation
2.1	For: 1 Against: 0	100%	100%
2.2	For: 0 Against: 0	N/A	N/A
2.3	For: 0 Against: 0	N/A	N/A
2.4	For: 1 Against: 0	100%	100%
2.5	For: 0 Against: 1*+ *Vote was not timely and Debtor has arrived at Stipulation with Creditor + Creditor filed opposition		
2.6	For: 0 Against: 0	N/A	N/A
2.7	For: 1 Against: 0	100%	100%
2.8	For: 0 Against: 0	N/A	N/A
3	For: 1 Against: 0	100%	100%
5 unsecured claims	For: 0 Against: 3	100% against	100% against
5 bifurcated unsecured claims	For: 3 Against: 0	100%	100%
5 unsecured secured claim U.S. Bank, N.A., Trustee	For: 0 Against: 1*+ *Vote was not timely and Debtor has arrived at Stipulation with Creditor + Creditor filed opposition		

Debtor states that the total unsecured claims total \$1,043,477.34, and the group accepting the plan total \$587,732.16. Debtor argues that the majority of the unsecured claims have voted yes.

**U.S. BANK, N.A. OPPOSITION-RESOLVED (Stipulation, Dckt. 350)**

U.S. Bank National Association, as Trustee for GSAA Home Equity Trust 2006-20, Asset-Backed Certificates, Series 2006-20, opposed confirmation for several reasons. However, a Stipulation has been filed documenting resolution of this Objection. Stipulation filed September 24, 2013, Dckt. 350. Under the Stipulation, for the Chapter 11 Plan U.S. Bank, N.A., Trustee, will have a \$145,000.00 secured claim, to be paid over 30 years with a 5.25% interest rate. This creditor's unsecured claim shall be the balance of the claim, which is stated to be \$242,028.31.

**CONTINUANCE**

The court continued the hearing to allow Debtors-in-Possession to file the required testimony in support of confirmation.

**DISCUSSION**

On October 3, 2013, Debtors filed a Declaration in support of confirmation that provides evidence of the compliance with the necessary elements for confirmation in 11 U.S.C. §1129:

**11 U.S.C. § 1129(a).**

1. The plan complies with the applicable provisions of the Bankruptcy Code, 11 U.S.C. §§ 101 et seq.

**Evidence:** Declaration, 2:1-3.

2. The proponent of the plan complies with the applicable provisions of the Bankruptcy Code.

**Evidence:** Declaration, 3:18-27.

3. The plan has been proposed in good faith and not by any means forbidden by law.

**Evidence:** Declaration, 4:5-23.

4. Any payment made or to be made by the proponent, by the debtor, or by a person issuing securities or acquiring property under the plan, for services or for costs and expenses in or in connection with the case, or in connection with the plan and incident to the case, has been approved by, or is subject to the approval of, the court as reasonable.

**Evidence:** Declaration, 4:24 - 5:7.

5. (A) (i) The proponent of the plan has disclosed the identity and affiliations of any individual proposed to serve, after confirmation of the

plan, as a director, officer, or voting trustee of the debtor, an affiliate of the debtor participating in a joint plan with the debtor, or a successor to the debtor under the plan; and

(ii) the appointment to, or continuance in, such office of such individual, is consistent with the interests of creditors and equity security holders and with public policy; and

(B) the proponent of the plan has disclosed the identity of any insider that will be employed or retained by the reorganized debtor, and the nature of any compensation for such insider.

**Evidence:** Declaration, 5:8-13.

6. Any governmental regulatory commission with jurisdiction, after confirmation of the plan, over the rates of the debtor has approved any rate change provided for in the plan, or such rate change is expressly conditioned on such approval.

