

UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Thomas C. Holman
Bankruptcy Judge
Sacramento, California

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

1. [13-25503](#)-B-11 SUNRISE VISTA MORTGAGE STATUS CONFERENCE RE: COMPLAINT
[13-2262](#) CORPORATION 8-23-13 [[1](#)]
U.S. BANK N.A. V. SUNRISE
VISTA MORTGAGE CORPORATION

Disposition Without Oral Argument: The status conference is continued to January 15, 2014 at 9:30 a.m. to permit the plaintiff to file and set for hearing a motion for entry of default judgment. If the adversary proceeding is not resolved by December 17, 2013, all parties appearing in the adversary proceeding 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 continued status conference was 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.

2. [13-25503](#)-B-11 SUNRISE VISTA MORTGAGE STATUS CONFERENCE RE: COMPLAINT
[13-2270](#) CORPORATION 7-23-13 [[1](#)]
U.S. BANK N.A. V. SUNRISE
VISTA MORTGAGE CORPORATION
ADV. CASE DISMISSED 10/3/13

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 order entered October 3, 2013 (Dkt. 13).

3. [11-49408](#)-B-7 PATRICK/RETHA KENOYER CONTINUED STATUS CONFERENCE RE:
[13-2119](#) COMPLAINT
WHATLEY V. KENOYER ET AL 4-5-13 [[1](#)]

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, as resolved by default judgment signed October 29, 2013.

4. [12-38022](#)-B-13 DEBRA LOCKHART CONTINUED STATUS CONFERENCE RE:
[13-2134](#) COMPLAINT
LOCKHART V. APEX RECOVERY INC. 4-19-13 [[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. 8) continuing this status conference to allow the plaintiff debtor to file and set for hearing a motion for entry of default judgment 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 October 1, 2013. Since the continuance of the status conference, the plaintiff debtor has neither filed and set for hearing a motion for entry of default judgment, nor has she complied with the OTC.

The court will issue a minute order.

5. [11-30525](#)-B-7 LINDA BACA CONTINUED STATUS CONFERENCE RE:
[13-2241](#) COMPLAINT
VAN PELT V. BACA 7-23-13 [[1](#)]

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

The status conference is concluded. The court will issue a scheduling order based on the schedule set forth in the joint discovery plan filed on October 28, 2013 (Dkt. 13).

6. [12-39433](#)-B-7 ARON MALLARI CONTINUED STATUS CONFERENCE RE:
[13-2010](#) COMPLAINT
ABLAZA V. MALLARI 1-9-13 [[1](#)]

Tentative Ruling: None.

7. [13-23535](#)-B-7 JOHN LEE CONTINUED STATUS CONFERENCE RE:
[13-2205](#) COMPLAINT
AMERICAN EXPRESS BANK, FSB V. LEE 6-20-13 [[1](#)]

Tentative Ruling: None.

8. [13-20645](#)-B-7 ROBERT/TRISTINA KITAY CONTINUED STATUS CONFERENCE RE:
[13-2126](#) COMPLAINT
GONZALEZ V. KITAY ET AL 4-15-13 [[1](#)]

Tentative Ruling: The status conference is continued to November 27, 2013, at 9:30 a.m., for plaintiff's amendment of the complaint to state claims under 11 U.S.C. §§ 523(a)(2)(A) and (a)(6), and 727(a)(3) and (a)(4)(A).

The court will issue a minute order.

9. [13-25948](#)-B-7 ROBERTO CAMACHO CONTINUED STATUS CONFERENCE RE:
[13-2248](#) COMPLAINT
RIGGS V. CAMACHO 8-2-13 [[1](#)]

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

The status conference is concluded. The court will issue a scheduling order based on the identical proposed schedules in the discovery plans filed on October 23, 2013 (Dkt. 23, 25).

10. [13-25154](#)-B-7 JAMES RILEY CONTINUED STATUS CONFERENCE RE:
[13-2168](#) COMPLAINT
RYBOLT V. RILEY, IV 5-16-13 [[1](#)]

Tentative Ruling: None.

11. [13-25154](#)-B-7 JAMES RILEY ORDER TO SHOW CAUSE RE
[13-2168](#) SANCTIONS FOR FAILURE TO ATTEND
RYBOLT V. RILEY, IV STATUS CONFERENCE
10-16-13 [[36](#)]

Tentative Ruling: None.

12. [12-29460](#)-B-7 MARK/MARIANNA HARRIS CONTINUED STATUS CONFERENCE RE:
[13-2129](#) COMPLAINT
RODRIGUEZ V. HARRIS 4-16-13 [[1](#)]

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. On October 29, 2013, the court signed a judgment resolving the adversary proceeding.

13. [13-25279](#)-B-7 JOSEPH/ROSE ANDER CONTINUED STATUS CONFERENCE RE:
[13-2225](#) COMPLAINT
ACK FAMILY LIMITED PARTNERSHIP 7-11-13 [[1](#)]
V. ANDER ET AL

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. 10) continuing this status conference and requiring the parties to comply with the Order to Confer on Initial Disclosures and Setting Deadlines (Dkt. 5) (the "OTC") if the adversary proceeding was not resolved by October 1, 2013. Since the continuance of the status conference, there is no evidence on the court's docket that the adversary proceeding has been resolved or that the parties have complied with the OTC.

The court will issue a minute order.

14. [13-25191](#)-B-7 AJAY CHANDRA CONTINUED STATUS CONFERENCE RE:
[13-2204](#) COMPLAINT
CENTRAL VALLEY CONCRETE, INC. 6-20-13 [[1](#)]
V. CHANDRA

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

The status conference is continued to January 15, 2014, at 9:30 a.m. to allow the parties time to negotiate a resolution of the adversary proceeding by entry of stipulated judgment. If the adversary proceeding is not resolved by December 17, 2013, the parties shall comply with the court's Order to Confer on Initial Disclosures and Setting Deadlines (Dkt. 5) (the "OTC") as if January 15, 2014, 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, and/or striking defendant's answer and entering defendant's default for defendant's failure to comply.

The court will issue a minute order.

15. [13-24195](#)-B-7 PAULA BROWN CONTINUED STATUS CONFERENCE RE:
[13-2243](#) COMPLAINT
DECUIR V. BROWN 7-24-13 [[1](#)]

Tentative Ruling: The status conference is concluded. The court will issue a scheduling order based on the joint discovery plan filed by the parties on October 15, 2013 (Dkt. 15).

16. [12-38199](#)-B-7 STEVE GREGORY CONTINUED STATUS CONFERENCE RE:
[13-2022](#) COMPLAINT
GREGORY V. GREGORY 1-22-13 [[1](#)]

Tentative Ruling: None.