

UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable René Lastreto
Hearing Date: Thursday, January 28, 2016
Place: Department B – Courtroom #13
Fresno, California

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

1. The following rulings are tentative. The tentative ruling will not become the final ruling until the matter is called at the scheduled hearing. **Pre-disposed matters will generally be called, and the rulings placed on the record at the end of the calendar.** Any party who desires to be heard with regard to a pre-disposed matter may appear at the hearing. If the party wishes to contest the tentative ruling, he/she shall notify the opposing party/counsel of his/her intention to appear. **If no disposition is set forth below, the hearing will take place as scheduled.**
2. Submission of Orders:

Unless the tentative ruling expressly states that the court will prepare a civil minute order, then the tentative ruling will only appear in the minutes. If any party desires an order, then the appropriate form of order, which conforms to the tentative ruling, must be submitted to the court. When the debtor(s) discharge has been entered, proposed orders for relief from stay must reflect that the motion is denied as to the debtor(s) and granted only as to the trustee. Entry of discharge normally is indicated on the calendar.
3. Matters Resolved Without Opposition:

If the tentative ruling states that no opposition was filed, and the moving party is aware of any reason, such as a settlement, why a response may not have been filed, the moving party must advise Vicky McKinney, the Calendar Clerk, at (559) 499-5825 by 4:00 p.m. the day before the scheduled hearing.
4. Matters Resolved by Stipulation:

If the parties resolve a matter by stipulation after the tentative ruling has been posted, but **before the formal order is entered on the docket**, the **moving party** may appear at the hearing and advise the court of the settlement or withdraw the motion. Alternatively, the parties may submit a stipulation and order to modify the tentative ruling together with the proposed order resolving the matter.
5. Resubmittal of Denied Matters:

If the moving party decides to re-file a matter that is denied without prejudice for any reason set forth below, the moving party must file and serve a new set of pleadings with a new docket control number. It may not simply re-notice the original motion.

THE COURT ENDEAVORS TO PUBLISH ITS PREDISPOSITIONS AS SOON AS POSSIBLE, HOWEVER CALENDAR PREPARATION IS ONGOING AND THESE PREDISPOSITIONS MAY BE REVISED OR UPDATED AT ANY TIME PRIOR TO 4:00 P.M. THE DAY BEFORE THE SCHEDULED HEARINGS. PLEASE CHECK AT THAT TIME FOR POSSIBLE UPDATES.

9:30 A.M.

- | | | |
|----|---|---|
| 1. | <u>15-14017</u> -B-11 CLUB ONE CASINO, INC.
<u>15-1146</u> WW-1
KMGI, INC. ET AL V. LONG ET AL
HOLLY ESTES/Atty. for mv. | MOTION TO DISMISS ADVERSARY
PROCEEDING/NOTICE OF REMOVAL
12-17-15 [<u>17</u>] |
| 2. | <u>15-14017</u> -B-11 CLUB ONE CASINO, INC.

HAGOP BEDOYAN/Atty. for dbt. | CONTINUED STATUS CONFERENCE RE:
CHAPTER 11 VOLUNTARY PETITION
10-14-15 [<u>1</u>] |
| 3. | <u>15-14017</u> -B-11 CLUB ONE CASINO, INC.
KDG-11
CLUB ONE CASINO, INC./MV

HAGOP BEDOYAN/Atty. for dbt. | AMENDED MOTION TO EMPLOY
DOWLING AARON INCORPORATED AS
SPECIAL COUNSEL
12-23-15 [<u>324</u>] |
| 4. | <u>15-14017</u> -B-11 CLUB ONE CASINO, INC.
KDG-13
CLUB ONE CASINO, INC./MV
HAGOP BEDOYAN/Atty. for dbt. | MOTION TO ASSUME
EXECUTORY CONTRACT
12-23-15 [<u>334</u>] |
| 5. | <u>15-14017</u> -B-11 CLUB ONE CASINO, INC.
SMR-2

HAGOP BEDOYAN/Atty. for dbt. | CONTINUED DISCLOSURE STATEMENT
FILED BY DEBTOR CLUB ONE
CASINO, INC., CREDITOR KMGI,
INC.
11-25-15 [<u>221</u>] |
| 6. | <u>15-14017</u> -B-11 CLUB ONE CASINO, INC.
SMR-4

