

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Thomas C. Holman  
Bankruptcy Judge  
Sacramento, California

March 12, 2014 at 9:30 A.M.

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1. [13-32906](#)-B-7     DERRICK/LAKESHA ROSS     STATUS CONFERENCE RE: COMPLAINT  
[14-2005](#)     1-6-14 [[1](#)]  
ROSS ET AL V. U.S. DEPARTMENT  
OF EDUCATION ET AL

**Disposition Without Oral Argument:** Oral argument will not aid the court in rendering a decision on this matter.

The status conference is removed from the calendar. By order signed March 11, 2014, the court dismissed the adversary proceeding based on the plaintiffs' motion to voluntarily dismiss the adversary proceeding filed on March 1, 2014 (Dkt. 10), prior to the filing of the answer by un-named defendant Educational Credit Management Corporation.

2. [13-33506](#)-B-7     HAROLD/CATHERINE KAY     STATUS CONFERENCE RE: COMPLAINT  
[14-2010](#)     1-9-14 [[1](#)]  
EMERTON V. KAY ET AL

**Disposition Without Oral Argument:** The status conference is continued to April 23, 2014 at 9:30 a.m. to allow the plaintiff time to file a request for dismissal of the adversary proceeding pursuant to a settlement agreement. If the adversary proceeding is not resolved by March 25, 2014, the parties shall comply with the court's Order to Confer on Initial Disclosures and Setting Deadlines (Dkt. 5) (the "OTC") as if the date of the continued status conference was the status conference date set in the original summons (Dkt. 3). Failure to comply with the orders herein or with the OTC may result in the imposition of sanctions under Fed. R. Bankr. P. 7016, incorporating Fed. R. Civ. P. 16(f). Such sanctions may include any of the sanctions listed in F.R.Civ.P. 37(b)(2)(A)(ii)-(vii), including dismissal of the action for plaintiff's failure to comply or striking defendant's answer and entering defendant's default for defendant's failure to comply.

The status conference is continued because there is no evidence on the court's docket of compliance with the OTC.

The court will issue a minute order.

3. [13-29814](#)-B-13 SUSAN LAWING  
[13-2323](#)  
SUCCESS STRATEGIES, INC. V.  
LAWING

CONTINUED STATUS CONFERENCE RE:  
COMPLAINT  
10-22-13 [[1](#)]

**Disposition Without Oral Argument:** The status conference is continued to May 21, 2014, at 9:30 a.m. to permit the parties to document and execute a settlement of the adversary proceeding. If the adversary proceeding is not resolved by April 22, 2014, the parties shall also comply with the court's Order to Confer on Initial Disclosures and Setting Deadlines (Dkt. 5) (the "OTC") as if the date of the continued status conference was the status conference date set in the original summons (Dkt. 3), including, inter alia, development of a joint proposed discovery plan. Failure to comply with the orders herein or with the OTC may result in the imposition of sanctions under Fed. R. Bankr. P. 7016, incorporating Fed. R. Civ. P. 16(f). Such sanctions may include any of the sanctions listed in F.R.Civ.P. 37(b)(2)(A)(ii)-(vii), including dismissal of the action for plaintiff's failure to comply or the striking of defendant's answer, if any, and the entry of defendant's default for defendant's failure to comply.

The court will issue a minute order.

4. [13-30420](#)-B-7 STEPAN KIRCHU  
[13-2348](#)  
LEE V. KIRCHU  
RESCHEDULED TO 3/26/14 @  
9:30 A.M.

