

UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable René Lastreto
Hearing Date: Wednesday, November 25, 2015
Place: Department B – Courtroom #13
Fresno, California

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

1. The following rulings are tentative. The tentative ruling will not become the final ruling until the matter is called at the scheduled hearing. **Pre-disposed matters will generally be called, and the rulings placed on the record at the end of the calendar.** Any party who desires to be heard with regard to a pre-disposed matter may appear at the hearing. If the party wishes to contest the tentative ruling, he/she shall notify the opposing party/counsel of his/her intention to appear. **If no disposition is set forth below, the hearing will take place as scheduled.**

2. Submission of Orders:

Unless the tentative ruling expressly states that the court will prepare a civil minute order, then the tentative ruling will only appear in the minutes. If any party desires an order, then the appropriate form of order, which conforms to the tentative ruling, must be submitted to the court. When the debtor(s) discharge has been entered, proposed orders for relief from stay must reflect that the motion is denied as to the debtor(s) and granted only as to the trustee. Entry of discharge normally is indicated on the calendar.

3. Matters Resolved Without Opposition:

If the tentative ruling states that no opposition was filed, and the moving party is aware of any reason, such as a settlement, why a response may not have been filed, the moving party must advise Vicky McKinney, the Calendar Clerk, at (559) 499-5825 by 4:00 p.m. the day before the scheduled hearing.

4. Matters Resolved by Stipulation:

If the parties resolve a matter by stipulation after the tentative ruling has been posted, but **before the formal order is entered on the docket**, the **moving party** may appear at the hearing and advise the court of the settlement or withdraw the motion. Alternatively, the parties may submit a stipulation and order to modify the tentative ruling together with the proposed order resolving the matter.

5. Resubmittal of Denied Matters:

If the moving party decides to re-file a matter that is denied without prejudice for any reason set forth below, the moving party must file and serve a new set of pleadings with a new docket control number. It may not simply re-notice the original motion.

THE COURT ENDEAVORS TO PUBLISH ITS PREDISPOSITIONS AS SOON AS POSSIBLE, HOWEVER CALENDAR PREPARATION IS ONGOING AND THESE PREDISPOSITIONS MAY BE REVISED OR UPDATED AT ANY TIME PRIOR TO 4:00 P.M. THE DAY BEFORE THE SCHEDULED HEARINGS. PLEASE CHECK AT THAT TIME FOR POSSIBLE UPDATES.

10:00 A.M.

1. [15-13308](#)-B-7 WILLIAM BURNINGHAM MOTION FOR RELIEF FROM
 MRG-1 AUTOMATIC STAY AND/OR MOTION TO
 SACHIYO BURNINGHAM/MV CONFIRM TERMINATION OR ABSENCE
 OF STAY, MOTION FOR
 DISCRETIONARY ABSTENTION,
 MOTION TO DISMISS CASE
 10-27-15 [[16](#)]

 JEFFREY ROWE/Atty. for dbt.
 MICHAEL GERMAIN/Atty. for mv.
 RESPONSIVE PLEADING

2. [13-15310](#)-B-7 MIGUEL LOZOLLA MOTION TO AVOID LIEN OF FRESNO
 TOG-7 CREDIT BUREAU
 MIGUEL LOZOLLA/MV 10-23-15 [[65](#)]
 THOMAS GILLIS/Atty. for dbt.
 RESPONSIVE PLEADING

The motion is denied as moot. There is no case or controversy. The abstract of the judgment sought to be avoided, attached as an exhibit to the motion, shows that it was issued in 1989 and recorded in 1994. No evidence was submitted to show that the judgment was timely renewed. In the absence of timely renewal, judgments such this expire after 10 years by operation of law. CCP § 697.310(b).

In addition, the schedules show that the property sought to be protected was purchased after the lien was issued and recorded, therefore there was never any homestead exemption in existence that the lien could have impaired. *Farrey v. Sanderfoot*, 111 S.Ct. 667 (1991).

Finally, the motion is ambiguous as to the identity of the lienholder. Both Portfolio Recovery Associates, LLC., and Fresno Credit Bureau, are named in the motion as the holders of this lien. No appearance is necessary.

3. [14-10019](#)-B-7 ROY/LINDA SCOTT MOTION TO APPROVE LOAN
 DRJ-2 MODIFICATION
 ROY SCOTT/MV 10-27-15 [[42](#)]
 DAVID JENKINS/Atty. for dbt.

