

UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable W. Richard Lee
Hearing Date: Thursday, March 12, 2015
Place: Department B – Courtroom #12
Fresno, California

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

1. The following rulings are tentative. The tentative ruling will not become the final ruling until the matter is called at the scheduled hearing. **Pre-disposed matters will generally be called, and the rulings placed on the record at the end of the calendar.** Any party who desires to be heard with regard to a pre-disposed matter may appear at the hearing. If the party wishes to contest the tentative ruling, he/she shall notify the opposing party/counsel of his/her intention to appear. **If no disposition is set forth below, the hearing will take place as scheduled.**

2. Submission of Orders:

Unless the tentative ruling expressly states that the court will prepare a civil minute order, then the tentative ruling will only appear in the minutes. If any party desires an order, then the appropriate form of order, which conforms to the tentative ruling, must be submitted to the court. When the debtor(s) discharge has been entered, proposed orders for relief from stay must reflect that the motion is denied as to the debtor(s) and granted only as to the trustee. Entry of discharge normally is indicated on the calendar.

3. Matters Resolved Without Opposition:

If the tentative ruling states that no opposition was filed, and the moving party is aware of any reason, such as a settlement, why a response may not have been filed, the moving party must advise Vicky McKinney, the Calendar Clerk, at (559) 499-5825 by 4:00 p.m. the day before the scheduled hearing.

4. Matters Resolved by Stipulation:

If the parties resolve a matter by stipulation after the tentative ruling has been posted, but **before the formal order is entered on the docket**, the **moving party** may appear at the hearing and advise the court of the settlement or withdraw the motion. Alternatively, the parties may submit a stipulation and order to modify the tentative ruling together with the proposed order resolving the matter.

5. Resubmittal of Denied Matters:

If the moving party decides to re-file a matter that is denied without prejudice for any reason set forth below, the moving party must file and serve a new set of pleadings with a new docket control number. It may not simply re-notice the original motion.

THE COURT ENDEAVORS TO PUBLISH ITS PREDISPOSITIONS AS SOON AS POSSIBLE, HOWEVER CALENDAR PREPARATION IS ONGOING AND THESE PREDISPOSITIONS 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.

9:00 A.M.

1. [14-14210](#)-B-7 MAURICIO/DENISE MORONES CONTINUED STATUS CONFERENCE RE:
[14-1143](#) COMPLAINT
WELLS FARGO CARD SERVICES V. 12-1-14 [[1](#)]
MORONES ET AL
AUSTIN NAGEL/Atty. for pl.
RESPONSIVE PLEADING

Based on the plaintiff's status report, it appears this adversary proceeding has been settled. The status conference will be dropped from calendar and may be reset by any party on 10 days' notice. No appearance is necessary. The clerk of the court may close the adversary proceeding without notice in 90 days unless the adversary proceeding has been concluded or set for a further status conference within that time. Either party may request an extension of this time up to 30 days by ex parte application for cause. After the adversary proceeding has been closed, the parties will have to file an application to reopen the adversary proceeding if further action is required. The court will issue a civil minute order.

2. [12-17458](#)-B-11 SOUTH LAKES DAIRY FARM, TRIAL SETTING CONFERENCE RE:
[14-1093](#) A CALIFORNIA GENERAL COMPLAINT
 SOUTH LAKES DAIRY FARM V. CAL 8-28-14 [[1](#)]
 BY-PRODUCTS
 MICHAEL WILHELM/Atty. for pl.
 RESPONSIVE PLEADING

This matter will be dropped from calendar without a disposition. The adversary proceeding has already been settled and dismissed. No appearance is necessary.

3. [12-17458](#)-B-11 SOUTH LAKES DAIRY FARM, TRIAL SETTING CONFERENCE RE:
[14-1097](#) A CALIFORNIA GENERAL COMPLAINT
 SOUTH LAKES DAIRY FARM V. 8-28-14 [[1](#)]
 GEORGE VERHOEVEN GRAIN, INC.
 MICHAEL WILHELM/Atty. for pl.
 ORDER DISMISSING 2/20/15

This matter will be dropped from calendar without a disposition. The adversary proceeding has already been settled and dismissed. No appearance is necessary.

