



UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable Jennifer E. Niemann
Hearing Date: Wednesday, March 11, 2026
Department A - Courtroom #11
Fresno, California

Unless otherwise ordered, all matters before the Honorable Jennifer E. Niemann shall be simultaneously: (1) **In Person** at Courtroom #11, (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/CourtAppearances>. 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 trials or evidentiary hearings, though they may appear in person in most instances.

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.

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.

9:30 AM

1. [22-10416](#)-A-11 **IN RE: KR CITRUS, INC., A CALIFORNIA CORPORATION**
[RPM-1](#)

MOTION TO CONFIRM TERMINATION OR ABSENCE OF STAY, MOTION FOR RELIEF
FROM AUTOMATIC STAY
2-10-2026 [[518](#)]

SANTANDER CONSUMER USA, INC./MV
RILEY WALTER/ATTY. FOR DBT.
RANDALL MROCYNSKI/ATTY. FOR MV.
WITHDRAWN

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

DISPOSITION: Dropped from calendar.

NO ORDER REQUIRED.

Movant withdrew the motion on February 25, 2026. Doc. #525.

2. [20-12258](#)-A-11 **IN RE: JARED/SARAH WATTS**
[DMS-2](#)

MOTION FOR COMPENSATION FOR DAVID M. SOUSA, CHAPTER 11 TRUSTEE(S)
2-17-2026 [[460](#)]

DAVID SOUSA/MV
LEONARD WELSH/ATTY. FOR DBT.
DAVID SOUSA/ATTY. FOR MV.

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

DISPOSITION: Denied without prejudice.

ORDER: The court will issue an order.

This matter is DENIED WITHOUT PREJUDICE for improper notice.

The initial notice of this motion was sent by mail on February 17, 2026, with a hearing date set for March 11, 2026. Doc. ##461, 464. The motion was set for hearing on less than 28 days' notice and is governed by Local Rule of Practice ("LBR") 9014-1(f)(2). Pursuant to LBR 9014-1(f)(2), written opposition is not required, and any opposition may be raised at the hearing. However, the initial notice of hearing filed with the motion states that opposition must be filed and served no later than 14 days before the hearing and that failure to file written response may result in the court granting the motion prior to the hearing. The initial notice of hearing does not comply with LBR 9014-1(f)(2).

An amended notice of this motion was filed and served by mail on February 24, 2026, the day before the deadline for filing written opposition as set forth in the initial notice of hearing. Doc. ##468, 469. While the amended notice of hearing correctly states that opposition can be raised at the hearing, interested parties were not notified that written opposition was not required until one day before the 14-day deadline set forth in the initial notice of

hearing. Because the timing of the moving party's amended notice of hearing did not give interested parties sufficient notice that written opposition was not required, the court will use the date of the amended notice of hearing to determine whether notice of the motion is proper.

LBR 9014-1(f) (2) allows a moving party to file and serve a motion on at least 14 days' notice "unless additional notice is required by the Federal Rules of Bankruptcy Procedure." For a motion for compensation, the Federal Rules of Bankruptcy Procedure require additional notice. Federal Rule of Bankruptcy Procedure ("Rule") 2002(a) requires at least 21 days' notice by mail of "a hearing on a request for compensation or for reimbursement of expenses, if the request exceeds \$1,000." Fed. R. Bankr. P. 2002(a) (6).

Because the amended notice of hearing was served by mail on February 24, 2026, with a hearing date set for March 11, 2026, this motion for compensation was set for hearing on less than 21 days' notice, and this motion is DENIED WITHOUT PREJUDICE for improper notice under Rule 2002.

3. [20-12258](#)-A-11 **IN RE: JARED/SARAH WATTS**
[LKW-8](#)

MOTION TO REVOKE DISCHARGE OF DEBTOR(S) AND/OR MOTION TO COMPEL
2-9-2026 [[455](#)]

THE HUNTINGTON NATIONAL BANK/MV
LEONARD WELSH/ATTY. FOR DBT.
RUSSELL REYNOLDS/ATTY. FOR MV.
RESPONSIVE PLEADING

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Denied as moot in part and denied without prejudice in part.

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

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f) (1). The debtors timely filed written opposition on February 23, 2026. Doc. #465. The failure of creditors, 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). Therefore, the defaults of the non-responding parties in interest are entered.

As a procedural matter, the motion and supporting papers do not comply with LBR 9014-1(c) because the moving party used the same Docket Control Number ("DCN") for this motion that was used for a prior motion to confirm plan in violation of LBR 9014-1(c) (4). Compare Doc. #139 with Doc. #455. A new DCN should have been used for this motion.

As a further procedural matter, there is no certificate of service filed with the court showing when the motion was served. Therefore, the motion does not comply with LBR 9014-1(e) (3), which requires that proof of service of all pleadings be filed with the court not more than three (3) days after the pleading is filed with the court. However, because the debtors filed timely

written opposition and because the court is denying the motion in part as moot and in part without prejudice, the court waives any improper service.

