

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Robert S. Bardwil
Bankruptcy Judge
Modesto, California

December 3, 2019 at 10:30 a.m.

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 Lindsey Peratis, the Courtroom Deputy, at (916) 930-4473 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. | 18-90901 -B-13 GARY/COLEEN EDWARDS
RDG-1 | OBJECTION TO CLAIM OF BROTHER
INTERNATIONAL CORPORATION,
CLAIM NUMBER 17
10-21-19 [94] |
| 2. | 18-90908 -B-13 HIRAM KEMP
RDG-3 | OBJECTION TO CLAIM OF RADA
MEDJED, CLAIM NUMBER 6
10-21-19 [80] |

December 3, 2019 at 10:30 a.m.

3. [19-90411](#)-B-13 MICHAEL/DEANNA BAKER MOTION TO CONFIRM PLAN
[BSH](#)-2 10-25-19 [[41](#)]

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.

4. [19-90615](#)-B-13 GREG/TAMMY LILLARD MOTION TO CONFIRM PLAN
[BSH](#)-1 10-25-19 [[29](#)]

5. [19-90615](#)-B-13 GREG/TAMMY LILLARD OBJECTION TO CONFIRMATION OF
[PPR](#)-2 PLAN BY PINGORA LOAN SERVICING,
LLC
11-14-19 [[38](#)]

6. [19-90817](#)-B-13 GARY COOKSEY OBJECTION TO DEBTOR'S CLAIM OF
[RDG](#)-2 EXEMPTIONS
10-28-19 [[31](#)]

Final ruling:

The matter is resolved without oral argument. The court's record indicates that no timely opposition/response has been filed and the objection to the debtor's claim of exemptions is supported by the record. The court will issue a minute order sustaining the trustee's objection to debtor's claim of exemptions. No appearance is necessary.

7. [19-90424](#)-B-13 SUSAN DUENKE MOTION TO CONFIRM PLAN
[DCJ](#)-3 10-14-19 [[45](#)]
8. [19-90141](#)-B-13 JOHN VIEIRA CONTINUED MOTION TO CONFIRM
[RKW](#)-2 PLAN
9-30-19 [[52](#)]
9. [19-90545](#)-B-13 EDGAR DOMINGUEZ AND MOTION TO VALUE COLLATERAL OF
[FAT](#)-2 MEGHAN MOORE VALLEY FIRST CREDIT UNION
10-24-19 [[29](#)]

Final ruling:

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant the motion and, for purposes of this motion only, sets the creditor's secured claim in the amount set forth in the motion. Moving party is to submit an order which provides that the creditor's secured claim is in the amount set forth in the motion. No further relief is being afforded. No appearance is necessary.

10. [19-90546](#)-B-7 JEFFREY/CLARA PAPPAS MOTION TO CONFIRM PLAN
[HWW](#)-4 10-4-19 [[57](#)]

Final ruling:

This case was converted to a case under Chapter 7 on November 18, 2019. As a result the motion will be denied by minute order as moot. No appearance is necessary.

11. [19-90448](#)-B-13 MICHAEL/JANET NIELSEN MOTION TO CONFIRM PLAN
[DCJ](#)-1 10-14-19 [[29](#)]

12. [19-90850](#)-B-13 MARK ESCALANTE OBJECTION TO CONFIRMATION OF
[RDG](#)-1 PLAN BY RUSSELL D. GREER
11-8-19 [[24](#)]

Final ruling:

Objection withdrawn by moving party. Matter removed from calendar.

13. [15-90855](#)-B-13 PHILLIP/NECY LOPEZ MOTION FOR COMPENSATION BY THE
[JAD](#)-4 LAW OFFICE OF BORTON PETRINI,
LLP FOR JESSICA A. DORN,
DEBTORS ATTORNEY(S)
11-8-19 [[121](#)]

14. [18-90455](#)-B-13 STANLEY SALBECK MOTION TO INCUR DEBT
[DCJ](#)-3 11-11-19 [[50](#)]

15. [17-90564](#)-B-13 DANIEL/GERARDEE DONNAN CONTINUED MOTION TO DISMISS
[EGS](#)-3 CASE
8-12-19 [[125](#)]
16. [17-90564](#)-B-13 DANIEL/GERARDEE DONNAN STATUS CONFERENCE RE: OBJECTION
[JAD](#)-5 TO CLAIM OF BAYVIEW LOAN
SERVICING, LLC, CLAIM NUMBER 8
2-16-18 [[62](#)]
17. [17-90564](#)-B-13 DANIEL/GERARDEE DONNAN CONTINUED MOTION TO MODIFY PLAN
[JAD](#)-6 9-12-19 [[144](#)]
18. [17-90564](#)-B-13 DANIEL/GERARDEE DONNAN MOTION FOR COMPENSATION BY THE
[JAD](#)-7 LAW OFFICE OF BORTON PETRINI,
LLP FOR JESSICA A. DORN AND
STEVEN ALTMAN, DEBTORS
ATTORNEY(S)
11-14-19 [[177](#)]

19. [14-90971](#)-B-13 BRUCE/CASEY SNIDER MOTION TO AVOID LIEN OF WELLS
[LRR](#)-5 FARGO BANK, A NATIONAL
ASSOCIATION
10-25-19 [[111](#)]

Final ruling:

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. The court finds the judicial lien described in the motion impairs an exemption to which the debtor is entitled. As a result, the court will grant the debtors' motion to avoid the lien. Moving party is to submit an appropriate order, which order shall specifically identify the real property subject to the lien and specifically identify the lien to be avoided. No appearance is necessary.

20. [14-90572](#)-B-13 DOUGLAS/DEBORAH TOBIN MOTION TO AVOID LIEN OF MCT
[PGM](#)-4 GROUP
10-24-19 [[104](#)]

Final ruling:

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. The court finds the judicial lien described in the motion impairs an exemption to which the debtor is entitled. As a result, the court will grant the debtors' motion to avoid the lien. Moving party is to submit an appropriate order, which order shall specifically identify the real property subject to the lien and specifically identify the lien to be avoided. No appearance is necessary.

21. [17-90388](#)-B-13 JOSE/ROLEA ROY CONTINUED MOTION TO INCUR DEBT
[MLP](#)-4 10-9-19 [[59](#)]

22. [19-90791](#)-B-13 RAUL/MARIZA HERROZ
[TOG](#)-1

MOTION TO CONFIRM PLAN
10-17-19 [[25](#)]

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.

23. [19-91019](#)-B-13 ANTHONY GODINEZ
[BSH](#)-2

CONTINUED MOTION TO REINSTATE
THE AUTOMATIC STAY
11-19-19 [[18](#)]