



**UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable René Lastreto II
Department B – Courtroom #13
Fresno, California**

Hearing Date: Wednesday, February 25, 2026

Unless otherwise ordered, all matters before the Honorable René Lastreto II, shall be simultaneously: (1) **In Person** at, Courtroom #13 (Fresno hearings only), (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 or their attorneys 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/attorney 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 and their attorneys who wish to appear remotely must contact the Courtroom Deputy for the Department holding the hearing.

Please also note the following:

- Parties in interest and/or their attorneys 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 who wish to attend by ZoomGov may only listen in to the hearing using the Zoom telephone number. Video participation or observing are not permitted.
- Members of the public and the press may not listen in to trials or evidentiary hearings, though they may attend in person unless otherwise ordered.

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 media 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.

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

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

No Ruling: All parties will need to appear at the hearing unless otherwise ordered.

Tentative Ruling: If a matter has been designated as a tentative ruling it will be called, and all parties will need to appear at the hearing unless otherwise ordered. The court may continue the hearing on the matter, set a briefing schedule, or enter other orders appropriate for efficient and proper resolution of the matter. The original moving or objecting party shall give notice of the continued hearing date and the deadlines. The minutes of the hearing will be the court's findings and conclusions.

Final Ruling: Unless otherwise ordered, there will be **no hearing on these matters**. The final disposition of the matter is set forth in the ruling and it will appear in the minutes. The final ruling may or may not finally adjudicate the matter. If it is finally adjudicated, the minutes constitute the court's findings and conclusions.

Orders: Unless the court specifies in the tentative or final ruling that it will issue an order, the prevailing party shall lodge an order within 14 days of the final hearing on the matter.

Post-Publication Changes: The court endeavors to publish its rulings as soon as possible. However, calendar preparation is ongoing, and these rulings 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 any possible updates.

9:30 AM

1. [25-11500](#)-B-13 **IN RE: STEPHEN/ELIZABETH RAYBURN**
[FW-1](#)

MOTION FOR COMPENSATION BY THE LAW OFFICE OF FEAR WADDELL,
P.C. FOR GABRIEL J. WADDELL, DEBTORS ATTORNEY(S)
1-23-2026 [[83](#)]

GABRIEL WADDELL/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in
conformance with the ruling below.

Fear Waddell, P.C. ("Applicant"), attorney for Stephen and Elizabeth Rayburn ("Debtors"), requests interim compensation in the sum of **\$53,626.57** under 11 U.S.C. § 330. Doc. #83. This amount consists of **\$53,587.00** in fees and **\$39.57** in expenses from **April 21, 2025, through December 31, 2025**. *Id.*

Debtors executed a statement indicating that Debtors have read the fee application and approve the same. Doc. #85. The court notes that the statement was dated January 22, **2025**, which was before the case was even filed. *Id.* As the Application was filed on January 23, 2026, the court assumes this to be a scrivener's error and that the statement of consent was actually executed on January 22, 2026.

No party in interest timely filed written opposition. This motion will be GRANTED.

This motion was set for hearing on 28 days' notice as required by Local Rule of Practice ("LBR") 9014-1(f)(1) and Fed. R. Bankr. P. ("Rule") 2002(a)(6). The failure of the creditors, the chapter 13 trustee, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See *Boone v. Burk (In re Eliapo)*, 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amounts of damages). *Televideo Sys. Inc. v. Heidenthal*, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires that a plaintiff make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

Section 3.05 of the *Chapter 13 Plan* dated May 7, 2025, confirmed September 22, 2025, indicates that Applicant was paid \$14,687.00 (plus \$313.00 for the Chapter 13 filing fee) prior to filing the case and, subject to court approval, additional fees of \$60,000.00 shall be paid through the plan upon court approval by filing and serving a motion in accordance with 11 U.S.C. §§ 329 and 330, and Rules 2002, 2016-17. Docs. #3, #77.

This is Applicant's first fee application. Doc. #83.

Applicant's firm provided **185.30** billable hours at the following rates, totaling **\$68,274.00** in fees:

Professional	Hourly Rate	Total Hours	Total Fees This Person
Gabriel J. Waddell (2025)	\$395.00	157.90	\$62,370.50
Peter A. Sauer (2025)	\$315.00	10.40	\$2,961.00
Kayla Schlaak (2025)	\$175.00	16.10	\$2,817.50
Laurel Guenther (2025)	\$150.00	0.70	\$105.00
Mandi Abrams (2025)	\$100.00	0.20	\$20.00
Total		185.30	\$68,274.00

Docs. #83, #85.

Applicant also seeks reimbursement for expenses incurred in the amount of \$3 \$352.57 which, after subtraction of \$313.00 for the filing fee which Debtors prepaid, yields a total of \$39.57 in expenses:

Postage	\$11.55
Reproduction	\$13.02
Filing Fees	\$313.00
Other: Bank Fee	\$15.00
Total Expenses	\$352.57

Id. The court notes that on the Expense Summary found on page 4 of the Application, Applicant indicates that the "Other: Bank Fee" expense was \$150.00 rather than \$15.00. Doc. #83, pg. 4. The billing records, however, say that the bank fee was only \$15.00, and the court will use the lesser figure which, mathematically, produces the expenses claimed. Doc. #85. These combined fees and expenses total **\$53,626.57**.

11 U.S.C. § 330(a)(1)(A) & (B) permits approval of "reasonable compensation for actual necessary services rendered by . . . [a] professional person" and "reimbursement for actual, necessary expenses." In determining the amount of reasonable compensation to be awarded to a professional person, the court shall consider the nature, extent, and value of such services, considering all relevant factors,

including those enumerated in subsections (a) (3) (A) through (E).
§ 330(a) (3).

11 U.S.C. § 331 authorizes the award after notice and hearing of an interim award subject to subsequent final approval by the court pursuant to § 330.

Applicant's services here included, without limitation: pre-petition consultation and fact gathering; preparation of voluntary petition, Schedules and Form 22C; independent verification of information; amendments to petitions and/or Schedules; 341 preparation and attendance; claim administration and claim objections; original plan, hearings, objections; motions to dismiss; fee applications; and case administration. Docs. #83, #85. Applicant also represented Debtors in the adversary proceeding *Fresno Oxygen v. Rayburn*, AP 25-01038. *Id.* The court finds these services and expenses reasonable, actual, and necessary.

No party in interest timely filed written opposition. Accordingly, this motion will be GRANTED. Applicant shall be awarded **\$53,587.00** in fees as reasonable compensation for services rendered and **\$39.57** in reimbursement of actual, necessary expenses on an interim basis under 11 U.S.C. § 330 and § 331. The chapter 13 trustee will be authorized to pay Applicant **\$53,626.57** through the confirmed plan for services and expenses from **April 21, 2025, through December 31, 2025**. *Id.*

2. [25-10802](#)-B-13 **IN RE: RICHARD WILSON**
[SL-1](#)

OBJECTION TO CLAIM OF DEPARTMENT OF TREASURY - INTERNAL
REVENUE SERVICE, CLAIM NUMBER 1
12-24-2025 [\[40\]](#)

RICHARD WILSON/MV
SCOTT LYONS/ATTY. FOR DBT.