As a further procedural matter, to the extent that the moving party seeks to compel payments to be made pursuant to the debtors' confirmed Subchapter V plan, the moving party should have served the Subchapter V trustee, David M. Sousa, pursuant to Federal Rule of Bankruptcy Procedure 7004 because the debtors confirmed a nonconsensual plan in which payments to creditors were to be made by the Subchapter V trustee. Plan at ¶ 12.01, Doc. #194. Because the court is denying this aspect of the motion as moot, the court waives any improper service.

The court encourages counsel for the moving party to review the local rules to ensure compliance in future matters or those matters may be denied without prejudice for failure to comply with the local rules.

The Huntington National Bank, formerly known as TCF Equipment Finance, a Division of TCF National Bank ("Movant"), moves the court to (1) revoke the discharge of Jared Allen Watts and Sarah Danielle Watts (together, "Debtors"), (2) compel Debtors to provide payments to Movant under the terms of Debtors' confirmed modified Subchapter V chapter 11 plan ("Plan"), and (3) for entry of an order awarding Movant attorneys' fees and costs in connection with the issues raised in the instant motion and for reopening this case. Doc. #455.

Movant asserts Debtors' discharge should be revoked because Debtors have failed to pay Movant the three (3) remaining payments required under the Plan. Doc. #455. The motion will be DENIED AS MOOT IN PART as to Movant's request for revocation of Debtors' discharge and for an order compelling Debtors to make final Plan payments to Movant because Debtors assert, and Movant concedes, that the final three (3) Plan payments due under the Plan to Movant have been paid. Doc. ##465, 470.

With respect to Movant's request for attorneys' fees and costs in bringing this motion, that request is DENIED WITHOUT PREJUDICE to Movant seeking such fees by subsequent noticed motion, with such motion to be filed and served on or before April 24, 2026. The court will not award attorneys' fees and costs at this time because Movant has not provided evidence to support the attorneys' fees and costs requested or shown that the motion has been served all interested parties.

Accordingly, the motion is DENIED AS MOOT IN PART as to Movant's request for revocation of Debtors' discharge and for an order compelling Debtors to make final Plan payments to Movant. The motion is DENIED WITHOUT PREJUDICE as to Movant's request for attorneys' fees and costs in bringing this motion. Movant will have until April 24, 2026 to file and serve such a motion. If such motion has not been filed and served by April 24, 2026, the court will re-close this chapter 11 bankruptcy case without further notice.

4. [20-10569](#)-A-12 **IN RE: BHAJAN SINGH AND BALVINDER KAUR**
[YW-7](#)

MOTION FOR ENTRY OF DISCHARGE, MOTION FOR ENTRY OF FINAL DECREE,
MOTION FOR ENTRY OF ORDER CLOSING CHAPTER 12 CASE
2-5-2026 [[751](#)]

BALVINDER KAUR/MV
LEONARD WELSH/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.

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, 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 amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done.

Bhajan Singh and Balvinder Kaur (collectively, "Debtors"), the debtors in this chapter 12 case, move this court for an order authorizing the entry of discharge.¹ Motion, Doc. #751.

Section 1228 of the Bankruptcy Code contains the discharge provision applicable to chapter 12 cases. Section 1228 provides that a discharge of all debts provided for in the plan shall be granted as soon as practicable after completion by the debtor of all payments under the plan. 11 U.S.C. § 1228(a); In re Grimes, 117 B.R. 531, 533 (B.A.P. 9th Cir. 1990).

The court finds no reasonable cause to believe that 11 U.S.C. § 522(q)(1) may be applicable to Debtors. There is no reasonable cause to believe that there is pending any proceeding in which Debtors may be found guilty of a felony of the kind described in § 522(a)(1)(A) or liable for a debt of the kind described in § 522(q)(1)(B). Decl. of Bhajan Singh, Doc. #753.

The court finds that Debtors have made all payments under the confirmed chapter 12 plan and notes that no opposition has been filed. Singh Decl., Doc. #753. Pursuant to § 1228(a), Debtors' discharge shall be entered.

Accordingly, this motion is GRANTED. Debtors' discharge shall be entered.

¹ Debtors initially also asked the court to enter a final decree and an order closing this chapter 12 case. However, Debtors filed a modification to the relief requested in the initial motion and request that the court delete any request for the court to enter a final decree or an order closing this chapter 12 case. Doc. #757.

5. [26-10469](#)-A-12 **IN RE: MCCALL'S NURSERIES, INC.**
[WJH-2](#)

CONTINUED MOTION TO USE CASH COLLATERAL
2-4-2026 [\[12\]](#)

MCCALL'S NURSERIES, INC./MV
RILEY WALTER/ATTY. FOR DBT.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted on a final basis through May 4, 2026.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The Moving Party shall submit a proposed order after the hearing.