4. [12-17458](#)-B-11 SOUTH LAKES DAIRY FARM, TRIAL SETTING CONFERENCE RE:
 [14-1098](#) A CALIFORNIA GENERAL COMPLAINT
 SOUTH LAKES DAIRY FARM V. 8-28-14 [[1](#)]
 GOLDEN STATE FEED AND GRAIN,
 MICHAEL WILHELM/Atty. for pl.
 ORDER DISMISSING 2/20/15

This matter will be dropped from calendar without a disposition. The adversary proceeding has already been settled and dismissed. No appearance is necessary.

5. [12-17458](#)-B-11 SOUTH LAKES DAIRY FARM, TRIAL SETTING CONFERENCE RE:
 [14-1100](#) A CALIFORNIA GENERAL COMPLAINT
 SOUTH LAKES DAIRY FARM V. J.D. 8-28-14 [[1](#)]
 HEISKELL AND CO., INC.
 MICHAEL WILHELM/Atty. for pl.
 ORDER DISMISSING 2/20/15

This matter will be dropped from calendar without a disposition. The adversary proceeding has already been settled and dismissed. No appearance is necessary.

6. [12-17458](#)-B-11 SOUTH LAKES DAIRY FARM, TRIAL SETTING CONFERENCE RE:
 [14-1103](#) A CALIFORNIA GENERAL COMPLAINT
 SOUTH LAKES DAIRY FARM V. 8-28-14 [[1](#)]
 QUALITY GRAIN CO., INC.
 MICHAEL WILHELM/Atty. for pl.
 ORDER DISMISSING 2/20/15

This matter will be dropped from calendar without a disposition. The adversary proceeding has already been settled and dismissed. No appearance is necessary.

7. [12-17458](#)-B-11 SOUTH LAKES DAIRY FARM, TRIAL SETTING CONFERENCE RE:
 [14-1105](#) A CALIFORNIA GENERAL COMPLAINT
 SOUTH LAKES DAIRY FARM V. 8-28-14 [[1](#)]
 SELEY AND CO.
 MICHAEL WILHELM/Atty. for pl.
 ORDER DISMISSING 12/30/14

This matter will be dropped from calendar without a disposition. The adversary proceeding has already been settled and dismissed. No appearance is necessary.

10:00 A.M.

1. [15-10101](#)-B-7 CRISTY HULSEY
JCW-1
FIRST MORTGAGE CORPORATION/MV
MARCUS TORIGIAN/Atty. for dbt.
JENNIFER WONG/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
2-11-15 [[15](#)]

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be granted without oral argument for cause shown. The automatic stay is terminated as it applies to the movant's right to enforce its remedies against the subject property under applicable nonbankruptcy law. The proposed order shall specifically describe the property or action to which the order relates. If the motion involves a foreclosure of real property in California, then the order shall also provide that the bankruptcy proceeding has been finalized for purposes of Cal. Civil Code § 2923.5 to the extent that it applies. If the notice and motion requested a waiver of Rule 4001(a)(3), that relief will be granted. *Unless the court expressly orders otherwise, the proposed order shall not include any other relief.* If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law, must be separately noticed and separately briefed with appropriate legal authority and supporting documentation. No appearance is necessary.

2. [13-12331](#)-B-7 LILIA GARCIA
RH-3

THOMAS GILLIS/Atty. for dbt.

MOTION FOR COMPENSATION FOR
ROBERT HAWKINS, TRUSTEES
ATTORNEY(S)
2-4-15 [[163](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

3. [14-16135](#)-B-7 GILBERT FLORES
RHT-1

OPPOSITION RE: TRUSTEE'S MOTION
TO DISMISS FOR FAILURE TO
APPEAR AT SEC. 341(A) MEETING
OF CREDITORS
2-5-15 [[18](#)]

4. [13-17341](#)-B-7 HOWARD SAGASER
LRP-6
PETER CASTLEMAN/MV
HAGOP BEDOYAN/Atty. for dbt.
CARL GRUMER/Atty. for mv.