FINAL RULING: There will be no hearing in this matter.

DISPOSITION: Withdrawn.

No order is required.

On February 18, 2026, the Debtor in the above-styled case withdrew the Objection to Claim. Doc. #45. Accordingly, this Objection is WITHDRAWN.

3. [26-10204](#)-B-13 **IN RE: SUZANNE JOSEFOWSKI**

ORDER TO SHOW CAUSE - FAILURE TO PAY FEES
2-5-2026 [\[15\]](#)

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Dropped and taken off calendar.

NO ORDER REQUIRED.

An order dismissing the case was entered on February 19, 2026. Doc. #24. Accordingly, this Order to Show Cause will be taken off calendar as moot. No appearance is necessary.

4. [25-14213](#)-B-13 **IN RE: DEON FERGUSON AND REBECCA ACEVES**
[LGT-1](#)

OBJECTION TO CONFIRMATION OF PLAN BY LILIAN G. TSANG
1-30-2026 [\[13\]](#)

DAVID CHUNG/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Continued to April 1, 2026, at 9:30 a.m.

ORDER: The court will issue an order.

Chapter 13 trustee Lilian G. Tsang ("Trustee") objects to confirmation of the *Chapter 13 Plan* filed by Deon Ferguson and Rebecca Aceves (collectively "Debtors") on December 19, 2025, on the following basis:

1. There are multiple errors in Debtor's Form 122C-2.
2. The Class 1 claims of Loancare LLC and NMAC are incorrectly described and must be amended.
3. The Disclosure of Compensation of Attorney form is incorrect.

Doc. #13.

This objection will be CONTINUED to April 1, 2026. at 9:30 a.m. Unless this case is voluntarily converted to chapter 7, dismissed, or the objection to confirmation is withdrawn, the Debtors shall file and serve a written response to the Objection not later than **14 days before the hearing**. The response shall specifically address each issue raised in the objection to confirmation, state whether the issue is disputed or undisputed, and include admissible evidence to support the Debtors' position. Any reply shall be served no later than **7 days before the hearing**.

If the Debtors elect to withdraw the plan and file a modified plan in lieu of filing a response, then a confirmable, modified plan shall be filed, served, and set for hearing not later than **7 days before the hearing**. If the Debtors do not timely file a modified plan or a written response, this objection will be sustained on the grounds stated in the objection without further hearing

5. [25-13915](#)-B-13 **IN RE: EDUARDO FARIAS**
[LGT-1](#)

CONTINUED OBJECTION TO CONFIRMATION OF PLAN BY LILIAN G. TSANG
1-2-2026 [\[17\]](#)

LILIAN TSANG/MV
ROBERT WILLIAMS/ATTY. FOR DBT.
RESPONSIVE PLEADING

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Sustained.

ORDER: The court will issue the order.

On February 10, 2026, the Debtor in the above-styled Chapter 13 case filed a Response to the Trustee's *Objection to Confirmation* wherein the Debtor conceded the points raised by the Trustee and advised that a modified plan is forthcoming. Doc. #29. Accordingly, the Trustee's Objection to Confirmation will be SUSTAINED.

6. [25-13915](#)-B-13 **IN RE: EDUARDO FARIAS**
[TRF-1](#)

CONTINUED OBJECTION TO CONFIRMATION OF PLAN BY SUPERIOR LOAN
SERVICING
1-6-2026 [\[20\]](#)

SUPERIOR LOAN SERVICING/MV
ROBERT WILLIAMS/ATTY. FOR DBT.
TIMOTHY RYAN/ATTY. FOR MV.
RESPONSIVE PLEADING

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Sustained except on grounds of lack of good faith.

ORDER: The court will prepare the order.

On February 10, 2026, the Debtor in the above-styled Chapter 13 case filed a Response to the *Objection to Confirmation* of Superior Loan Servicing ("Creditor") wherein the Debtor conceded the substantive

points raised by Creditor, although Debtor denies that the plan was not proposed in good faith. Doc. #30. The Debtor advised that a modified plan which will address Creditor's objections is forthcoming. *Id.*

The forthcoming modified plan may raise a lack of good faith issue. Creditor may raise the issue again if it chooses as the court is not ruling on the good faith issue, here. Accordingly, the Superior Loan Servicing's Objection to Confirmation will be SUSTAINED except on the grounds of lack of good faith.

7. [22-11920](#)-B-13 **IN RE: DANIEL IRIYE**
[BDB-1](#)

MOTION TO MODIFY PLAN
1-20-2026 [[30](#)]

DANIEL IRIYE/MV
BENNY BARCO/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in conformance with the ruling below.

Daniel Iriye ("Debtor") moves for an order confirming the *First Modified Chapter 13 Plan* dated January 3, 2025. Docs. #30, #33. Debtor's current plan was confirmed on January 6, 2023. Doc. #13.

No party has timely objected.

This motion was set for hearing on 35 days' notice as required by Local Rule of Practice ("LBR") 3015-1(d)(1). The failure of any party in interest, including but not limited to creditors, the U.S. Trustee, and the case Trustee, to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Therefore, the defaults of the above-mentioned parties in interest are entered. Upon default, factual allegations will be taken as true (except those relating to amounts of damages). *Televideo Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917 (9th Cir. 1987).

The motion requests that the confirmed plan be modified as follows:

1. The duration of payments will be extended from 36 months to 47 months.
2. The plan is otherwise unchanged.

Compare Docs. #7 and #33.

Debtor avers that this modification is necessary because the allowed unsecured claims significantly exceed the estimated unsecured claims as provided in the earlier plan. Doc. #32. As noted, the plan payments and percentage distribution to general unsecured creditors is unchanged from the prior plan.

No party in interest has objected, and the defaults of all non-responding parties in interest are entered. This motion is GRANTED. The order shall include the docket control number of the motion, shall reference the plan by the date it was filed, and shall be approved as to form by Trustee.

8. [25-10925](#)-B-13 **IN RE: JORGE GONZALEZ AND NANCY RAMIREZ**
[JRL-7](#)

MOTION TO CONFIRM PLAN
1-15-2026 [[101](#)]

NANCY RAMIREZ/MV
JERRY LOWE/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in conformance with the ruling below.

