



UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Christopher M. Klein
Bankruptcy Judge
Sacramento, California

March 24, 2026 at 11:00 a.m.

Unless otherwise ordered, all matters before the Honorable Christopher M. Klein shall be simultaneously: (1) **In Person**, at Sacramento Courtroom #35, (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.

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UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Christopher M. Klein
Bankruptcy Judge
Sacramento, California

March 24, 2026 at 11:00 a.m.

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1. [26-20100](#)-C-13 AARON BETTINGER OBJECTION TO CONFIRMATION OF
[NLG-1](#) Mikalah Liviakis PLAN BY CARRINGTON MORTGAGE
SERVICES, LLC
2-11-26 [[12](#)]

DEBTOR DISMISSED: 02/23/26

Final Ruling: No appearance at the March 24, 2026 hearing is required.

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 41 days' notice was provided. Dkt. 18.

Upon review of the Motion and supporting pleadings, and the files in this case, the court has determined that oral argument will not be of assistance in ruling on the Motion.

The Objection to Confirmation of Plan is overruled as moot.

A review of the docket shows the case was dismissed on February 23, 2026. Therefore, this Objection moot.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Carrington Mortgage Services, LLC, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is overruled as moot.

2. [25-27201](#)-C-13 TY HINH
[DPC-1](#) Phuc Dinh Do

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY DAVID
P. CUSICK
2-11-26 [[14](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 27 days' notice was provided. Dkt. 17.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor is delinquent in plan payments;
2. Debtor did not appear at the Meeting of Creditors;
3. Debtor has not provided a social security number or ID;
4. Debtor has not provided proof of income or copies of tax returns; and
5. The plan does not provide for a monthly payment for attorney's fees.

DISCUSSION

The debtor is \$1,300.00 delinquent in plan payments. Declaration, Dkt. 16. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. See 11 U.S.C. § 1325(a)(6).

Debtor did not appear at the Meeting of Creditors held pursuant to 11 U.S.C. § 341. Appearance is mandatory. See 11 U.S.C. § 343. Attempting to confirm a plan while failing to appear and be questioned by the Chapter 13 Trustee and any creditors who appear represents a failure to cooperate. See 11 U.S.C. § 521(a)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor has not provided the trustee with all required pay advices. 11 U.S.C. § 521(a)(1)(B)(iv); FED. R. BANKR. P. 4002(b)(2)(A). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor has not provided the trustee with all required tax returns. 11 U.S.C. § 521(e)(2)(A)(i); FED. R. BANKR. P. 4002(b)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form

holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

3. [26-20003](#)-C-13 SAMANTHA RESURRECCION OBJECTION TO CONFIRMATION OF
[JCW-1](#) Mark A. Wolff PLAN BY BMW BANK OF NORTH
AMERICA
2-19-26 [[16](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 34 days' notice was provided. Dkt. 19.

The Objection to Confirmation of Plan is sustained.

Creditor BMW Bank of North America ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan does not provide for the proper interest rate on Creditor's claim.

DISCUSSION

Creditor opposes confirmation on the basis that the plan proposes paying its claim at 6.5% interest. Creditor argues that this interest rate is outside the limits authorized by the Supreme Court in *Till v. SCS Credit Corp.*, 541 U.S. 465 (2004). In *Till*, a plurality of the Court supported the "formula approach" for fixing post-petition interest rates. *Id.* Courts in this district have interpreted *Till* to require the use of the formula approach. See *In re Cachu*, 321 B.R. 716 (Bankr. E.D. Cal. 2005); see also *Bank of Montreal v. Official Comm. of Unsecured Creditors (In re American Homepatient, Inc.)*, 420 F.3d 559, 566 (6th Cir. 2005) (*Till* treated as a decision of the Court). Even before *Till*, the Ninth Circuit had a preference for the formula approach. See *Cachu*, 321 B.R. at 719 (citing *In re Fowler*, 903 F.2d 694 (9th Cir. 1990)).

The court agrees with the court in *Cachu* that the correct valuation of the interest rate is the prime rate in effect at the commencement of this case plus a risk adjustment. Because the creditor has only identified risk factors common to every bankruptcy case, the court fixes the interest rate as the prime rate in effect at the commencement of the case, 6.50%, plus a 1.25% risk adjustment, for a 7.25% interest rate.

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by BMW

Bank of North America, having been presented to the court,
and upon review of the pleadings, evidence, arguments of
counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

4. [26-20011](#)-C-13 NASSER/RANIA ERAKAT
[DPC-1](#) Michael T. Reid

OBJECTION TO CONFIRMATION OF
PLAN BY DAVID P. CUSICK
2-24-26 [[16](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 29 days' notice was provided. Dkt. 19.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan is not feasible; and
2. Debtors have not provided copies of income tax returns.

DISCUSSION

The plan mathematically requires a payment of is greater than the proposed payment.

The debtors have not demonstrated the plan is feasible because they may have misclassified their mortgage payment as a class 1 claim. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

The debtor has not provided the trustee with all required tax returns. 11 U.S.C. § 521(e)(2)(A)(i); FED. R. BANKR. P. 4002(b)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

5. [25-23115](#)-C-13 MARK FAGAN
[JLK-1](#) James L. Keenan

MOTION TO CONFIRM PLAN
1-27-26 [[28](#)]

Thru #6

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. A Proof of Service showing that the plan has been served on all parties in interest has not been filed.

The Motion to Confirm is denied.

The debtor filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 30) filed on January 27, 2026.

Chapter 13 Trustee filed an Opposition (Dkt. 36) on March 6, 2026, opposing confirmation on the following grounds:

1. A declaration in support of plan confirmation has not been filed;
2. Proof of service showing that the plan has been served was not filed;
3. Debtor is delinquent in plan payments.

DISCUSSION

Local Rule 9014-1(d)(3)(D) requires that "every motion or other request for relief shall be accompanied by evidence establishing its factual allegations and demonstrating that the movant is entitled to the relief requested. Affidavits and declarations shall comply with Fed. R. Civ. P. 56(c)(4)."