**Evidence:** Declaration, 5:14-18.

7. With respect to each impaired class of claims or interests--

(A) each holder of a claim or interest of such class--

(i) has accepted the plan; or

(ii) will receive or retain under the plan on account of such claim or interest property of a value, as of the effective date of the plan, that is not less than the amount that such holder would so receive or retain if the debtor were liquidated under chapter 7 of the Bankruptcy Code, 11 U.S.C. §§ 701 et seq., on such date; or

(B) if section 1111(b)(2) of this title applies to the claims of such class, each holder of a claim of such class will receive or retain under the plan an account of such claim property of a value, as of the effective date of the plan, that is not less than the value of such holder's interest in the estate's interest in the property that secures such claims.

**Evidence:** Declaration, 5:19 - 6:14.

8. With respect to each class of claims or interests--

(A) such class has accepted the plan; or

(B) such class is not impaired under the plan.

**Evidence:** Declaration, 6:16-19

The Class 5 creditors, general unsecured claims, have not voted to accept the plan, having voted 3 to reject the plan and 0 to accept the Plan. Tabulation of Ballots, Dckt. 345.

9. Except to the extent that the holder of a particular claim has agreed to a different treatment of such claim, the plan provides that--

(A) with respect to a claim of a kind specified in section 507(a) (2) or 507(a) (3) of the Bankruptcy Code, on the effective date of the plan, the holder of such claim will receive on account of such claim cash equal to the allowed amount of such claim;

**Evidence:** Declaration, 6:20-25

(B) with respect to a class of claims of a kind specified in section 507(a) (1), 507(a) (4), 507(a) (5), 507(a) (6), or 507(a) (7) of the Bankruptcy Code, each holder of a claim of such class will receive--

(i) if such class has accepted the plan, deferred cash payments of a value, as of the effective date of the plan, equal to the allowed amount of such claim; or

(ii) if such class has not accepted the plan, cash on the effective date of the plan equal to the allowed amount of such claim;

**Evidence:** Declaration, 6:20-25

(C) with respect to a claim of a kind specified in section 507(a) (8) of the Bankruptcy Code, the holder of such claim will receive on account of such claim regular installment payments in cash--

(i) of a total value, as of the effective date of the plan, equal to the allowed amount of such claim;

(ii) over a period ending not later than 5 years after the date of the order for relief under section 301, 302, or 303; and

(iii) in a manner not less favorable than the most favored nonpriority unsecured claim provided for by the plan (other than cash payments made to a class of creditors under section 1122(b)); and

(D) with respect to a secured claim which would otherwise meet the description of an unsecured claim of a governmental unit under section 507(a) (8), but for the secured status of that claim, the holder of that claim will receive on account of that claim, cash payments, in the same manner and over the same period, as prescribed in subparagraph (C).

**Evidence:** Declaration, 7:1-4

10. If a class of claims is impaired under the plan, at least one class of claims that is impaired under the plan has accepted the plan, determined without including any acceptance of the plan by any insider.

**Evidence:** Declaration, 7:5-9

11. Confirmation of the plan is not likely to be followed by the liquidation, or the need for further financial reorganization, of the debtor

or any successor to the debtor under the plan, unless such liquidation or reorganization is proposed in the plan.

**Evidence:** Declaration, 7:10-26

12. All fees payable under section 1930 of title 28, as determined by the court at the hearing on confirmation of the plan, have been paid or the plan provides for the payment of all such fees on the effective date of the plan.

**Evidence:** Declaration, 8:1-7.

13. The plan provides for the continuation after its effective date of payment of all retiree benefits, as that term is defined in section 1114 of this title [11 USCS § 1114], at the level established pursuant to subsection (e)(1)(B) or (g) of section 1114 of this title, at any time prior to confirmation of the plan, for the duration of the period the debtor has obligated itself to provide such benefits.

**Evidence:** Declaration, 8:9-17

14. If the debtor is required by a judicial or administrative order, or by statute, to pay a domestic support obligation, the debtor has paid all amounts payable under such order or such statute for such obligation that first become payable after the date of the filing of the petition.

