

UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Thomas C. Holman
Bankruptcy Judge
Sacramento, California

October 16, 2013 at 9:30 A.M.

1. [12-28102](#)-B-7 RALPH/SUZANNE EMERSON CONTINUED STATUS CONFERENCE RE:
[13-2176](#) AMENDED COMPLAINT
EMERSON ET AL V. EMOVATIONS 6-7-13 [[5](#)]
INCORPORATED

Tentative Ruling: The status conference is continued to December 18, 2013, at 9:30 a.m. If the adversary proceeding is not resolved by November 19, 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 status conference set in the reissued summons 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 (if one has been filed) and entering defendant's default for defendant's failure to comply.

The court will issue a minute order.

2. [12-35709](#)-B-7 ARTURO SANCHEZ CONTINUED STATUS CONFERENCE RE:
[12-2666](#) COMPLAINT
TRAVELERS EXPRESS COMPANY, 11-16-12 [[1](#)]
INC. V. SANCHEZ

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

The status conference is continued to December 18, 2013, for resolution of the motion for default judgment taken under submission on October 1, 2013.

The court will issue a minute order.

3. [13-20126](#)-B-7 EDELGARD WOOD CONTINUED STATUS CONFERENCE RE:
[13-2123](#) COMPLAINT
BRITTON ET AL V. WOOD 4-10-13 [[1](#)]

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

The status conference is continued to December 18, 2013, at 9:30 a.m. to allow the parties time to finalize a settlement. If the adversary proceeding is not resolved by November 19, 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 status conference set in the reissued summons 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.

4. [13-29831](#)-B-7 MICHAEL HEALY STATUS CONFERENCE RE: COMPLAINT
[13-2258](#) 8-19-13 [[1](#)]
U.S. TRUSTEE V. HEALY

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

The status conference is continued to December 18, 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 is not resolved by November 19, 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 status conference set in the reissued summons 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.

The court will issue a minute order.

5. [13-25948](#)-B-7 ROBERTO CAMACHO STATUS CONFERENCE RE: COMPLAINT
[13-2248](#) 8-2-13 [[1](#)]
RIGGS V. CAMACHO

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

The status conference is continued to October 30, 2013, at 9:30 a.m. to allow the parties time to comply with the court's Order to Confer on Initial Disclosures and Setting Deadlines (Dkt. 5) (the "OTC"), including, inter alia, the submission of a proposed joint discovery plan. 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 status conference is continued because as of 11:15 a.m. on October 15, 2013, there is no evidence of compliance with the OTC on the court's docket.

The court will issue a minute order.

6. [13-22452](#)-B-7 DRESDEN PARSONS CONTINUED STATUS CONFERENCE RE:
[13-2163](#) COMPLAINT
PARSONS V. U.S. DEPARTMENT OF 5-14-13 [[1](#)]
EDUCATION ET AL
ADV. CASE DISMISSED 10/1/13

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. The adversary proceeding was dismissed pursuant to the stipulation of the parties on October 1, 2013 (Dkt. 18).

7. [13-25154](#)-B-7 JAMES RILEY CONTINUED STATUS CONFERENCE RE:
[13-2168](#) COMPLAINT
RYBOLT V. RILEY, IV 5-16-13 [[1](#)]

Tentative Ruling: None.

8. [12-40985](#)-B-7 TIFFANY MARTELL CONTINUED STATUS CONFERENCE RE:
[13-2075](#) COMPLAINT
WELTY ET AL V. MARTELL 2-28-13 [[1](#)]

Tentative Ruling: The adversary proceeding is dismissed.

The adversary proceeding is dismissed pursuant to Bankruptcy Rule 7041, incorporating F.R.Civ.P. 41(b), for failure to prosecute and failure to obey the order of the court (Dkt. 15) continuing this status conference and requiring compliance with the Order to Confer on Initial Disclosures and Setting Deadlines (Dkt. 5) (the "OTC") if the adversary proceeding was not resolved by July 23, 2013. The court acknowledges that a Certificate Re: BDRP Conference was filed on June 24, 2013, indicating that the parties had participated in a meeting under the Bankruptcy Dispute Resolution Program on July 10, 2013, and had settled their dispute. However, the filing of that certificate does not resolve this adversary proceeding; there certificate is not either a judgment or an order of dismissal.

The court will issue a minute order.

9. [13-23188](#)-B-7 SHAWN/MARY PETERS CONTINUED STATUS CONFERENCE RE:
[13-2183](#) COMPLAINT
MCGREEVY V. PETERS ET AL 6-5-13 [[1](#)]
ADV. DISMISSED 8/29/13

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. The adversary proceeding was dismissed by notice of dismissal filed on August 29, 2013 (Dkt. 23).