HAGOP BEDOYAN/Atty. for dbt. | MOTION FOR ORDER APPROVING
GLOBAL SETTLEMENT OF DISPUTES
1-13-16 [<u>382</u>] |

7. [15-14017](#)-B-11 CLUB ONE CASINO, INC.
UST-1
TRACY DAVIS/MV

HAGOP BEDOYAN/Atty. for dbt.
GREGORY POWELL/Atty. for mv.
RESPONSIVE PLEADING

CONTINUED MOTION TO DISMISS
CASE AND/OR MOTION TO CONVERT
CASE FROM CHAPTER 11 TO CHAPTER
7 , MOTION TO APPOINT TRUSTEE
12-17-15 [[301](#)]
8. [15-14017](#)-B-11 CLUB ONE CASINO, INC.
WW-3
ELAINE LONG/MV

HAGOP BEDOYAN/Atty. for dbt.
HOLLY ESTES/Atty. for mv.
RESPONSIVE PLEADING

CONTINUED MOTION TO CONSOLIDATE
LEAD CASE 15-14017 WITH
15-14021
11-21-15 [[189](#)]
9. [15-14021](#)-B-11 CLUB ONE ACQUISITION
CORP.

T. BELDEN/Atty. for dbt.

CONTINUED STATUS CONFERENCE RE:
CHAPTER 11 VOLUNTARY PETITION
10-14-15 [[1](#)]
10. [15-14685](#)-B-11 B&L EQUIPMENT RENTALS,
LKW-1 INC.
B&L EQUIPMENT RENTALS, INC./MV

LEONARD WELSH/Atty. for dbt.

CONTINUED MOTION FOR ORDER
APPROVING STIPULATION RE:
DEBTOR'S USE OF CASH COLLATERAL
AND ADEQUATE PROTECTION
12-11-15 [[16](#)]
11. 15-14017-B-11 CLUB ONE CASINO, INC.
SMR-2

HAGOP BEDOYAN/Atty. for dbt.
OST 1/21/16

DISCLOSURE STATEMENT FILED BY
INTERESTED PARTY CLUB ONE
ACQUISITION CORP., DEBTOR CLUB
ONE CASINO, INC., CREDITOR
KMGI, INC.
1-21-16 [423]

1:30 P.M.

1. [15-13602](#)-B-13 MANUEL/ROSE ALVAREZ CONTINUED MOTION TO CONFIRM
PBB-1 PLAN
MANUEL ALVAREZ/MV 11-20-15 [[21](#)]
PETER BUNTING/Atty. for dbt.
RESPONSIVE PLEADING

The hearing will be continued to February 25, 2016, at 1:30 p.m. The trustee has not yet concluded the meeting of creditors and by prior order of the court, the trustee has another 7 days after completion of the creditors' meeting to file his objection to the plan. The court will prepare and enter a civil minute order.

2. [15-14405](#)-B-13 PRITPAL CHAHAL MOTION TO DISMISS CASE
MHM-1 12-29-15 [[24](#)]
MICHAEL MEYER/MV
JERRY LOWE/Atty. for dbt.

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The trustee's motion is based on the failure of the debtor to cooperate and to provide proof of business income and to demonstrate eligibility pursuant to the requirement that a chapter 13 debtor provide proof of regular monthly income. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

3. [15-14406](#)-B-13 PEDRO LOPEZ MOTION TO DISMISS CASE
MHM-1 12-29-15 [[30](#)]
MICHAEL MEYER/MV
ELIYAHU KAPLUNOVSKY/Atty. for dbt.
CASE DISMISSED

The case has already been dismissed. No appearance is necessary.

4. [13-11907](#)-B-13 ISSAC BOUTTE AND MICHELLE MOTION TO MODIFY PLAN
PBB-2 BUSTAMANTE-BOUTTE 12-11-15 [[31](#)]
ISSAC BOUTTE/MV
PETER BUNTING/Atty. for dbt.

The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The debtors shall submit a proposed confirmation order for approval to the chapter 13 trustee. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed. No appearance is necessary.