This motion was set for hearing pursuant to an interim order authorizing use of cash collateral ("Interim Order"). Doc. #44. The motion was heard initially on February 11, 2026, and was granted on an interim basis on February 12, 2026 for use of cash collateral from February 3, 2026 through February 17, 2026. See Doc. #32. A second interim hearing was held on February 18, 2026 for use of cash collateral from February 17, 2026 through March 10, 2026. See Doc. #44. This motion was filed and served on at least 14 days' notice prior to the hearing date 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 grant use of cash collateral through May 4, 2026 on a final basis pursuant to the budget included with the motion, as amended by prior interim orders and updated by the budget filed on February 25, 2026 (Doc. #59). 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 court will issue an order if a further hearing is necessary.

McCall's Nurseries, Inc. ("Debtor" or "DIP"), the chapter 12 debtor and debtor-in-possession, moves the court for an order authorizing DIP to use the cash collateral of secured creditors: BizFund, LLC; Funding Futures, LLC; ODK Capital, LLC (aka OnDeck); Square Funding Cali; Thoro Corp.; Valinor Capital; Forward Funding LLC; and Capytal.com (aka CPL) (collectively, "Creditors"). Doc. #12. Creditors have asserted some interest in Debtor's account receivables and sales of Debtor's farm products and nursery plants. Decl. of Steven W. McCall, Doc. #14. Creditors may or may not have a perfected security interest in cash collateral of Debtor as of the time the motion was filed. McCall Decl., Doc. #14.

Pursuant to 11 U.S.C. § 363, a debtor in possession can use property of the estate that is cash collateral by obtaining either the consent of each entity that has an interest in such cash collateral or court authorization after notice and a hearing. 11 U.S.C. § 363(c)(2). "The primary concern of the court in determining whether cash collateral may be used is whether the secured creditors are adequately protected." In re Plaza Family P'ship, 95 B.R. 166 (E.D. Cal. 1989) (citing 11 U.S.C. § 363(e)). Pursuant to 11 U.S.C. § 363(p), DIP carries the burden of proof on the issue of adequate protection. Bankruptcy Code § 1205(b) requires DIP to provide adequate protection to the secured creditors for DIP's use of cash collateral for any decrease in the value of the secured creditors' interest in the accounts receivable due to DIP's use of cash collateral.

DIP seeks court authorization to use Creditors' cash collateral to pay expenses incurred by DIP in the normal course of its business. Ex. A, Doc. #15. As adequate protection for DIP's use of Creditors' cash collateral, DIP will grant Creditors replacement liens on collateral of a like kind. Doc. #16.

Debtor contests that Creditors hold valid security interests in Debtor's cash collateral. Further, permitting Debtor's use of cash collateral now will permit Debtor to continue to grow its nursery plants and eventually generate accounts receivable from the sales of those plants based on the updated budget filed with the motion, Debtor will generate more in sales during the period March 10, 2026 through May 4, 2026 than the cash collateral projected to be used. Ex. A, Doc. #59.

Accordingly, subject to opposition being raised at the hearing, the motion will be GRANTED to authorize (i) final use of cash collateral previously granted on an interim basis for the period February 3, 2026 through March 10, 2026, and (ii) use of cash collateral on a final basis for the period March 10, 2026 through May 4, 2026, consistent with the budget attached as Exhibit A to Doc. #59.

6. [26-10469](#)-A-12 **IN RE: MCCALL'S NURSERIES, INC.**
[WJH-3](#)

FURTHER HEARING RE: MOTION TO PAY
2-4-2026 [[18](#)]

MCCALL'S NURSERIES, INC./MV
RILEY WALTER/ATTY. FOR DBT.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The Moving Party shall submit a proposed order after the hearing.

This motion was set for final hearing pursuant to an interim order authorizing the debtor to pay pre-petition priority wage claims owed to employees for the period of January 22, 2026 through February 2, 2026 ("Interim Order"). Doc. ##18, 33. The final hearing was set on at least 14 days' notice prior to the hearing date pursuant to Federal Rule of Bankruptcy Procedure 4001(b)(2) and 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 grant the motion on a final basis. 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 court will issue an order if a further hearing is necessary.

McCall's Nurseries, Inc. ("DIP"), the chapter 12 debtor and debtor-in-possession, moves the court for an order authorizing DIP to pay pre-petition priority wage claims owed to employees for the period of January 22, 2026 through February 2, 2026. Doc. #18. DIP operates as a nursery that grows plans for sale to commercial customers and contractors. Decl. of Steven W. McCall, Doc. #20. DIP operates on nearly sixty acres of land and currently employs 21 full-time employees in its business operations, including officers. Id. DIP's employees are paid every two weeks. Decl. of Steven W. McCall, Doc. #8. The last full pay period prior to the petition date ended on January 21, 2026.

