



UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Christopher M. Klein
Bankruptcy Judge
Sacramento, California

February 12, 2026 at 11:00 a.m.

Unless otherwise ordered, all matters before the Honorable Christopher M. Klein shall be simultaneously: (1) **In Person**, at Sacramento Courtroom #35, (2) via **ZoomGov Video**, (3) via **ZoomGov Telephone**, and (4) via **CourtCall**.

You may choose any of these options unless otherwise ordered or stated below.

All parties who wish to appear at a hearing remotely must sign up by 4:00 p.m. **one business day** prior to the hearing. Information regarding how to sign up can be found on the **Remote Appearances** page of our website at <https://www.caeb.uscourts.gov/Calendar/CourtAppearances>. Each party who has signed up will receive a Zoom link or phone number, meeting I.D., and password via e-mail.

If the deadline to sign up has passed, parties who wish to appear remotely must contact the Courtroom Deputy for the Department holding the hearing.

Please also note the following:

- Parties in interest may connect to the video or audio feed free of charge and should select which method they will use to appear when signing up.
- Members of the public and the press appearing by ZoomGov may only listen in to the hearing using the zoom telephone number. Video appearances are not permitted.
- Members of the public and the press may not listen in to trials or evidentiary hearings, though they may appear in person in most instances.

To appear remotely for law and motion or status conference proceedings, you must comply with the following guidelines and procedures:

1. Review the [Pre-Hearing Dispositions](#) prior to appearing at the hearing.
2. Parties appearing via CourtCall are encouraged to review the [CourtCall Appearance Information](#).

If you are appearing by ZoomGov phone or video, please join at least 10 minutes prior to the start of the calendar and wait with your microphone muted until the matter is called.

Unauthorized Recording is Prohibited: Any recording of a court proceeding held by video or teleconference, including "screen shots" or other audio or visual copying of a hearing is prohibited. Violation may result in sanctions, including removal of court-issued medical credentials, denial of entry to future hearings, or any other sanctions deemed necessary by the court. For more information on photographing, recording, or broadcasting Judicial Proceedings, please refer to Local Rule 173(a) of the United States District Court for the Eastern District of California.

UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Christopher M. Klein
Bankruptcy Judge
Sacramento, California

February 12, 2026 at 11:00 a.m.

1. [25-25517](#)-C-13 JAMES WILLIAMS MOTION TO CONFIRM PLAN
[SLH-1](#) Seth Hanson 12-29-25 [[25](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f) (1) procedure which requires 35 days' notice. The Proof of Service shows that 45 days' notice was provided. Dkt. 29.

The Motion to Confirm is denied.

The debtor filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 20) filed on December 18, 2025.

The Chapter 13 Trustee filed an Opposition (Dkt. 33) on January 28, 2026, opposing confirmation on the following grounds:

1. Debtor's notice was incomplete;
2. Debtor's motion lacked sufficient facts and legal arguments;
3. Debtor is delinquent in plan payments;
4. Tax refunds are not listed on schedules; and
5. Debtor continues to use the wrong address and amount of equity in real property located in North Carolina.

DISCUSSION

The debtor is \$11,818.18 delinquent in plan payments. Declaration, Dkt. 34. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. See 11 U.S.C. § 1325(a) (6).

Local Rule 9014-1 requires the movant to include certain components in the notice. LBR 9014-1(d) (3) (B). Debtor's notice is deficient.

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

February 12, 2026 at 11:00 a.m.
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The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtor, James Richard Williams, Jr., having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is denied, and the plan is not confirmed.

2. [25-26517](#)-C-13 YEN NGUYEN
[DPC-1](#) Mohammad M. Mokarram
OBJECTION TO CONFIRMATION OF
PLAN BY DAVID P. CUSICK
1-13-26 [[14](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 30 days' notice was provided. Dkt. 17.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. The plan does not pass the liquidation test; and
2. Debtor's exemption for tools of the trade improperly includes debtor's interest in a corporation.

DEBTOR'S OPPOSITION

The debtor filed an Opposition on January 26, 2026. Dkt. 19. Debtor asserts that debtor is only on title to the property and the funds used to purchase the property were life insurance proceeds debtor's son obtained after debtor's granddaughter died. None of the insurance proceeds were to go to the debtor.

