

UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Michael S. McManus
Bankruptcy Judge
Sacramento, California

October 21, 2015 at 9:30 a.m.

1. 14-29601-A-7 ANDREW KIM CONTINUED STATUS CONFERENCE
14-2343 12-22-14 [1]
FERNANDEZ V. KIM

Tentative Ruling: Appearances required.

The court notes that counsel for the defendant has filed a notice that the defendant has replaced counsel as his own counsel. Because this was done without notice and a hearing as required by Local Bankruptcy Rule 2017-1(e).

Also, while an answer was filed, it fails to admit or deny the allegations of the complaint and instead makes what purports to be independent allegations that the defendant believes supports the defendant's position.

The court will set a deadline for the defendant to file a proper answer, then confer with the plaintiff to make initial disclosures and negotiate a discovery plan.

2. 15-20102-A-7 MUKHTIAR TAKHER CONTINUED STATUS CONFERENCE
15-2068 4-6-15 [1]
GOLD COUNTRY BANK V. TAKHER

Tentative Ruling: None. Appearances required.

3. 15-20102-A-7 MUKHTIAR TAKHER STATUS CONFERENCE
15-2156 8-7-15 [1]
RICHARDS V. TAKHER

Tentative Ruling: Appearances required.

It appears from the docket that the summons and complaint have been duly served on the defendant and that the defendant has filed an answer. The parties, however, failed to file a discovery plan as ordered by the court on September 10. Therefore, the parties shall appear and explain this failure and the court will determine if any sanction is appropriate or required.

4. 15-25312-A-13 LA KEISHA MATLOCK STATUS CONFERENCE
15-2170 8-25-15 [1]
U.S. TRUSTEE V. MATLOCK

Final Ruling: No appearances.

A judgment was entered on October 16.

5. 15-23724-A-13 MONTE/ALONNA MONTGOMERY STATUS CONFERENCE
15-2153 8-3-15 [1]
NAVY FEDERAL CREDIT UNION V. MONTGOMERY

Tentative Ruling: Appearances required.

It appears from the docket that the summons and complaint have been duly served on the defendant and that the defendant has filed an answer. The parties, however, failed to file a discovery plan as ordered by the court on August 4. Therefore, the parties shall appear and explain this failure and the court will determine if any sanction is appropriate or required.

6. 14-29148-A-13 PAVEL/NATALYA FOKSHA STATUS CONFERENCE
15-2171 8-26-15 [1]
FOKSHA ET AL V. MARLER

Tentative Ruling: Appearances required.

While the defendant has filed "opposition" to the complaint, that opposition is not an answer because it fails to admit or deny the allegations of the complaint.

The court will set a deadline for the defendant to file a proper answer, then confer with the plaintiff to make initial disclosures and negotiate a discovery plan.

7. 14-31073-A-7 FASIL HAYAT AND NURGUS STATUS CONFERENCE
15-2167 NAZIR 8-19-15 [6]
HAYAT ET AL V. U.S. DEPARTMENT OF EDUC.

Final Ruling: Appearances not required.

In the status report filed by the plaintiffs it is asserted that the amended complaint and summons have been duly served on the defendants, that the defendants have failed to file a response, and that the deadline to file a response has expired.

Therefore, within 30 days the plaintiffs shall request entry of defaults.

8. 15-25585-A-7 MATTHEW WATERS STATUS CONFERENCE
15-2162 8-14-15 [1]
FERLMANN V. MCCRACKEN

Tentative Ruling: Appearances required.

It appears from the docket that the summons and complaint have been duly served on the defendant and that the defendant has filed an answer. The parties, however, failed to file a discovery plan as ordered by the court on August 17. Therefore, the parties shall appear and explain this failure and the court will determine if any sanction is appropriate or required.

9. 09-42296-A-13 RAY/ELIZABETH BRAVO STATUS CONFERENCE
15-2163 8-14-15 [1]
BRAVO ET AL V. BANK OF AMERICA, N.A. ET AL

Final Ruling: Appearances not required.

In the status report filed by the plaintiffs it is asserted that the amended complaint and summons have been duly served on the defendants, that the defendants have failed to file a response, and that the deadline to file a response has expired.

Therefore, within 30 days the plaintiffs shall request entry of defaults.