Id. The next payroll covered the time period from January 22, 2026 through February 4, 2026. Because DIP's petition was filed on February 3, 2026, DIP requested the court authorize payment of pre-petition wages and benefits, estimated to be \$35,401.74, for the pre-petition period of January 22, 2026 through February 2, 2026. Id. No single payment of pre-petition wages exceeds the priority cap of 11 U.S.C. § 507. Id.

The motion was heard initially on February 11, 2026 and was granted on an interim basis by the Interim Order. Doc. #33. A final hearing was set for March 11, 2026 pursuant to the Interim Order. Id.

This court interprets the bankruptcy court's equitable powers under 11 U.S.C. § 105(a) to permit pre-petition wage claims not to exceed the priority amount to be paid prior to confirmation of a plan. See In re Adams Apple, 829 F.2d 1484, 1490 (9th Cir. 1987) (in dictum noting the payment of pre-petition wages to key employees prior to confirmation of a plan when necessary for the debtor's rehabilitation).

Based on the evidence before the court, the court finds good cause exists under 11 U.S.C. § 105 to authorize DIP to pay pre-petition priority wage claims owed to employees for the period of January 22, 2026 through February 4, 2026 on a final basis. Payment of pre-petition wages is necessary for DIP to retain its employees and continue its business operations. Decl. of Brian McCall, Doc. #9; Decl. of Steven W. McCall, Doc. #20. Historically, DIP's largest volume of sales comes in March and April. Brian McCall Decl., Doc. #9. DIP asserts it would be devastating to DIP's business if DIP's employees leave because DIP's business requires daily maintenance and management of the nursery plants as the plants grow. Id. DIP believes that the uninterrupted payment of wages and the honoring of employee benefits is vital to DIP maintaining its employees. Steven McCall Decl., Doc. #8.

Accordingly, subject to opposition being raised at the hearing, the motion will be GRANTED on a final basis.

7. [26-10469](#)-A-12 **IN RE: MCCALL'S NURSERIES, INC.**
[WJH-4](#)

MOTION TO EMPLOY IAN J. QUINN AS ATTORNEY(S)
2-23-2026 [[48](#)]

MCCALL'S NURSERIES, INC./MV
RILEY WALTER/ATTY. FOR DBT.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted in part.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The Moving Party shall submit a proposed order after the hearing.

This motion was filed and served on at least 14 days' notice prior to the hearing date 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 grant the motion in part. The court will not approve the compensation structure for the professional at this time. 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 court will issue an order if a further hearing is necessary.

McCall's Nurseries, Inc. ("Debtor" or "DIP"), the chapter 12 debtor and debtor-in-possession, moves pursuant to 11 U.S.C. § 327(a) and (c) for authorization to employ Wanger Jones Helsley ("Counsel") to serve as general bankruptcy counsel during the pendency of the chapter 12 case. Doc. #48. Counsel seeks employment effective as of the petition date, February 3, 2026. Id. Because the motion was filed within 30 days of the petition date, this request is consistent with LBR 2014-1(b)(1).

Section 1203 of the Bankruptcy Code gives DIP all the rights and powers of a trustee and requires DIP to perform all the functions and duties of a trustee, subject to certain exceptions not applicable here. 11 U.S.C. § 1203. Section 327(a) of the Bankruptcy Code permits DIP to employ, with court approval, professionals "that do not hold or represent an interest adverse to the estate, and that are disinterested persons, to represent or assist" DIP in carrying out DIP's duties under the Bankruptcy Code. 11 U.S.C. § 327(a).

DIP and Counsel have entered into a fee agreement, which establishes, *inter alia*, the scope of services to be rendered, fees and costs, payments of fees and cost, termination, duties of client and general case administration. Ex. B, Doc. #51.

Counsel has verified there is no connection with DIP other than being retained by Debtor pre-petition to assist with pre-bankruptcy planning and preparation of the voluntary chapter 12 petition. Decl. of Ian J. Quinn, Doc. #50. Counsel has no connection with DIP's creditors, accountants, any other party in interest, or the United States Trustee. Id. Counsel is a disinterested person as defined in 11 U.S.C. § 101(14). Id.

After review of the evidence, the court finds that Counsel does not represent or hold an adverse interest to DIP or to the estate with respect to the matter on which Counsel is to be employed.

DIP also requests that this court approve Counsel's compensation structure and retainer agreement as set forth in the motion. However, the court will not pre-approve the compensation structure and reserves the right to consider Counsel's compensation structure when considering interim and/or final fee applications.

Accordingly, subject to opposition being raised at the hearing, the court will GRANT IN PART DIP's motion to employ Counsel as general counsel in this bankruptcy matter is GRANTED IN PART. DIP will be authorized to employ Counsel. Pursuant to LBR 2014-1(b)(1), the effective date of such employment shall be the petition date, February 3, 2026. The order authorizing employment of Counsel shall specify that any compensation or reimbursement from the estate is subject to the court's approval pursuant to 11 U.S.C. § 330(a). The court does not approve Counsel's compensation structure at this time.