15. In a case in which the debtor is an individual and in which the holder of an allowed unsecured claim objects to the confirmation of the plan--

(A) the value, as of the effective date of the plan, of the property to be distributed under the plan on account of such claim is not less than the amount of such claim; or

(B) the value of the property to be distributed under the plan is not less than the projected disposable income of the debtor (as defined in section 1325(b)(2)) to be received during the 5-year period beginning on the date that the first payment is due under the plan, or during the period for which the plan provides payments, whichever is longer.

**Evidence:** Declaration, 8:18-20

16. All transfers of property under the plan shall be made in accordance with any applicable provisions of nonbankruptcy law that govern the transfer of property by a corporation or trust that is not a moneyed, business, or commercial corporation or trust.

**Evidence:** Declaration, 8:20-21.

#### **CRAMDOWN**

The Class 5 creditors holding general unsecured claims have voted not to accept the plan. The Bankruptcy Code provides in 11 U.S.C. § 1129(b) [emphasis added],

(b)

(1) Notwithstanding section 510(a) of this title, if all of the applicable requirements of subsection (a) of this section other than paragraph (8) are met with respect to a plan, **the court, on request of the proponent of the plan, shall confirm the plan notwithstanding the requirements of such paragraph if the plan does not discriminate unfairly, and is fair and equitable, with respect to each class of claims or interests that is impaired under, and has not accepted, the plan.**

(2) For the purpose of this subsection, the condition that a plan be fair and equitable with respect to a class includes the following requirements:

...

(B) With respect to a class of unsecured claims--

(i) the plan provides that each holder of a claim of such class receive or retain on account of such claim property of a value, as of the effective date of the plan, equal to the allowed amount of such claim; or

(ii) the holder of any claim or interest that is junior to the claims of such class will not receive or retain under the plan on account of such junior claim or interest any property, except that in a case in which the debtor is an individual, the debtor may retain property included in the estate under section 1115, subject to the requirements of subsection (a)(14) of this section.

This commonly referred to as a "cramdown" on the non-accepting class.

The Plan provides for these Class 5 General Unsecured Claims to receive a 1% dividend.

#### **CONCLUSION**

The court's decision is to ----- the Chapter 11 Plan of Reorganization.

4. [13-90504-E-12](#) JOHN VON EICHEL-STREIBER

CONTINUED STATUS CONFERENCE RE:  
VOLUNTARY PETITION  
3-19-13 [1]

Debtor's Atty: David C. Johnston

Notes:

Continued from 7/18/13

[DCJ-2] Debtor's Motion for Additional Time to File Chapter 12 Plan filed 6/17/13 [Dckt 30]; Order denying filed 7/18/13 [Dckt 58]

[WW-1] Motion for Relief From the Automatic Stay filed 6/29/13 by creditors Peter Zeff, Thomas Lee Burton, and Gail Beverly Burton [Dckt 34]; Order granting filed 8/1/13 [Dckt 61]

**OCTOBER 10, 2013 STATUS CONFERENCE**

**SUMMARY OF SCHEDULES**

<b>Real Property Schedule A</b>	FMV	LIENS	
2 10 acre parcels, Diethelm Court, and 50% interests in 15.6 acres and .75 acres at 1943 Shoemake Ave	\$1,200,000	(\$1,518,000)	Relief From Stay Granted August 5, 2013

<b>Personal Property Schedule B</b>	FMV	LIENS	
50% interes in Wyckoff Caldwell JV, John C. Williams	unknown		
One-Third Remainder Interest in estate of Diethelm von Eichel-Streiber	\$60,000		
Claims Against Petter Zeff, Thomas Burton, John C. Williams, PMZ Real Estate and Others	unknown		
Advances to Caldwell Trust	unknown		
Growing Almond Crop	\$150,000		