MOTION TO EXTEND TIME
2-12-15 [[589](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

5. [13-17341](#)-B-7 HOWARD SAGASER
LRP-7
PETER CASTLEMAN/MV

MOTION TO EXTEND DEADLINE TO
FILE A COMPLAINT OBJECTING TO
DISCHARGE OF THE DEBTOR AND/OR
MOTION TO EXTEND DEADLINE TO
FILE A COMPLAINT OBJECTING TO
DISCHARGEABILITY OF A DEBT
2-12-15 [[596](#)]

HAGOP BEDOYAN/Atty. for dbt.
CARL GRUMER/Atty. for mv.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

6. [13-11642](#)-B-7 MERCED MILLING COMPANY,
TGM-5 LLC
SHERYL STRAIN/MV
THOMAS ARMSTRONG/Atty. for dbt.
TRUDI MANFREDO/Atty. for mv.

MOTION FOR ADMINISTRATIVE
EXPENSES
1-29-15 [[110](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

7. [12-10946](#)-B-7 RONALD/CATHERINE
THA-3 MONTEVERDE

CONTINUED MOTION FOR
COMPENSATION FOR JAMES E.
SALVEN, CHAPTER 7 TRUSTEE(S)
1-6-15 [[147](#)]

PETER BUNTING/Atty. for dbt.

This matter was continued for consideration with the trustee's final report, which has not yet been filed. Accordingly, this matter will be dropped from calendar without a disposition and may be reset for further hearing once the trustee's final report has been filed. No appearance is necessary.

8. [15-10048](#)-B-7 CESAR RODRIGUEZ MOTION FOR DENIAL OF DISCHARGE
UST-1 OF DEBTOR UNDER 11 U.S.C.
TRACY DAVIS/MV SECTION 727(A)
1-30-15 [[9](#)]

ROBIN TUBESING/Atty. for mv.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument for cause shown. The debtor is not eligible for a discharge pursuant to 11 USC §727(a)(8). The U.S. Trustee shall submit a proposed order. No appearance is necessary.

9. [13-13156](#)-B-7 ROBERTO MARTINEZ SALGADO CHAPTER 7 TRUSTEE'S FINAL
AND SANDRA MATA ESPINOZA REPORT, APPLICATION FOR
COMPENSATION AND APPLICATIONS
FOR COMPENSATION OF
PROFESSIONALS FILED ON BEHALF
OF TRUSTEE JAMES EDWARD SALVEN
1-9-15 [[25](#)]

NICHOLAS ANIOTZBEHERE/Atty. for dbt.

10. [13-17257](#)-B-7 MARY MORENO MOTION TO COMPROMISE
TGM-2 CONTROVERSY/APPROVE SETTLEMENT
JAMES SALVEN/MV AGREEMENT WITH MICHAEL ANTHONY
MORENO AND MARY LOU MORENO
2-6-15 [[71](#)]

TIMOTHY SPRINGER/Atty. for dbt.
TRUDI MANFREDO/Atty. for mv.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

11. [15-10058](#)-B-7 CENTRAL VALLEY MOTION TO EMPLOY GOULD AUCTION
PFT-1 IRRIGATION SERVICE AND APPRAISAL COMPANY AS
PETER FEAR/MV AUCTIONEER, AUTHORIZING SALE OF
PROPERTY AT PUBLIC AUCTION AND
AUTHORIZING PAYMENT OF
AUCTIONEER FEES AND EXPENSES
2-19-15 [[7](#)]

DANIEL CRAVENS/Atty. for dbt.
PETER FEAR/Atty. for mv.

12. [15-10362](#)-B-7 RDD RACEWAY HOBBIES INC. MOTION TO EMPLOY GOULD AUCTION
PFT-1 & APPRAISAL COMPANY AS
PETER FEAR/MV AUCTIONEER, AUTHORIZING SALE OF
PROPERTY AT PUBLIC AUCTION AND
AUTHORIZING PAYMENT OF
AUCTIONEER FEES AND EXPENSES
2-18-15 [[6](#)]

VARDUHI PETROSYAN/Atty. for dbt.
PETER FEAR/Atty. for mv.

13. [09-11871](#)-B-7 COVENANT SERVICES, INC. FINAL HEARING RE: MOTION FOR
JTW-2 COMPENSATION FOR CHRISTOPHER A.
JANZEN, TAMBERI & WONG RATZLAFF, ACCOUNTANT(S)
ACCOUNTANCY CORPORATION/MV 2-5-15 [[98](#)]
DAVID JENKINS/Atty. for dbt.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

14. [15-10182](#)-B-7 DALANENIA MOWERY MOTION FOR RELIEF FROM
APN-1 AUTOMATIC STAY
SANTANDER CONSUMER USA INC./MV 2-10-15 [[17](#)]
AUSTIN NAGEL/Atty. for mv.