5. [15-14708](#)-B-13 ADAM/CHRISTINA RAMIREZ MOTION TO DISMISS CASE
MHM-1 1-14-16 [[25](#)]
MICHAEL MEYER/MV
6. [11-16209](#)-B-13 DEBORA PAUL DAVEY MOTION TO DISMISS CASE
MHM-2 12-9-15 [[62](#)]
MICHAEL MEYER/MV
MELISSA MCDONALD/Atty. for dbt.
WITHDRAWN

Th trustee's motion has been withdrawn. No appearance is neccessary.

7. [14-11111](#)-B-13 PHILLIP/MARNIE HAMILTON MOTION TO DISMISS CASE
MHM-2 12-10-15 [[79](#)]
MICHAEL MEYER/MV
TIMOTHY SPRINGER/Atty. for dbt.

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondents' default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

8. [16-10014](#)-B-13 BRENT SCHAIBLE MOTION TO EXTEND AUTOMATIC STAY
DRJ-2 1-13-16 [[10](#)]
BRENT SCHAIBLE/MV
DAVID JENKINS/Atty. for dbt.
9. [11-62116](#)-B-13 TEDDY/DEBRA KEPLEY MOTION FOR COMPENSATION BY THE
BCS-2 LAW OFFICE OF SHEIN LAW GROUP,
PC FOR BENJAMIN C. SHEIN,
DEBTORS ATTORNEY(S)
12-31-15 [[55](#)]
BENJAMIN SHEIN/Atty. for dbt.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

10. [12-14324](#)-B-13 FRANK/GUADALUPE MEJIA MOTION TO DISMISS CASE
MHM-3 12-10-15 [[69](#)]
MICHAEL MEYER/MV
RICHARD BAMBL/Atty. for dbt.
WITHDRAWN

The trustee's motion has been withdrawn. No appearance is necessary.

11. [15-11327](#)-B-13 NORMAN/LESLIE OGLETREE MOTION TO DISMISS CASE
MHM-1 12-10-15 [[23](#)]
MICHAEL MEYER/MV
CHRISTOPHER FISHER/Atty. for dbt.
RESPONSIVE PLEADING
12. [11-19028](#)-B-13 MOISES/CECILIA VILLAFAN MOTION TO DISMISS CASE
MHM-1 12-9-15 [[41](#)]
MICHAEL MEYER/MV
ADRIAN WILLIAMS/Atty. for dbt.

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondents' default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

13. [14-14028](#)-B-13 GEORGETTE AVEDIKIAN MOTION TO DISMISS CASE
MHM-1 12-10-15 [[78](#)]
MICHAEL MEYER/MV
DAVID JENKINS/Atty. for dbt.

This matter will be dropped from calendar as moot. The trustee's motion was based a material breach in plan payments. The debtor has filed and set for hearing a modified plan that appears to provide for a cure of the breach. No other relief appears necessary. No appearance is necessary.

CARLOS GARCIA/MV
GLEN GATES/Atty. for dbt.
CYNTHIA ARROYO/Atty. for mv.
RESPONSIVE PLEADING

This motion is hereby designated as DC No. CAA-1. Based on the debtor's opposition, this matter will be continued to March 23, 2016, at 1:30 p.m., to be heard in connection with the status conference on the related adversary proceeding, 16-01010. This matter is now deemed to be a contested matter. Pursuant to Federal Rules of Bankruptcy Procedure 9014(c), the federal rules of discovery apply to contested matters. The parties shall immediately commence formal discovery, meet and confer, and set deposition dates if necessary. If the matter is not resolved by the continued hearing date the court intends to consolidate the motion in this case with the related motion, DC No. CAA-1 in case number 15-14225.

Under § 362(e) (2), and without rendering a final decision on the merits, the court finds that the 60 day period for automatic termination of the stay shall be continued to March 23, 2016, subject to further extension, for cause, including the following:

(a) Thus far uncontroverted evidence in opposition to the motion establishes a significant question as to the *bona fides* of debtor's signature on the note and deed of trust at issue;

(b) Thus far uncontroverted evidence in opposition to the motion establishes significant dispute as to the payors under the promissory note at issue;

(c) Movant's evidence of the promissory note includes ambiguous language as to the principal balance of the note;

(d) Debtor's schedule D does not include the deed of trust at issue (Doc. # 1);

(e) Debtor's schedules list movant as a creditor with a disputed and unliquidated unsecured claim of \$133,000;

(f) Thus far, movant has presented no evidence of imminent danger to the real property at issue, i.e., waste, violations of the law, lack of insurance, impending tax sale, etc.; and

(g) Debtor has instituted an adversary proceeding (identified above) that raises issues fundamental to the resolution of this motion. Judicial economy will be served by consolidating the claims of the parties and avoiding conflicting or staggered rulings.

