

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

Chief Judge Fredrick E. Clement  
Sacramento Federal Courthouse  
501 I Street, 7<sup>th</sup> Floor  
Courtroom 28, Department A  
Sacramento, California

**DAY: TUESDAY**  
**DATE: JANUARY 10, 2023**  
**CALENDAR: 1:30 P.M. ADVERSARY PROCEEDINGS**

**RULINGS**

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

**"No Ruling"** means the likely disposition of the matter will not be disclosed in advance of the hearing. The matter will be called; parties wishing to be heard should rise and be heard.

**"Tentative Ruling"** means the likely disposition, and the reasons therefor, are set forth herein. The matter will be called. Aggrieved parties or parties for whom written opposition was not required should rise and be heard. Parties favored by the tentative ruling need not appear. Non-appearing parties are advised that the court may adopt a ruling other than that set forth herein without further hearing or notice.

**"Final Ruling"** means that the matter will be resolved in the manner, and for the reasons, indicated below. The matter will not be called; parties and/or counsel need not appear and will not be heard on the matter.

**CHANGES TO PREVIOUSLY PUBLISHED RULINGS**

On occasion, the court will change its intended ruling on some of the matters to be called and will republish its rulings. The parties and counsel are advised to recheck the posted rulings after 3:00 p.m. on the next business day prior to the hearing. Any such changed ruling will be preceded by the following bold face text: **"[Since posting its original rulings, the court has changed its intended ruling on this matter]"**.

**ERRORS IN RULINGS**

Clerical errors of an insignificant nature, e.g., nomenclature ("2017 Honda Accord," rather than "2016 Honda Accord"), amounts, ("\$880," not "\$808"), may be corrected in (1) tentative rulings by appearance at the hearing; or (2) final rulings by appropriate ex parte application. Fed. R. Civ. P. 60(a) *incorporated by* Fed. R. Bankr. P. 9024. All other errors, including those occasioned by mistake, inadvertence, surprise, or excusable neglect, must be corrected by noticed motion. Fed. R. Bankr. P. 60(b), *incorporated by* Fed. R. Bankr. P. 9023.

1. [21-23522](#)-A-7    **IN RE: JOSEPH SMITH**  
[22-2103](#)    [CAE-1](#)

STATUS CONFERENCE RE: COMPLAINT  
11-10-2022    [[1](#)]

HOPPER V. BENDER  
J. CUNNINGHAM/ATTY. FOR PL.

**\*[Since posting its original rulings, the court has changed its intended ruling on this matter]"**.

#### **Final Ruling**

This Status Conference is continued to May 16, 2023, at 10:30 a.m. The parties are to file a status report 14 days prior to the continued hearing.

2. [20-23726](#)-A-11    **IN RE: AME ZION WESTERN EPISCOPAL DISTRICT**  
[22-2051](#)    [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT  
7-28-2022    [[1](#)]

GOLDEN V. FAIRWAY AMERICA, LLC  
DAVID GOODRICH/ATTY. FOR PL.  
ADVERSARY PROCEEDING DISMISSED: 12/12/2022

#### **Final Ruling**

This case was dismissed on December 12, 2022. The Status Conference is concluded.

3. [20-23726](#)-A-11    **IN RE: AME ZION WESTERN EPISCOPAL DISTRICT**  
[22-2067](#)    [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT  
7-29-2022    [[1](#)]

GOLDEN V. POWELL  
DAVID GOODRICH/ATTY. FOR PL.

#### **No Ruling**

4. [20-23726](#)-A-11     **IN RE: AME ZION WESTERN EPISCOPAL DISTRICT**  
[22-2076](#)     [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT  
7-29-2022     [[1](#)]

GOLDEN V. LIVINGSTONE COLLEGE  
DAVID GOODRICH/ATTY. FOR PL.

**Final Ruling**

This matter is continued to February 7, 2023, at 1:30 p.m. to allow the parties to resolve venue, 28 U.S.C. § 1409(b), by stipulation. If the stipulation to transfer venue has not been filed, not later than 14 days prior to the continued status conference the parties will file a joint status report. A civil minute order shall issue.

5. [20-23457](#)-A-7     **IN RE: ERNESTO/MARILYN PATACSIL**  
[20-2167](#)     [FEC-3](#)

ORDER TO SHOW CAUSE  
12-7-2022     [[124](#)]

CABARDO ET AL V. PATACSIL ET AL

**\*[Since posting its original rulings, the court has changed its intended ruling on this matter].**

**Final Ruling**

This Order to Show Cause is continued to January 24, 2023, at 1:30 p.m. The court will issue a civil minute order.

6. [19-26964](#)-A-7     **IN RE: LYNN HARRINGTON**  
[20-2017](#)     [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT  
2-18-2020     [[1](#)]

EL DORADO COUNTY V. HARRINGTON  
JAMIE DREHER/ATTY. FOR PL.

**No Ruling**

7. [19-26964](#)-A-7     **IN RE: LYNN HARRINGTON**  
[20-2017](#)     [DB-3](#)

CONTINUED MOTION FOR SUMMARY JUDGMENT  
9-20-2022     [\[55\]](#)

EL DORADO COUNTY V. HARRINGTON  
JAMIE DREHER/ATTY. FOR MV.

**No Ruling**

8. [19-26964](#)-A-7     **IN RE: LYNN HARRINGTON**  
[20-2017](#)     [DB-4](#)

CONTINUED MOTION TO DISMISS DEFENDANT'S AFFIRMATIVE DEFENSE  
AND/OR MOTION FOR ABSTENTION REGARDING DEFENDANT'S INVERSE  
CONDEMNATION CLAIM  
10-4-2022     [\[61\]](#)

EL DORADO COUNTY V. HARRINGTON  
JAMIE DREHER/ATTY. FOR MV.

**No Ruling**

9. [19-26964](#)-A-7     **IN RE: LYNN HARRINGTON**  
[20-2017](#)     [FEC-3](#)

ORDER TO SHOW CAUSE  
10-31-2022     [\[94\]](#)

EL DORADO COUNTY V. HARRINGTON

**No Ruling**

10. [19-26964](#)-A-7     **IN RE: LYNN HARRINGTON**  
[20-2017](#)     [KP-1](#)

CONTINUED MOTION FOR SUMMARY JUDGMENT  
9-20-2022     [\[48\]](#)

EL DORADO COUNTY V. HARRINGTON  
KAREN PINE/ATTY. FOR MV.

**No Ruling**

11. [21-21372](#)-A-13    **IN RE: BRENDA SMITHEY**  
[22-2021](#)    [FEC-1](#)

PRE-TRIAL CONFERENCE RE: COMPLAINT TO DETERMINE  
DISCHARGEABILITY OF DEBT  
4-12-2022    [[1](#)]

SMITHEY V. U.S. DEPARTMENT OF  
EDUCATION  
MARY TERRANELLA/ATTY. FOR PL.

**Final Ruling**

At the suggestion of the parties the pretrial conference is continued to March 21, 2023, at 10:30 a.m. Not later than 14 days prior to the continued hearing the parties shall file a joint status report. A civil minute order shall issue.