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be granted without oral argument for cause shown. The automatic stay is terminated as it applies to the movant's right to enforce its remedies against the subject property under applicable nonbankruptcy law. The proposed order shall specifically describe the property or action to which the order relates. If the motion involves a foreclosure of real property in California, then the order shall also provide that the bankruptcy proceeding has been finalized for purposes of Cal. Civil Code § 2923.5 to the extent that it applies. If the notice and motion requested a waiver of Rule 4001(a)(3), that relief will be granted. *Unless the court expressly orders otherwise, the proposed order shall not include any other relief.* If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law, must be separately noticed and separately briefed with appropriate legal authority and supporting documentation. No appearance is necessary.

15. [14-10592](#)-B-7 LINO/FATIMA SOARES MOTION TO COMPEL ABANDONMENT
TOG-2 2-26-15 [[47](#)]
LINO SOARES/MV
THOMAS GILLIS/Atty. for dbt.

16. [14-14792](#)-B-7 PERRY/JENNIFER WALLACE
JHW-1
TD AUTO FINANCE LLC/MV
MARIO LANGONE/Atty. for dbt.
JENNIFER WANG/Atty. for mv.
DISCHARGED

MOTION FOR RELIEF FROM
AUTOMATIC STAY
1-29-15 [[27](#)]

This motion for relief from the automatic stay will be denied as moot. The debtor(s) is (are) an individual(s). The record does not show that the personal property collateral for this secured claim was redeemed or surrendered within the applicable time set by § 521(a)(2). Similarly, the record does not reflect that the loan was reaffirmed or that the movant denied a request to reaffirm the loan on the original contract terms. Therefore, pursuant to 11 U.S.C. § 362(h), the collateral is no longer property of the estate and the automatic stay has already terminated by operation of law. Movant may submit an order denying the motion, and confirming that the automatic stay has already terminated on the grounds set forth above. No attorney fees will be awarded in relation to this motion. No appearance is necessary.

17. [14-14998](#)-B-7 SILARDO/OLIVIA CHAVANA
RH-2
JAMES SALVEN/MV
MARK ZIMMERMAN/Atty. for dbt.
ROBERT HAWKINS/Atty. for mv.

MOTION TO SELL
2-13-15 [[33](#)]

11:00 A.M.

1. [14-15534](#)-B-7 ROSALVA RAMOS

PRO SE REAFFIRMATION AGREEMENT
WITH WELLS FARGO BANK, N.A.
2-13-15 [[18](#)]

This matter will be dropped from calendar. No appearance is necessary. This matter was automatically set for a hearing because the reaffirmation agreement is not signed by an attorney. However, this reaffirmation agreement appears to relate to a consumer debt secured by real property. Pursuant to 11 U.S.C. § 524(c)(6)(B), the court is not required to hold a hearing and approve this agreement.

2. [15-10279](#)-B-7 DAVID/TAMARA SAENZ

PRO SE REAFFIRMATION AGREEMENT
WITH FRESNO COUNTY FEDERAL
CREDIT UNION
2-19-15 [[11](#)]

HAGOP BEDOYAN/Atty. for dbt.

The hearing will be dropped from calendar. The court is not approving or denying approval of the reaffirmation agreement. Debtors were represented by counsel when they entered into the reaffirmation agreement. Pursuant to 11 U.S.C. § 524(c)(3), "if the debtor is represented by counsel, the agreement *must* be accompanied by an affidavit of the debtor's attorney attesting to the referenced items before the agreement will have legal effect." *In re Minardi*, 399 B.R. 841, 846 (Bankr. N.D. Ok, 2009) (emphasis in original). In the absence of signatures from the debtors and a declaration by debtors' counsel, the reaffirmation agreement does not meet the requirements of 11 U.S.C. § 524(c) and is not enforceable. Page 4 of the agreement is missing with both the debtors' and the attorney's signatures. The debtors shall have 14 days to refile the reaffirmation agreement properly signed and endorsed by the attorney. No appearance is necessary at this hearing.

