



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

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

DAY: TUESDAY
DATE: MARCH 7, 2023
CALENDAR: 10:30 A.M. ADVERSARY PROCEEDINGS

Unless otherwise ordered, all matters before Chief Judge Fredrick E. Clement shall be heard simultaneously: (1) **IN PERSON** in Courtroom 28, (2) via **ZOOMGOV VIDEO**, (3) via **ZOOMGOV TELEPHONE**, and (4) via **COURTCALL**.

You may choose any of these options unless otherwise ordered.

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

Video web address:

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Meeting ID: 160 521 5188

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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. You are required to give the court 24 hours advance notice. Review the court's [Zoom Procedures and Guidelines](#) for these, and additional instructions.
3. Parties appearing via CourtCall are encouraged to review the [CourtCall Appearance Information](#).

Please join at least 10 minutes prior to the start of the calendar and wait with your microphone muted until your 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

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.

1. [20-25614](#)-A-7 **IN RE: GREGORY SCHMIDT**
[21-2018](#) [PGM-1](#)

CONTINUED MOTION BY PETER G. MACALUSO TO WITHDRAW AS
ATTORNEY
1-5-2023 [[135](#)]

SPENCER T. MALYSIAK PROFIT
SHARING PLAN ET AL V. SCHMIDT
PETER MACALUSO/ATTY. FOR MV.

Final Ruling

The motion is granted. The movant shall upload an order, which includes Gregory Schmidt's last known address and telephone number.

2. [13-24415](#)-A-13 **IN RE: ANTONIO/MARIA HERNANDEZ**
[21-2082](#) [CAE-1](#)

STATUS CONFERENCE RE: COMPLAINT
11-15-2021 [[1](#)]

HERNANDEZ ET AL V. JONES ET AL
PETER MACALUSO/ATTY. FOR PL.

Final Ruling

This case was dismissed on March 2, 2023, by Stipulation and Order, ECF No. 51. The Status Conference is concluded.

3. [20-23726](#)-A-11 **IN RE: AME ZION WESTERN EPISCOPAL DISTRICT**
[21-2016](#) [GT-8](#)

MOTION TO COMPEL
2-17-2023 [[273](#)]

AFRICAN METHODIST EPISCOPAL
ZION CHURCH ET AL V. AME ZION
HOWARD STEINBERG/ATTY. FOR MV.

No Ruling

4. [20-23726](#)-A-11 **IN RE: AME ZION WESTERN EPISCOPAL DISTRICT**
[22-2076](#) [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT
7-29-2022 [[1](#)]

GOLDEN V. LIVINGSTONE COLLEGE
DAVID GOODRICH/ATTY. FOR PL.

Final Ruling

The status conference is continued to May 16, 2023, at 10:30 a.m. In the event the adversary proceeding has not been dismissed, not later than 14 days before the continued status conference the parties will file a joint status report. A civil minute order shall issue.

5. [22-22048](#)-A-7 **IN RE: CAMILE DURIA**
[22-2107](#) [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT
11-18-2022 [[1](#)]

NAVY FEDERAL CREDIT UNION V.
DURIA
RANDALL MROCZYNSKI/ATTY. FOR PL.
ADVERSARY PROCEEDING CLOSED: 2/13/23

Final Ruling

Judgment having been entered the status conference is concluded. A civil minute order shall issue.