STATUS CONFERENCE RE: COMPLAINT  
11-4-13 [[1](#)]

**Disposition Without Oral Argument:** The status conference is continued to May 21, 2014, at 9:30 a.m. to permit the plaintiff to proceed with taking the defendant's default and filing and setting for hearing a motion for entry of default judgment. The status conference set for March 26, 2014, at 9:30 a.m. is vacated. If the adversary proceeding is not resolved by April 22, 2014, all parties appearing in the adversary proceeding shall also comply with the court's Order to Confer on Initial Disclosures and Setting Deadlines (Dkt. 5) (the "OTC") as if the date of the continued status conference was the status conference date set in the original summons (Dkt. 3), including, inter alia, development of a joint proposed discovery plan. Failure to comply with the orders herein or with the OTC may result in the imposition of sanctions under Fed. R. Bankr. P. 7016, incorporating Fed. R. Civ. P. 16(f). Such sanctions may include any of the sanctions listed in F.R.Civ.P. 37(b)(2)(A)(ii)-(vii), including dismissal of the action for plaintiff's failure to comply or the striking of defendant's answer, if any, and the entry of defendant's default for defendant's failure to comply.

The court will issue a minute order.

5. [13-33039](#)-B-7 HABIBULLAH MOHAMMADI STATUS CONFERENCE RE: COMPLAINT  
[14-2014](#) 1-13-14 [[1](#)]  
ROLFE ET AL V. MOHAMMADI

**Disposition Without Oral Argument:** The status conference is continued to April 23, 2014 at 9:30 a.m. to allow the plaintiff time to file a request for dismissal of the adversary proceeding pursuant to a settlement agreement. If the adversary proceeding is not resolved by March 25, 2014, the parties shall comply with the court's Order to Confer on Initial Disclosures and Setting Deadlines (Dkt. 5) (the "OTC") as if the date of the continued status conference was the status conference date set in the original summons (Dkt. 3). Failure to comply with the orders herein or with the OTC may result in the imposition of sanctions under Fed. R. Bankr. P. 7016, incorporating Fed. R. Civ. P. 16(f). Such sanctions may include any of the sanctions listed in F.R.Civ.P. 37(b)(2)(A)(ii)-(vii), including dismissal of the action for plaintiff's failure to comply or striking defendant's answer and entering defendant's default for defendant's failure to comply.

The status conference is continued because there is no evidence on the court's docket of compliance with the OTC.

The court will issue a minute order.

6. [13-30958](#)-B-7 EDWARD LEGRANDSAWYER CONTINUED STATUS CONFERENCE RE:  
[13-2320](#) COMPLAINT  
U.S. TRUSTEE V. LEGRANDSAWYER 10-18-13 [[1](#)]

**Disposition Without Oral Argument:** Oral argument will not aid the court in rendering a decision on this matter.

The status conference is removed from the calendar. This adversary proceeding was resolved by entry of a judgment against defendant Edward D. Legrandsawyer on March 7, 2014 (Dkt. 24). The plaintiff's motion for entry of default judgment was granted on the court's law and motion calendar on February 11, 2014, at 9:32 a.m.

7. [11-46760](#)-B-7 BRIAN/RANDI THIEL CONTINUED STATUS CONFERENCE RE:  
[12-2073](#) COMPLAINT  
TIBBETTS ET AL V. THIEL ET AL 2-15-12 [[1](#)]

**Disposition Without Oral Argument:** Oral argument will not aid the court in rendering a decision on this matter.

The status conference is continued to allow the parties time to finalize a settlement.

8. 09-46575-B-13 ROMAN BANAKH  
13-2106  
BANAKH V. BANK OF AMERICA,  
N.A.

CONTINUED STATUS CONFERENCE RE:  
COMPLAINT  
3-26-13 [1]

The status conference is removed from the calendar. This adversary proceeding was resolved by judgment against defendant Bank of America, N.A. signed March 11, 2014. The plaintiff's motion for entry of default judgment was granted on the court's law and motion calendar on February 25, 2014, at 9:32 a.m.

9. 13-31082-B-7 SHAWN GALICINAO  
14-2011  
GALICINAO V. EQUABLE ASCENT  
FINANCIAL, LLC

STATUS CONFERENCE RE: COMPLAINT  
1-9-14 [1]

The status conference is removed from the calendar. By order signed March 11, 2014, the court dismissed the adversary proceeding based on the plaintiff's motion to voluntarily dismiss the adversary proceeding filed on March 7, 2014 (Dkt. 7).