Local Rule 9014-1(e) requires "a certificate of service, compliant with LBR 7005-1, shall be filed in support of each motion, opposition, reply or other pleading."

Debtor has not complied with the Local Rules. That is reason to deny confirmation.

The debtor is \$1,100.00 delinquent in plan payments. Declaration, Dkt. 37. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. See 11 U.S.C. § 1325(a)(6).

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtor, Mark Fagan, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is denied, and the plan is not confirmed.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 36 days' notice was provided. Dkt. 26.

The Motion to Dismiss is granted, and the case is dismissed.

The motion was continued from the prior hearing to accompany the Motion to Confirm above. See Item 5.

The Chapter 13 Trustee filed this Motion To Dismiss arguing that cause for dismissal exists because the debtor has not filed an amended plan since the court denied confirmation of the Chapter 13 plan on October 7, 2025.

A review of the docket confirms the proposed Chapter 13 plan was denied confirmation, and no plan is set for confirmation hearing. Dkt. 22.

Debtor filed an opposition (Dkt. 27) on January 13, 2026, asserting that debtor will will an amended plan prior to the hearing.

Failure to confirm a plan constitutes evidence of unreasonable delay by the debtor that is prejudicial to creditors.

Based on the foregoing, cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1). Furthermore, the court finds that dismissal, and not conversion, is in the best interest of creditors and the Estate. The Motion is granted, and the case is dismissed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Dismiss the Chapter 13 case filed by the Chapter 13 Trustee, David P. Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion to Dismiss is granted, and the case is dismissed, the court having found that dismissal, and not conversion, is in the best interest of creditors and the Estate.

7. [25-27125](#)-C-13 CHRISTOPHER SCHIFTAR
[JCW](#)-1 Mohammad M. Mokarram

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY
JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION
2-12-26 [[13](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 21 days' notice was provided. Dkt. 18.

The Objection to Confirmation of Plan is sustained.

JP Morgan Chase Bank ("Creditor"), opposes confirmation of the Chapter 13 plan on the basis that:

1. The plan does not provide for arrears owed to Creditor;
and
2. Debtor cannot make plan payments.

DISCUSSION

The plan at Section 3.02 provides that Creditor's Proof of Claim, *and not the plan*, determines the amount and classification of a claim.

Notwithstanding whether the plan provides for the prepetition arrearage as Creditor argues, the debtor has not carried his burden to show the plan is adequately funded. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

Final Ruling: No appearance at the March 24, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 58 days' notice was provided. Dkt. 32.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Confirm is granted.

The debtors filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 31) filed on January 23, 2026.

The Chapter 13 trustee filed a non-opposition on March 4, 2026. Dkt. 40.

Upon review of the record, the court finds the plan complies with 11 U.S.C. §§ 1322 and 1325(a). The Motion is granted, and the plan is confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtors, Gerald and Escosio Corpuz, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is granted, the Amended Chapter 13 Plan (Dkt. 31) meets the requirements of 11 U.S.C. §§ 1322 and 1325(a), and the plan is confirmed. Counsel for Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved, the Chapter 13 Trustee will submit the proposed order to the court.

9. [25-26226](#)-C-13 AARON/RACHEL MCCONVILLE CONTINUED OBJECTION TO
[DPC-1](#) Pauldeep Bains CONFIRMATION OF PLAN BY DAVID
P. CUSICK
12-22-25 [[33](#)]

Final Ruling: No appearance at the March 24, 2026 hearing is required.

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Objection was continued from January 21, 2026 before being transferred from Dept. A.

Upon review of the Motion and supporting pleadings, and the files in this case, the court has determined that oral argument will not be of assistance in ruling on the Motion.

The Objection to Confirmation of Plan is overruled as moot.

The Chapter 13 trustee filed this Objection To Confirmation on December 22, 2025. Thereafter, the Trustee filed a status conference representing that the Objection has now been resolved and an order confirming plan has been submitted, making this Objection moot. Dkt. 48, 51.

Therefore, the Objection is overruled.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is overruled as moot.

10. [26-20128](#)-C-13 JESSE/JOLENE LAVINE
[DPC-1](#) Peter G. Macaluso

OBJECTION TO CONFIRMATION OF
PLAN BY DAVID P. CUSICK
2-25-26 [[17](#)]

Thru #11

Final Ruling: No appearance at the March 24, 2026 hearing is required.

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 28 days' notice was provided. Dkt. 20.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan relies on a motion to value that has not yet been decided;
2. Schedules I & J are inaccurate; and
3. Debtors income does not show tax refunds.

DEBTOR'S OPPOSITION

The debtor filed an Opposition on March 17, 2026. Dkt. 23. Debtors assert they will be current in plan payments, they receive In-Home Support rather than Social Security, the business is more of a hobby that cannot further operate in bankruptcy, and with losses no longer coming from the business the tax refunds will not be as large in the future.

DISCUSSION

The motion to value has now been granted as a final ruling below. See Item 11.

The plan proposes a monthly payment that is less than all of the debtor's disposable income because the debtors have tax refunds that is not reflected in their income. That is reason to deny confirmation. 11 U.S.C. § 1325(b)(1).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to

the court, and upon review of the pleadings, evidence,
arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

11. [26-20128](#)-C-13 JESSE/JOLENE LAVINE
[PGM-1](#) Peter G. Macaluso

MOTION TO VALUE COLLATERAL OF
ONE MAIN FINANCIAL GROUP, LLC
2-20-26 [[12](#)]

Final Ruling: No appearance at the March 24, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 33 days' notice was provided. Dkt. 16.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Value is granted.

The debtor filed this Motion seeking to value the portion of OneMain Financial Group, LLC's ("Creditor") claim secured by the debtor's property commonly known as 2013 Subaru Legacy (the "Property").

The debtor has presented evidence that the replacement value of the Property at the time of filing was \$8,000.00. Declaration, Dkt. 14.

The Chapter 13 Trustee filed non-opposition on March 9, 2026. Dkt. 21.