<b>Secured Claims Schedule D</b>	TOTAL CLAIM AMOUNT	FMV	UNSECURED CLAIM PORTION
Peter Zeff - 10 acre parcels, 15.6 acre parcel and .75 acre parcel	(\$986,000)	\$1,200,000	
Stanislaus Tax Collector - Same Collateral as Zeff	(\$32,000)		
Terry L. Field Irrevocable Trust - Same Collateral as Zeff	(\$50,000)		(\$318,000)

<b>PRIORITY UNSECURED CLAIMS SCHEDULE E</b>	TOTAL CLAIM AMOUNT	PRIORITY	GENERAL UNSECURED
California Franchise Tax Board - 1996, 1997, 2009 Personal Income Taxes	unknown		
Internal Revenue Service - Personal Income Taxes	unknown		

<b>GENERAL UNSECURED CLAIMS SCHEDULE F</b>	TOTAL CLAIM AMOUNT		
Total	(\$15,201)		

<b>INCOME, SCHEDULE I</b>		
Total Average Monthly Income		
From Business	\$10,000	

<b>EXPENSES, SCHEDULE J</b>		
Total Average Monthly Expenses		
Total	(\$8,897)	

Rent/Mortgage	\$0	
Home Maintenance	\$0	
Food	\$0	
Clothing	\$0	
Laundry and Dry Cleaning	\$0	
Medical and Dental Expenses	\$0	
Medical and Dental	(\$300)	
Homeowners/Renter Ins	\$0	
Business Expenses (No detailed Statement Included)	\$8,000	

**STATEMENT OF FINANCIAL AFFAIRS**

**Question 1 Income**

2013 YTD	\$0	Unknown Source
2012	\$0	Unknown Source
2011	\$0	Unknown Source
2010		

**Question 2 Non-Business Income**

2013 YTD	None	
2012	None	
2011	None	
2010		

**Question 3 Payments within 90 days**

Creditor	Amount	Date
	None	

Payments within one year

Creditor	Amount	Date
	None	

5. [11-93308](#)-E-11 JOHN-PIERRE MENDOZA CONTINUED STATUS CONFERENCE RE:  
VOLUNTARY PETITION  
9-16-11 [[1](#)]

CASE DISMISSED 8/2/13

**Final Ruling: the case having been dismissed, the Status Conference is removed from the calendar.** No appearance at the October 10, 2013 Status Conference is required.

6. [13-90608](#)-E-11 MODESTO SELF STORAGE CONTINUED STATUS CONFERENCE RE:  
INVESTORS, LLC VOLUNTARY PETITION  
4-1-13 [[1](#)]

Debtor's Atty: David C. Johnston

Notes:

Continued from 8/1/13

Operating Report filed: 9/16/13 [Jul, Aug]

[BSH-2] Motion for Relief from Order/Motion to Reconsider filed 8/19/13 [Dckt 85]; Order denying filed 8/22/13 [Dckt 98]

[DCJ-2] Debtor's Motion to Dismiss Chapter 11 Case filed 9/19/13 [Dckt 103], set for hearing 10/10/13 at 10:30 a.m.

7. [13-90323](#)-E-12 FRANCISCO/ORIANA SILVA

CONTINUED STATUS CONFERENCE RE:  
VOLUNTARY PETITION  
2-25-13 [[1](#)]

Debtors' Atty: Peter L. Fear

**Final Ruling: The Status Conference is continued to 3:30 p.m. on October 31, 2013.** No appearance at the October 10, 2013 Status Conference is required.

Notes:

Continued from 8/22/13 to be heard in conjunction with motion to confirm plan.

[PLF-4] Motion to Value Collateral of A.L. Gilbert Company filed 7/25/13 [Dckt 39]; Order granting filed 9/2/13 [Dckt 56]

[PLF-5] Motion to Approve Lease Agreement filed 10/3/13 [Dckt 57], set for hearing 10/31/13 at 10:30 a.m.