4. [15-13725](#)-B-7 WILLIAM/SARAH DOUGLASS MOTION FOR RELIEF FROM
APN-1 AUTOMATIC STAY
SANTANDER CONSUMER USA, 10-15-15 [[11](#)]
INC./MV
MARIO LANGONE/Atty. for dbt.
AUSTIN NAGEL/Atty. for mv.

This motion for relief from the automatic stay will be denied as moot. The debtors are individuals. The record does not show that the personal property collateral for this secured claim was redeemed or surrendered within the applicable time set by 11 U.S.C. §521(a)(2). Similarly, the record does not reflect that the loan was reaffirmed or that the movant denied a request to reaffirm the loan on the original contract terms. Therefore, pursuant to 11 U.S.C. §362(h), the collateral is no longer property of the estate and the automatic stay has already terminated by operation of law. Movant may submit an order denying the motion, and confirming that the automatic stay has already terminated on the grounds set forth above. No attorney fees will be awarded in relation to this motion. No appearance is necessary.

5. [11-61329](#)-B-7 SHERREY DEAVER MOTION TO EXTEND TIME TO FILE A
UST-1 MOTION TO DISMISS CASE UNDER
TRACY DAVIS/MV SEC. 707(B) , AND/OR MOTION TO
EXTEND DEADLINE TO FILE A
COMPLAINT OBJECTING TO
DISCHARGE OF THE DEBTOR
10-22-15 [[108](#)]

PETER BUNTING/Atty. for dbt.
ROBIN TUBESING/Atty. for mv.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The U.S. Trustee shall submit a proposed order. No appearance is necessary.

6. [15-10932](#)-B-7 NICOLE MOORE MOTION TO SELL
PFT-2 10-28-15 [[22](#)]
PETER FEAR/MV
ISMAEL RODRIGUEZ/Atty. for dbt.
PETER FEAR/Atty. for mv.

This motion to sell assets was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The time for payment shall be set forth in the court's order. Unless the court orders otherwise, the trustee may not release any property of the bankruptcy estate unless and until the purchase price has been paid in full. The trustee shall submit an appropriate order in conformity with this ruling. No appearance is necessary.

7. [15-13344](#)-B-7 GLORIA AMAYA
RHT-1

CONTINUED OPPOSITION RE:
TRUSTEE'S MOTION TO DISMISS FOR
FAILURE TO APPEAR AT SEC.
341(A) MEETING OF CREDITORS
10-2-15 [[15](#)]

ROBERT HAWKINS/Atty. for mv.
MOTION WITHDRAWN

The trustee's motion has been withdrawn. No appearance is necessary.

8. [15-13252](#)-B-7 GRACIE MONTEJANO
PFT-1

CONTINUED OPPOSITION RE:
TRUSTEE'S MOTION TO DISMISS FOR
FAILURE TO APPEAR AT SEC.
341(A) MEETING OF CREDITORS
9-28-15 [[12](#)]

PETER FEAR/Atty. for mv.

This matter will be denied as moot. The trustee's motion was based on the debtor's non-appearance at her \$ 341 meeting of creditors. The record shows that the debtor has now appeared and that the meeting of creditors was concluded on November 20, 2015. It appears that no further relief is necessary or appropriate. No appearance is necessary.

9. [15-11678](#)-B-7 ISABEL RUBALCABA AND
PFT-2 LILIANA ABBATTISITA
PETER FEAR/MV

MOTION TO EMPLOY GOULD AUCTION
AND APPRAISAL COMPANY AS
AUCTIONEER, AUTHORIZING SALE OF
PROPERTY AT PUBLIC AUCTION AND
AUTHORIZING PAYMENT OF
AUCTIONEER FEES AND EXPENSES
10-28-15 [[24](#)]

PAUL JAMES/Atty. for dbt.
PETER FEAR/Atty. for mv.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

10. [15-13392](#)-B-7 RAYMOND/MARYROSE JACQUES
PFT-1
PETER FEAR/MV

MOTION TO EMPLOY GOULD AUCTION
AND APPRAISAL COMPANY AS
AUCTIONEER, AUTHORIZING SALE OF
PROPERTY AT PUBLIC AUCTION AND
AUTHORIZING PAYMENT OF
AUCTIONEER FEES AND EXPENSES
10-28-15 [[13](#)]

JEFFREY ROWE/Atty. for dbt.
PETER FEAR/Atty. for mv.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

11. [15-11696](#)-B-7 PATRICK/AMBER DEMING
PFT-2
PETER FEAR/MV
HILTON RYDER/Atty. for dbt.
PETER FEAR/Atty. for mv.

