

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Robert S. Bardwil
Bankruptcy Judge
Sacramento, California

January 17, 2018 at 10:00 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 Nancy Williams, the Courtroom Deputy, at (916) 930-4580 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.**

1.	17-21700-D-12	PAUL SCHMIDT	CONTINUED MOTION TO CONFIRM
	DBL-11		CHAPTER 12 PLAN
			11-1-17 [128]

Final ruling:

This case was dismissed on January 8, 2018. As a result the motion will be denied by minute order as moot. No appearance is necessary.

2.	17-21700-D-12	PAUL SCHMIDT	CONTINUED MOTION TO DISMISS
	JPJ-1		CASE
			10-24-17 [119]

Final ruling:

This case was dismissed on January 8, 2018. As a result the motion will be denied by minute order as moot. No appearance is necessary.

3. 14-25820-D-11 INTERNATIONAL PRE-TRIAL CONFERENCE RE:
15-2122 MANUFACTURING GROUP, INC. COMPLAINT FOR AVOIDANCE AND
MCFARLAND V. CARTER ET AL RECOVERY OF ACTUAL FRAUDULENT
TRANSFERS AND; OBJECTION TO
CLAIMS; DECLARATORY JUDGMENT;
AND SUBORDINATION OF CLAIMS
6-8-15 [1]

Final ruling:

This pre-trial conference has been continued to July 26, 2018 at 10:00 a.m. by stipulated order. No appearance is necessary.

4. 17-27923-D-7 NICOLE AHR MOTION FOR WAIVER OF THE
CHAPTER 7 FILING FEE OR OTHER
FEE
12-5-17 [5]

5. 17-23626-D-7 PHYSICIANS SKIN AND MOTION FOR COMPENSATION FOR
DMW-2 WEIGHT CENTERS, INC. CENTURION SERVICE GROUP, LLC,
AUCTIONEER(S)
12-11-17 [28]

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 for compensation for Centurion Service Group, LLC, auctioneer, in the total amount of \$10,131 is supported by the record. As such the court will grant the motion. Moving party is to submit an appropriate order. No appearance is necessary.

6. 17-20731-D-11 CS360 TOWERS, LLC MOTION TO SELL FREE AND CLEAR
DB-10 OF LIENS
12-18-17 [279]

7.	17-20731-D-11 DB-11	CS360 TOWERS, LLC	MOTION TO SELL FREE AND CLEAR OF LIENS 12-18-17 [283]
8.	17-28134-D-7 MJH-1	MARIA LOPEZ	MOTION TO COMPEL ABANDONMENT 12-21-17 [9]
9.	17-27842-D-7	RANDALL ADAMS	MOTION FOR WAIVER OF THE CHAPTER 7 FILING FEE OR OTHER FEE 11-30-17 [5]
10.	17-24444-D-11	RAMON LOPEZ	CONTINUED STATUS CONFERENCE RE: VOLUNTARY PETITION 7-5-17 [1]

11. 17-24444-D-11 RAMON LOPEZ
MF-1

CONTINUED MOTION TO APPOINT
TRUSTEE
9-1-17 [54]

12. 17-27845-D-7 TUA HER

MOTION FOR WAIVER OF THE
CHAPTER 7 FILING FEE OR OTHER
FEE
11-30-17 [5]

13. 17-21454-D-7 ELLEN DIAL
DMW-1

MOTION TO COMPROMISE
CONTROVERSY/APPROVE SETTLEMENT
AGREEMENT WITH ELLEN ANNETTE
DIAL
12-5-17 [28]

Final ruling:

The matter is resolved without oral argument. There is no timely opposition to the trustee's motion to approve compromise of controversy, and the trustee has demonstrated the compromise is in the best interest of the creditors and the estate. Specifically, the motion demonstrates that when the compromise is put up against the factors enumerated in In re Woodson, 839 F.2d 610 (9th Cir. 1988), the likelihood of success on the merits, the complexity of the litigation, the difficulty in collectability, and the paramount interests of creditors, the compromise should be approved. Accordingly, the motion is granted and the compromise approved. The moving party is to submit an appropriate order. No appearance is necessary.

14. 17-22056-D-11 JAMES MCCLERNON
RLC-2

CONTINUED MOTION TO EMPLOY
CUSHMAN AND WAKEFIELD U.S.,
INC. AS BROKER(S)
8-21-17 [81]

15. 17-22056-D-11 JAMES MCCLERNON
WT-4

CONTINUED MOTION FOR CONTEMPT
AND/OR MOTION FOR AN AWARD OF
DAMAGES
10-25-17 [106]

16. 16-28158-D-7 KENNITH/HEIDI DRURY
EJS-1

CONTINUED MOTION TO AVOID LIEN
OF WINDSET
10-4-17 [32]

17. 17-27559-D-7 JOYCE JONES
MDE-1
CIT BANK, N.A. VS.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
12-12-17 [12]

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 relief from stay. As the debtor's Statement of Intentions indicates she will surrender the property, the court will also waive FRBP 4001(a)(3) by minute order. There will be no further relief afforded. No appearance is necessary.