1:30 P.M.

1. [12-15106](#)-B-13 ELIZABETH LEGASPI
MHM-2
MICHAEL MEYER/MV
GARY HUSS/Atty. for dbt.
WITHDRAWN
- MOTION TO DISMISS CASE FOR
FAILURE TO MAKE PLAN PAYMENTS
1-15-15 [[43](#)]

The motion has been withdrawn. No appearance is necessary.

2. [10-18909](#)-B-13 JOSEPH LOZANO
PBB-4
JOSEPH LOZANO/MV
PETER BUNTING/Atty. for dbt.
- MOTION TO MODIFY PLAN
1-29-15 [[83](#)]

The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The debtor(s) shall submit a proposed confirmation order for approval to the chapter 13 trustee. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed. No appearance is necessary.

3. [10-60710](#)-B-13 ROBERT/ALMA COLEY
PLF-3
- MOTION FOR COMPENSATION BY THE
LAW OFFICE OF FEAR LAW GROUP,
P.C. FOR PETER L. FEAR, DEBTORS
ATTORNEY(S)
1-30-15 [[64](#)]
- PETER FEAR/Atty. for dbt.
RESPONSIVE PLEADING

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the fee will be approved provided that, the parties can agree on a resolution of the trustee's comments regarding the allocation of the amount to be paid through the chapter 13 plan, and the chapter 13 trustee signs the proposed order to be submitted by the moving party. No appearance is necessary.

4. [14-14712](#)-B-13 RICHARD DOMENICI
SL-1
RICHARD DOMENICI/MV
SCOTT LYONS/Atty. for dbt.
RESPONSIVE PLEADING
- MOTION TO CONFIRM PLAN
1-14-15 [[27](#)]
5. [14-14712](#)-B-13 RICHARD DOMENICI
SL-1
AMERICAN EAGLE MORTGAGE/MV
SCOTT LYONS/Atty. for dbt.
RUSSELL REYNOLDS/Atty. for mv.
RESPONSIVE PLEADING
WITHDRAWN,
- OBJECTION TO CONFIRMATION OF
PLAN BY AMERICAN EAGLE MORTGAGE
2-13-15 [[35](#)]

6. [12-16315](#)-B-13 JUAN LEON AND VERONICA
MHM-2 GUZMAN MOTION TO DISMISS CASE FOR
MICHAEL MEYER/MV FAILURE TO MAKE PLAN PAYMENTS
THOMAS GILLIS/Atty. for dbt. 1-16-15 [[48](#)]
RESPONSIVE PLEADING

The motion has been withdrawn. No appearance is necessary.

7. [14-15115](#)-B-13 ALFONSO JURADO GONZALES OBJECTION TO CONFIRMATION OF
MHM-1 PLAN BY MICHAEL H. MEYER
MICHAEL MEYER/MV 2-17-15 [[29](#)]
SCOTT LYONS/Atty. for dbt.

This objection to confirmation was noticed as a preliminary hearing. The objection will be continued and set for a final hearing on April 16, 2015, at 1:30 p.m. Unless this case is voluntarily converted to chapter 7 or dismissed or the objection has been withdrawn, the debtor(s) shall file and serve a written response not later than April 2, 2015. The response shall specifically address each issue raised in the objection, state whether the issue is disputed or undisputed, and include admissible evidence to support the debtor's position. If the debtor elects to withdraw this plan and file a modified plan in lieu of filing a response, then a confirmable modified plan shall be filed, served, and set for hearing, not later than April 9, 2015. If the debtor does not timely file a modified plan or a written response, the objection will be sustained on the grounds stated and confirmation will be denied without a further hearing. The court will prepare a civil minute order.

8. [14-15115](#)-B-13 ALFONSO JURADO GONZALES MOTION TO DISMISS CASE
MHM-2 2-17-15 [[29](#)]
MICHAEL MEYER/MV
SCOTT LYONS/Atty. for dbt.

The trustee's motion to dismiss was noticed as a preliminary hearing. The motion will be continued and set for a final hearing on April 16, 2015, at 1:30 p.m. Any response is due by April 2, 2015. No appearance is necessary.

