

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

Honorable Christopher D. Jaime
1200 I Street, Suite 200
Modesto, California

PRE-HEARING DISPOSITIONS COVER SHEET

DAY: TUESDAY

DATE: March 11, 2025

CALENDAR: 1:00 P.M. CHAPTER 13

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. 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 and no appearance is necessary. 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 seven (7) days of the final hearing on the matter.

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Christopher D. Jaime
Bankruptcy Judge
Modesto, California

March 11, 2025 at 1:00 p.m.

-
1. [25-90032](#)-B-13 BRIAN/SHAYNA GASTELLUM OBJECTION TO CONFIRMATION OF
[GMN](#)-1 Rabin Pournazarian PLAN BY JPMORGAN CHASE BANK,
NATIONAL ASSOCIATION
2-13-25 [[14](#)]

Final Ruling

The objection was properly filed at least 14 days prior to the hearing on the motion to confirm a plan. See Local Bankr. R. 3015-1(c)(4) & (d)(1) and 9014-1(f)(2). Parties in interest may, at least 7 days prior to the date of the hearing, serve and file with the court a written reply to any written opposition. Local Bankr. R. 9014-1(f)(1)(C). No written reply has been filed to the objection.

The court has determined that oral argument is not necessary. See Local Bankr. R. 1001-1(f), 9014-1(h). This matter will be decided on the papers. No appearance at the hearing is necessary.

The court's decision is to overrule the objection and confirm the plan.

Objecting creditor JPMorgan Chase Bank, National Association holds a deed of trust secured by the Debtor's residence. The creditor asserts \$820.19 in pre-petition arrearages but has not yet filed a proof of claim. The creditor provides no evidence to support the amount of claimed pre-petition arrears. The creditor does not provide a declaration from any individual who maintains or controls the bank's loan records or any other supporting evidence. Without a proof of claim or evidence to support its assertion, the creditor's objection is overruled.

There being no other objections, the plan complies with 11 U.S.C. §§ 1322 and 1325(a). The objection is overruled and the plan filed January 22, 2025, is confirmed.

The objection is ORDERED OVERRULED for reasons stated in the minutes.

IT IS FURTHER ORDERED that the plan is CONFIRMED for reasons stated in the minutes. The Chapter 13 Trustee shall prepare an appropriate order confirming the Chapter 13 plan and submit the proposed order to the court.

The court will issue an order.

March 11, 2025 at 1:00 p.m.

Page 1 of 4

2. [24-90662](#)-B-13 ANA/GRANT JOHNSON
[RPK](#)-1 Ryan Keenan

MOTION TO CONFIRM PLAN
1-31-25 [[21](#)]

Final Ruling

The motion has been set for hearing on the 35-days notice required by Local Bankruptcy Rules 3015-1(d)(1), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 2002(b). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Opposition was filed.

The court has determined that oral argument will not assist in the decision-making process or resolution of the motion. See Local Bankr. R. 9014-1(h), 1001-1(f). This matter will therefore be decided on the papers.

The court's decision is to grant the motion and confirm the amended plan.

The Chapter 13 Trustee objects to confirmation on grounds that the Disclosure of Compensation of Attorney for Debtor form filed November 4, 2024, is incorrect. The form does not match that of the form provided on the Eastern District of California court's website.

A review of the court's docket shows that an amended form was filed on March 7, 2025. This resolves the objection to confirmation.

The amended plan complies with 11 U.S.C. §§ 1322, 1323, and 1325(a) and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the minutes. The Chapter 13 Trustee shall prepare an appropriate order confirming the Chapter 13 plan and submit the proposed order to the court.

The court will issue an order.

3. [24-90684](#)-B-13 FRANCISCO MARTINEZ CONTINUED OBJECTION TO
[LGT](#)-1 David C. Johnston CONFIRMATION OF PLAN BY LILIAN
G. TSANG
1-6-25 [[20](#)]

Final Ruling

The case having been dismissed on February 27, 2025, the continued objection to confirmation is overruled as moot.

The objection is ORDERED OVERRULED AS MOOT for reasons stated in the minutes.

The court will issue an order.

4. [24-90757](#)-B-13 JAMES LEGENSKY CONTINUED OBJECTION TO
[LGT](#)-1 Nicholas Wajda CONFIRMATION OF PLAN BY LILIAN
G TSANG
1-27-25 [[18](#)]

Final Ruling

This matter was continued from March 4, 2025, to allow any party in interest to file a response by 5:00 p.m. Friday, March 7, 2025. Nothing was filed. Therefore, the court's conditional ruling at dkt. 30, sustaining the objection, shall become the court's final decision. The continued hearing on March 11, 2025, at 1:00 p.m. is vacated.

The objection is ORDERED SUSTAINED for reasons stated in the minutes.

The court will issue an order.