MOTION TO SELL
10-28-15 [[29](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

11:00 A.M.

1. [15-12623](#)-B-7 JIMMY/RITA JOHNSON

REAFFIRMATION AGREEMENT WITH
HTD LEASING LLC
10-21-15 [[28](#)]

ERIC ESCAMILLA/Atty. for dbt.

This reaffirmation agreement will be dropped from calendar without a disposition. The agreement relates to a lease of personal property. The parties are directed to the provisions of 11 U.S.C. § 365(p)(2). This case was filed June 30, 2015, and the lease was not assumed by the chapter 7 trustee within the time prescribed in 11 U.S.C. § 365(d)(1). Pursuant to 365 (p)(1), the leased property is no longer property of the estate. Debtors' counsel shall inform debtors that no appearance is necessary.

2. [15-12938](#)-B-7 ISIDORO SEVILLA

PRO SE REAFFIRMATION AGREEMENT
WITH TRAVIS CREDIT UNION
10-28-15 [[12](#)]

THOMAS GILLIS/Atty. for dbt.

The court intends to deny approval of the reaffirmation agreement and the hearing will be dropped from calendar. Debtor was represented by counsel when the debtor entered into the reaffirmation agreement. Pursuant to 11 U.S.C. §524(c)(3), if the debtor is represented by counsel, the agreement must be accompanied by an affidavit of the debtor(s) attorney attesting to the referenced items before the agreement will have legal effect. *In re Minardi*, 399 B.R. 841, 846 (Bankr. N.D. Ok, 2009) (emphasis in original). In this case, the debtor's attorney affirmatively represented that he could not recommend the reaffirmation agreement. Therefore, the agreement does not meet the requirements of 11 U.S.C. §524(c) and is not enforceable. No appearance is necessary at this hearing.

3. [15-13560](#)-B-7 ALEXANDRA ELLEDGE

REAFFIRMATION AGREEMENT WITH
TOYOTA MOTOR CREDIT CORPORATION
10-30-15 [[19](#)]

WILLIAM COLLIER/Atty. for dbt.

The court intends to deny approval of this reaffirmation agreement. Both the reaffirmation agreement and the bankruptcy schedules show that reaffirmation of this debt creates a presumption of undue hardship which has not been rebutted in the reaffirmation agreement. No appearance is necessary.

4. [15-13364](#)-B-7 MARINDA BOSWELL

PRO SE REAFFIRMATION AGREEMENT
WITH AMERICAN HONDA FINANCE
CORP.
11-2-15 [[17](#)]

MARK ZIMMERMAN/Atty. for dbt.

The hearing will be dropped from calendar. The court is not approving or denying approval of the reaffirmation agreement. Debtor was represented by counsel when she entered into the reaffirmation agreement. Pursuant to 11 U.S.C. §524(c)(3), if the debtor is represented by counsel, the agreement must be accompanied by an affidavit of the debtor's attorney attesting to the referenced items before the agreement will have legal effect. *In re Minardi*, 399 B.R. 841, 846 (Bankr. N.D. Ok, 2009) (emphasis in original). The reaffirmation agreement, in the absence of a declaration by debtor's counsel, does not meet the requirements of 11 U.S.C. §524(c) and is not enforceable. The debtor shall have 14 days (until December 9, 2015), to refile the reaffirmation agreement properly signed and endorsed by the attorney. No appearance is necessary at this hearing.

5. [15-13986](#)-B-7 ALEXANDER SANCHEZ

REAFFIRMATION AGREEMENT WITH TD
AUTO FINANCE LLC
10-29-15 [[14](#)]

SCOTT LYONS/Atty. for dbt.