Jorge Gonzalez and Nancy Ramirez ("Debtors") seek an order confirming the *Fifth Modified Chapter 13 Plan* dated January 15, 2026. Docs. #101, #103. No plan has been confirmed so far. The 60-month plan proposes the following terms:

1. Debtors' monthly plan payments will be as follows: \$2,280.32 per month for months 1-2, \$6,401.47 per month for months 3-32, and \$6,917.31 for months 33-60.
2. Section 3.06 is modified so that the attorney fee dividend is \$0.00 for months 1-31, \$243.96 in month 33, and \$348.43 per month in months 33-60.
3. Secured creditors to be sorted into appropriate Classes and paid as follows:
 - a. PNC Bank (Class 1, mortgage on 20347 Thermal Road, Sanger, CA). Arrearage of \$7,170.97 to be paid as follows:
 - i. \$402.91 per month in months 6-32. This includes the prepetition and post-petition arrearages.
 - ii. \$0.00 in post-petition monthly payments to PNC Bank in months 1-2. The ongoing payment will be \$3,770.87 in months 3-60.

- b. Westlake Financial Services (Class 2A, PMSI on 2017 Chevy Silverado). \$22,232.75 at 8.50% to be paid at \$456.20 per month.
 - c. GMFNANCIAL (Class 2A, PMSI on 2021 GMC Yukon Denali). \$61,848.50 at 8.50% to be paid at \$1,275.00 per month.
4. A dividend of 0% to unsecured creditors.

Doc. #105. This motion was set for hearing on 35 days' notice as required by Local Rule of Practice ("LBR") 3015-1(d)(1). The failure of the creditors, the chapter 13 trustee, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. *See Boone v. Burk (In re Eliapo)*, 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amounts of damages). *Televideo Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires that a plaintiff make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

This motion will be GRANTED. The confirmation order shall include the docket control number of the motion and reference the plan by the date it was filed.

9. [25-12026](#)-B-13 **IN RE: FRANCES VENEGAS**
[PLG-2](#)

MOTION TO CONFIRM PLAN
12-30-2025 [\[26\]](#)

FRANCES VENEGAS/MV
STEVEN ALPERT/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in conformance with the ruling below.

Frances Venegas ("Debtors") seeks an order confirming the *Second Modified Chapter 13 Plan* dated December 30, 2025. Docs. #26, #30. No plan has been confirmed so far. The 60-month plan proposes the following terms:

- 1. Debtors' monthly plan payments will be \$1,153.00.

2. All payments already made by the trustee are ratified.
3. Outstanding attorney's fees of \$11,813.00 to be paid through the plan.
4. Secured creditors to be sorted into appropriate Classes and paid as follows:
 - a. Sesloc Credit Union (Class 2A, PMSI on 2022 Honda Civic). \$21,553.29 at 4.64% to be paid at \$409.27, starting in month 2.
 - b. PennyMac Loan Services (mortgage on 559 Monroe Street, Coalinga, CA). \$1,942.67, starting month 2, to be paid directly by Debtor. The Trustee will pay \$1,942.67 to PennyMac for month 1.
5. A dividend of 49% to unsecured creditors with claims estimated at \$54,904.55.

Doc. #105. This motion was set for hearing on 35 days' notice as required by Local Rule of Practice ("LBR") 3015-1(d)(1). The failure of the creditors, the chapter 13 trustee, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. *See Boone v. Burk (In re Eliapo)*, 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amounts of damages). *Televideo Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires that a plaintiff make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

This motion will be GRANTED. The confirmation order shall include the docket control number of the motion and reference the plan by the date it was filed.

10. [26-10031](#)-B-13 **IN RE: GERARDO SERRANO**
[RSW-1](#)

CONTINUED MOTION TO EXTEND AUTOMATIC STAY
1-16-2026 [\[13\]](#)

GERARDO SERRANO/MV
ROBERT WILLIAMS/ATTY. FOR DBT.

NO RULING.

11. [25-13850](#)-B-13 **IN RE: RODNEY/AMY LEMMONS**
[WLG-1](#)

MOTION TO CONFIRM PLAN
1-21-2026 [\[24\]](#)

AMY LEMMONS/MV
NICHOLAS WAJDA/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in
conformance with the ruling below.

Rodney and Amy Lemmons ("Debtors") seek an order confirming the *First Modified Chapter 13 Plan* dated January 21, 2026. Docs. #24, #27. No plan has been confirmed so far. The 60-month plan proposes the following terms:

1. Debtors' monthly plan payments will be \$3,102.50.
2. Outstanding attorney's fees of \$9,500.00 to be paid through the plan.
3. Secured creditors to be sorted into appropriate Classes and paid as follows:
 - a. Exeter Finance LLC (Class 2A, PMSI on 2023 Hyundai Tucson). \$30,702.91 at 7.50% to be paid at \$615.22 per month.
 - b. Lincoln Automotive Finance (Class 2A, PMSI on 2023 Ford Explorer). \$42,923.71 at 8.00% to be paid at \$870.34 per month.
 - c. Safe 1 Credit Union (2024 Kia Telluride). Debtors will surrender their interest/liability. The non-filing Co-Debtor will make all payments
 - d. Rocket Mortgage (mortgage on 609 South Grand Street, Visalia, CA). \$2,370.49 to be paid directly by Debtors.
4. A dividend of 0% to unsecured creditors with claims estimated at \$360,648.10..

Doc. #27. This motion was set for hearing on 35 days' notice as required by Local Rule of Practice ("LBR") 3015-1(d)(1). The failure of the creditors, the chapter 13 trustee, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. *See Boone v. Burk (In re Eliapo)*, 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amounts of damages).

Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires that a plaintiff make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

This motion will be GRANTED. The confirmation order shall include the docket control number of the motion and reference the plan by the date it was filed.

12. [25-14151](#)-B-13 **IN RE: HELEN JOHNSON**
[JCW-1](#)

OBJECTION TO CONFIRMATION OF PLAN BY CAPITAL ONE AUTO FINANCE
2-3-2026 [\[19\]](#)

CAPITAL ONE AUTO FINANCE/MV
PETER MACALUSO/ATTY. FOR DBT.
JENNIFER WONG/ATTY. FOR MV.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Continued to April 1, 2026, at 9:30 a.m.

ORDER: The court will issue an order.

Capital One Auto Finance ("Creditor") objects to confirmation of the *Chapter 13 Plan* filed by Richard Wilson ("Debtor") on March 17, 2025, on the following basis:

1. The plan proposes to pay Creditor's secured claim at an interest rate of 4.00%. Creditor argues that the proper *Till* rate of interest should be at least 8.75%.

Doc. #19. On February 17, 2026, Debtor filed a Response conceding that the proper *Till* rate is 8.75% and proposing that the interest rate be modified in the confirmation order. Doc. #23.

While this would seemingly resolve Creditor's Objection, the court notes that the Trustee has filed a separate Objection to Confirmation premised in part on Debtor's failure to file a motion to value the collateral securing Creditor's claim. See *Item #13, below*. That Objection has been continued to April 1, 2026, to allow Debtor time to fully respond to Trustee's Objection. As both objections are based on the plan's treatment of the same collateral, this matter will be CONTINUED to April 1, 2026, at 9:30 a.m. to be heard in conjunction with Trustee's Objection.