[PLF-6] Motion for Authority to Use Cash Collateral filed 10/3/13 [Dckt 64], set for hearing 10/31/13 at 10:30 a.m.

8. [13-90323](#)-E-12 FRANCISCO/ORIANA SILVA  
PLF-2 Peter L. Fear

CONTINUED MOTION TO CONFIRM  
CHAPTER 12 PLAN  
7-11-13 [[30](#)]

**CONT. FROM 8-22-13**

Local Rule 9014-1(f)(1) Motion - Opposition Filed.

Correct Notice Provided. The Proof of Service states that the Motion and supporting pleadings were served on Debtor, Chapter 12 Trustee, all creditors, and Office of the United States Trustee on July 11, 2013. By the court's calculation, 42 days' notice was provided. 35 days' notice is required.

**Final Ruling:** The Motion to Confirm Chapter 12 Plan has been set for hearing on the notice required by Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(ii) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995).

**The court's tentative decision is to continue the hearing on the Motion to Confirm Chapter 12 Plan to 3:30 p.m. on October 31, 2013.** No appearance at the October 10, 2013 Status Conference is required.

The court intentionally continues the confirmation hearing to the 3:30 p.m. calendar on October 31, 2013, to afford time to address issues concerning the lease at the 10:30 a.m. calendar that date and for the parties to reevaluate confirmation in light of what occurs at that morning.

#### **PRIOR HEARING**

Debtors move to confirm their Chapter 12 plan dated June 26, 2013. Debtor states he is farming oat hay and corn on his property. Debtor states he had been close to finalizing a lease with Albert Mendes to lease the dairy facility, but he now believes it is unlikely that he will be able to lease the dairy facility to him. He states he has several other interested parties that he is currently negotiating with and anticipates that any agreement he reaches with them would be similar to the agreement he would have with Albert Mendez. This would mean renting the dairy facility for \$5,500 to \$6,000 depending on how many houses on the facility they want to use.

Debtor states he has corn planted and anticipates selling the crop at harvest in November 2013 for approximately \$54,000.00 and use these funds to make plan payments.

#### **NEBRASKA STATE BANK'S OPPOSITION**

Creditor Nebraska State Bank filed a limited objection to confirmation on the basis of the treatment of its claim under Class 3, in that the value as of the date of the plan of the property to be distributed

under the plan on account of its claim is less than the allowed amount of said claim.

Creditor also states that the plan does not reference the pre-payment restriction under the promissory note and security agreement documents relative to its claim. Creditor requests that this be included.

Creditor states that they have agreed to execute a stipulation to resolve these limited grounds of opposition and upon the execution of that Stipulation, it will withdraw its limited opposition.

#### **STIPULATION**

Debtor and Creditor filed a Stipulation re: Limited Objection to Confirmation of Chapter 12 Plan dated June 26, 2013. The parties have agreed to the terms of a 19 year amortization (rather than 20 as proposed in the plan) and retention of the pre-payment restriction until after September 17, 2017.

#### **SUPPLEMENTAL DECLARATION**

Counsel for Creditor filed a supplemental declaration requesting a continuance to allow the Debtor to further market the real property for rent as a dairy facility, as the previous prospective tenant was unable to rent. Both Creditor and Debtor's counsel have agreed to the continuance.

#### **CONTINUANCE**

However, it has been reported to the court that the rental of the property upon which the proposed plan depends cannot be consummated. The Debtor-in-Possession and objecting creditor have requested a 45 day continuance for the Debtor-in-Possession to consider what possible amendments can be made to this plan.

The court granted a continuance, with the hearing on the Motion continued to October 10, 2013.

#### **STATUS REPORT**

The Debtors filed a Status Report stating that they have obtained a tenant for the dairy facility and the motion to approve that lease is set for October 31, 2013, at 10:30 a.m. and seeks a continuance of this motion for the same date.

The court grants the continuance to 3:30 p.m. on October 13, 2013.