The court intends to deny approval of this reaffirmation agreement. Both the reaffirmation agreement and the bankruptcy schedules show that reaffirmation of this debt creates a presumption of undue hardship which has not been rebutted in the reaffirmation agreement. Although Part D of the reaffirmation agreement states: "Monthly payments are included in monthly expenses for vehicle," the \$531.09 payment in the reaffirmation agreement is not included on schedule J. The debtor's net monthly income in both the reaffirmation agreement and schedule I, is \$2,780. The debtor's monthly expenses as shown in schedule J and in the reaffirmation agreement are \$2,778, leaving a net of \$2 to be applied to this payment. Although counsel signed the affidavit showing that he explained the reaffirmation agreement to the debtor, he did not affirmatively assert that the reaffirmation agreement does not constitute an undue hardship on the debtor. No appearance is necessary.

1:30 P.M.

1. [14-12900](#)-B-13 MEILY YIP
DRJ-6
MEILY YIP/MV
DAVID JENKINS/Atty. for dbt. MOTION TO APPROVE LOAN
MODIFICATION
10-28-15 [[63](#)]
2. [13-14106](#)-B-13 CHANTEL DICKSON
MHM-2
MICHAEL MEYER/MV
OVIDIO OVIEDO/Atty. for dbt. CONTINUED MOTION TO DISMISS
CASE
9-17-15 [[63](#)]
3. [09-61410](#)-B-13 ANTHONY/NICOLE DEMERA
[15-1103](#)
DEMERA ET AL V. MORTGAGE
ELECTRONIC REGISTRATION
GABRIEL WADDELL/Atty. for pl.
ADVERSARY DISMISSED CONTINUED STATUS CONFERENCE RE:
COMPLAINT
8-18-15 [[1](#)]

This matter will be dropped from calendar without a disposition. The adversary proceeding has already been dismissed. No appearance is necessary.

4. [15-11610](#)-B-13 JORGE CANO AND LORENA
TOG-3 CHAVEZ
JORGE CANO/MV
THOMAS GILLIS/Atty. for dbt.
WITHDRAWN MOTION TO CONFIRM PLAN
10-13-15 [[53](#)]

This motion has been withdrawn. No appearance is necessary.

5. [15-13614](#)-B-13 DAVID GONZALEZ
MHM-1
MICHAEL MEYER/MV MOTION TO DISMISS CASE
11-4-15 [[20](#)]
6. [14-10121](#)-B-13 GREGORY/ERIKA IRELAND
MHM-2
MICHAEL MEYER/MV
PETER FEAR/Atty. for dbt.
WITHDRAWN MOTION TO DISMISS CASE
10-5-15 [[64](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

7. [14-11621](#)-B-13 LISA STANDLEE
MHM-1
MICHAEL MEYER/MV
SCOTT LYONS/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
10-6-15 [[34](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

8. [13-14541](#)-B-13 EMILIO RUIZ
RS-2
EMILIO RUIZ/MV
ANDY WARSHAW/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO MODIFY PLAN
10-8-15 [[50](#)]

9. [15-13250](#)-B-13 CHAD/GINA GORDON
MHM-1

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY TRUSTEE
MICHAEL H. MEYER
10-5-15 [[20](#)]

PETER BUNTING/Atty. for dbt.
RESPONSIVE PLEADING

10. [15-13250](#)-B-13 CHAD/GINA GORDON
PBB-1
CHAD GORDON/MV
PETER BUNTING/Atty. for dbt.

CONTINUED MOTION TO VALUE
COLLATERAL OF CAPITAL ONE, N.A.
9-28-15 [[14](#)]

This motion was fully noticed in compliance with the Local Rules and there was no opposition. The default of responding parties is hereby entered. The motion to value respondent's collateral was continued to permit filing of supplemental evidence to show that the collateral to be valued was purchased more than one year prior to the filing of the case. Such evidence having been filed, the motion will be granted for cause shown without oral argument. Based on the evidence presented, the respondent's secured claim will be fixed at \$150. The moving party shall submit a proposed order consistent with this ruling. The proposed order shall specifically identify the collateral, and if applicable, the proof of claim to which it relates. The order will be effective upon confirmation of the chapter 13 plan. No appearance is necessary.

11. [14-11451](#)-B-13 JOSE ALCANTAR
MHM-1
MICHAEL MEYER/MV
SCOTT LYONS/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
10-6-15 [[56](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

12. 15-13659 -B-13 TONY MESA BF-5 FINANCIAL FREEDOM/MV SCOTT LYONS/Atty. for dbt. BRANDYE FOREMAN/Atty. for mv.	OBJECTION TO CONFIRMATION OF PLAN BY FINANCIAL FREEDOM 11-3-15 [26]
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This matter will be continued to December 8, 2015, at 1:30 p.m. The trustee has not yet concluded the meeting of creditors and by prior order of the court, the trustee has another 7 days after completion of the creditors' meeting to file his objection to the plan. The court will prepare and enter a civil minute order. No appearance is necessary.