13. [25-14151](#)-B-13 **IN RE: HELEN JOHNSON**
[LGT-1](#)

OBJECTION TO CONFIRMATION OF PLAN BY LILIAN G. TSANG
1-30-2026 [\[16\]](#)

PETER MACALUSO/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Continued to April 1, 2026, at 9:30 a.m.

ORDER: The court will issue an order.

Chapter 13 trustee Lilian G. Tsang ("Trustee") objects to confirmation of the *Chapter 13 Plan* filed by Richard Wilson ("Debtor") on March 17, 2025, on the following basis:

1. The 341 meeting of creditors had not been concluded as of the time this Objection was filed.
2. The plan provides for Capital One Finance as a Class 2 Creditor and proposes to pay the value of the collateral securing the claim, but no motion for valuation has been filed this far.

Doc. #25. On February 17, 2026, Debtor filed a Response advising that the 341 meeting had since been concluded. Doc. #24. Oddly, however, Debtor did not address Objection #2 but instead offered an acknowledgment that the proper *Till* rate in this case is 8.57%, an issue not raised by the Trustee. *Id.* Debtor did not address the problem of the missing valuation motion, which has not yet been filed. *Id.*

On February 17, 2026, the Trustee filed a *Supplement* to the Objection conceding Objection #1 but reiterating Objection #2. Doc. #25.

This objection will be CONTINUED to April 1, 2026, at 9:30 a.m. Unless this case is voluntarily converted to chapter 7, dismissed, or the objection to confirmation is withdrawn, the Debtor shall file and serve a written response to the Objection not later than **14 days before the hearing**. The response shall specifically address each issue raised in the objection to confirmation, state whether the issue is disputed or undisputed, and include admissible evidence to support the Debtors' position. Any reply shall be served no later than **7 days before the hearing**.

If the Debtor elects to withdraw the plan and file a modified plan in lieu of filing a response, then a confirmable, modified plan shall be filed, served, and set for hearing not later than **7 days before the hearing**. If the Debtor does not timely file a modified plan or a

written response, this objection will be sustained on the grounds stated in the objection without further hearing.

14. [25-13655](#)-B-13 **IN RE: MICHAEL TERRY**
[PLG-1](#)

MOTION TO CONFIRM PLAN
1-5-2026 [[18](#)]

MICHAEL TERRY/MV
RABIN POURNAZARIAN/ATTY. FOR DBT.
RESPONSIVE PLEADING

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Continued to April 1, 2026, at 9:30 a.m.

ORDER: The court will issue an order.

Michael Terry ("Debtor") moves for an order confirming the *First Modified Chapter 13 Plan* dated January 5, 2026. Doc. #18. No plan has been confirmed so far. Chapter 13 trustee Lilian G. Tsang ("Trustee") timely objected to confirmation of the plan for the following reason(s):

1. The plan provides for OneMain to be treated as a Class 2(B) creditor, but Debtor has not yet filed a motion to value the affected collateral.
2. The plan improperly provides for the claim of the IRS in Class 4, which is improper. The wholly unsecured IRS claim must be provided for through the plan at Section 3.12(c).

Doc. #26.

This motion to confirm plan will be CONTINUED to **April 1, 2026, at 9:30 a.m.** Unless this case is voluntarily converted to chapter 7, dismissed, or all objections to confirmation are withdrawn, the Debtor shall file and serve a written response to the objections no later than fourteen (14) days before the continued hearing date. The response shall specifically address each issue raised in the objection(s) to confirmation, state whether each issue is disputed or undisputed, and include admissible evidence to support the Debtor's position. Any replies shall be filed and served no later than seven (7) days prior to the hearing date.

If the Debtor elects to withdraw the plan and file a modified plan in lieu of filing a response, then a confirmable, modified plan shall be filed, served, and set for hearing not later than seven (7) days before the continued hearing date. If the Debtor does not timely file a modified plan or a written response, the objection will be sustained

on the grounds stated, and the motion will be denied without further hearing.

15. [25-11759](#)-B-13 **IN RE: CHA LEE AND MAY LY**
[FW-1](#)

MOTION FOR COMPENSATION BY THE LAW OFFICE OF FEAR WADDELL,
P.C. FOR GABRIEL J. WADDELL, DEBTORS ATTORNEY(S)
1-20-2026 [\[19\]](#)

GABRIEL WADDELL/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in
conformance with the ruling below.

Fear Waddell, P.C. ("Applicant"), attorney for Cha Lee and May Ly ("Debtors"), requests interim compensation in the sum of **\$2,696.04** under 11 U.S.C. § 330. Doc. #19. This amount consists of **\$2,574.00** in fees and **\$22.04** in expenses from **January 17, 2025, through December 31, 2025**. *Id.*

Debtors executed a statement of indicating that Debtors have read the fee application and approve the same. Doc. #21 (Exhibit E).

No party in interest timely filed written opposition. This motion will be GRANTED.

This motion was set for hearing on 28 days' notice as required by Local Rule of Practice ("LBR") 9014-1(f)(1) and Fed. R. Bankr. P. ("Rule") 2002(a)(6). The failure of the creditors, the chapter 13 trustee, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See *Boone v. Burk (In re Eliapo)*, 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amounts of damages). *Televideo Sys. Inc. v. Heidenthal*, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires that a plaintiff make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

Section 3.05 of the *Chapter 13 Plan* dated May 28, 2025, confirmed July 16, 2025, indicates that Applicant was paid \$3,187.00 (plus \$313.00

for the filing fee) \$5883.04 prior to filing the case, and, subject to court approval, additional fees of \$15,000.00 would be paid through the plan upon court approval by filing and serving a motion in accordance with 11 U.S.C. §§ 329 and 330, and Rules 2002, 2016-17. Docs. #3, #14.

This is Applicant's first fee application. Doc. #19.

Applicant's firm provided **23.00** billable hours at the following rates, totaling **\$5,861.00** in fees:

Professional	Hourly Rate	Total Hours	Total Fees This Person
Gabriel J. Waddell (2025)	\$395.00	8.90	\$3,476.00
Kayla Schlaak (2025)	\$175.00	13.40	\$2,310.00
Laurel Guenther (2025)	\$150.00	0.10	\$15.00
Mandi Abrams (2025)	\$100.00	0.60	\$60.00
Total		23.00	\$5,861.00

Docs. #19, #21. Applicant also seeks reimbursement for expenses incurred in the amount of **\$22.04**:

Postage	\$11.24
Chapter 13 fee	\$313.00
Reproduction	10.80
Total Expenses	\$335.04

Id. These combined fees and expenses total **\$6,196.04**. After deduction of the \$3,187.00 prepetition retainer and the \$313.00 filing fee prepaid by Debtors, Applicant seeks compensation in the amount of **\$2,696.04** in fees and expenses.