DISCUSSION

Upon review of the record, the court finds the value of the Property is \$8,000.00. There are no senior liens encumbering the Property. Therefore, Creditor's secured claim is determined to be \$8,000.00. 11 U.S.C. § 506(a).

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Value Collateral and Secured Claim filed by the debtor having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion pursuant to 11 U.S.C. § 506(a) is granted, and the claim of OneMain Financial Group, LLC ("Creditor") secured by property commonly known as 2013 Subaru Legacy (the "Property") is determined to be a secured claim in the amount of \$8,000.00, and the balance of

the claim is a general unsecured claim to be paid through the confirmed bankruptcy plan.

12. [26-20029](#)-C-13 DENNIS/ROBIN COBB
[DPC-1](#) Anthony O. Egbase

OBJECTION TO CONFIRMATION OF
PLAN BY DAVID P. CUSICK
2-26-26 [[21](#)]

Final Ruling: No appearance at the March 24, 2026 hearing is required.

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 26 days' notice was provided. Dkt. 24.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. The plan will take longer than 60 months to complete; and
2. Debtors have not filed all income tax returns.

DISCUSSION

Because the monthly plan payment is less than required to make all dividend payments, the plan will take 71 months to complete. That is reason to deny confirmation. 11 U.S.C. § 1322(d).

The debtor has not filed all required tax returns. 11 U.S.C. §§ 1308, 1325(a)(9). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

13. [23-20730](#)-C-13 JEREMY BAILEY
[BLG](#)-8 Chad M. Johnson

MOTION TO INCUR DEBT
3-9-26 [[106](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f) (2) notice which requires 14 days' notice. The Proof of Service shows that 15 days' notice was provided. Dkt. 112.

The Motion to Incur Debt is granted.

Debtor Jeremy Bailey filed this Motion seeking authority to incur debt to buy a primary residence.

The proposed financing is in the principal amount of \$603,860.00, paid at 6.0% interest over a 30 year term. Monthly payments are proposed to be \$4,685.00.

The court finds that the proposed credit, based on the unique facts and circumstances of this case, is reasonable. There being no opposition from any party in interest and the terms being reasonable, the Motion is granted.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Incur Debt filed by Jeremy Bailey having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is granted, and debtor Jeremy Bailey is authorized to incur debt pursuant to the terms of the agreement, Exhibit A & B, Dkt. 110.

IT IS ORDERED that the Motion is granted. The debtor's counsel shall prepare an appropriate order granting the Motion, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved submit the proposed order to the court.

14. [24-20130](#)-C-13 KENNETH SHERMAN AND KATHY MOTION TO MODIFY PLAN
[SMJ](#)-2 OLIVER SHERMAN 2-10-26 [[43](#)]
Scott M. Johnson

Thru #15

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 42 days' notice was provided. Dkt. 47.

The Motion to Modify is denied.

The debtors filed this Motion seeking to confirm the Modified Chapter 13 Plan (Dkt. 46) filed on February 10, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 52) on March 4, 2026, opposing confirmation on the following grounds:

1. Debtor is delinquent under the modified plan; and
2. Debtor has not explained the prior failure to pay.

DISCUSSION

The debtor is \$420 delinquent in plan payments under the confirmed plan and \$100.00 under the modified plan. Declaration, Dkt. 53. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. See 11 U.S.C. § 1325(a)(6).

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322, 1325(a), and 1329. The Motion is denied, and the plan is not confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Modify Plan filed by the debtors, Kenneth and Kathy Ann Sherman, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is denied, and the plan is not confirmed.

15. [24-20130](#)-C-13 KENNETH SHERMAN AND KATHY CONTINUED MOTION TO DISMISS
[DPC-2](#) OLIVER SHERMAN CASE
Scott M. Johnson 1-9-26 [[39](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f) (1) procedure which requires 28 days' notice. The motion was continued from February 24, 2026 before being transferred from Dept. A.

The Motion to Dismiss is granted, and the case is dismissed.

The Chapter 13 Trustee filed a status report representing debtor is \$100.00 delinquent in plan payments under the modified plan. Dkt. 50.

Failure to maintain plan payments constitutes evidence of unreasonable delay by the debtor that is prejudicial to creditors.

Based on the foregoing, cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c) (1). Furthermore, the court finds that dismissal, and not conversion, is in the best interest of creditors and the Estate. The Motion is granted, and the case is dismissed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Dismiss the Chapter 13 case filed by the Chapter 13 Trustee, David P. Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion to Dismiss is granted, and the case is dismissed, the court having found that dismissal, and not conversion, is in the best interest of creditors and the Estate.

16. [25-24130](#)-A-13 LUIS BENUTO CONTINUED OBJECTION TO
[MBW](#)-1 Matthew J. DeCaminada CONFIRMATION OF PLAN BY SAFE
CREDIT UNION
1-6-26 [[40](#)]

Final Ruling: No appearance at the March 24, 2026 hearing is required.

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The objection was continued from January 21, 2026 before being transferred from Dept. A.

Upon review of the Motion and supporting pleadings, and the files in this case, the court has determined that oral argument will not be of assistance in ruling on the Motion.

The Objection to Confirmation of Plan is overruled as moot.

Creditor SAFE Credit Union filed this Objection to Confirmation on January 6, 2026. Thereafter, the debtor filed an amended plan that was confirmed on March 11, 2026, making this Objection moot. Dkts. 49, 59.

Therefore, the Objection is overruled.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the SAFE Credit Union, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is overruled as moot.

17. [25-25531](#)-C-13 DASHENA WILLIAMS
[BDK-2](#) Peter G. Macaluso

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY QUALITY
FIRST HOME IMPROVEMENT, INC.
12-1-25 [[46](#)]

Thru #19

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The objection was continued from February 24, 2026 before being transferred from Dept. A.

The Objection to Confirmation of Plan is ~~XXXXXXXXXX~~

Creditor Quality First Home Improvement, Inc. ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. The plan undervalues the secured portion of the claim;
and
2. Reduces the interest rate from 10% to 4%.

