

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Robert S. Bardwil  
Bankruptcy Judge  
Modesto, California

November 20, 2018 at 10:00 a.m.

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INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

1. Matters resolved without oral argument:

Unless otherwise stated, the court will prepare a civil minute order on each matter listed. If the moving party wants a more specific order, it should submit a proposed amended order to the court. In the event a party wishes to submit such an Order it needs to be titled 'Amended Civil Minute Order.'

If the moving party has received a response or is aware of any reason, such as a settlement, that a response may not have been filed, the moving party must contact Nancy Williams, the Courtroom Deputy, at (916) 930-4580 at least one hour prior to the scheduled hearing.

2. The court will not continue any short cause evidentiary hearings scheduled below.

3. If a matter is denied or overruled without prejudice, the moving party may file a new motion or objection to claim with a new docket control number. The moving party may not simply re-notice the original motion.

4. If no disposition is set forth below, the matter will be heard as scheduled.

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1.	15-90702-D-13	VIRGINIA ZEPEDA	MOTION TO MODIFY PLAN
	TOG-5		10-16-18 [98]

**Final ruling:**

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is referenced in LBR 3015-1(e). The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

2. 17-90709-D-13 MOHAMMAD FAROOQI MOTION TO MODIFY PLAN  
BSH-3 9-28-18 [46]
3. 18-90644-D-13 CARRIE FLORES OBJECTION TO CONFIRMATION OF  
JHW-1 PLAN BY TD AUTO FINANCE, LLC  
10-8-18 [17]
4. 18-90253-D-13 ADRIANA ARROYO CONTINUED OBJECTION TO  
RDG-1 CONFIRMATION OF PLAN BY RUSSELL  
D. GREER  
7-20-18 [37]
5. 16-90861-D-13 ROCIO GOMEZ MOTION TO MODIFY PLAN  
MSN-2 10-9-18 [30]

**Final ruling:**

This is the debtor's motion to confirm a first modified chapter 13 plan. On November 8, 2018, the debtor filed a second modified plan and a motion to confirm it. As a result of the filing of the second modified plan, this motion is moot. The motion will be denied as moot by minute order. No appearance is necessary.

6. 18-90278-D-13 TIBURCIO/OLIVIA MENDOZA MOTION TO CONFIRM PLAN  
TOG-1 10-15-18 [40]

7. 18-90090-D-13 CLIFFORD BARBERA CONTINUED OBJECTION TO CLAIM OF  
DJC-4 ANDREW AND MELANIE CHEKENE,  
CLAIM NUMBER 9  
7-23-18 [59]

**Final ruling:**

This is the debtor's objection to the claim of Andrew Chekene and Melanie Chekene (the "claimants"), Claim No. 9 on the court's claims register. The objection will be overruled because the debtor served the claimants at the address on their proof of claim, but failed to also serve them at their different address listed on the debtor's Schedule E/F, as required by LBR 3007-1(c). The court continued the hearing from its originally scheduled date to give the debtor time to correct this service defect; however, he has not done so.

As a result of this service defect, the objection will be overruled by minute order. No appearance is necessary.

8. 18-90496-D-13 RICHARD/NICOLE SOLANSKY MOTION TO CONFIRM PLAN  
FAT-1 9-24-18 [26]

**Final ruling:**

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is referenced in LBR 3015-1(e). The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

9. 16-90219-D-13 SHARON HAMILTON CONTINUED MOTION TO DISMISS  
18-9013 GMW-1 ADVERSARY PROCEEDING  
HAMILTON V. B & B 2<sup>ND</sup> 9-28-18 [8]  
MORTGAGE, LLC ET AL

**Final ruling:**

The hearing on this motion is continued to December 4, 2018 at 10:00 a.m. No appearance is necessary on November 20, 2018.

10. 18-90621-D-13 KENNETH MCCOY CONTINUED OBJECTION TO  
RDG-1 CONFIRMATION OF PLAN BY RUSSELL  
D. GREER  
10-15-18 [14]
11. 18-90644-D-13 CARRIE FLORES OBJECTION TO CONFIRMATION OF  
RDG-1 PLAN BY RUSSELL D. GREER  
10-29-18 [27]
12. 18-90647-D-13 JOSE MORALES AND VERONICA OBJECTION TO CONFIRMATION OF  
RDG-1 ALVARADO PLAN BY RUSSELL D. GREER  
10-29-18 [13]

**Final ruling:**

**This is the trustee's objection to the debtors' proposed chapter 13 plan. On November 7, 2018, the debtors filed a statement saying they do not oppose the objection and will file an amended plan. As the debtors do not wish to contest the objection, the objection will be sustained by minute order. No appearance is necessary.**

13. 18-26850-D-13 JACQUELINE MCCRAE MOTION TO EXTEND AUTOMATIC STAY  
11-1-18 [13]

14. 18-90653-D-13 RICARDO MARQUEZ OBJECTION TO CONFIRMATION OF  
RDG-1 PLAN BY RUSSELL D. GREER  
10-29-18 [14]
15. 18-90659-D-13 KAMALVIR/HARDEEP VIRK OBJECTION TO CONFIRMATION OF  
RDG-1 PLAN BY RUSSELL D. GREER  
10-29-18 [15]
16. 18-90665-D-13 MARIA HARRIS OBJECTION TO CONFIRMATION OF  
RDG-1 PLAN BY RUSSELL D. GREER  
10-29-18 [21]
17. 18-90666-D-13 SHANNON JENKINS OBJECTION TO CONFIRMATION OF  
RDG-1 PLAN BY RUSSELL D. GREER  
10-29-18 [23]

18. 18-90686-D-13 GLENICE FREITAS  
RDG-1

OBJECTION TO CONFIRMATION OF  
PLAN BY RUSSELL D. GREER  
10-29-18 [15]