

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Robert S. Bardwil
Bankruptcy Judge
Modesto, California

January 21, 2020 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. | <u>19-90706</u> -B-13 | GILBERT/NUEMI MAXEY | MOTION TO VALUE COLLATERAL OF |
| | <u>BSH</u> -1 | | TRAVIS CREDIT UNION |
| | | | 12-12-19 [<u>37</u>] |

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.

January 21, 2020 at 10:30 a.m.

2. [19-91007](#)-B-13 AMY LOPEZ
[RDG](#)-1

OBJECTION TO CONFIRMATION OF
PLAN BY RUSSELL D. GREER
12-23-19 [[16](#)]

3. [19-90010](#)-B-13 SHALEAH WALKER
[BSH](#)-5

MOTION TO CONFIRM PLAN
11-18-19 [[81](#)]

Final ruling:

This is the debtors' motion to confirm a Chapter 13 plan. On January 14, 2020 the debtor filed an amended plan and a motion to confirm it. As a result of the filing of the amended plan, the present motion will be denied as moot. No appearance is necessary.

4. [20-90010](#)-B-13 KIMBERLY BOBO
[ADR](#)-1

MOTION FOR RELIEF FROM
AUTOMATIC STAY AND/OR MOTION
FOR ADEQUATE PROTECTION
1-7-20 [[10](#)]

J & E ARMENTA PROPERTY VS.

5. [18-90714](#)-B-13 JARED MEEK AND LAUREN
[BSH](#)-9 LONGWELL

MOTION TO CONFIRM PLAN
11-18-19 [[127](#)]

6. [19-91014](#)-B-13 SANDRA RODRIGUEZ
[EAT](#)-1
OBJECTION TO CONFIRMATION OF
PLAN BY WELLS FARGO USA
HOLDINGS, INC.
1-2-20 [[26](#)]
7. [15-91015](#)-B-13 PEDRO/PATRICIA DIAZ
[JAD](#)-2
MOTION TO REFINANCE
12-30-19 [[22](#)]
8. [16-90219](#)-B-13 SHARON HAMILTON
[SMC](#)-2
MOTION TO RECONSIDER
12-26-19 [[205](#)]
- Final ruling:**
- Pursuant to the order entered at docket no. 217 the hearing on this motion is continued to February 4, 2020 at 10:00 a.m. No appearance is necessary on January 21, 2020.
9. [19-90919](#)-B-13 MARY WULF
[RDG](#)-1
CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY RUSSELL
D. GREER
12-9-19 [[15](#)]

10. [19-90734](#)-B-13 DIANE KALEKA
[TOG](#)-1

MOTION TO CONFIRM PLAN
12-10-19 [[30](#)]

11. [19-27839](#)-B-13 ELINOR BANKS
[LRR](#)-1

MOTION TO EXTEND AUTOMATIC STAY
12-20-19 [[8](#)]

Tentative ruling:

Debtor filed this motion seeking extension of the automatic stay beyond 30 days pursuant to 11 U.S.C. § 362(c) (3). However, that section only permits extension of the stay after a hearing within that period. The present case was filed December 20, 2019, and this motion is set for hearing January 21, 2020-32 days after filing. Therefore, the motion will be denied. The court will hear the matter.

12. [19-90969](#)-B-13 ALBERTO VALENCIA AND
[RDG](#)-1 TELMA BUSTOS

OBJECTION TO CONFIRMATION OF
PLAN BY RUSSELL D. GREER
12-23-19 [[19](#)]

13. [19-90578](#)-B-13 THOMAS/CECILIA MCCAULEY
[BSH](#)-3

MOTION TO CONFIRM PLAN
11-18-19 [[81](#)]

Final ruling:

This is the debtors' motion to confirm an amended plan. The moving party failed to serve the creditors filing Claim Nos. 4-1 and 5-1 at the addresses on their proofs of claim, as required by Fed. R. Bankr. P. 2002(g). As a result of this service defect, the motion will be denied by minute order. No appearance is necessary.

14. [19-90983](#)-B-13 KIRK TROMBLEY
[RDG](#)-2

OBJECTION TO CONFIRMATION OF
PLAN BY RUSSELL D. GREER
12-23-19 [[16](#)]

Final ruling:

The Trustee's Objection To Confirmation opposes debtor's plan on the sole basis that trustee has a pending Objection To Exemption set for hearing February 4, 2020. Because the outcome of the trustee's objection to debtor's claim of exemptions, the court will continue this hearing to that date by minute order. No appearance necessary.

15. [19-90996](#)-B-13 ANTRENA TRIMBLE
[RDG](#)-1

OBJECTION TO CONFIRMATION OF
PLAN BY RUSSELL D. GREER
12-23-19 [[15](#)]

Final ruling:

The Trustee's Objection To Confirmation opposes debtor's plan on the sole basis that Debtor failed to appear at the Meeting of Creditors on December 18, 2019. Because the outcome of the trustee's objection depends on the 341 Meeting, which was continued to January 22, 2020, the court will continue this hearing to February 4, 2020 by minute order. No appearance necessary.

16. [19-90999](#)-B-13 GUSTAVO JIMENEZ
[JHW](#)-1

OBJECTION TO CONFIRMATION OF
PLAN BY TD AUTO FINANCE LLC
12-5-19 [[15](#)]

Final ruling:

The objection will be overruled as moot. The debtor filed an amended plan on December 26, 2019, making this objection moot. As a result the court will overrule the objection as moot by minute order. No appearance is necessary.