9. [14-15017](#)-B-13 JOHN SCOTT CONTINUED OBJECTION TO
MHM-1 CONFIRMATION OF PLAN BY MICHAEL
MICHAEL MEYER/MV H. MEYER
1-20-15 [[29](#)]
SCOTT LYONS/Atty. for dbt.

This motion will be dropped from calendar. The court intends to dismiss this case on the trustee's unopposed motion below. No appearance is necessary.

10. [14-15017](#)-B-13 JOHN SCOTT
MHM-2
MICHAEL MEYER/MV
SCOTT LYONS/Atty. for dbt.

CONTINUED MOTION TO DISMISS
CASE
1-20-15 [[31](#)]

The chapter 13 trustee's motion to dismiss was continued to this date for a final hearing. It has been fully noticed in compliance with the Local Rules and there has been no response. It appears from the record that the debtor cannot confirm a feasible plan. Accordingly, the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare a civil minute order. No appearance is necessary.

11. [10-14922](#)-B-13 JAMES/TIFFANY CASEY
PLF-2

MOTION FOR COMPENSATION BY THE
LAW OFFICE OF FEAR LAW GROUP,
P.C. FOR PETER L. FEAR,
ACCOUNTANT(S)
2-9-15 [[66](#)]

PETER FEAR/Atty. for dbt.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

12. [11-63226](#)-B-13 EDWARD SANCHEZ AND EMILIA
RJR-5 MENDONCA
EDWARD SANCHEZ/MV
RANDY RISNER/Atty. for dbt.

MOTION TO VALUE COLLATERAL OF
WELLS FARGO BANK N.A.
1-30-15 [[64](#)]

The motion will be denied without prejudice. No appearance is necessary. The record does not establish that the motion was served on the named respondent in compliance with Federal Rule of Bankruptcy Procedure 7004(b)(1) (service on an individual), 7004(b)(3) (corporation, partnership or unincorporated association) or 7004(h) (FDIC Insured Depository Institution). *In re Villar*, 317 B.R. 88 (9th Cir. BAP 2004). Information regarding service on a corporation may be obtained from the California Secretary of State's Internet Website, see <http://kepler.sos.ca.gov/>. For a directory of FDIC Insured Institutions, see <http://www3.fdic.gov/idas/main.asp>. Litigants are encouraged to attach a copy of their information source (web page, etc.) to the proof of service to assist the court in evaluating compliance with Rule 7004.

13. [15-10427](#)-B-13 ALEX KODNEGAH
BHT-1
ROBERT AND ROSINA KORDA LIVING
TRUST/MV
DAVID JENKINS/Atty. for dbt.
BRIAN TRAN/Atty. for mv.
AMENDED MOTION FOR RELIEF FROM
AUTOMATIC STAY
2-18-15 [[16](#)]
14. [14-11534](#)-B-13 JAMES/DENISE SHARON
PBB-1 CHAPMAN
JAMES CHAPMAN/MV
PETER BUNTING/Atty. for dbt.
OBJECTION TO CLAIM OF
COUNTRYWIDE DEBT RELIEF, CLAIM
NUMBER 9
2-10-15 [[19](#)]

The objection will be overruled without prejudice. The objection was filed and served 30 days before the hearing. The notice states that opposition must be filed 14 days before the hearing. The notice does not comply with either subpart of Local Rule 3007-1(b). No appearance is necessary.

15. [10-13736](#)-B-13 GARY/GLENNDA RAE LOPEZ
DRJ-1
GARY LOPEZ/MV
ROBERT ANAYA/Atty. for dbt.
MOTION TO BORROW
2-15-15 [[139](#)]
16. [09-17744](#)-B-13 VINCE/VANIDA CHITTAPHONG
MHM-1
MICHAEL MEYER/MV
GLEN GATES/Atty. for dbt.
WITHDRAWN
OBJECTION TO DISCHARGE BY
MICHAEL H. MEYER
1-22-15 [[111](#)]

The matter has been withdrawn. No appearance is necessary.