8. [26-10469](#)-A-12 **IN RE: MCCALL'S NURSERIES, INC.**
[WJH-5](#)

MOTION TO EMPLOY BOOS & ASSOCIATES, P.C. AS CONSULTANT(S)
2-24-2026 [53]

MCCALL'S NURSERIES, INC./MV
RILEY WALTER/ATTY. FOR DBT.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted in part.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The Moving Party shall submit a proposed order after the hearing.

This motion was filed and served on at least 14 days' notice prior to the hearing date 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 grant the motion in part. The court will not approve the compensation structure for the professional at this time. 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 court will issue an order if a further hearing is necessary.

McCall's Nurseries, Inc. ("Debtor" or "DIP"), the chapter 12 debtor and debtor-in-possession, moves pursuant to 11 U.S.C. § 327(a) for authorization to employ Boos & Associates, P.C. ("Consultant") to serve as a business consultant during the pendency of the chapter 12 case. Doc. #53. Counsel seeks employment effective as of the petition date, February 3, 2026. Id. Because the motion was filed within 30 days of the petition date, this request is consistent with LBR 2014-1(b)(1).

Section 1203 of the Bankruptcy Code gives DIP all the rights and powers of a trustee and requires DIP to perform all the functions and duties of a trustee, subject to certain exceptions not applicable here. 11 U.S.C. § 1203. Section 327(a) of the Bankruptcy Code permits DIP to employ, with court approval, professionals "that do not hold or represent an interest adverse to the estate, and that are disinterested persons, to represent or assist" DIP in carrying out DIP's duties under the Bankruptcy Code. 11 U.S.C. § 327(a).

DIP believes employing Consultant is necessary and essential because of the extensive nature of DIP's business operations. Doc. #53. DIP requires Consultant's services to advise DIP as a business consultant, such as: (1) assisting DIP in the administrative and reporting aspects of this chapter 12 case; (2) providing general accounting services, including preparation of federal and state income and property tax returns; and (3) other consulting and litigation services as necessary. Id.

Consultant has verified there is no connection with DIP and no connection with DIP's creditors, accountants, any other party in interest, or the United States Trustee, as set forth in the motion. Ex. A, Doc. #56; Decl. of Aaron G. Chambers, Doc. #55. Consultant is a disinterested person as defined in 11 U.S.C. § 101(14). Chambers Decl., Doc. #55.

After review of the evidence, the court finds that Consultant does not represent or hold an adverse interest to DIP or to the estate with respect to the matter on which Consultant is to be employed.

DIP also requests that this court approve authority to pay Consultant for services rendered on an hourly basis at the respective hourly rates of the Consultant's billable professionals. However, the court will not pre-approve the compensation structure and reserves the right to consider Consultant's compensation structure when considering interim and/or final fee applications.

Accordingly, subject to opposition being raised at the hearing, the court will GRANT IN PART DIP's motion to employ Consultant as consultant in this bankruptcy matter. DIP will be authorized to employ Consultant. Pursuant to LBR 2014-1(b)(1), the effective date of such employment shall be February 3, 2026. The order authorizing employment of Consultant shall specify that any compensation or reimbursement from the estate is subject to the court's approval pursuant to 11 U.S.C. § 330(a). The court does not approve Consultant's compensation structure at this time.

9. [24-13373](#)-A-11 **IN RE: HILLER AIRCRAFT CORPORATION**
[YW-5](#)

MOTION FOR COMPENSATION BY THE LAW OFFICE OF LAW OFFICES OF YOUNG
WOOLDRIDGE FOR LEONARD K. WELSH, DEBTORS ATTORNEY(S)
2-17-2026 [[140](#)]

LEONARD WELSH/ATTY. FOR DBT.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The Moving Party shall submit a proposed order after the hearing.

This motion was filed and served on at least 21 days' notice prior to the hearing date pursuant to Federal Rule of Bankruptcy Procedure 2002 and 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 grant 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 court will issue an order if a further hearing is necessary.

The Law Offices of Young Wooldridge ("Movant"), counsel for the debtor and debtor in possession Hiller Aircraft Corporation ("DIP"), requests allowance of interim compensation in the amount of \$7,950.00 and reimbursement for expenses in the amount of \$208.97 for services rendered from October 1, 2025 through January 31, 2026. Doc. #140. This is Movant's third fee application in this case. The court has previously approved a total of \$29,552.04 in interim fees and expenses, of which \$29,552.04 have been paid to Movant. Doc. #140. DIP has no objection to the court granting the requested fees and costs. Decl. of Dianne Maslanka, Doc. #143.

Section 330(a)(1) of the Bankruptcy Code authorizes "reasonable compensation for actual, necessary services rendered" and "reimbursement for actual, necessary expenses" to a professional person. 11 U.S.C. § 330(a)(1). In determining the amount of reasonable compensation to be awarded to counsel, the court shall consider the nature, extent, and value of such services, taking into account all relevant factors. 11 U.S.C. § 330(a)(3).