The court will prepare and enter a civil minute order.

15. [15-14228](#)-B-13 OSCAR GUTIERREZ
MHM-1
MICHAEL MEYER/MV
GLEN GATES/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
12-29-15 [[29](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

16. [15-14029](#)-B-13 ARMANDO ALCALA ORTEGA
MHM-1
MICHAEL MEYER/MV
SCOTT LYONS/Atty. for dbt.

OBJECTION TO DEBTOR'S CLAIM OF
EXEMPTIONS
12-22-15 [[23](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the debtor's default will be entered and the objection will be sustained without oral argument for cause shown. The trustee shall submit a proposed order. No appearance is necessary.

17. [10-62633](#)-B-13 HAROLD/ANGELA CARTER
MHM-1
MICHAEL MEYER/MV

SCOTT LYONS/Atty. for dbt.

MOTION TO DETERMINE FINAL CURE
AND MORTGAGE PAYMENT RULE
3002.1
12-3-15 [[64](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondents' default will be entered and the motion will be granted without oral argument for cause shown. The trustee shall submit a proposed order. No appearance is necessary.

18. [15-14133](#)-B-13 EDUARDO EQUIHUA
MHM-2
MICHAEL MEYER/MV
THOMAS GILLIS/Atty. for dbt.
RESPONSIVE PLEADING

OBJECTION TO DEBTOR'S CLAIM OF
EXEMPTIONS
12-23-15 [[39](#)]

The trustee's objection has been withdrawn. No appearance is required.

19. [12-16637](#)-B-13 BRADFORD/SHIRLEY WELLS
MHM-3
MICHAEL MEYER/MV
DAVID JENKINS/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
12-10-15 [[101](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

20. [12-60537](#)-B-13 LARRY/PEGGY LOFTIN
MHM-1
MICHAEL MEYER/MV
MARK ZIMMERMAN/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
12-10-15 [[69](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

21. [15-14038](#)-B-13 MARGARITA HERNANDEZ
MHM-1
MICHAEL MEYER/MV
TIMOTHY SPRINGER/Atty. for dbt.

MOTION TO DISMISS CASE
12-29-15 [[21](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows the debtor has failed to appear at either her initial or her continued §341 meeting of creditors. In addition, it appears that the debtor has failed to provide the trustee with all of the documentation required by 11 U.S.C. §521(a)(3)(4). The debtor has not provided the additional documentation regarding a child support order. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

22. [13-14139](#)-B-13 KRISTINA CORONA
MHM-1
MICHAEL MEYER/MV
PETER BUNTING/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
12-10-15 [[27](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

23. [10-60541](#)-B-13 SYLVIA PLASENCIA
MHM-3
MICHAEL MEYER/MV
PETER BUNTING/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
12-10-15 [[119](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

24. [11-61443](#)-B-13 DALTON ELAM
MHM-4
MICHAEL MEYER/MV
STEVEN ALPERT/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO DISMISS CASE
12-9-15 [[136](#)]

25. [15-14144](#)-B-13 LUIS RAMOS
MHM-1
MICHAEL MEYER/MV
SCOTT LYONS/Atty. for dbt.

OBJECTION TO DEBTOR'S CLAIM OF
EXEMPTIONS
12-22-15 [[26](#)]

26. [13-11649](#)-B-13 MARIA ECHEVERRIA
MHM-1
MICHAEL MEYER/MV
MARK ZIMMERMAN/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
12-10-15 [[36](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

27. [12-13751](#)-B-13 WAYNE/SUZANNE WEINBERGER
MHM-1
MICHAEL MEYER/MV
ADRIAN WILLIAMS/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
12-10-15 [[28](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

28. [15-14151](#)-B-13 MATHEW ALFORD
SL-2
MATHEW ALFORD/MV
SCOTT LYONS/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO CONFIRM PLAN
12-10-15 [[36](#)]

Based on the trustee's response, this motion will be continued to February 25, 2016, at 1:30 p.m., to allow for the conclusion of the § 341 meeting of creditors. No appearance is necessary.