DISCUSSION

A review of the docket shows that Schedule C was amended and the debtor is no longer claiming the tools of the trade exemption, so this issue is resolved.

The debtor may have non-exempt assets. The plan provides for a eight percent dividend to unsecured claims, which may be less than the percent dividend necessary to meet the liquidation test. Until this issue is resolved, that is cause to deny confirmation. 11 U.S.C. § 1325(a)(4).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

3. [26-20136](#)-C-13 CORINA/JEFFREY BARKER
[SMJ](#)-1 Scott Johnson

MOTION TO VALUE COLLATERAL OF
AMERICAN HONDA FINANCIAL
1-27-26 [[10](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f) (2) notice which requires 14 days' notice. The Proof of Service shows that 16 days' notice was provided. Dkt. 14.

The Motion to Value is granted.

The debtor filed this Motion seeking to value the portion of American Honda Financial's ("Creditor") claim secured by the debtor's property commonly known as a 2022 Honda CRV (the "Property").

The debtor has presented evidence that the replacement value of the Property at the time of filing was \$19,940.00. Declaration, Dkt. 12.

DISCUSSION

The lien on the Vehicle's title secures a purchase-money loan incurred on July 29, 2022, which is more than 910 days prior to filing of the petition. 11 U.S.C. § 1325(a) (9) (hanging paragraph).

Upon review of the record, the court finds the value of the Property is \$19,940.00. There are no senior liens encumbering the Property. Therefore, Creditor's secured claim is determined to be \$19,940.00. 11 U.S.C. § 506(a).

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Value Collateral and Secured Claim filed by the debtor having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion pursuant to 11 U.S.C. § 506(a) is granted, and the claim of American Honda Financial ("Creditor") secured by property commonly known as a 2022 Honda CRV (the "Property") is determined to be a secured claim in the amount of \$19,940.00, and the balance of the claim is a general unsecured claim to be paid through the confirmed bankruptcy plan.

Final Ruling: No appearance at the February 12, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 51 days' notice was provided. Dkt. 34.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Modify Plan is granted.

The debtors filed this Motion seeking to modify the terms of the confirmed plan pursuant to 11 U.S.C. § 1329.

The Chapter 13 trustee filed a non-opposition on January 26, 2026. Dkt. 39.

Upon review of the record, the court finds the plan complies with 11 U.S.C. §§ 1322, 1325(a), and 1329. The Motion is granted, and the plan is confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Modify Plan filed by the debtors, Jeremy and Hannah Smedstad, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is granted, the Modified Chapter 13 Plan (Dkt. 33) meets the requirements of 11 U.S.C. §§ 1322, 1325(a), and 1329, and the plan is confirmed. The Chapter 13 Trustee shall prepare an appropriate order confirming the Chapter 13 plan and submit the proposed order to the court.

5. [25-25755](#)-C-13 ANDREW/ELAINE VISITACION MOTION TO CONFIRM PLAN
[PLC-3](#) Peter Cianchetta 1-2-26 [[42](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f) (1) procedure which requires 35 days' notice. The Proof of Service shows that 41 days' notice was provided. Dkt. 48.

The Motion to Confirm is denied.

The debtors filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 45) filed on January 2, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 60) on January 28, 2026, opposing confirmation on the following grounds:

1. Debtors are delinquent in plan payments;
2. Debtors have not filed all tax returns;
3. Debtors include a class 4 claim for a house that was foreclosed upon prepetition; and
4. The monthly payment to debtors' counsel is unclear in the plan.

The debtors filed a response (Dkt. 65) on February 2, 2026, asserting their January payment is pending in TFS, provided their 2024 tax return to the Trustee, they have listed the mortgage as a class 4 claim in the chance that they are able to get the house back, and the plan should have included payment to counsel of \$150.00 per month for the life of the plan.

DISCUSSION

The debtor is \$2,450.55 delinquent in plan payments. Declaration, Dkt. 61. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. See 11 U.S.C. § 1325(a) (6).

The debtor has not provided the trustee with all required tax returns. 11 U.S.C. § 521(e) (2) (A) (i); FED. R. BANKR. P. 4002(b) (3). That is cause to deny confirmation. 11 U.S.C. § 1325(a) (1).

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtors, Andrew and Elaine Vistacion, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is denied, and the plan is not confirmed.