Movant's services included, without limitation: (1) providing general case administration; (2) preparing and prosecuting fee and employment applications; (3) advising DIP about business operations; (4) advising DIP about tax issues; and (5) advising DIP about proofs of claim filed by creditors. Decl. of Leonard K. Welsh, Doc. #142; Ex. B, Doc. #144. The court finds the compensation and reimbursement sought by Movant to be reasonable, actual, and necessary.

Accordingly, subject to opposition being raised at the hearing, this motion will be GRANTED. The court will allow interim compensation in the amount of \$7,950.00 and reimbursement of expenses in the amount of \$208.97. Movant is allowed interim fees and costs pursuant to 11 U.S.C. § 331, subject to final review and allowance pursuant to 11 U.S.C. § 330. Such allowed amounts shall be perfected, and may be adjusted, by a final application for allowance of compensation and reimbursement of expenses, which shall be filed prior to case closure. Movant may draw on any retainer held. DIP is authorized to pay the fees allowed by this order from available funds only if the estate is administratively solvent and such payment will be consistent with the priorities of the Bankruptcy Code.

11:00 AM

1. [26-10319](#)-A-7 **IN RE: IGNACIO/IRENE VALDEZ**

PRO SE REAFFIRMATION AGREEMENT WITH CAPITAL ONE AUTO FINANCE
2-19-2026 [[28](#)]

NO RULING.

2. [25-13820](#)-A-7 **IN RE: BETTIE YANG**

REAFFIRMATION AGREEMENT WITH CAPITAL ONE AUTO FINANCE
2-13-2026 [[14](#)]

TIMOTHY SPRINGER/ATTY. FOR DBT.

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

DISPOSITION: Denied.

ORDER: The court will issue an order.

The debtor's counsel will inform the debtor that no appearance is necessary.

Both the reaffirmation agreement and the bankruptcy schedules show that reaffirmation of this debt creates a presumption of undue hardship which has not been rebutted in the reaffirmation agreement. In this case, the debtor's attorney affirmatively represented that he could not recommend the reaffirmation agreement. Therefore, the agreement does not meet the requirements of 11 U.S.C. §524(c) and is not enforceable.

1. [26-10028](#)-A-7 **IN RE: ATHINA RODRIGUEZ**
[PFT-1](#)

OPPOSITION RE: TRUSTEE'S MOTION TO DISMISS FOR FAILURE TO APPEAR AT
SEC. 341(A) MEETING OF CREDITORS
2-2-2026 [[21](#)]

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

DISPOSITION: Conditionally denied.

ORDER: The court will issue the order.

The chapter 7 trustee's motion to dismiss is **CONDITIONALLY DENIED**.

The debtor shall attend the meeting of creditors rescheduled for April 9, 2026 at 3:00 p.m. If the debtor fails to do so, the chapter 7 trustee may file a declaration with a proposed order and the case may be dismissed without a further hearing.

The time prescribed in Federal Rules of Bankruptcy Procedure 1017(e)(1) and 4004(a) for the chapter 7 trustee and the U.S. Trustee to object to the debtor's discharge or file motions for abuse, other than presumed abuse, under 11 U.S.C. § 707, is extended to 60 days after the conclusion of the meeting of creditors.

2. [26-10053](#)-A-7 **IN RE: ESMERALDA IZARRARAS**
[MJ-1](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY
1-30-2026 [[11](#)]

AMERICREDIT FINANCIAL SERVICES, INC./MV
D. GARDNER/ATTY. FOR DBT.
MEHRDAUD JAFARNIA/ATTY. FOR MV.

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.

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the debtor, 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 amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a movant make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

The movant, AmeriCredit Financial Services, Inc. dba GM Financial ("Movant"), seeks relief from the automatic stay under 11 U.S.C. § 362(d)(1) and (d)(2) with respect to a 2025 Chevrolet Silverado 1500, VIN: 3GCUKFED5SG280975 ("Vehicle"). Doc. #11.

11 U.S.C. § 362(d)(1) allows the court to grant relief from the stay for cause, including the lack of adequate protection. "Because there is no clear definition of what constitutes 'cause,' discretionary relief from the stay must be determined on a case by case basis." In re Mac Donald, 755 F.2d 715, 717 (9th Cir. 1985).

11 U.S.C. § 362(d)(2) allows the court to grant relief from the stay if the debtor does not have any equity in such property and such property is not necessary to an effective reorganization.

After review of the included evidence, the court finds that "cause" exists to lift the stay because the debtor has failed to make at least two complete pre-petition payments. Movant has produced evidence that the debtor is delinquent by at least \$2,705.66 plus late fees in the amount of \$128.84. Decl. of Thomasina Dodd, Doc. #13. According to the debtor's statement of intention, the Vehicle will be surrendered. Doc. #1.

The court also finds that the debtor does not have any equity in the Vehicle and the Vehicle is not necessary to an effective reorganization because the debtor is in chapter 7. The Vehicle is valued at \$57,800.00 and the debtor owes \$80,564.81. Dodd Decl., Doc. #13.