9. [13-91641](#)-E-12 MARY COELHO

STATUS CONFERENCE RE: VOLUNTARY  
PETITION  
9-11-13 [[1](#)]

Debtor's Atty: Thomas O. Gillis

Notes:

[TOG-3] Ex Parte Motion to Extend Time to File Certain Missing Documents filed 9/25/13 [Dckt 14]; Order granting extension to 10/9/13 filed 9/27/13 [Dckt 17]

No Missing Documents Filed as of October 10, 2013.

10. [13-90643](#)-E-12 GARY/CHRISTINE TAYLOR

CONTINUED STATUS CONFERENCE RE:  
VOLUNTARY PETITION  
4-4-13 [[1](#)]

Debtors' Atty: Anthony D. Johnston

Notes:

Continued from 7/18/13

[SW-1] Wells Fargo Bank, N.A.'s Motion for Relief from the Automatic Stay filed 8/12/13 [Dckt 88]; Order granting adequate protection filed 9/9/13 [Dckt 115]

[APN-1] Motion by Secured Creditor BMW Bank of North America for Relief from the Automatic Stay re 2007 BMW 750Li filed 8/14/13 [Dckt 94]; Order granting filed 9/27/13 [Dckt 122]

[ADJ-3] Debtors' Motion to Value Collateral of OneWest Bank, FSB filed 5/30/13 [Dckt 39]; Order granting filed 9/17/13 [Dckt 118]

[ADJ-4] Debtors' Motion to Confirm Chapter 12 Plan filed 7/3/13 [Dckt 51]; motion granted, order pending

[ADJ-5] Debtors' Motion for Approval of Assumption of Unexpired Lease filed 7/17/13 [Dckt 59]; Stipulation for Interim Adequate Protection Payments to Deutsche Bank National Trust Company filed 9/4/13 [Dckt 111]; Order for Interim Adequate Protection Payments to Deutsche Bank National Trust Company filed 9/17/13 [Dckt 119]

11. [12-91564](#)-E-11 POCH TAN AND SAMEAN CHUM

CONTINUED STATUS CONFERENCE RE:  
VOLUNTARY PETITION  
5-31-12 [[1](#)]

Debtors' Atty: Anthony D. Johnston

Notes:

Continued from 8/1/13

Monthly Operating Reports filed: 8/13/13, 9/20/13

Order Confirming Amended Plan of Reorganization (April 4, 2013) filed 9/9/13  
[Dckt 157]

[PPR-1] Motion for Order Approving Stipulation Terminating the Automatic Stay as to Class 3 Secured Creditor Bank of America, N.A. and for Order Terminating the Automatic Stay filed 9/20/13 [Dckt 162], set for hearing 10/31/13 at 10:00 a.m.

12. [12-92479](#)-E-12 DAVID/ESPERANZA AGUILAR

CONTINUED STATUS CONFERENCE RE:  
VOLUNTARY PETITION  
9-17-12 [[1](#)]

Debtors' Atty: Nelson F. Gomez

Notes:

Continued from 7/18/13

[NFG-1] Motion to Value Collateral on Subject Business Property (First Note and Lien Held by OneWest Bank) filed 7/11/13 [Dckt 38]; heard 9/26/13 and continued to 10/31/13 at 10:30 a.m.

13. [13-91588-E-12](#) MARY JO MEIRINHO

STATUS CONFERENCE RE: VOLUNTARY  
PETITION  
8-29-13 [[1](#)]

Debtor's Atty: Scott A. CoBen

Notes:

Amended Chapter 12 Plan filed 9/12/13 [Dckt 19]

[SAC-1] Motion to Confirm Chapter 12 Plan filed 9/12/13 [Dckt 15], set for hearing 10/31/13 at 3:30 p.m.

Preliminary Status Report filed 9/12/13 [Dckt 21]

10/2/13 Report of Trustee at 341 Meeting, meeting continued to 11/6/13