29. [14-14555](#)-B-13 IRENE ORNELAS
MHM-3
MICHAEL MEYER/MV
TIMOTHY SPRINGER/Atty. for dbt.

MOTION TO DISMISS CASE
12-10-15 [[50](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

30. [15-13659](#)-B-13 TONY MESA
BF-5
FINANCIAL FREEDOM/MV

SCOTT LYONS/Atty. for dbt.
BRANDYE FOREMAN/Atty. for mv.

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY
FINANCIAL FREEDOM
11-3-15 [[26](#)]

31. [10-61460](#)-B-13 MARY HICKS
CJS-4
MARY HICKS/MV
CHERYL JOLLEY-SMITH/Atty. for dbt.
RESPONSIVE PLEADING

AMENDED MOTION TO SET ASIDE
DISMISSAL OF CASE
11-27-15 [[90](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. After a review of the record and the trustee's notice of non-opposition, and no further appearance in opposition to the motion, default will be entered against respondents except the trustee and the court will grant the motion without oral argument for cause shown. The court will prepare and enter a civil minute order based on the default of the respondents, the trustee's non-opposition, and good cause. The order dismissing the case will be set aside pursuant to FRCP 60(b)(1) made applicable to this case under FRBP 9024. No appearance is necessary.

The ex parte application for an order continuing the hearing is denied. The purported re-notice does not comply with Local Bankruptcy Rule 9014-1(j) requiring court approval of a continuance. The re-noticed hearing on February 25, 2016, will be dropped from calendar. The court will issue a minute order.

32. [15-14178](#)-B-13 JOSEPH AUGUSTO
AP-1
WELLS FARGO BANK, N.A./MV

SCOTT LYONS/Atty. for dbt.
JONATHAN CAHILL/Atty. for mv.

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY WELLS
FARGO BANK, N.A.
12-15-15 [[23](#)]

This matter will be continued to February 25, 2016, at 1:30 p.m. The trustee has not yet concluded the meeting of creditors and by prior order of the court, the trustee has another 7 days after completion of the creditors' meeting to file his objection to the plan. The court will prepare and enter a civil minute order.

33. [11-11566](#)-B-13 RICHARD/CHERYL PERRY
MHM-3
MICHAEL MEYER/MV
JOEL WINTER/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
12-9-15 [[164](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

34. [15-12868](#)-B-13 WHSYEENA FLOWERS-KIRKLAND MOTION TO DISMISS CASE
MHM-2 12-30-15 [[47](#)]
MICHAEL MEYER/MV
KYLE HACKETT/Atty. for dbt.

This motion will be overruled without prejudice. The trustee's motion to dismiss was based on the debtor's failure to file and set for hearing a modified plan with notice to creditors. On January 25, 2016, the debtor filed a modified plan that has been set for a hearing on March 24 2016. No appearance is necessary.

The court notes that the proof of service for the motion to confirm the modified plan is deficient in that it does not list the address at which each creditor was noticed. Failure to file a proof of service that complies with the Local Rules is grounds for denial of the motion to modify a chapter 13 plan.

35. [15-14169](#)-B-13 MICHELLE AVILA MOTION FOR RELIEF FROM
WFM-2 AUTOMATIC STAY
CITIMORTGAGE, INC./MV 12-16-15 [[32](#)]
WILLIAM MCDONALD/Atty. for mv.
CASE DISMISSED

This matter will be dropped from calendar without a disposition. The case has already been dismissed. No appearance is necessary.

36. [15-14170](#)-B-13 ADRIAN DIAZ MOTION TO DISMISS CASE
MHM-1 12-29-15 [[22](#)]
MICHAEL MEYER/MV
MATIN RAJABOV/Atty. for dbt.