Accordingly, the motion will be granted pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) to permit Movant to dispose of its collateral pursuant to applicable law and to use the proceeds from its disposition to satisfy its claim. No other relief is awarded.

The 14-day stay of Fed. R. Bankr. P. 4001(a)(4) will be ordered waived because the debtor has failed to make at least two pre-petition payments to Movant and the Vehicle is a depreciating asset.

3. [24-12360](#)-A-7 **IN RE: GLENDA HARE**
[FW-3](#)

MOTION FOR COMPENSATION BY THE LAW OFFICE OF FEAR WADDELL, P.C. FOR
GABRIEL J. WADDELL, TRUSTEES ATTORNEY(S)
2-11-2026 [\[53\]](#)

JUSTIN HARRIS/ATTY. FOR DBT.
GABRIEL WADDELL/ATTY. FOR MV.

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.

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the debtor, 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 amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

Fear Waddell, P.C., ("Movant"), attorney for chapter 7 trustee Peter L. Fear ("Trustee"), requests allowance of final compensation and reimbursement for expenses for services rendered from February 11, 2025 through February 10, 2026. Doc. #53. Movant provided legal services valued at \$3,692.00 and requests compensation for that amount. Id. Movant requests reimbursement for expenses in the amount of \$42.53. Id. This is Movant's first and final fee application. Trustee consents to the amount requested in Movant's application. Decl. of Peter L. Fear, Doc. #57.

Section 330(a)(1) of the Bankruptcy Code authorizes "reasonable compensation for actual, necessary services rendered" and "reimbursement for actual, necessary expenses" to a "professional person." 11 U.S.C. § 330(a)(1). 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, taking into account all relevant factors. 11 U.S.C. § 330(a)(3).

Movant's services included, without limitation: (1) preparing a settlement agreement to resolve various disputes between Trustee and the debtor regarding two investment accounts; (2) communicating with the debtor's attorney to finalize the settlement agreement; and (3) preparing and filing employment and fee applications. Decl. of Gabriel J. Waddell, Doc. #55; Ex. A & B, Doc. #56. The court finds the compensation and reimbursement sought are reasonable, actual, and necessary.

This motion is GRANTED on a final basis. The court allows final compensation in the amount of \$3,692.00 and reimbursement for expenses in the amount of \$42.53. Trustee is authorized to make a combined payment of \$3,734.53, representing compensation and reimbursement, to Movant. Trustee is authorized to pay the amount allowed by this order from available funds only if the estate is administratively solvent and such payment is consistent with the priorities of the Bankruptcy Code.

MOTION FOR RELIEF FROM AUTOMATIC STAY
2-9-2026 [[22](#)]

LAKEVIEW LOAN SERVICING, LLC/MV
DAVID FOYIL/ATTY. FOR DBT.
WENDY LOCKE/ATTY. FOR MV.
DISCHARGED 3/3/26

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

DISPOSITION: Granted in part and denied as moot in part.

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

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the debtor, 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 amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a movant make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

The motion will be GRANTED IN PART as to the trustee's interest and DENIED AS MOOT IN PART as to the debtor's interest pursuant to 11 U.S.C. § 362(c)(2)(C). The debtor's discharge was entered on March 3, 2026. Doc. #33. The motion will be GRANTED IN PART for cause shown as to the chapter 7 trustee.

The movant, Lakeview Loan Servicing, LLC ("Movant"), seeks relief from the automatic stay under 11 U.S.C. § 362(d)(1) and (d)(2) with respect to real property located at 3050 Silvermist Walk, Sacramento, California 95833 ("Property"). Doc. #22.

11 U.S.C. § 362(d)(1) allows the court to grant relief from the stay for cause, including the lack of adequate protection. "Because there is no clear definition of what constitutes 'cause,' discretionary relief from the stay must be determined on a case by case basis." In re Mac Donald, 755 F.2d 715, 717 (9th Cir. 1985).

11 U.S.C. § 362(d)(2) allows the court to grant relief from the stay if the debtor does not have any equity in such property and such property is not necessary to an effective reorganization.

After review of the included evidence, the court finds that "cause" exists to lift the stay because the debtor has been in default since December 1, 2025, and Movant is currently owed arrears in the aggregate amount of \$4,284.55. Decl. of Chastity Wilson, Doc. #26. According to the debtor's statement of intention, the Property will be surrendered. Doc. #22.

The court also finds that the debtor does not have any equity in the Property and the Property is not necessary to an effective reorganization because the debtor is in chapter 7. The debtor values the Property at \$523,700.00, and Movant is owed \$574,743.53. Doc. #1; Wilson Decl., Doc. #26.

Accordingly, the motion will be granted pursuant to 11 U.S.C. § 362(d)(1) and (d)(2) to permit Movant to dispose of its collateral pursuant to applicable law and to use the proceeds from its disposition to satisfy its claim. The order shall also provide that the bankruptcy proceeding has been finalized for purposes of California Civil Code § 2923.5. No other relief is awarded.

