

**UNITED STATES BANKRUPTCY COURT
Eastern District of California**

Honorable Christopher D. Jaime
Robert T. Matsui U.S. Courthouse
501 I Street, Sixth Floor
Sacramento, California

PRE-HEARING DISPOSITIONS COVER SHEET

DAY: TUESDAY

DATE: September 9, 2025

CALENDAR: 1:00 P.M. CHAPTER 13

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 and no appearance is necessary. 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 seven (7) days of the final hearing on the matter.

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Christopher D. Jaime
Bankruptcy Judge
Sacramento, California

September 9, 2025 at 1:00 p.m.

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|----|--|----------------------------------|---|
| 1. | <u>25-22318</u> -B-13
<u>LGT</u> -1 | TRACEY KILGORE
Robert W. Fong | CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY LILIAN
G. TSANG
6-26-25 [<u>13</u>] |
|----|--|----------------------------------|---|

Final Ruling

The court having entered an order dismissing this case on September 5, 2025, the objection to confirmation is overruled as moot.

The objection is ORDERED OVERRULED AS MOOT for reasons stated in the minutes.

The court will enter an order.

September 9, 2025 at 1:00 p.m.

Final Ruling

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rules 3015-1(d)(2), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 3015(g). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Opposition and a response were filed.

The court has determined that oral argument will not assist in the decision-making process or resolution of the motion. See Local Bankr. R. 9014-1(h), 1001-1(f). This matter will therefore be decided on the papers.

The court's decision is to permit the requested modification and confirm the modified plan.

The Chapter 13 Trustee objects to confirmation of the modified plan on grounds that the plan should state that the Class 1 mortgage arrears will receive a total of \$23,030.00 for months 1 through 19 and then \$2,230.00 per month in months 20 through 60, and that the attorney fee dividend should be \$100.00 per month for the remaining duration of the plan.

Debtor filed a response stating that he is amenable to including this verbiage in the order confirming plan.

The modified plan complies with 11 U.S.C. §§ 1322 and 1325(a) and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the minutes. The Chapter 13 Trustee shall prepare an appropriate order confirming the Chapter 13 plan and submit the proposed order to the court.

The court will issue an order.

3. [25-22445](#)-B-13 SILVIA QUIROGA
[RJ-2](#) Richard L. Jare

CONTINUED MOTION TO CONFIRM
PLAN
6-16-25 [[29](#)]

Final Ruling

The Chapter 13 Trustee having filed a notice of withdrawal of its objection, the objection is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2) and Federal Rules of Bankruptcy Procedure 9014 and 7041. The matter is removed from the calendar.

There being no other objection to confirmation, the plan filed June 16, 2025, will be confirmed.

The objection is ORDERED DISMISSED WITHOUT PREJUDICE for reasons stated in the minutes.

IT IS FURTHER ORDERED that the plan is CONFIRMED for reasons stated in the minutes. The Chapter 13 Trustee shall prepare an appropriate order confirming the Chapter 13 plan and submit the proposed order to the court.

The court will issue an order.

4. [25-23654](#)-B-13 NARDEEP SANDHU MOTION TO DISMISS CASE
[RPG](#)-1 Pro Se 8-1-25 [[14](#)]

DEBTOR DISMISSED: 08/04/25

Final Ruling

The case having been dismissed on August 4, 2025, the motion to dismiss case is denied as moot.

The motion is ORDERED DENIED AS MOOT for reasons stated in the minutes.

The court will issue an order.

5. [25-22083](#)-B-13 WILFREDO/JULIET NIEVES MOTION TO CONFIRM PLAN
[JTN](#)-1 Robert W. Fong 7-24-25 [[23](#)]

Final Ruling

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rule 3015-1(d)(1), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 2002(b). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to confirm the amended plan.

11 U.S.C. § 1323 permits a debtor to amend a plan any time before confirmation. The Debtors have provided evidence in support of confirmation. No opposition to the motion has been filed by the Chapter 13 Trustee or creditors. The amended plan complies with 11 U.S.C. §§ 1322 and 1325(a) and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the minutes. The Chapter 13 Trustee shall prepare an appropriate order confirming the Chapter 13 plan and submit the proposed order to the court.

The court will issue an order.