DEBTOR'S OPPOSITION

Debtor filed an Opposition (Dkt. 55) asserting that debtor will pay the full amount of the claim. Additionally, debtor contends that the interest to be paid is determined by the Supreme Court's holding in Till, and that the proper interest rate is 8%. Finally, debtor asserts the plan is feasible and complies with §§ 1322 & 1325.

DISCUSSION

At the hearing ~~XXXXXXXXXX~~

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by Quality First Home Improvement, Inc., having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is ~~XXXXXXXXXX~~

18. [25-25531](#)-C-13 DASHENA WILLIAMS
[PGM-1](#) Peter G. Macaluso

OBJECTION TO CLAIM OF QUALITY
FIRST HOME IMPROVEMENT, INC.,
CLAIM NUMBER 2
1-28-26 [[71](#)]

No Tentative Ruling:

The Motion has been set on Local Rule 3007-1(b)(1) procedure which requires 44 days' notice. The Proof of Service shows that 55 days' notice was provided. Dkt. 75.

The Objection to Proof of Claim is ~~xxxxxxx~~

Debtor objects to Proof of Claim No. 2 of Quality First Home Improvement, Inc. ("Creditor") in the amount of \$161,541.77, which is said to be secured in the amount of \$105,322.60 and unsecured in the amount of \$56,219.17. Debtor asserts the lien originated in the amount of \$34,000.00 and is secured and the balance, which consists of fees, costs, and interest, are unsecured.

TRUSTEE'S RESPONSE

Chapter 13 Trustee, David Cusick, filed a response (Dkt. 82) representing that a plan has not yet been confirmed, debtor is current in plan payments, Creditor's claim is listed as a Class 2A, and if the plan is confirmed the plan is funded to pay Creditor's claim.

OPPOSITION

Creditor filed opposition (Dkt. 84) asserting that its claim represents a contract debt that has been litigated and awarded and not the original mechanic's lien amount.

Creditor represent that debtor sought to avoid the lien in debtor's prior Chapter 7, which was denied because although the mechanic's lien was reduced to an abstract of judgment the lien remained a statutory lien that is not subject to § 522(f)(1)(A). Case No. 24-23040, dkt. 78.

Additionally, Creditor contends that this is just a collateral attack on the state court judgment because debtor unsuccessfully appealed the state court judgment and the judgment is now final.

RESPONSE

Debtor filed a response (dkt. 88) on March 17, 2026 standing by her previous assertions that the mechanic's lien is secured up to the original amount and the balance, which consists of fees, costs and interests, is unsecured.

Section 502(a) provides that a claim supported by a Proof of Claim is allowed unless a party in interest objects. Once an objection has been filed, the court may determine the amount of the claim after a noticed

hearing. 11 U.S.C. § 502(b). The party objecting to a proof of claim has the burden of presenting substantial evidence to overcome the prima facie validity of a proof of claim, and the evidence must be of probative force equal to that of the creditor's proof of claim. Wright v. Holm (In re Holm), 931 F.2d 620, 623 (9th Cir. 1991); see also United Student Funds, Inc. v. Wylie (In re Wylie), 349 B.R. 204, 210 (9th Cir. BAP 2006). Substantial evidence means such relevant evidence as a reasonable mind might accept as adequate to support a conclusion, and requires financial information and factual arguments. In re Austin, 583 B.R. 480, 483 (8th Cir. BAP 2018). Notwithstanding the prima facie validity of a proof of claim, the ultimate burden of persuasion is always on the claimant. In re Holm, 931 F.2d at p. 623.

Once a party has objected to a proof of claim, the creditor asserting the claim may not withdraw the claim except on order of the court. Fed. R. Bankr. P. 3006.

Based on the evidence before the court, the court finds the creditor's claim was filed untimely. The Objection to the Proof of Claim is sustained, and the claim is disallowed in its entirety.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to Claim filed in this case by the debtor, Dashena Williams, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection to Proof of Claim Number 2 of Quality First Home Improvement, Inc. is **xxxxxxx**

19. [25-25531](#)-C-13 DASHENA WILLIAMS
[RAS-1](#) Peter G. Macaluso

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY TOWD
POINT MORTGAGE TRUST 2022-3,
U.S. BANK TRUST COMPANY,
NATIONAL ASSOCIATION
12-1-25 [[53](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The objection was continued from February 24, 2026 before being transferred from Dept. A.

The Objection to Confirmation of Plan is ~~XXXXXXXXXX~~

Creditor Towd Point Mortgage Trust 2022-3, U.S. Bank Trust Company, National Association as Indenture Trustee ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. The plan does not provide for prepetition arrears.

DEBTOR'S OPPOSITION

Debtor filed an Opposition on December 9, 2025. Dkt. 56. Debtor asserts that the debtor is not in arrears.

RESPONSE

Creditor filed a status report on February 10, 2026, representing that Creditor's counsel has not received a current pay history from Creditor despite repeated requests from counsel.

DISCUSSION

At the hearing ~~XXXXXXXXXX~~

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by Towd Point Mortgage Trust 2022-3, U.S. Bank Trust Company, National Association as Indenture Trustee, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is ~~XXXXXXXXXX~~

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f) (1) procedure which requires 35 days' notice. The Proof of Service shows that 43 days' notice was provided. Dkt. 59.

The Motion to Confirm is denied.

The debtor filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 58) filed on February 9, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 61) on March 6, 2026, opposing confirmation on the following grounds:

1. Debtor is delinquent in plan payments.

DISCUSSION

The debtor is \$4,200.00 delinquent in plan payments. Declaration, Dkt. 61. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. See 11 U.S.C. § 1325(a) (6).

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtor, Holly Plichta, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is denied, and the plan is not confirmed.

21. [25-27134](#)-C-13 NATALIE FAENZI
[DPC-1](#) Mary Ellen Terranella

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY DAVID
P. CUSICK
2-11-26 [[16](#)]

Thru #22

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 27 days' notice was provided. Dkt. 19.

The Objection to Confirmation of Plan is sustained.

At the prior hearing, debtor represented that all tax returns have been provided along with all business documents except for the profit and loss statements.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor has not filed all required income tax returns;
2. Plan relies on a motion to value that has not yet been filed; and
3. Debtor has not provided all requested business documents and failed to attach a statement for business income.

