



**UNITED STATES BANKRUPTCY COURT  
Eastern District of California**

**Chief Judge Fredrick E. Clement**  
Sacramento Federal Courthouse  
501 I Street, 7<sup>th</sup> Floor  
Courtroom 28, Department A  
Sacramento, California

**DAY: MONDAY**  
**DATE: FEBRUARY 26, 2024**  
**CALENDAR: 1:00 P.M. DISGORGEMENT CALENDAR**

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Unless otherwise ordered, all matters before Chief Judge Fredrick E. Clement shall be simultaneously: (1) **IN PERSON** at Sacramento Courtroom No. 28, (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/RemoteAppearances>.

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 the trials or evidentiary hearings, though they may appear in person in most instances.
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To appear remotely for law and motion or status conference proceedings, you must comply with the following guidelines and procedures:

- Review the [Pre-Hearing Dispositions](#) prior to appearing at the hearing.
- Review the court's [Zoom Procedures and Guidelines](#) for these, and additional instructions.
- 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.

## PRE-HEARING DISPOSITION INSTRUCTIONS

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### RULINGS

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

**"No Ruling"** means the likely disposition of the matter will not be disclosed in advance of the hearing. The matter will be called; parties wishing to be heard should rise and be heard.

**"Tentative Ruling"** means the likely disposition, and the reasons therefor, are set forth herein. The matter will be called. Aggrieved parties or parties for whom written opposition was not required should rise and be heard. Parties favored by the tentative ruling need not appear. However, non-appearing parties are advised that the court may adopt a ruling other than that set forth herein without further hearing or notice.

**"Final Ruling"** means that the matter will be resolved in the manner, and for the reasons, indicated below. The matter will not be called; parties and/or counsel need not appear and will not be heard on the matter.

### CHANGES TO PREVIOUSLY PUBLISHED RULINGS

On occasion, the court will change its intended ruling on some of the matters to be called and will republish its rulings. The parties and counsel are advised to recheck the posted rulings after 3:00 p.m. on the next business day prior to the hearing. Any such changed ruling will be preceded by the following bold face text: **"[Since posting its original rulings, the court has changed its intended ruling on this matter]"**.

### ERRORS IN RULINGS

Clerical errors of an insignificant nature, e.g., nomenclature ("2017 Honda Accord," rather than "2016 Honda Accord"), amounts, ("\$880," not "\$808"), may be corrected in (1) tentative rulings by appearance at the hearing; or (2) final rulings by appropriate ex parte application. Fed. R. Civ. P. 60(a) *incorporated by* Fed. R. Bankr. P. 9024. All other errors, including those occasioned by mistake, inadvertence, surprise, or excusable neglect, must be corrected by noticed motion. Fed. R. Bankr. P. 60(b), *incorporated by* Fed. R. Bankr. P. 9023.

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1. [24-20230](#)-A-7     **IN RE: NADIYA FARAH**  
[CAE-1](#)

ORDER TO SHOW CAUSE - FAILURE TO FILE DOCUMENTS RE:  
DISCLOSURE OF ATTORNEY COMPENSATION  
1-30-2024   [\[15\]](#)

MICHAEL BENAVIDES/ATTY. FOR DBT.  
DISCLOSURE, ECF NO. 16

**Final Ruling**

The Disclosure of Compensation has been filed. Disclosure, ECF No. 16. The Order to Show Cause is discharged, and no appearance is necessary. A civil minute order shall issue.

2. [24-20231](#)-A-7     **IN RE: JOSHUA LINDSEY**  
[CAE-1](#)

ORDER TO SHOW CAUSE - FAILURE TO FILE DOCUMENTS RE:  
DISCLOSURE OF ATTORNEY COMPENSATION  
1-30-2024   [\[16\]](#)

MICHAEL BENAVIDES/ATTY. FOR DBT.  
DISCLOSURE, ECF NO. 18

**Final Ruling**

The Disclosure of Compensation has been filed. Disclosure, ECF No. 18. The Order to Show Cause is discharged, and no appearance is necessary. A civil minute order shall issue.

3. [23-22080](#)-A-13     **IN RE: MICHAEL/ANGELIQUE VALERA**  
[FEC-1](#)

ORDER TO SHOW CAUSE  
1-9-2024   [\[54\]](#)

ERIC SCHWAB/ATTY. FOR DBT.  
DEBTORS DISMISSED: 01/04/24  
RESPONSIVE PLEADING

**Final Ruling**

This matter is governed by 11 U.S.C. § 329(b). The court is mindful that LBR 2016-1 was amended for cases filed after November 1, 2023; this case was file June 26, 2023. Counsel took a retainer of \$6,000. Disclosure of Compensation, ECF No. 17. The court has reviewed the opposition to the Order to Show Cause. See Response, Schwab decl., and Exhibits, ECF No. 56-58. Having done so, the court notes authenticated time records showing fees, billed at

\$300/hour of in excess of \$10,600. The court finds that the value of services rendered meets or exceeds the retainer taken. No disgorgement is appropriate. The court will issue a civil minute order.