

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA**

Honorable Fredrick E. Clement
Fresno Federal Courthouse
2500 Tulare Street, 5th Floor
Courtroom 11, Department A
Fresno, California

PRE-HEARING DISPOSITIONS

DAY: THURSDAY
DATE: NOVEMBER 29, 2018
CALENDAR: 1:30 P.M. CHAPTERS 11 AND 9 CASES

Each matter on this calendar will have one of three possible designations: No Ruling, Tentative Ruling, or Final Ruling. These instructions apply to those designations.

No Ruling: All parties will need to appear at the hearing unless otherwise ordered.

Tentative Ruling: If a matter has been designated as a tentative ruling it will be called. The court may continue the hearing on the matter, set a briefing schedule or enter other orders appropriate for efficient and proper resolution of the matter. The original moving or objecting party shall give notice of the continued hearing date and the deadlines. The minutes of the hearing will be the court's findings and conclusions.

Final Ruling: Unless otherwise ordered, there will be no hearing on these matters. The final disposition of the matter is set forth in the ruling and it will appear in the minutes. The final ruling may or may not finally adjudicate the matter. If it is finally adjudicated, the minutes constitute the court's findings and conclusions.

Orders: Unless the court specifies in the tentative or final ruling that it will issue an order, the prevailing party shall lodge an order within 14 days of the final hearing on the matter.

1. [10-12709](#)-A-11 **IN RE: ENNIS COMMERCIAL PROPERTIES, LLC**
[FRC-13](#)

MOTION FOR AN ORDER TO APPROVE FIFTH INTERIM DISTRIBUTION
10-29-2018 [[1868](#)]

DAVID STAPLETON/MV
PETER FEAR
JENNIFER BROOKS/ATTY. FOR MV.

Final Ruling

Motion: For an Order Approving Fifth Interim Distribution

Notice: LBR 9014-1(f)(1); written opposition required

Disposition: Granted

Order: Prepared by moving party

Unopposed motions are subject to the rules of default. Fed. R. Civ. P. 55, *incorporated by* Fed. R. Bankr. P. 7055, 9014(c). Written opposition to this motion was required not less than 14 days before the hearing on this motion. LBR 9014-1(f)(1)(B). None has been filed. The default of the responding party is entered. The court considers the record, accepting well-pleaded facts as true. *TeleVideo Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917-18 (9th Cir. 1987).

The plan administrator request authorization to disburse \$550,000 to secured and unsecured creditors in accordance with the table provided in the motion. Section V(N) of the Plan provides that the "Plan Administrator shall be entitled to see such Bankruptcy Court orders and instructions as the Plan Administrator deems necessary to carry out and further the intentions and purposes, and to give full effect to, the provisions of the plan." The confirmed plan also contains a mechanism for disbursing funds to creditors at Article VI. The court will authorize the distribution. The moving party shall prepare and submit an order.

2. [16-10015](#)-A-9 **IN RE: SOUTHERN INYO HEALTHCARE DISTRICT**
[KDG-5](#)

MOTION TO QUASH AND/OR MOTION FOR PROTECTIVE ORDER
11-6-2018 [[512](#)]

ASHLEY MCDOW
HAGOP BEDOYAN/ATTY. FOR MV.
ORDER CONTINUING TO 12/19/18 AT 1:30 P.M., ECF NO.

Final Ruling

The motion is continued to December 19, 2018, at 1:30 p.m.

3. [18-11651](#)-A-11 **IN RE: GREGORY TE VELDE**
[MB-10](#)

MOTION TO SELL FREE AND CLEAR OF LIENS
11-6-2018 [[1078](#)]

RANDY SUGARMAN/MV
MICHAEL COLLINS
JOHN MACCONAGHY/ATTY. FOR MV.

Final Ruling

The motion withdrawn, the matter is dropped as moot.

4. [18-11651](#)-A-11 **IN RE: GREGORY TE VELDE**
[MB-12](#)

MOTION TO REJECT LEASE OR EXECUTORY CONTRACT
11-11-2018 [[1103](#)]

RANDY SUGARMAN/MV
MICHAEL COLLINS
JOHN MACCONAGHY/ATTY. FOR MV.

No Ruling

5. [18-11651](#)-A-11 **IN RE: GREGORY TE VELDE**
[WW-17](#)

CONTINUED MOTION FOR ADMINISTRATIVE EXPENSES
7-25-2018 [[588](#)]

GREGORY TE VELDE/MV
MICHAEL COLLINS
RESPONSIVE PLEADING

No Ruling

6. [15-10366](#)-A-11 **IN RE: ELLIOTT MANUFACTURING COMPANY, INC.**
[FW-30](#)

MOTION FOR FINAL DECREE
11-13-2018 [[401](#)]

PETER FEAR

No Ruling