DISCUSSION

The plan proposes valuing the secured claim of Bridgcrest Financial. Before the court enters an order valuing that secured claim, the plan's feasibility is uncertain.

The debtor has not filed all business documents including:

- A. Six months of profit and loss statements.

11 U.S.C. §§ 521(e)(2)(A)(i), 704(a)(3), 1106(a)(3), 1302(b)(1), 1302(c); FED. R. BANKR. P. 4002(b)(2) & (3). Debtor is required to submit those documents and cooperate with the Chapter 13 Trustee. 11 U.S.C. § 521(a)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1) & (a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to

March 24, 2026 at 11:00 a.m.

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the court, and upon review of the pleadings, evidence,
arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

22. [25-27134](#)-C-13 NATALIE FAENZI
[JCW](#)-1 Mary Ellen Terranella

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY
BRIDGECREST CREDIT COMPANY, LLC
2-9-26 [[12](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 15 days' notice was provided. Dkt. 23.

The Objection to Confirmation of Plan is sustained.

At the prior hearing, debtor asserted that debtor and creditor had a verbal agreement as to the value of Creditor's collateral.

Creditor Bridgecrest Credit Company, LLC as servicer for Carvana, LLC ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan does not pay the full replacement value of the Creditor's collateral.

DISCUSSION

The plan at Section 3.02 provides that Creditor's Proof of Claim, *and not the plan*, determines the amount and classification of a claim.

The debtor has not filed a motion to value collateral and secured claim, and notwithstanding whether the plan provides for the full replacement value of the collateral, the debtor has not carried his burden to show the plan is adequately funded. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by Bridgecrest Credit Company, LLC as servicer for Carvana, LLC, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

23. [26-20136](#)-C-13 CORINA/JEFFREY BARKER
[JCW-1](#) Scott M. Johnson

OBJECTION TO CONFIRMATION OF
PLAN BY AMERICAN HONDA FINANCE
CORPORATION
2-23-26 [[22](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 29 days' notice was provided. Dkt. 25.

The Objection to Confirmation of Plan is sustained.

Creditor American Honda Finance Corporation ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. The plan does not fully provide for Creditor's claim.

DISCUSSION

The plan at Section 3.02 provides that Creditor's Proof of Claim, *and not the plan*, determines the amount and classification of a claim.

Notwithstanding whether the plan provides for the value of the collateral as Creditor argues, the debtor has not carried his burden to show the plan is adequately funded. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

Creditor opposes confirmation on the basis that the plan proposes paying its claim at 6.5% interest. Creditor argues that this interest rate is outside the limits authorized by the Supreme Court in *Till v. SCS Credit Corp.*, 541 U.S. 465 (2004). In *Till*, a plurality of the Court supported the "formula approach" for fixing post-petition interest rates. *Id.* Courts in this district have interpreted *Till* to require the use of the formula approach. See *In re Cachu*, 321 B.R. 716 (Bankr. E.D. Cal. 2005); see also *Bank of Montreal v. Official Comm. of Unsecured Creditors (In re American Homepatient, Inc.)*, 420 F.3d 559, 566 (6th Cir. 2005) (*Till* treated as a decision of the Court). Even before *Till*, the Ninth Circuit had a preference for the formula approach. See *Cachu*, 321 B.R. at 719 (citing *In re Fowler*, 903 F.2d 694 (9th Cir. 1990)).

The court agrees with the court in *Cachu* that the correct valuation of the interest rate is the prime rate in effect at the commencement of this case plus a risk adjustment. Because the creditor has only identified risk factors common to every bankruptcy case, the court fixes the interest rate as the prime rate in effect at the commencement of the case, 6.75%, plus a 1.25% risk adjustment, for a 8.00% interest rate.

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by American Honda Finance Corporation, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

24. 25-26837-C-13 KEVIN SHAW AND KENNETH MOTION TO DISMISS CASE AND/OR
MB-1 COKER MOTION TO CONVERT CASE FROM
Taras Kurta CHAPTER 13 TO CHAPTER 7
2-11-26 [[24](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 41 days' notice was provided. Dkt. 28.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Dismiss is granted, and the case is XXXXXXXXXX

Creditor Marble Bridge Funding Group, Inc. ("Creditor") filed this Motion To Dismiss arguing that cause for dismissal exists because the debtors are not eligible to be a debtor under Chapter 13 because debtors' unsecured debt exceeds the limits under 11 U.S.C. § 109(e), and because debtors have not filed tax returns for the 4 years prior to the filing of the petition.

Creditor represents it is currently involved in state court litigation against the debtor for personal guarantees the debtor made for a Receivables Purchase Agreement Creditor made with debtor's former law firm. Creditor argues that it is owed \$161,314.48 that when added to debtor's other unsecured debts would bring debtor's total unsecured debt to \$669,993.69. Additionally, Creditor asserts that the unsecured amounts owed to the Internal Revenue Service and Franchise Tax Board was also underestimated, and with those additional amounts debtors' total unsecured claims total at least \$858,140.84.

The total amount of noncontingent, liquidated, unsecured debt to be eligible to be a debtor under Chapter 13 as of the date of the filing of this case was \$526,700.00. Debtors total nonpriority unsecured debts as stated on their Schedule E/F is \$437,224.21, plus the claims of the IRS and FTB as filed in their proofs of claim (POC Nos. 7 & 20) totals \$553,916.15.

Based on the foregoing, debtor is ineligible to be a debtor under Chapter 13 pursuant to 11 U.S.C. § 109(e). Pursuant to 11 U.S.C. § 1307(c) the court may convert or dismiss a case, whichever is in the best interests of creditors and the estate. At the hearing XXXXXXXXXX

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Dismiss the Chapter 13 case filed by Creditor Marble Bridge Funding Group, Inc., having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion to Dismiss is granted, and the case is ~~XXXXXXXXXX~~

25. [25-26238](#)-C-13 KENNETH VAVURIS
[DPC-1](#) Eric John Schwab

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY DAVID
P. CUSICK
12-22-25 [[40](#)]

Thru #27

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The objection was continued from January 21, 2026 before being transferred from Dept. A.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan relies on a motion to sell property that has not yet been filed;
2. Debtor has not scheduled insurance expenses he directly pays on his Schedule J;
3. Plan delays payment to creditors with secured claims; and
4. According to a status report filed on March 9, 2026, debtor is now delinquent in plan payments.

