

UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable W. Richard Lee
Hearing Date: Wednesday, March 16, 2016
Place: Department C – 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.

1:30 P.M.

1. [15-10705](#)-C-11 CHARLOTTE SALWASSER STATUS CONFERENCE RE: AMENDED
[15-1113](#) COMPLAINT
 5T FARMS ET AL V. SALWASSER 1-4-16 [[23](#)]
 RILEY WALTER/Atty. for pl.

Based on stipulations in the record and the plaintiff's status report, this initial status conference will be rescheduled to May 17, 2016, at 1:30 p.m. By prior order of the court, the defendant's default will be entered if her responsive pleading is not filed and served by April 20, 2016, unless the adversary proceeding has been settled and dismissed before that time. The court requests a joint status report at least one week before the rescheduled hearing. No appearance is necessary.

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| 2. | <u>15-10705</u> -C-11 CHARLOTTE SALWASSER
DMG-31
CHARLOTTE SALWASSER/MV
D. GARDNER/Atty. for dbt.
RESPONSIVE PLEADING | | MOTION TO SELL
2-24-16 [<u>871</u>] |
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| 3. | <u>15-10705</u> -C-11 CHARLOTTE SALWASSER
SAS-4
SHERYL STRAIN/MV
D. GARDNER/Atty. for dbt. | | MOTION FOR COMPENSATION FOR
SHERYL A. STRAIN, ACCOUNTANT(S)
2-12-16 [<u>855</u>] |

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.

4. [15-10705](#)-C-11 CHARLOTTE SALWASSER
WW-2
5T FARMS/MV

CONTINUED MOTION TO DISMISS
CASE AND/OR MOTION TO APPOINT
TRUSTEE
12-30-15 [[788](#)]

D. GARDNER/Atty. for dbt.
RILEY WALTER/Atty. for mv.
RESPONSIVE PLEADING

Based on the various stipulations and continuances in the record, it appears that this matter is not ready for resolution by the court. Accordingly, the hearings will be dropped from calendar. Either party may request a further hearing on 14 days' notice when and if they are actually ready for this matter to proceed. The court will enter a civil minute order. No appearance is necessary.

5. [13-16845](#)-C-7 KEYSTONE MINE MANAGEMENT
KDG-9 II

MOTION FOR COMPENSATION BY THE
LAW OFFICE OF KLEIN, DENATALE,
GOLDNER, COOPER, ROSENLIB &
KIMBALL, LLP FOR LISA HOLDER,
TRUSTEES ATTORNEY(S)
2-3-16 [[539](#)]

PHILLIP GILLET/Atty. for dbt.

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. [13-16155](#)-C-7 MICHAEL WEILERT AND
FW-17 GENEVIEVE DE MONTREMARE
JAMES SALVEN/MV

MOTION TO COMPROMISE
CONTROVERSY/APPROVE SETTLEMENT
AGREEMENT WITH WILD CARTER AND
TIPTON, P.C.
2-17-16 [[440](#)]

RILEY WALTER/Atty. for dbt.
PETER FEAR/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.

7. [11-63273](#)-A-13 DARRIN/ERIN WEDEKING
SJS-2
DARRIN WEDEKING/MV

PRE-TRIAL CONFERENCE RE:
OBJECTION TO CLAIM OF SALLIE
MAE, INC., CLAIM NUMBER 7
12-2-14 [[45](#)]

SUSAN SALEHI/Atty. for dbt.

8. [11-63273](#)-C-13 DARRIN/ERIN WEDEKING PRE-TRIAL CONFERENCE RE: (63
[14-1144](#) WEDEKING ET AL V. SALLIE MAE, (DISCHARGEABILITY - 523(A)(8),
INC. ET AL STUDENT LOAN)) : COMPLAINT
SUSAN SALEHI/Atty. for pl. 12-2-14 [[1](#)]
9. [15-11079](#)-C-7 WEST COAST GROWERS, INC. MOTION TO EMPLOY HAGOP T.
KDG-16 A CALIFORNIA CORPORATION BEDOYAN AS SPECIAL COUNSEL
ROBERT HAWKINS/MV 2-4-16 [[681](#)]
HAGOP BEDOYAN/Atty. for dbt.
ROBERT HAWKINS/Atty. for mv.
RESPONSIVE PLEADING
10. [15-11079](#)-C-7 WEST COAST GROWERS, INC. MOTION FOR COMPENSATION BY THE
RAC-5 A CALIFORNIA CORPORATION LAW OFFICE OF BLAKELEY LLP FOR
RONALD A. CLIFFORD, CREDITOR
COMM. ATY(S)
2-17-16 [[693](#)]

HAGOP BEDOYAN/Atty. for dbt.
RESPONSIVE PLEADING

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered. Based on the trustee's response, the motion will be granted without oral argument for cause shown. The chapter 7 trustee is authorized to pay the moving party's approved fees and expenses from funds which have already been carved out and designated for payment of administrative expenses while the case was in chapter 11. In the event the chapter 7 estate is ultimately determined to be administratively insolvent, the chapter 7 trustee may seek an order compelling disgorgement of administrative fees on a pro rata basis from all chapter 11 professionals. The moving party shall submit a proposed order. No appearance is necessary.

11. [15-11079](#)-C-7 WEST COAST GROWERS, INC. CONTINUED HEARING RE: OBJECTION
WW-4 A CALIFORNIA CORPORATION TO CLAIM OF CHARLOTTE E.
5T FARMS/MV SALWASSER,
12-21-15 [[654](#)]

HAGOP BEDOYAN/Atty. for dbt.
RILEY WALTER/Atty. for mv.