6. [24-25789](#)-B-13 JULIUS/CHARMAINE
[PSB](#)-2 KALEHUAWHEHE
Pauldeep Bains

MOTION TO CONFIRM PLAN
7-23-25 [[56](#)]

Final Ruling

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rule 3015-1(d)(1), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 2002(b). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to confirm the amended plan.

11 U.S.C. § 1323 permits a debtor to amend a plan any time before confirmation. The Debtors have provided evidence in support of confirmation. No opposition to the motion has been filed by the Chapter 13 Trustee or creditors. The amended plan complies with 11 U.S.C. §§ 1322 and 1325(a) and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the minutes. The Chapter 13 Trustee shall prepare an appropriate order confirming the Chapter 13 plan and submit the proposed order to the court.

The court will issue an order.

7. [25-21991](#)-B-13 NICOLE LEVIEN CONTINUED MOTION TO VALUE
[DEF](#)-1 David Foyil COLLATERAL OF FRANKLIN CREDIT
MANAGEMENT
5-6-25 [[11](#)]

Final Ruling

The court entered an order on July 8, 2025, granting the stipulation resolving the motion to value collateral of Franklin Credit Management Servicing Agent for BOSCO Credit II Trust Series 2010-1.

The hearing on the motion to value is therefore vacated.

The court will issue an order.

8. [98-39598](#)-B-13 VICTOR GUARDADO
John A. Tosney

MOTION FOR PAYMENT OF UNCLAIMED
FUNDS IN THE AMOUNT OF \$
3423.66 WITH DILKS & KNOPIK,
LLC;
7-24-25 [[74](#)]

CASE CLOSED: 09/09/04

Final Ruling

The motion has been set for hearing on 28-days notice. Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to grant the motion for payment of unclaimed funds.

Dilks & Knopik, LLC ("Movant") has filed the instant Motion for Payment of Unclaimed Funds and seeks to recoup the sum of \$3,423.66 from the unclaimed funds by transfer, assignment, purchase, merger, acquisition, or succession by other means, and the owner of record and previous owner of the claim being Empire Funding Corp.

The case commenced on December 21, 1998, and a discharge was entered on August 31, 2004. On June 29, 2004, the Chapter 13 Trustee filed with the court a Notice of Unclaimed Funds indicating that the sum of \$3,423.66 was paid into the court as unclaimed funds, which should have otherwise gone to Empire Funding Corp. Dkt. 66.

On July 24, 2025, Movant filed the instant motion, accompanied inter alia by documents that purport to be (1) an Explanation of Supporting Documentation for Application for Payment of Unclaimed Funds; (2) photocopies of a driver's license and business card confirming the identity of Brian J. Dilks, who is a member of Movant, Jeff Hudspeth, who is vice president of accounts, and Caryn M. Dilks (née Knopik), who is a member of Movant; (3) a Notice of Assignment, and (4) Request for Payee Information and TIN Certification form. Dkt. 74.

The court is satisfied that Movant has demonstrated its entitlement to the unclaimed funds properly owed to Empire Funding Corp. Accordingly, the motion is granted.

The motion is ORDERED GRANTED for reasons stated in the minutes.

The court will issue an order.

9. [25-23067](#)-B-13 RAYSHUN/CHRISTINA DORSEY CONTINUED OBJECTION TO
[LGT](#)-1 Nicholas Wajda CONFIRMATION OF PLAN BY LILIAN
G. TSANG
8-1-25 [[13](#)]

Final Ruling

This matter was continued from September 2, 2025, to allow any party in interest to file a response by 5:00 p.m. Friday, September 5, 2025. Nothing was filed. Therefore, the court's conditional ruling at dkt. 21, sustaining the objection, shall become the court's final decision. The continued hearing on September 9, 2025, at 1:00 p.m. is vacated.

The objection is ORDERED SUSTAINED for reasons stated in the minutes.

The court will issue an order.

10. [25-23077](#)-B-13 DENNIS MILLER
[LGT](#)-1 Natali A. Ron

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY LILIAN
G. TSANG
7-31-25 [[12](#)]

Final Ruling

This matter was continued from September 2, 2025, to allow any party in interest to file a response by 5:00 p.m. Friday, September 5, 2025. Nothing was filed. Therefore, the court's conditional ruling at dkt. 16, sustaining the objection, shall become the court's final decision. The continued hearing on September 9, 2025, at 1:00 p.m. is vacated.

The objection is ORDERED SUSTAINED for reasons stated in the minutes.

The court will issue an order.