DEBTOR'S OPPOSITION

The debtor filed an Opposition on January 7, 2026. Dkt. 59. Debtor asserted he will be filing an amended plan.

DISCUSSION

A review of the docket shows that debtor has not filed an amended plan since the prior hearing in Dept. A on January 21, 2026.

The debtor has not supplied sufficient information relating to the debtor's income and expenses to assist the Chapter 13 Trustee in determining the value of the debtor's monthly income.

The debtor is \$6,405.00 delinquent in plan payments. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. See 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the

Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

26. [25-26238](#)-C-13 KENNETH VAVURIS
[FWP](#)-2 Eric John Schwab

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY GARY
YOUNG
12-29-25 [[52](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f) (2) notice which requires 14 days' notice. The objection was continued from January 21, 2026 before being transferred from Dept. A.

The Objection to Confirmation of Plan is sustained.

Creditor Gary Young ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. The automatic stay expired 30 days after the debtor filed this case; and
2. Creditor is not receiving adequate assurance payments and his position is eroding due to nonpayment of property taxes; and
3. The plan is not feasible.

DISCUSSION

The plan mathematically requires a payment of \$6,045 per month, and is based upon payment of rent from housemates that is more than the current amount debtor receives from rent.

The debtor has not demonstrated the plan is feasible because the plan terms require a higher payment that debtor is not able to meet based upon his filed schedules, and the increasing property tax arrearages. That is reason to deny confirmation. 11 U.S.C. § 1325(a) (6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by Gary Young, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

27. [25-26238](#)-C-13 KENNETH VAVURIS
[JCW-1](#) Eric John Schwab

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY
JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION
12-23-25 [[46](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f) (2) notice which requires 14 days' notice. The objection was continued from January 21, 2026 before being transferred from Dept. A.

The Objection to Confirmation of Plan is sustained.

Creditor JP Morgan Chase Bank, National Association ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan understates the arrearages owed to Creditor.

DISCUSSION

The plan at Section 3.02 provides that Creditor's Proof of Claim, *and not the plan*, determines the amount and classification of a claim.

Notwithstanding whether the plan provides for the prepetition arrearage as Creditor argues, the debtor has not carried his burden to show the plan is adequately funded. That is reason to deny confirmation. 11 U.S.C. § 1325(a) (6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by JP Morgan Chase Bank, National Association, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

Thru #29

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 39 days' notice was provided. Dkt. 48.

The Motion to Confirm is denied.

At the prior hearing the debtor represented the check for the monthly plan payment was in the mail and this motion was continued to verify the debtor had made the payment.

The debtor filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 43) filed on January 30, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 52) on February 24, 2026, opposing confirmation on the following grounds:

1. The plan relies on a motion to sell or refinance property that has not yet been filed;
2. The plan fails the liquidation test;
3. Debtor is delinquent in plan payments.

Debtor filed an opposition (Dkt. 57) on March 3, 2026, asserting that debtor will be current on or before the hearing.

DISCUSSION

The debtor is \$7,000.00 delinquent in plan payments. Declaration, Dkt. 53. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. See 11 U.S.C. § 1325(a)(6).

The plan proposes selling or refinancing property located at 2322 Ringtail Rd., Georgetown, CA. Before a motion to sell or refinance is filed by the debtor, the plan's feasibility is uncertain.

The debtor has non-exempt assets totaling \$7,000.00. The plan provides for a zero percent dividend to unsecured claims, which is less than the percent dividend necessary to meet the liquidation test. That is cause to deny confirmation. 11 U.S.C. § 1325(a)(4).

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

The court shall issue a minute order substantially in the following form

holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtor, Donna Elbert, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is denied, and the plan is not confirmed.

29. [25-24239](#)-C-13 DONNA ELBERT
[DPC-2](#) Peter G. Macaluso

CONTINUED MOTION TO DISMISS
CASE
1-14-26 [[37](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. This case was transferred from Dept. and was continued from a previous hearing on February 24, 2026. Dkt. 55

The Motion to Dismiss is granted, and the case is dismissed.

At the prior hearing the debtor represented the check for the monthly plan payment was in the mail and this motion was continued to verify the debtor had made the payment.

The Chapter 13 Trustee filed this Motion To Dismiss arguing that cause for dismissal exists because the debtor is \$14,000.00 delinquent in plan payments. The motion was continued to accompany the motion to confirm plan at Item #18 below.

Failure to maintain plan payments constitutes evidence of unreasonable delay by the debtor that is prejudicial to creditors.

Based on the foregoing, cause exists to dismiss this case pursuant to 11 U.S.C. § 1307(c)(1). Furthermore, the court finds that dismissal, and not conversion, is in the best interest of creditors and the Estate. The Motion is granted, and the case is dismissed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Dismiss the Chapter 13 case filed by the Chapter 13 Trustee, David P. Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion to Dismiss is granted, and the case is dismissed, the court having found that dismissal, and not conversion, is in the best interest of creditors and the Estate.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 42 days' notice was provided. Dkt. 34.

The Motion to Modify is denied.

The debtor filed this Motion seeking to confirm the Modified Chapter 13 Plan (Dkt. 32) filed on February 10, 2026.

Chapter 13 Trustee filed an Opposition (Dkt. 38) on March 4, 2026, opposing confirmation on the following grounds:

1. Debtor has not filed amended Schedules I and J that would support the plan payments in the modified plan; and
2. Debtor has not explained how she would now be able to afford an increased monthly payment after explaining that she fell behind in plan payments because her self-employed income fluctuates.

DISCUSSION

Debtor filed amended Schedules I & J on March 17, 2026. Dkt. 41.

