



**UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable Jennifer E. Niemann
Hearing Date: Tuesday, February 28, 2023
Department A – Courtroom #11
Fresno, California**

Unless otherwise ordered, all hearings before Judge Niemann are simultaneously: (1) **IN PERSON** in Courtroom #11 (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.

To appear via zoom gov video or zoom gov telephone for law and motion or status conference proceedings, you must comply with the following new guidelines and procedures:

1. Review the pre-hearing dispositions at:
<https://www.caeb.uscourts.gov/Calendar/PreHearingDispositions>
2. You are required to give the court 24 hours advance notice at
niemann_virtual@caeb.uscourts.gov.

Parties in interest and members of the public may connect to the video and audio feeds, free of charge, using the connection information provided:

Video web address:

<https://www.zoomgov.com/j/1602833176?pwd=dy9scGVmS2svYkRUVXkyVk9IRmtXUT09>

Meeting ID: 160 283 3176

Password: 550526

Zoom.Gov Telephone: (669) 254-5252 (Toll Free)

Please join at least 10 minutes before the start of your hearing and wait with your microphone muted until your matter is called.

Prior to the hearing, parties appearing via Zoom or CourtCall are encouraged to review the court's [Zoom Procedures and Guidelines](#) or [CourtCall Appearance Information](#).

Unauthorized Recording is Prohibited: Any recording of a court proceeding held by video or teleconference, including "screenshots" 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.

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 POSSIBLE UPDATES.

1. [23-10325](#)-A-11 **IN RE: ROBERT CHAMPAGNE**
[FW-2](#)

MOTION TO USE CASH COLLATERAL
2-24-2023 [\[6\]](#)

ROBERT CHAMPAGNE/MV
PETER SAUER/ATTY. FOR DBT.
OST 2/24/23

NO RULING.

The court will only hear this matter if, prior to the hearing, a certificate of service is filed showing that service of the motion was complete in the manner required by the order shortening time filed on February 24, 2023 (Doc. #14).

If the hearing is held, counsel for the debtor should be prepared to address the following questions at the hearing:

- (1) What is the estimated value, as of the petition date, of the debtor's accounts receivable?
- (2) What is the projected value, as of March 15, 2023, of the debtor's accounts receivable?
- (3) What are the estimated amounts, as of the petition date, owed to the various secured creditors that the debtor asserts have an interest in the debtor's cash collateral?
- (4) What other collateral secures the obligations of the debtor's various secured creditors that the debtor asserts have an interest in the debtor's cash collateral, and what is the estimated value of that collateral?

2. [23-10325](#)-A-11 **IN RE: ROBERT CHAMPAGNE**
[FW-3](#)

MOTION TO PAY PRIORITY WAGES
2-24-2023 [\[11\]](#)

ROBERT CHAMPAGNE/MV
PETER SAUER/ATTY. FOR DBT.
OST 2/24/23

NO RULING.

The court will only hear this matter if, prior to the hearing, a certificate of service is filed showing that service of the motion was complete in the manner required by the order shortening time filed on February 24, 2023 (Doc. #15).