The 14-day stay of Fed. R. Bankr. P. 4001(a)(4) will be ordered waived because the debtor is in default by \$4,284.55 and intends to surrender the Property.

5. [25-14185](#)-A-7 **IN RE: WESLEY KERSHNER**
[DVW-1](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY
2-23-2026 [\[14\]](#)

21ST MORTGAGE CORPORATION/MV
TIMOTHY SPRINGER/ATTY. FOR DBT.
DIANE WEIFENBACH/ATTY. FOR MV.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The Moving Party shall submit a proposed order after the hearing.

This motion was filed and served on at least 14 days' notice prior to the hearing date 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 grant 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 court will issue an order if a further hearing is necessary.

The movant, 21st Mortgage Corporation ("Movant"), seeks confirmation that the automatic stay has terminated pursuant to 11 U.S.C. § 362(h) to permit Movant to proceed to foreclose and enforce its security interest in a 2022 Champion Manufactured Home, Serial No. 009000HA005834A, Label No. NTA2075197, Decal No. LBO9957 located at 1898 E. Gettysburg Ave, Space #147, Fresno, California 93726 ("Property"). Doc. #14.

Debtor Wesley Michael Kershner ("Debtor") filed this chapter 7 bankruptcy case on December 18, 2025. Doc. #1. Movant holds a perfected security interest in the Property. According to Debtor's statement of intention, Debtor intends to retain the Property and enter into a reaffirmation agreement. Doc. #1. Debtor's first meeting of creditors was scheduled for January 26, 2026. See court docket entered on January 27, 2026. A review of the docket in Debtor's bankruptcy case shows that no reaffirmation agreement between Debtor and Movant has been filed.

11 U.S.C. § 362(h) "terminates the section 362(a) stay as to personal property securing a claim . . . if an individual debtor does not timely file his statement of intention under section 521(a)(2) or indicate in the statement

that the debtor will either surrender or retain the collateral, and if retaining, either redeem or reaffirm. Section 362(h) also lifts the stay (and abandons the property) if the debtor does not timely perform the action specified in the statement of intention." Dumont v. Ford Motor Credit Co. (In re Dumont), 383 B.R. 481, 486 (B.A.P. 9th Cir. 2008), aff'd, 581 F.3d 104 (9th Cir. 2009) (footnotes omitted). A manufactured home is personal property and subject to 11 U.S.C. § 362(h). In re Williamson, 540 B.R. 460 (Bankr. D.N.M. 2015). Under 11 U.S.C. § 521(a)(2)(B), the debtor must perform the intention set forth in the statement of intention within 30 days after the first date set for the meeting of creditors unless extended by the court within the initial 30-day period.

Here, Debtor timely filed a statement of intention indicating that Debtor would retain the Property and enter into a reaffirmation agreement. Doc. #1. The first date set for Debtor's meeting of creditors was January 26, 2026. See court docket entered on January 27, 2026. Thirty days after January 26, 2026 was February 25, 2026. Debtor did not file a reaffirmation agreement with Movant by February 25, 2026, and did not seek an extension of the time to do so within that 30-day period. Thus, pursuant to 11 U.S.C. § 362(h)(1)(B), the automatic stay under 11 U.S.C. § 362(a) has terminated with respect to the Property.

Accordingly, subject to opposition being raised at the hearing, the court will grant the motion pursuant to 11 U.S.C. § 362(h) to permit Movant to dispose of its collateral pursuant to applicable law and to use the proceeds from its disposition to satisfy its claim. No other relief is awarded.

The 14-day stay of Fed. R. Bankr. P. 4001(a)(3) will be ordered waived because the automatic stay has terminated by statute.

6. [25-14298-A-7](#) **IN RE: MICHAEL/HOUSTYN BUITRON**
[PFT-1](#)

OPPOSITION RE: TRUSTEE'S MOTION TO DISMISS FOR FAILURE TO APPEAR AT
SEC. 341(A) MEETING OF CREDITORS
2-2-2026 [[15](#)]

MARK ZIMMERMAN/ATTY. FOR DBT.

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

DISPOSITION: Conditionally denied.

ORDER: The court will issue the order.

The chapter 7 trustee's motion to dismiss is **CONDITIONALLY DENIED**.

The debtors shall attend the meeting of creditors rescheduled for April 9, 2026 at 3:00 p.m. If the debtors fail to do so, the chapter 7 trustee may file a declaration with a proposed order and the case may be dismissed without a further hearing.

The time prescribed in Federal Rules of Bankruptcy Procedure 1017(e)(1) and 4004(a) for the chapter 7 trustee and the U.S. Trustee to object to the debtors' discharge or file motions for abuse, other than presumed abuse, under 11 U.S.C. § 707, is extended to 60 days after the conclusion of the meeting of creditors.