17. [10-13851](#)-B-13 BRADFORD FUNK
PLF-3
PETER FEAR/Atty. for dbt.
MOTION FOR COMPENSATION FOR
PETER L. FEAR, DEBTORS
ATTORNEY(S)
2-6-15 [[76](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

18. [14-11361](#)-B-13 DAVID/GLORIA RIVERA
PLF-4

MOTION FOR COMPENSATION BY THE
LAW OFFICE OF FEAR LAW GROUP,
P.C. DEBTORS ATTORNEY(S)
2-5-15 [[87](#)]

PETER FEAR/Atty. for dbt.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

19. [14-15661](#)-B-13 JOHN ALLEN
APN-1
WELLS FARGO BANK, N.A./MV

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY WELLS
FARGO BANK, N.A.
12-18-14 [[12](#)]

JERRY LOWE/Atty. for dbt.
AUSTIN NAGEL/Atty. for mv.

This matter will be continued to August 30, 2015, at 1:30 p.m. The trustee has not yet concluded the meeting of creditors and by prior order of the court, the trustee has another 7 days after completion of the creditors' meeting to file his objection to the plan. The court will prepare a civil minute order. No appearance is necessary.

20. [14-14866](#)-B-13 MONICA MARTINEZ
MHM-1
MICHAEL MEYER/MV

MOTION TO DISMISS CASE FOR
UNREASONABLE DELAY THAT IS
PREJUDICIAL TO CREDITORS AND/OR
MOTION TO DISMISS CASE FOR
FAILURE TO MAKE PLAN PAYMENTS ,
MOTION TO DISMISS CASE
1-22-15 [[29](#)]

TIMOTHY SPRINGER/Atty. for dbt.
WITHDRAWN

The motion has been withdrawn. No appearance is necessary.

21. [11-13970](#)-B-13 RICHARD/ROSE MORLEY
RHB-7
RICHARD MORLEY/MV
RICHARD BAMBL/Atty. for dbt.

MOTION TO MODIFY PLAN
1-26-15 [[158](#)]

The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The debtor(s) shall submit a proposed confirmation order for approval to the chapter 13 trustee. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed. No appearance is necessary.

22. [12-11970](#)-B-13 RANDY DESHAZIER
[15-1005](#)
DESHAZIER V. AMERICA'S
SERVICING COMPANY ET AL

STATUS CONFERENCE RE: COMPLAINT
1-9-15 [[1](#)]

23. [14-14873](#)-B-13 EDWARD/PAMELA CAMPBELL
MHM-1
MICHAEL MEYER/MV

MOTION TO DISMISS CASE FOR
UNREASONABLE DELAY THAT IS
PREJUDICIAL TO CREDITORS AND/OR
MOTION TO DISMISS CASE FOR
FAILURE TO MAKE PLAN PAYMENTS
1-22-15 [[35](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. It appears that there has been a material default in the plan, in that no post-petition plan payments have been made. Accordingly, the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare a civil minute order. No appearance is necessary.

24. [14-14477](#)-B-13 RICHIE/YESENIA CHOI
MHM-1
MICHAEL MEYER/MV

MOTION TO DISMISS CASE FOR
UNREASONABLE DELAY THAT IS
PREJUDICIAL TO CREDITORS AND/OR
MOTION TO DISMISS CASE FOR
FAILURE TO MAKE PLAN PAYMENTS ,
MOTION TO DISMISS CASE
1-23-15 [[63](#)]

PETER BUNTING/Atty. for dbt.
RESPONSIVE PLEADING

The motion will be denied without prejudice. The debtors have filed and served a modified chapter 13 plan which, if confirmed, appears to cure the default in the original plan. No appearance is necessary.

25. [14-13293](#)-B-13 STEPHEN/REBECCA CORL
PLF-1
STEPHEN CORL/MV
PETER FEAR/Atty. for dbt.

OBJECTION TO CLAIM OF BANK OF
THE SIERRA, CLAIM NUMBER 1
1-26-15 [[26](#)]

The objection will be overruled as moot. The disputed claim has been withdrawn. No appearance is necessary.

26. [14-15495](#)-B-13 TOU VUE
JRL-2
TOU VUE/MV
JERRY LOWE/Atty. for dbt.

MOTION TO CONFIRM PLAN
1-28-15 [[30](#)]

The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The debtor(s) shall submit a proposed confirmation order for approval to the chapter 13 trustee. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed. No appearance is necessary.