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows the debtor has failed to appear at both his initial and continued §341 meeting of creditors. In addition, the basis for the trustee's motion includes the following: failure to provide the trustee with all of the documentation required by 11 U.S.C. §521(a)(3)(4), including the Class 1 Mortgage Checklist with payment coupon or last statement; 2014 State and Federal Tax Return; proof of all income, i.e., pay advices, profit and loss statements, rental income, unemployment compensation, social security income, disability, and retirement for the six months prior to filing. In addition, the debtor is required to file complete and accurate schedules, i.e., Statement of Financial Affairs. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

37. [15-14178](#)-B-13 JOSEPH AUGUSTO
JAA-1
OCWEN LOAN SERVICING, LLC/MV

SCOTT LYONS/Atty. for dbt.
JESSICA ABDOLLAHI/Atty. for mv.

OBJECTION TO CONFIRMATION OF
PLAN BY OCWEN LOAN SERVICING,
LLC
12-30-15 [[32](#)]

This matter will be dropped from calendar without disposition. The court intends to dismiss the case on the trustee's unopposed motion below. No appearance is necessary.

38. [15-14178](#)-B-13 JOSEPH AUGUSTO
MHM-1
MICHAEL MEYER/MV
SCOTT LYONS/Atty. for dbt.

MOTION TO DISMISS CASE
12-23-15 [[28](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows the debtor has failed to appear at both his initial and continued §341 meeting of creditors. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

39. [11-14481](#)-A-13 PRIMITIVO/ALMA CRUZ
MHM-1
MICHAEL MEYER/MV
THOMAS ARMSTRONG/Atty. for dbt.
RESPONSIVE PLEADING, RECUSAL
ORDER #66

MOTION TO DISMISS CASE
12-9-15 [[56](#)]

The court having recused itself, this case has been reassigned to Judge Clement in Department A and will be rescheduled to February 25, 2016, at 9:00 a.m., in Courtroom 11. No appearance is necessary.

40. [14-13882](#)-B-13 VICTOR/ELIZABETH GUARDADO
MHM-1
MICHAEL MEYER/MV
VARDUHI PETROSYAN/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
12-10-15 [[45](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

41. [15-14294](#)-B-13 ERLINDA MAGLIBA
AGM-2
ERLINDA MAGLIBA/MV
ALBERTO MONTEFALCON/Atty. for dbt.
RESPONSIVE PLEADING

CONTINUED MOTION TO CONFIRM
PLAN
12-4-15 [[26](#)]

This matter will be continued to February 25, 2016, at 1:30 p.m. The trustee has not yet concluded the meeting of creditors and by prior order of the court, the trustee has another 7 days after completion of the creditors' meeting to file his objection to the plan. The court will prepare and enter a civil minute order.

42. [15-14294](#)-B-13 ERLINDA MAGLIBA
MHM-1
MICHAEL MEYER/MV
ALBERTO MONTEFALCON/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO DISMISS CASE
12-18-15 [[39](#)]

43. [15-14695](#)-B-13 MARCEL/STACY CORTEZ
PBB-1
MARCEL CORTEZ/MV

PETER BUNTING/Atty. for dbt.

MOTION TO VALUE COLLATERAL OF
EDUCATIONAL EMPLOYEES CREDIT
UNION
12-22-15 [[19](#)]

This motion to value respondent's collateral was fully noticed in compliance with the Local Rules and there was no opposition. The default of responding parties is hereby entered. The motion will be granted for cause shown without oral argument. Based on the evidence presented, the respondent's secured claim will be fixed at \$14,874. The moving party shall submit a proposed order consistent with this ruling. The proposed order shall specifically identify the collateral, and if applicable, the proof of claim to which it relates. The order will be effective upon confirmation of the chapter 13 plan. No appearance is necessary.

44. [11-16399](#)-B-13 MARIO/DOLORES ROCHA
MHM-1
MICHAEL MEYER/MV
SCOTT LYONS/Atty. for dbt.

MOTION TO DISMISS CASE
12-9-15 [[92](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

45. [12-18699](#)-B-13 GARY/LISA RIGGINS
MHM-3
MICHAEL MEYER/MV
BENJAMIN SHEIN/Atty. for dbt.

MOTION TO DISMISS CASE
12-10-15 [[115](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondents' default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.