11 U.S.C. § 330(a)(1)(A) & (B) permits approval of "reasonable compensation for actual necessary services rendered by . . . [a] professional person" and "reimbursement for actual, necessary expenses." In determining the amount of reasonable compensation to be awarded to a professional person, the court shall consider the nature, extent, and value of such services, considering all relevant factors, including those enumerated in subsections (a)(3)(A) through (E). § 330(a)(3).

11 U.S.C. § 331 authorizes the award after notice and hearing of an interim award subject to subsequent final approval by the court pursuant to § 330.

Applicant's services here included, without limitation: pre-petition consultation and fact gathering; preparation of voluntary petition,

Schedules and Form 22C; independent verification of information; amendments to petitions and/or Schedules; 341 preparation and attendance; claim administration and claim objections; original plan, hearings, objections; fee applications; and case administration. Docs. #83, #85. The court finds these services and expenses reasonable, actual, and necessary.

No party in interest timely filed written opposition. Accordingly, this motion will be GRANTED. Applicant shall be awarded **\$5,861.00** in fees as reasonable compensation for services rendered and **\$335.04** in reimbursement of actual, necessary expenses on an interim basis under 11 U.S.C. § 330 and § 331. After deduction of the \$3,500.00 in total which Debtors paid Applicant prepetition, the chapter 13 trustee will be authorized to pay Applicant **\$2,696.04** through the confirmed plan for services and expenses from **January 17, 2025, through December 31, 2025**.

16. [26-10472](#)-B-13 **IN RE: WILLIAM MARTINEZ**
[KLG-1](#)

MOTION TO EXTEND AUTOMATIC STAY
2-9-2026 [\[13\]](#)

WILLIAM MARTINEZ/MV
ARETE KOSTOPOULOS/ATTY. FOR DBT.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Denied since the Plan is not feasible.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The court will prepare the order.

William Martinez ("Debtor") requests an order extending the automatic stay under 11 U.S.C. § 362(c) (3). Doc. #13.

Written opposition was not required and may be presented at the hearing. In the absence of opposition, this motion will be DENIED.

This motion was filed and served pursuant to Local Rule of Practice ("LBR") 9014-1(f) (2) and will proceed as scheduled. Unless opposition is presented at the hearing, the court intends to enter the respondents' defaults and deny the motion. If opposition is presented at the hearing, the court will consider the opposition and whether further hearing is proper pursuant to LBR 9014-1(f) (2). The

Under 11 U.S.C. § 362(c) (3) (A), if the debtor has had a bankruptcy case pending within the preceding one-year period that was dismissed, then the automatic stay under subsection (a) shall terminate with respect to the debtor on the 30th day after the latter case is filed.

This Debtor's case(s) within the last year are as follows:

Docket	Filed	Dismissed	Reason for dismissal
25-13883 ("the Prior Case")	11/19/25	12/8/25	Failure to file required documents
26-10472	2/3/26	Pending	n/a

The automatic stay in the current case will expire on March 3, 2026.

11 U.S.C. § 362(c)(3)(B) allows the court to extend the stay to any or all creditors, subject to any limitations the court may impose, after a notice and hearing where the debtor demonstrates that the filing of the latter case is in good faith as to the creditors to be stayed. Such request must be made within 30 days of the petition date.

A case is presumptively filed not in good faith as to all creditors if any of the conditions listed 11 U.S.C. § 362(c)(3)(C) exist:

- I. more than 1 previous case under any of chapters 7, 11, and 13 in which the individual was a debtor was pending within the preceding 1-year period [§ 362(c)(3)(C)(i)(I)];
- II. a previous case under any of chapters 7, 11, and 13 in which the individual was a debtor was dismissed within such 1-year period, after the debtor failed to:
 - aa. file or amend the petition or other documents as required by this title or the court without substantial excuse (but mere inadvertence or negligence shall not be a substantial excuse unless the dismissal was caused by the negligence of the debtor's attorney) [§ 362(c)(3)(C)(i)(II)(aa)];
 - bb. provide adequate protection as ordered by the court [§ 362(c)(3)(C)(i)(II)(bb)]; or
 - cc. perform the terms of a plan confirmed by the court [§ 362(c)(3)(C)(i)(II)(cc)]; or
- III. there has not been a substantial change in the financial or personal affairs of the debtor since the dismissal of the next most previous case under chapter 7, 11, or 13 or any other reason to conclude that the later case will be concluded
 - aa. if a case under chapter 7, with a discharge; or
 - bb. a case under chapter 11 or 13, with a confirmed plan that will be fully performed[.]

§ 362(c)(3)(C)(i)(I)-(III). To restate these Code provisions more plainly, the rebuttable presumption arises that the latter case was filed not in good faith:

- I. If a debtor has had two or more previous chapter 7, 11, or 13 cases pending within the year preceding the new case which were dismissed for any reason. [§ 362(c)(3)(C)(i)(I)];

- II. If a debtor has had one such case had been pending within the previous year which was dismissed for (aa) failure to file or amend the petition or other required documents without substantial excuse, (bb) failure to provide adequate protection, or (cc) failure to perform the terms of a confirmed plan. [§ 362(c) (3) (C) (i) (II) (aa-cc)]; or
- III. If a debtor has had one such case pending within the previous year which was dismissed for any reason, and debtor has failed to demonstrate a "substantial change" in the debtor's financial affairs since the prior dismissal such that the court may conclude that the new case will lead to either a chapter 7 discharge or a confirmable chapter 11 or chapter 13 plan.

In addition, the presumption arises as to any specific creditor which had commenced a stay relief action in the previous case that was still pending as of the date of dismissal or which had been resolved by terminating, conditioning, or limiting the stay as to the actions of that creditor. § 362(c) (3) (C) (ii).

The presumption of bad faith may be rebutted by clear and convincing evidence. § 362(c) (3) (C). Under the clear and convincing standard, the evidence presented by the movant must "place in the ultimate factfinder an abiding conviction that the truth of its factual contentions are 'highly probable.'" Factual contentions are highly probable if the evidence offered in support of them 'instantly tilt[s] the evidentiary scales in the affirmative when weighed against the evidence offered in opposition.'" *Emmert v. Taggart (In re Taggart)*, 548 B.R. 275, 288, n.11 (B.A.P. 9th Cir. 2016) (citations omitted) (vacated and remanded on other grounds by *Taggart v. Lorenzen*, 139 S. Ct. 1785 (2019)). If the presumption does not arise, the debtor needs to establish good faith by a preponderance of the evidence.