18. 15-26465-D-7 SCOTT POMEROY
16-2250 GJH-2
ROBERTS V. SWEETLAND

CONTINUED MOTION FOR ENTRY OF
DEFAULT JUDGMENT
4-5-17 [18]

Final ruling:

This matter was earlier set for hearing on December 6, 2017. On November 29, 2017, the parties filed a stipulation to continue the hearing from December 6, 2017 to this date, January 17, 2018, and the stipulation was approved. However, the court, overlooking the November 29, 2017 stipulation and order, issued a pre-hearing disposition for December 6, continuing the hearing to December 20. On that date, the parties appeared and the hearing was continued to February 14, 2018. However, as a result of the November 29, 2017 stipulation and order, the matter was also calendared for this date.

As the matter has now been continued to February 14, 2018, at 10:00 a.m., the matter will be removed from this January 17, 2018 calendar. No appearance is necessary.

19. 15-26465-D-7 SCOTT POMEROY CONTINUED MOTION TO SET ASIDE
16-2250 LBG-202 7-19-17 [51]
ROBERTS V. SWEETLAND

Final ruling:

This matter was earlier set for hearing on December 6, 2017. On November 29, 2017, the parties filed a stipulation to continue the hearing from December 6, 2017 to this date, January 17, 2018, and the stipulation was approved. However, the court, overlooking the November 29, 2017 stipulation and order, issued a pre-hearing disposition for December 6, continuing the hearing to December 20. On that date, the parties appeared and the hearing was continued to February 14, 2018. However, as a result of the November 29, 2017 stipulation and order, the matter was also calendared for this date.

As the matter has now been continued to February 14, 2018, at 10:00 a.m., the matter will be removed from this January 17, 2018 calendar. No appearance is necessary.

20. 17-26175-D-7 MIKA SUVIVUO MOTION TO SELL
DNL-2 12-12-17 [19]

21. 17-25978-D-7 LAILA OSMAN CONTINUED MOTION FOR RELIEF
MDE-2 FROM AUTOMATIC STAY
TOYOTA MOTOR CREDIT 11-13-17 [21]
CORPORATION VS.

22. 15-29890-D-7 GRAIL SEMICONDUCTOR AMENDED MOTION TO COMPROMISE
DNL-34 CONTROVERSY/APPROVE SETTLEMENT
AGREEMENT WITH KHOSROW BENYAMIN
AND MISHCON DE REYA NEW YORK,
LLP
12-21-17 [932]

23. 17-27291-D-7 JAMES/JERRI SMITH MOTION FOR WAIVER OF THE
CHAPTER 7 FILING FEE OR OTHER
FEE
11-2-17 [5]

24. 17-25395-D-7 STEPHANIE/COREY SHEPHERD MOTION FOR RELIEF FROM
MEL-1 AUTOMATIC STAY
BANK OF AMERICA, N.A. VS. 12-7-17 [18]

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 relief from stay. As the debtors' Statement of Intentions indicates they will surrender the property, the court will also waive FRBP 4001(a)(3) by minute order. There will be no further relief afforded. No appearance is necessary.

25. 15-27697-D-7 ROMEO/SONIA GAPASIN MOTION FOR RELIEF FROM
KMR-1 AUTOMATIC STAY
DEUTSCHE BANK NATIONAL TRUST 12-12-17 [44]
COMPANY VS.

Final ruling:

Per moving party's amended notice of hearing the hearing on this motion is continued to January 31, 2018 at 10:00 a.m. No appearance is necessary on January 17, 2018.

26. 15-27697-D-7 ROMEO/SONIA GAPASIN MOTION TO ABANDON
SSA-3 12-21-17 [51]

27.	14-25820-D-11 FWP-82	INTERNATIONAL MANUFACTURING GROUP, INC.	MOTION FOR AUTHORITY TO MAKE SECOND INTERIM DISTRIBUTION TO GENERAL UNSECURED CREDITORS 1-3-18 [1475]
28.	17-20731-D-11 DB-13	CS360 TOWERS, LLC	MOTION FOR APPROVAL OF DISTRIBUTION OF SALE PROCEEDS 1-3-18 [300]
29.	17-20731-D-11 DB-9	CS360 TOWERS, LLC	CONTINUED MOTION TO USE CASH COLLATERAL 12-6-17 [268]
30.	17-24444-D-11 GMW-6	RAMON LOPEZ	MOTION FOR ORDER APPROVING SECOND STIPULATION AUTHORIZING USE OF CASH COLLATERAL 1-3-18 [130]

31. 18-20048-D-11 BOB COOK COMPANY LLC

ORDER TO SHOW CAUSE RE
DISMISSAL
1-4-18 [6]

32. 17-28059-D-7 RYAN SOUSA
VVF-1
HONDA LEASE TRUST VS.

MOTION FOR RELIEF FROM
AUTOMATIC STAY AND/OR MOTION
FOR ADEQUATE PROTECTION
12-22-17 [10]

33. 16-27672-D-11 DAVID LIND
DNL-10

MOTION FOR AUTHORITY TO
DISBURSE FUNDS
1-3-18 [306]

34. 17-27875-D-7 LORENA MENDOZA
MKM-1

MOTION TO VACATE DISMISSAL OF
CASE
12-22-17 [17]

DEBTOR DISMISSED: 12/19/2017