The debtor has not explained her income sufficiently to assist the Chapter 13 Trustee in determining if the plan is feasible. Debtor fails to report her current income and expenses to support the plan payments in the plan.

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322, 1325(a), and 1329. The Motion is denied, and the plan is not confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Modify Plan filed by the debtor, Robin Kincaid, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is denied, and the plan is not confirmed.

31. [25-26341](#)-C-13 TIMOTHY SHAKESNIDER-RICE CONTINUED OBJECTION TO
[DPC-1](#) AND VERA SHAKESNIDER CONFIRMATION OF PLAN BY DAVID
Peter Macaluso P. CUSICK
12-23-25 [[20](#)]

Thru #32

Final Ruling: No appearance at the March 24, 2026 hearing is required.

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The objection was continued from January 21, 2026 before being transferred from Dept. A.

The Objection to Confirmation of Plan is overruled as moot.

The Chapter 13 trustee filed this Objection To Confirmation on December 23, 2025. Thereafter, the debtor filed an amended plan and corresponding Motion To Confirm, making this Objection moot. Dkt. 32, 34.

Therefore, the Objection is overruled.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is overruled as moot.

32. [25-26341](#)-C-13 TIMOTHY SHAKESNIDER-RICE MOTION TO CONFIRM PLAN
[PGM-2](#) AND VERA SHAKESNIDER 2-5-26 [[32](#)]
Peter Macaluso

Final Ruling: No appearance at the March 24, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 47 days' notice was provided. Dkt. 37.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Confirm is granted.

The debtors filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 34) filed on February 5, 2026.

The Chapter 13 trustee filed a non-opposition on February 24, 2026. Dkt. 41.

Upon review of the record, the court finds the plan complies with 11 U.S.C. §§ 1322 and 1325(a). The Motion is granted, and the plan is confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtors, Timothy Shakesnider-Rice and Vera Shakesnider, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is granted, the Amended Chapter 13 Plan (Dkt. 34) meets the requirements of 11 U.S.C. §§ 1322 and 1325(a), and the plan is confirmed. Counsel for Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved, the Chapter 13 Trustee will submit the proposed order to the court.

Final Ruling: No appearance at the March 24, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 40 days' notice was provided. Dkt. 42.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Modify is granted.

The debtor filed this Motion seeking to modify the terms of the confirmed plan pursuant to 11 U.S.C. § 1329.

No opposition to the Motion has been filed.

Upon review of the record, the court finds the plan complies with 11 U.S.C. §§ 1322, 1325(a), and 1329. The Motion is granted, and the plan is confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Modify Plan filed by the debtor, Donald Lewis, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is granted, the Modified Chapter 13 Plan (Dkt. 39) meets the requirements of 11 U.S.C. §§ 1322, 1325(a), and 1329, and the plan is confirmed. Counsel for Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved, the Chapter 13 Trustee will submit the proposed order to the court.

34. [25-26148](#)-C-13 KIM GESE
[DPC-1](#) Mikalah Liviakis

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY DAVID
P. CUSICK
12-23-25 [[14](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The objection was continued from January 21, 2026 before being transferred from Dept. A.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. The plan unfairly discriminates against unsecured creditors; and
2. Debtor may not have disclosed all community debts.

DEBTOR'S OPPOSITION

The debtor filed an Opposition on February 10, 2026. Dkt. 20. Debtor stipulates that the plan will pay 100% to unsecured creditors that have timely filed a claim by the claims bar date, and the debtor will provide additional documentation regarding non-filing spouse's separate unsecured debt.

TRUSTEE'S REPLY

The Trustee filed a reply March 9, 2026 (dkt. 22) showing the plan will pay 100% to the filed unsecured claims, and if the non-filing spouse's claims are identified by name and amount the Trustee would not oppose confirmation.

DISCUSSION

As long as the debtor has explained and has supplied sufficient information relating to the non-filing spouse's claims to assist the Chapter 13 Trustee in determining the value of the claims to be paid by the plan.

No other grounds for objection remaining, it appears the plan complies with 11 U.S.C. §§ 1322 and 1325(a). The Objection is overruled, and the plan is confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is overruled, and the debtor's Chapter 13 Plan (Dkt. 3), is confirmed. Counsel for Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved, the Chapter 13 Trustee will submit the proposed order to the court.

35. [26-20153](#)-C-13 CLINTON/BRANDY STEWART
[DPC-1](#) Peter G. Macaluso

OBJECTION TO CONFIRMATION OF
PLAN BY DAVID P. CUSICK
2-26-26 [[12](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 26 days' notice was provided. Dkt. 15.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. The plan exceeds the 60 month time limit for plans; and
2. Debtors may have additional income to pay creditors.

DEBTORS' OPPOSITION

The debtors filed an Opposition on March 17, 2026. Dkt. 16. Debtors assert the additional income from the tax refunds will be contributed to the plan, the debtors should be able to make the increased payments from the higher filed proof of claim.

DISCUSSION

Because claims are greater than scheduled, the plan will take longer than 60 months to complete. That is reason to deny confirmation. 11 U.S.C. § 1322(d).

The plan proposes a monthly payment that may be less than all of the debtor's disposable income. That is reason to deny confirmation. 11 U.S.C. § 1325(b)(1).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

36. [26-20054](#)-C-13 MARIA GUILLEN
[DPC-1](#) Harry D. Roth

OBJECTION TO CONFIRMATION OF
PLAN BY DAVID P. CUSICK
2-24-26 [[23](#)]

Final Ruling: No appearance at the March 24, 2026 hearing is required.

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 28 days' notice was provided. Dkt. 26.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan is underfunded;
2. Plan proposed impermissible attorney fee payments;
3. Debtor did not disclose prior bankruptcy case filed in 2025, Case No. 25-20305; and
4. Debtor received a large tax refund for 2024 tax year.

DISCUSSION

The plan mathematically requires a payment of \$3,418.62 per month, which is greater than the proposed \$2,638.82 payment.