6. [25-26768](#)-C-13 PATRICIA SHERRON
[DPC-1](#) Pro Se

OBJECTION TO CONFIRMATION OF
PLAN BY DAVID P. CUSICK
1-21-26 [[20](#)]

Final Ruling: No appearance at the February 12, 2026 hearing is required.

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 22 days' notice was provided. Dkt. 23.

Upon review of the Motion and supporting pleadings, and the files in this case, the court has determined that oral argument will not be of assistance in ruling on the Motion.

The Objection to Confirmation of Plan is overruled as moot.

The Chapter 13 trustee filed this Objection To Confirmation on January 21, 2026. Thereafter, the the case was dismissed on January 31, 2026. Therefore, this Motion is denied as moot.

Therefore, the Objection is overruled.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is overruled as moot.

7. [25-22770](#)-C-13 CHARLES/LINDA FRIEDMAN MOTION TO CONFIRM PLAN
[PGM-1](#) Peter Macaluso 12-30-25 [[31](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f) (1) procedure which requires 35 days' notice. The Proof of Service shows that 44 days' notice was provided. Dkt. 38.

The Motion to Confirm is denied.

The debtors filed this Motion seeking to confirm the First Amended Chapter 13 Plan (Dkt. 35) filed on December 30, 2025.

The Chapter 13 trustee filed a non-opposition on January 28, 2026. Dkt. 47.

Wilmington Savings Fund Society, FSB filed an Opposition (Dkt. 45) on January 27, 2026, opposing confirmation on the following grounds:

1. The plan does not provide for the contract interest rate for Creditor's claim.

DISCUSSION

It appears that the plan payment to Wilmington Savings Fund Society is an improper modification of a claim secured only by a security interest in real property that is the debtor's principal residence. That is reason to deny confirmation. 11 U.S.C. § 1322(b) (2).

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtors, Charles and Linda Friedman, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is denied, and the plan is not confirmed.

8. [25-22775](#)-C-13 LUCIA MORALES AND KEVIN CONTINUED OBJECTION TO
[DPC-1](#) HENRIQUEZ PLEITEZ CONFIRMATION OF PLAN BY DAVID
Peter Macaluso P. CUSICK
Thru #11 7-21-25 [[32](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 22 days' notice was provided. Dkt. 35.

The Objection to Confirmation of Plan is overruled.

This Objection was continued from the prior hearing to go along with debtors' Objection to Proof of Claim.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan relies on Motions to Value that have not yet been decided;
2. Plan fails to provide for the claim filed by Les Schwab Tire Centers of California, LLC (POC # 4-1).

DISCUSSION

The motion to value has now been resolved by stipulation. See items 9, 10, and 11 below.

No other grounds for objection remaining, it appears the plan complies with 11 U.S.C. §§ 1322 and 1325(a). The Objection is overruled, and the plan is confirmed.

The court shall issue a minute order substantially in the following form:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is overruled, and the debtors' Chapter 13 Plan (Dkt. 3), is confirmed. Counsel for Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved, the Chapter 13 Trustee will submit the proposed order to the court.

9. [25-22775](#)-C-13 LUCIA MORALES AND KEVIN CONTINUED OBJECTION TO CLAIM OF
[PGM](#)-4 HENRIQUEZ PLEITEZ SANTANDER CONSUMER USA INC.,
Peter Macaluso CLAIM NUMBER 3
10-14-25 [[67](#)]

This matter has been resolved through an order on stipulation entered on February 3, 2026. Dkt. 103. No appearance necessary.

10. [25-22775](#)-C-13 LUCIA MORALES AND KEVIN CONTINUED OBJECTION TO
[SKI](#)-1 HENRIQUEZ PLEITEZ CONFIRMATION OF PLAN BY
Peter Macaluso SANTANDER CONSUMER USA INC.
7-15-25 [[27](#)].

This matter has been resolved through an order on stipulation entered on February 3, 2026. Dkt. 105. No appearance necessary.

11. [25-22775](#)-C-13 LUCIA MORALES AND KEVIN EVIDENTIARY HEARING RE: MOTION
[PGM](#)-3 HENRIQUEZ PLEITEZ TO VALUE COLLATERAL OF
Peter Macaluso SANTANDER CONSUMER USA INC.
7-9-25 [[22](#)]

This matter has been resolved through an order on stipulation entered on February 3, 2026. Dkt. 104. No appearance necessary.