In this case, the presumption of bad faith arises. The subsequently-filed case is presumed to be filed in bad faith as to all creditors because Debtor has had one bankruptcy case within the prior year that was dismissed for failure to file required documents without substantial excuse. § 362(c) (3) (C) (ii).

Debtor declares that the previous case was dismissed because the National Foreclosure Defense Advocates ("NFDA"), which was assisting Debtor in preparing his Schedules, required additional funds beyond what Debtor had already paid and which Debtor was unable to pay before the case was dismissed. Doc. #15. Debtor declares that he has experienced a significant change in financial circumstances because he is now represented by counsel and apparently has filed all required documents. *Id.*; Docket generally.

In the present case, the *Chapter 13 Plan* dated February 3, 2026, provides for 36 monthly payments of \$2,378.92 with a 100% dividend to unsecured claims. Doc. #3. Debtor's *Schedules I and J* indicate that Debtor receives \$2,332.25 in monthly net income, which is not

sufficient for Debtor to afford the proposed plan payment, as the proposed plan payment exceeds Debtor's net monthly income by \$46.67.

As Debtors filed neither Schedules nor a Plan in the prior case, the court is unable to tell whether there has been a material change in their financial circumstances, but it appears that the proposed plan is not feasible.

Based on the moving papers and the record, it appears that Debtor has failed to rebut the presumption because the plan as proposed is not feasible.

No written opposition was required. The hearing in this matter will proceed as scheduled. Based on the non-feasibility of the plan, the court is inclined to DENY this motion.

17. [25-13995](#)-B-13 **IN RE: VERONICA AGUIRRE**

ORDER TO SHOW CAUSE - FAILURE TO PAY FEES
2-9-2026 [[33](#)]

MARK ZIMMERMAN/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: The OSC will be vacated.

ORDER: The court will issue an order.

The record shows that the \$34.00 filing fee was paid on February 20, 2026. Accordingly, this order to show cause will be VACATED.

18. [25-13995](#)-B-13 **IN RE: VERONICA AGUIRRE**
[LGT-1](#)

CONTINUED OBJECTION TO CONFIRMATION OF PLAN BY LILIAN G. TSANG
1-2-2026 [[18](#)]

LILIAN TSANG/MV
MARK ZIMMERMAN/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Continued to March 18, 2026, at 9:30 a.m.

ORDER: The court will issue an order.

This matter is hereby CONTINUED to March 18, 2026, at 9:30 a.m. to be heard in conjunction with the Trustee's *Motion to Dismiss* which is set for that date and time.

19. [26-10456](#)-B-13 **IN RE: MATTHEW CRIPPEN**
[MLC-1](#)

MOTION TO EXTEND AUTOMATIC STAY
2-13-2026 [[9](#)]

MATTHEW CRIPPEN/MV
MATTHEW CRIPPEN/ATTY. FOR MV.
OST 2/19/26

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Disposition to be determined at the hearing.

ORDER: The minutes of the hearing will be the court's findings and conclusions. Order preparation to be determined at the hearing.

Matthew Crippen ("Debtor") requests an order extending the automatic stay under 11 U.S.C. § 362(c)(3). Doc. #9.

This matter will be called and proceed as scheduled. Written opposition was not required and opposition may be presented at the hearing. In the absence of opposition at the hearing, this motion may be GRANTED provided that Movant has complied with the order shortening time ("OST").

This motion was set for hearing on shortened notice with an OST under the procedure specified in Local Rule of Practice ("LBR") 9014-1(f)(3). Consequently, the creditors, the U.S. Trustee, and any other parties in interest were not required to file a written response or

opposition to the motion. If any of these potential respondents appear at the hearing and offer opposition to the motion, the court will set a briefing schedule and a final hearing unless there is no need to develop the record further. If no opposition is offered at the hearing, the court will take up the merits of the motion. Oral argument may be presented by the parties at the scheduled hearing, where the parties shall address the issues identified in this tentative ruling and such other issues as are necessary and appropriate to the court's resolution of the matter.

Under 11 U.S.C. § 362(c)(3)-(4) govern the effects of multiple filings within a one-year period, establishing circumstances under which the automatic stay terminates after 30 days unless extended by the court after motion and hearing or under which the automatic stay does not go into effect at all unless imposed by the court after motion and hearing.

This Debtor's cases within the last year are as follows:

Docket	Filed	Dismissed	Reason for dismissal
22-10760 ("Case #1)	5/3/22	3/18/25	Not dismissed. Case closed after discharge.
25-12391 ("Case #2")	7/18/25	1/5/26	Failure to appear at the 341 Meeting of Creditors
26-10456 ("the Current Case")	2/2/26	Pending	n/a

Under 11 U.S.C. § 362(c)(4), the automatic stay does not go into effect if two or more cases were dismissed in the year preceding the filing of the most recent case. Here, Debtor has had two cases in the year preceding the filing of the Current Case, but Case #1 was not dismissed, and so § 362(c)(4) is not applicable. However, for the reasons outlined below, § 362(c)(3) does apply, and so the automatic stay in the current case will expire on March 2, 2026.

11 U.S.C. § 362(c)(3)(B) allows the court to extend the stay to any or all creditors, subject to any limitations the court may impose, after a notice and hearing where the debtor demonstrates that the filing of the latter case is in good faith as to the creditors to be stayed. Such request must be made within 30 days of the petition date.

A case is presumptively filed not in good faith as to all creditors if any of the conditions listed 11 U.S.C. § 362(c)(3)(C) exist:

- I. more than 1 previous case under any of chapters 7, 11, and 13 in which the individual was a debtor was pending within the preceding 1-year period [§ 362(c)(3)(C)(i)(I)];
- II. a previous case under any of chapters 7, 11, and 13 in which the individual was a debtor was dismissed within such 1-year period, after the debtor failed to:

- aa. file or amend the petition or other documents as required by this title or the court without substantial excuse (but mere inadvertence or negligence shall not be a substantial excuse unless the dismissal was caused by the negligence of the debtor's attorney) [§ 362(c) (3) (C) (i) (II) (aa)];
 - bb. provide adequate protection as ordered by the court [§ 362(c) (3) (C) (i) (II) (bb)]; or
 - cc. perform the terms of a plan confirmed by the court [§ 362(c) (3) (C) (i) (II) (cc)]; or
- III. there has not been a substantial change in the financial or personal affairs of the debtor since the dismissal of the next most previous case under chapter 7, 11, or 13 or any other reason to conclude that the later case will be concluded
- aa. if a case under chapter 7, with a discharge; or
 - bb. a case under chapter 11 or 13, with a confirmed plan that will be fully performed[.]