27. [14-15895](#)-B-13 ERWIN/LAURA GAMEZ
SL-1
ERWIN GAMEZ/MV
STEPHEN LABIAK/Atty. for dbt.
RESPONSIVE PLEADING

CONTINUED MOTION TO VALUE
COLLATERAL OF CHASE
1-12-15 [[19](#)]

This matter has been resolved by a stipulation between the parties and order filed February 28, 2015. No appearance is necessary.

28. [14-14001](#)-B-13 JOHN/NANCY ALVA
TCS-2
JOHN ALVA/MV
TIMOTHY SPRINGER/Atty. for dbt.
OST 3/6/15,

MOTION TO INCUR DEBT
3-6-15 [[21](#)]

2:30 P.M.

1. [13-10302](#)-B-11 GMC DAIRY FARMS LP
TCL-10
GMC DAIRY FARMS LP/MV

MOTION FOR APPROVAL OF
SETTLEMENT BETWEEN GMC DAIRY
FARMS, L.P. AND VINCENT SOLA
PARTNERSHIP
2-12-15 [[735](#)]

CHRISTIAN JINKERSON/Atty. for dbt.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

2. [13-10302](#)-B-11 GMC DAIRY FARMS LP
TCL-11
GMC DAIRY FARMS LP/MV

MOTION FOR APPROVAL OF
SETTLEMENT BETWEEN GMC DAIRY
FARMS, L.P. AND AMETZA, LLC
2-12-15 [[740](#)]

CHRISTIAN JINKERSON/Atty. for dbt.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

3. [13-10302](#)-B-11 GMC DAIRY FARMS LP
TCL-12
GMC DAIRY FARMS LP/MV

MOTION FOR APPROVAL OF
SETTLEMENT BETWEEN GMC DAIRY
FARMS, L.P. AND PENNY NEWMAN
GRAIN COMPANY
2-12-15 [[745](#)]

CHRISTIAN JINKERSON/Atty. for dbt.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

4. [15-10039](#)-B-12 ANGELA PIMENTEL

STATUS CONFERENCE RE: CHAPTER
12 VOLUNTARY PETITION
1-8-15 [[1](#)]

DAVID JENKINS/Atty. for dbt.

5. [13-16954](#)-B-11 MADERA ROOFING, INC.
GC-6
MICHAEL GABRIELSON/MV

MOTION FOR COMPENSATION FOR
GABRIELSON & COMPANY,
ACCOUNTANT(S)
2-19-15 [[805](#)]

ERIC FROMME/Atty. for dbt.

6. [13-16954](#)-B-11 MADERA ROOFING, INC.
WW-32
JAMES LOWE/MV

ERIC FROMME/Atty. for dbt.
RILEY WALTER/Atty. for mv.

MOTION FOR COMPENSATION FOR
JAMES S. LOWE, CHAPTER 11
TRUSTEE(S)
2-19-15 [[819](#)]
7. [13-16954](#)-B-11 MADERA ROOFING, INC.
WW-33

ERIC FROMME/Atty. for dbt.

MOTION FOR COMPENSATION BY THE
LAW OFFICE OF WALTER & WILHELM
LAW GROUP TRUSTEES ATTORNEY(S)
2-19-15 [[812](#)]
8. [12-17458](#)-B-11 SOUTH LAKES DAIRY FARM,
KDG-33 A CALIFORNIA GENERAL
SOUTH LAKES DAIRY FARM, A
CALIFORNIA GENERAL
JACOB EATON/Atty. for dbt.

MOTION FOR FINAL DECREE AND
ORDER CLOSING CASE
2-26-15 [[695](#)]
9. [09-13995](#)-B-11 KENNETH HALE
WW-34
KENNETH HALE/MV

RILEY WALTER/Atty. for dbt.

MOTION FOR ENTRY OF DISCHARGE
AND/OR MOTION TO CLOSE CHAPTER
11 CASE
2-11-15 [[531](#)]
- This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the motion will be granted without oral argument for cause shown. The case manager shall proceed to enter the debtor's discharge and the final decree and close the case according to the clerk's procedures. No appearance is necessary.**
10. [15-10705](#)-B-11 CHARLOTTE SALWASSER
THA-2
CHARLOTTE SALWASSER/MV
THOMAS ARMSTRONG/Atty. for dbt.

CONTINUED MOTION TO SELL FREE
AND CLEAR OF LIENS
3-3-15 [[20](#)]