13. 15-12870 -B-13 RONALD DELARM AND SUSAN MHM-1 EDINGTON MICHAEL MEYER/MV DAVID JENKINS/Atty. for dbt. WITHDRAWN	MOTION TO DISMISS CASE 10-20-15 [25]
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The trustee's motion has been withdrawn. No appearance is necessary.

14. 13-15371 -B-13 CHRISTANIA HAUGHTON MHM-3 MICHAEL MEYER/MV GEOFFREY ADALIAN/Atty. for dbt. WITHDRAWN	CONTINUED MOTION TO DISMISS CASE 9-18-15 [41]
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The trustee's motion has been withdrawn. No appearance is necessary.

15. 15-12873 -B-13 CHANTELLE COLEMAN WILMINGTON TRUST, NA/MV PETER BUNTING/Atty. for dbt. DANIEL FUJIMOTO/Atty. for mv.	CONTINUED OBJECTION TO CONFIRMATION OF PLAN BY WILMINGTON TRUST, NA 9-1-15 [24]
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The plan to which this objection relates has been withdrawn and a modified plan has been filed. This objection will be deemed to be an objection to the modified plan and will be continued to December 2, 2015, at 1:30 p.m., to be heard with the motion to confirm the modified plan, PBB-1, and the trustee's motion to dismiss the case, MHM-1. No appearance is necessary.

16. 15-12873 -B-13 CHANTELLE COLEMAN MHM-1 MICHAEL MEYER/MV PETER BUNTING/Atty. for dbt.	MOTION TO DISMISS CASE 9-30-15 [31]
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This motion will be continued to December 2, 2015, at 1:30 p.m., to be heard with the debtor's motion to confirm the modified chapter 13 plan. No appearance is necessary.

17. [15-13573](#)-B-13 ROUDNI/MELISSA HAROUN
AP-1
JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION/MV
JERRY LOWE/Atty. for dbt.
JONATHAN CAHILL/Atty. for mv.
- OBJECTION TO CONFIRMATION OF
PLAN BY JPMORGAN CHASE BANK,
NATIONAL ASSOCIATION
11-2-15 [[16](#)]

This matter will be continued to December 8, 2015, at 1:30 p.m. The trustee has not yet concluded the meeting of creditors and by prior order of the court, the trustee has another 7 days after completion of the creditors' meeting to file his objection to the plan. The court will prepare and enter a civil minute order. No appearance is is necessary.

18. [15-12078](#)-B-13 MANUEL/CAROLE CAMILO
TCS-3
MANUEL CAMILO/MV
TIMOTHY SPRINGER/Atty. for dbt.
RESPONSIVE PLEADING
- MOTION TO VALUE COLLATERAL OF
FINANCE AND THRIFT COMPANY
10-14-15 [[59](#)]

Based on the respondent's opposition, this matter will be continued to January 14, 2015, at 1:30 p.m. This matter is now deemed to be a contested matter. Pursuant to Federal Rules of Bankruptcy Procedure 9014(c), the federal rules of discovery apply to contested matters. The debtors shall make the subject property available for inspection on reasonable notice. The parties shall immediately commence formal discovery, exchange appraisals, meet and confer, set deposition dates if necessary, and be prepared for the court to set an early evidentiary hearing if the matter is not resolved by the continued hearing date. The court will prepare and enter a civil minute order. No appearance is necessary.

19. [15-13579](#)-B-13 CRAIG/SOMMER BETTENCOURT
FLG-1
CRAIG BETTENCOURT/MV
PETER FEAR/Atty. for dbt.
- MOTION TO VALUE COLLATERAL OF
ALLEY BANK
10-23-15 [[18](#)]

The record shows that this matter appears to have been resolved by stipulation. The parties shall submit a proposed order that has been signed by the chapter 13 trustee. No appearance is necessary.