§ 362(c) (3) (C) (i) (I)-(III). To restate these Code provisions more plainly, the rebuttable presumption arises that the latter case was filed not in good faith:

- I. If a debtor has had two or more previous chapter 7, 11, or 13 cases pending within the year preceding the new case. [§ 362(c) (3) (C) (i) (I)];
- II. If a debtor has had one such case had been pending within the previous year which was dismissed for (aa) failure to file or amend the petition or other required documents without substantial excuse, (bb) failure to provide adequate protection, or (cc) failure to perform the terms of a confirmed plan. [§ 362(c) (3) (C) (i) (II) (aa-cc)]; or
- III. If a debtor has had one such case pending within the previous year which was dismissed for any reason, and debtor has failed to demonstrate a "substantial change" in the debtor's financial affairs since the prior dismissal such that the court may conclude that the new case will lead to either a chapter 7 discharge or a confirmable chapter 11 or chapter 13 plan.

In addition, the presumption arises as to any specific creditor which had commenced a stay relief action in the previous case that was still pending as of the date of dismissal or which had been resolved by terminating, conditioning, or limiting the stay as to the actions of that creditor. § 362(c) (3) (C) (ii).

The presumption of bad faith may be rebutted by clear and convincing evidence. § 362(c) (3) (C). Under the clear and convincing standard, the evidence presented by the movant must "place in the ultimate factfinder an abiding conviction that the truth of its factual contentions are 'highly probable.'" Factual contentions are highly probable if the evidence offered in support of them 'instantly tilt[s] the evidentiary scales in the affirmative when weighed against the evidence offered in opposition.'" *Emmert v. Taggart (In re Taggart)*, 548 B.R. 275, 288, n.11 (B.A.P. 9th Cir. 2016) (citations omitted)

(vacated and remanded on other grounds by *Taggart v. Lorenzen*, 139 S. Ct. 1785 (2019)). If the presumption does not arise, the debtor needs to establish good faith by a preponderance of the evidence.

In this case, the presumption of bad faith arises. The Current Case is presumed to be filed in bad faith as to all creditors because both Case #1 and Case #2 were pending within the one-year prior to filing of the Current Case. Also, the Debtor has had one case pending within the previous year (Case #2) which was dismissed, and so the presumption of bad faith applies unless Debtor can demonstrate a "substantial change" in his financial affairs. However, in the court's view, § 362(c)(3)(C)(i)(II) does not apply because Case #2 was dismissed for failure to attend the 341 meeting of creditors which is not one of the three reasons for finding lack of good faith in that provision. See § 362(c)(3)(C)(i)(II)(aa-cc).

Debtor declares that Case #2 was dismissed because of "Debtor's confusion." Doc. #11 (Debtor's Declaration). More specifically, Debtor declares that he missed the 341 meeting of creditors because he was a fire fighter and was at an active fire and unable to leave at the time when the 341 meeting was scheduled. *Id.* Debtor further declares that he did not understand "all of the motions involved" (presumably meaning that he did not understand that he was at risk of dismissal due to missing the 341 meeting. *Id.* Finally, Debtor declares that, at the time of the dismissal of Case #2, he believed that a family member would gift him sufficient money to cure the arrearages on his home, which was the reason for filing Case #2. *Id.*

Debtor was pro se in Case #2 and is pro se in the Current Case.

In the Current Case, the *Chapter 13 Plan* dated February 2, 2026, provides for 60 monthly payments of \$2,275.00 with a 100% dividend to unsecured claims. Doc. #6. Debtor's *Schedules I and J* indicate that Debtor receives \$2,955.50 in monthly net income, which is sufficient for Debtor to afford the proposed plan payments. Doc. #1 (Schedule I & J).

Case #2 was filed under Chapter 13 but later converted to Chapter 7. Case #2, Docs. #1, #20. The plan filed in Case #2 appears identical to the one filed in the Current Case. Case #2, Doc. #5. Debtor's monthly net income as reported in Case #2 was also \$2,955.50. Case #2, Doc. #1 (Schedule I & J).

In short, there has been no change at all in the Debtor's financial condition and circumstances, let alone a material one. Debtor reports the same income in Case #2 and the Current Case, and he proposes the same monthly plan payment and distribution to unsecured creditors in both cases. The only basis the court perceives as representing a change in circumstances lies in the following statement from the Declaration:

My circumstances have changed since the dismissal of the prior case, because this case was not filed during fire season and I believe I will be in a place with cell service and be 10 able to make all of my meetings and appearances.

Doc. #11. The court is dubious that this represents a "substantial change" sufficient to overcome the § 362(c)(3)(C)(i) presumption of bad faith, but the court is willing to hear from Debtor and the Trustee before reaching a conclusion

This matter will be called and proceed as scheduled. In the absence of opposition at the hearing, this motion may be GRANTED if Debtor demonstrates a substantial change in his personal finances that satisfies the court. If opposition is presented at the hearing, the court will consider the opposition and whether further hearing is proper pursuant to LBR 9014-1(f)(2).

11:00 AM

1. [22-11403](#)-B-7 **IN RE: STANFORD CHOPPING, INC.**
[24-1023](#)

PRE-TRIAL CONFERENCE SET RE: COMPLAINT
8-14-2024 [[1](#)]

HOLDER V. AUGUSTAR LIFE ASSURANCE CORPORATION
ESTELA PINO/ATTY. FOR PL.
CONT'D TO 9/16/26 PER ECF ORDER #83

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Concluded and dropped from the calendar.

ORDER: The court will prepare the order.

On February 24, 2026, the parties in the above-styled adversary proceeding filed a joint stipulation dismissing this case pursuant to Fed. R. Civ. P. 41(a)(1)(A). Accordingly, this Pre-Trial Conference will be CONCLUDED AND DROPPED from the calendar.

2. [22-11403](#)-B-7 **IN RE: STANFORD CHOPPING, INC.**
[24-1025](#) [CAE-1](#)

STATUS CONFERENCE RE: COMPLAINT
8-19-2024 [[1](#)]

HOLDER V. STYLES ET AL
LISA HOLDER/ATTY. FOR PL.

FINAL RULING: There will be no hearing in this matter.

DISPOSITION: Concluded and dropped from the calendar.

ORDER: The court will prepare the order.

On February 12, 2026, the court approved the Trustee's motion to compromise this adversary proceeding for turnover and avoidance, said approval being entered in the underlying bankruptcy case. See 22-11403, Doc. #178. On February 23, 2026, the Trustee filed a *Stipulation to Dismiss All Defendant and All Claims for Relief with Prejudice under Fed. R. Civ. P. 41(a)(1)(A)*. Doc. #24.

Accordingly, this Status Conference will be CONCLUDED and DROPPED from the calendar.

3. [25-10429](#)-B-7 **IN RE: LOUIE ESPARZA AND COLLEEN DOUGHERTY**
[25-1015](#) [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT
4-11-2025 [[1](#)]

MARCUM ET AL V. ESPARZA, JR. ET AL
ERIKA RASCON/ATTY. FOR PL.

FINAL RULING: There will be no hearing in this matter.

DISPOSITION: Continued to April 15, 2026, at 11:00.

ORDER: The court will prepare the order.

This matter will be CONTINUED to April 15, 2026, in order to accommodate the court's decision to take the pending *Motion for Entry of Default Judgment* (Doc. #60) under advisement. See *Item #4, below*.

4. [25-10429](#)-B-7 **IN RE: LOUIE ESPARZA AND COLLEEN DOUGHERTY**
[25-1015](#) [ELR-2](#)

MOTION FOR ENTRY OF DEFAULT JUDGMENT
1-6-2026 [[60](#)]

MARCUM ET AL V. ESPARZA, JR. ET AL
ERIKA RASCON/ATTY. FOR MV.

FINAL RULING: There will be no hearing in this matter.

DISPOSITION: Dropped from the calendar.

ORDER: The court will prepare the order.

The court hereby exercises its authority to resolve this motion on the pleadings without need for oral argument.

Unless the assigned judge determines that the resolution of the motion does not require oral argument, he or she may hear appropriate and reasonable oral argument. Alternatively, the motion may be submitted upon the record and briefs on file if the parties stipulate thereto, or the judge so orders, subject to the power of the judge to reopen the matter for further briefs, oral argument or both.

LBR 9014-1(h). The matter will be taken under submission. All pleadings will be closed as of February 25, 2025. The court anticipates entering an order on the motion sometime in late March or early April unless the Court deems additional briefing or argument is

necessary. After submission of the court's ruling on the motion, the court will determine responsibility for order preparation.

5. [21-11540](#)-B-13 **IN RE: TOM/HELEN EVANS**
[25-1050](#) [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT
11-25-2025 [[1](#)]

EVANS V. UNITED STATE DEPARTMENT OF EDUCATION
REISSUED SUMMONS TO 4/1/26

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Concluded and dropped from calendar.

ORDER: The court will prepare the order.

On February 11, 2026, a reissued summons was entered in this adversary proceeding that set the Status Conference in this matter for April 1, 2026, at 11:00 a.m. Doc. #39. Accordingly, this status conference, which was set by an order of the court dated January 28, 2026 (Doc. #18) is CONCLUDED AND DROPPED from the calendar.

6. [21-11540](#)-B-13 **IN RE: TOM/HELEN EVANS**
[25-1050](#) [CAE-1](#)

MOTION TO RECONSIDER
2-3-2026 [[32](#)]

EVANS V. UNITED STATE DEPARTMENT OF EDUCATION

FINAL RULING: There will be no hearing in this matter.

DISPOSITION: Denied as moot.

ORDER: The court will prepare the order.

Tom Wayne Evans, plaintiff in this adversary and co-debtor in the underlying Chapter 13 bankruptcy ("Plaintiff"), moves for Reconsideration of this court's order ("the Order") dated January 28, 2026, in which the court stated:

It appears from the docket that the Plaintiff did not serve the U.S. Attorney general in Washington D.C. as required by Rule 7004(b). Accordingly, this matter was CONTINUED to February 25, 2026, at 11:00 a.m. A new summons must be issued and served in proper conformance with Rule 7004(b)(4)(a)(ii). If a new scheduling conference date is

assigned with the issuance of the new summons, this status conference will be concluded and removed from the calendar.

Doc. #17. On February 3, 2026, Plaintiff moved for reconsideration of the Order on the grounds that the Department of Education ("the DOE"), Defendant in this adversary proceeding, answered the complaint and failed to raise the affirmative defense of lack of personal jurisdiction. Doc. #32. However, this motion does not address Plaintiff's failure to serve the Attorney General in accordance with Rule 7004). *Id.*

On February 11, 2026, Plaintiff filed a Reissued Summons for the DOE with a status conference set for April 1, 2026. Doc. #39. Also, on January 27, 2026, the Educational Credit Management Corporation ("ECMC") filed a *Motion to Intervene* averring that ECMC was the current holder of the loans which Debtor seeks to discharge, that the DOE holds no right, title, or interest in the loans, and that the ECMC is the proper defendant. Doc. #9. Plaintiff subsequently issued a notice of support for ECMC's motion to intervene. Doc. #31.

As Plaintiff has filed a Reissued Summons and the DOE has appeared but is most likely not the proper party-defendant anyway (with ECMC seeking intervention in the DOE's place), this motion will be DENIED as moot.

7. [24-12751](#)-B-7 **IN RE: BIKRAM SINGH AND HARSIMRAN SANDHU**
[24-1062](#) [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT
12-27-2024 [1]

AMERICAN AGCREDIT, FLCA ET AL V. SINGH ET AL
MICHAEL GOMEZ/ATTY. FOR PL.
RESPONSIVE PLEADING

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Continued to April 22, 2026, at 11:00 a.m.

ORDER: The court will prepare the order.

On February 3, 2026, the parties submitted a joint stipulation requesting that the status conference in this matter be continued to April 22, 2026. Doc. #46. The court approved that Stipulation on February 19, 2026. Doc. #47. Accordingly, this status conference is hereby CONTINUED to April 22, 2026, at 11:00 a.m.

8. [24-12751](#)-B-7 **IN RE: BIKRAM SINGH AND HARSIMRAN SANDHU**
[24-1063](#) [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT
12-27-2024 [[1](#)]

FARM CREDIT SERVICES OF AMERICA, PCA V. SINGH ET AL
MICHAEL GOMEZ/ATTY. FOR PL.
RESPONSIVE PLEADING

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Continued to April 22, 2026, at 11:00 a.m.

ORDER: The court will prepare the order.

On February 3, 2026, the parties submitted a joint stipulation requesting that the status conference in this matter be continued to April 22, 2026. Doc. #36. The court approved that Stipulation on February 19, 2026. Doc. #37. Accordingly, this status conference is hereby CONTINUED to April 22, 2026, at 11:00 a.m.

9. [24-10060](#)-B-13 **IN RE: JENNIFER GITMED**
[HDN-4](#)

CONTINUED PRE-TRIAL CONFERENCE RE: AMENDED OBJECTION TO
CLAIM OF INTERNAL REVENUE SERVICE, CLAIM NUMBER 1
7-26-2024 [[84](#)]

JENNIFER GITMED/MV
HENRY NUNEZ/ATTY. FOR DBT.

NO RULING.

10. [25-10499](#)-B-7 **IN RE: JEFFREY REICH**
[25-1022](#) [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT
5-23-2025 [[1](#)]

REICH V. REICH
RICHARD MCMATH/ATTY. FOR PL.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Continued to July 1, 2026, at 11:00 a.m.

ORDER: The court will prepare the order.

Upon joint request of the parties, this Status Conference is hereby CONTINUED to July 1, 2026, at 11:00 a.m. The parties will submit joint or unilateral status reports no later than seven (7) days before the continued hearing date.