20. [15-13579](#)-B-13 CRAIG/SOMMER BETTENCOURT
SW-1
ALLY BANK/MV
PETER FEAR/Atty. for dbt.
ADAM BARASCH/Atty. for mv.
- OBJECTION TO CONFIRMATION OF
PLAN BY ALLY BANK
10-5-15 [[13](#)]

The record shows that this matter appears to have been resolved by stipulation. The parties shall submit a proposed order that has been signed by the chapter 13 trustee. No appearance is necessary.

21. [15-13779](#)-B-13 CHRISTOPHER NIEBLAS
EAT-1
FEDERAL NATIONAL MORTGAGE
ASSOCIATION/MV
FRANCISCO ALDANA/Atty. for dbt.
DARLENE VIGIL/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
10-14-15 [[24](#)]

The motion is denied as moot. The debtor's case was filed September 28, 2015. The debtor timely filed a motion to extend the automatic stay and, by order entered on October 22, 2015, the court granted the motion to all creditors who received notice except for movant, Federal National Mortgage Association, A/K/A Fannie Mae, which has already received \$362 relief from the automatic stay as to this property in this debtor's prior case, as well as in the debtor's spouse's prior case. Therefore, the stay as to movant had expired by October 27, 2015. The movant may submit a proposed order consistent with this ruling. No appearance is necessary.

22. [12-14680](#)-B-13 CARLOS FERNANDEZ
[13-1097](#)
FERNANDEZ V. BACA

ORDER TO SHOW CAUSE REGARDING
DISMISSAL OF ADVERSARY
PROCEEDING
10-28-15 [[14](#)]

23. [15-12680](#)-B-13 DAVID BAER
MHM-3
MICHAEL MEYER/MV
TIMOTHY SPRINGER/Atty. for dbt.
WITHDRAWN

OBJECTION TO DEBTOR'S CLAIM OF
EXEMPTIONS
9-29-15 [[44](#)]

The trustee's objection has been withdrawn. No appearance is necessary.

24. [15-12683](#)-B-13 LUCIANO/MANDY GALVEZ
MHM-2
MICHAEL MEYER/MV
TIMOTHY SPRINGER/Atty. for dbt.
WITHDRAWN

OBJECTION TO DEBTOR'S CLAIM OF
EXEMPTIONS
9-29-15 [[35](#)]

The trustee's objection has been withdrawn. No appearance is necessary.

25. [15-11788](#)-B-13 MARK/AMY AVILA
MAT-2
MARK AVILA/MV
MARCUS TORIGIAN/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO CONFIRM PLAN
9-26-15 [[73](#)]

26. [15-11788](#)-B-13 MARK/AMY AVILA
MAT-3
MARK AVILA/MV

MOTION TO VALUE COLLATERAL OF
FIRST INVESTORS SERVICING
CORPORATION
9-26-15 [[69](#)]

MARCUS TORIGIAN/Atty. for dbt.

This motion to value respondent's collateral was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be granted for cause shown without oral argument. Based on the evidence presented, the respondent's secured claim will be fixed at \$15,250. The moving party shall submit a proposed order consistent with this ruling. The proposed order shall specifically identify the collateral, and if applicable, the proof of claim to which it relates. The order will be effective upon confirmation of the chapter 13 plan. No appearance is necessary.

27. [14-13293](#)-B-13 STEPHEN/REBECCA CORL
FLG-4

MOTION FOR COMPENSATION BY THE
LAW OFFICE OF FEAR LAW GROUP,
P.C. FOR PETER L. FEAR, DEBTORS
ATTORNEY(S)
10-23-15 [[47](#)]

PETER FEAR/Atty. for dbt.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

28. [15-12995](#)-B-13 JUANITO ALFORQUE
MHM-2
MICHAEL MEYER/MV
CASE DISMISSED

MOTION TO DISMISS CASE
9-30-15 [[28](#)]

This matter will be dropped from calendar without a disposition. The case has already been dismissed. No appearance is necessary.

29. [11-60699](#)-B-13 JAMES/ROBYN BEER
MHM-1
MICHAEL MEYER/MV

OBJECTION TO NOTICE OF INTENT
TO ENTER DISCHARGE BY MICHAEL
H. MEYER
10-21-15 [[42](#)]

THOMAS ARMSTRONG/Atty. for dbt.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The record shows that the debtors are not eligible for a discharge, therefore no discharge will be entered in the debtors' case. The chapter 13 trustee shall submit a proposed order. No appearance is necessary.