The debtor has not demonstrated the plan is feasible because the plan terms require a higher payment than what is proposed. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

The plan proposes a monthly payment of 2,638.82, which does not include the 2024 tax year refund debtor received. That is reason to deny confirmation. 11 U.S.C. § 1325(b)(1).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

37. [26-20061](#)-C-13 LILLIAN ALVAREZ-MAGGY
[KMM-1](#) Mikalah Liviakis

OBJECTION TO CONFIRMATION OF
PLAN BY NEWREZ LLC
1-29-26 [[11](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 59 days' notice was provided. Dkt. 14.

The Objection to Confirmation of Plan is overruled.

Creditor NewRez LLC dba Shellpoint Mortgage Servicing ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. The plan does not cure the default on Creditor's claim;
2. The plan is not feasible.

DEBTOR'S OPPOSITION

Debtor filed an Opposition on February 20, 2026. Dkt. 17. Debtor represents counsel for both parties have been in communication and debtor asserts she has agreed to increase Creditor's prepetition arrearages to \$8454.66 and the plan payments are sufficient to provide the increased amount.

DISCUSSION

According to Creditor's proof of claim, the debtor's concession to increase the prepetition arrearages matches the amount on creditor's claim.

No other grounds for objection remaining, it appears the plan complies with 11 U.S.C. §§ 1322 and 1325(a). The Objection is overruled, and the plan is confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by NewRez LLC dba Shellpoint Mortgage Servicing, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is overruled, and the debtor's Chapter 13 Plan (Dkt. 3), is confirmed. Counsel for Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved, the Chapter 13 Trustee will submit the proposed order to the court.

Final Ruling: No appearance at the March 24, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 42 days' notice was provided. Dkt. 101.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Confirm is granted.

The debtor filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 100) filed on February 10, 2026.

The Chapter 13 trustee filed a non-opposition on March 10, 2026. Dkt. 109.

Upon review of the record, the court finds the plan complies with 11 U.S.C. §§ 1322 and 1325(a). The Motion is granted, and the plan is confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtor, Jatinder Singh, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is granted, the Amended Chapter 13 Plan (Dkt. 100) meets the requirements of 11 U.S.C. §§ 1322 and 1325(a), and the plan is confirmed. Counsel for Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved, the Chapter 13 Trustee will submit the proposed order to the court.

39. [25-22770](#)-C-13 CHARLES/LINDA FRIEDMAN CONTINUED MOTION TO CONFIRM
[PGM](#)-1 Peter Macaluso PLAN
12-30-25 [[31](#)]

An order confirming plan was entered on March 13, 2026 that resolves this motion. Dkt. 58. No further hearing is necessary.

Final Ruling: No appearance at the March 24, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 40 days' notice was provided. Dkt. 79.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Confirm is granted.

The debtors filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 73) filed on February 10, 2026.

The Chapter 13 trustee filed a non-opposition on March 9, 2026. Dkt. 83.

Upon review of the record, the court finds the plan complies with 11 U.S.C. §§ 1322 and 1325(a). The Motion is granted, and the plan is confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtors, Sarah and Austin Fowler, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is granted, the Amended Chapter 13 Plan (Dkt. 73) meets the requirements of 11 U.S.C. §§ 1322 and 1325(a), and the plan is confirmed. Counsel for Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved, the Chapter 13 Trustee will submit the proposed order to the court.

41. [25-22780](#)-C-13 FLORENTINA MAZZONE-URIE MOTION TO CONFIRM PLAN
[PGM-2](#) Peter Macaluso 2-9-26 [[81](#)]

Final Ruling: No appearance at the March 24, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 43 days' notice was provided. Dkt. 85.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Confirm is granted.

The debtor filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 83) filed on February 9, 2026.

The Chapter 13 trustee filed a non-opposition on March 4, 2026. Dkt. 88.

Upon review of the record, the court finds the plan complies with 11 U.S.C. §§ 1322 and 1325(a). The Motion is granted, and the plan is confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtor, Florentina Mazzone-Urie, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is granted, the Amended Chapter 13 Plan (Dkt. 83) meets the requirements of 11 U.S.C. §§ 1322 and 1325(a), and the plan is confirmed. Counsel for Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved, the Chapter 13 Trustee will submit the proposed order to the court.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 46 days' notice was provided. Dkt. 133.

The Motion to Modify is denied.

At the prior hearing, debtor represented that debtor had made a payment through TFS. The Chapter 13 Trustee asserted that debtor needed to file a supplemental declaration to support modification, and the debtor agreed to provide the declaration.

The debtors filed this Motion seeking to confirm the Modified Chapter 13 Plan (Dkt. 130) filed on January 9, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 135) on January 13, 2026, opposing confirmation on the following grounds:

1. Debtor is delinquent in plan payments;
2. The proposed plan payments are insufficient to complete plan; and
3. The dates on the plan are not consistent, which creates issues with plan payment amounts.

RESPONSE

Debtor filed a response (Dkt. 141) asserting debtor is making a payment to be current under the modified plan. Debtor filed a supplemental reply on March 17, 2025 asserting debtor has made the payment and is now current.

DISCUSSION

The debtor is \$5,995.00 delinquent in plan payments. Declaration, Dkt. 136. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. See 11 U.S.C. § 1325(a)(6).

The plan mathematically requires a payment of \$6,445.00 per month, which is greater than the proposed \$6,265.00 payment.

The debtor has not demonstrated the plan is feasible because the plan terms require a higher payment than what is proposed. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322, 1325(a), and 1329. The Motion is denied, and the

plan is not confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Modify Plan filed by the debtors, Michael and Angelique Valera, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is denied, and the plan is not confirmed.

43. [26-20584](#)-C-13 BERNARD/MARY JUNE LEE MOTION TO VALUE COLLATERAL OF
[JTN-2](#) Robert Fong TOYOTA FINANCIAL SERVICES
2-11-26 [[16](#)]

Final Ruling: No appearance at the March 24, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 41 days' notice was provided. Dkt. 19.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Value is granted.

The debtor filed this Motion seeking to value the portion of Toyota Financial Services' ("Creditor") claim secured by the debtor's property commonly known as 2023 Lexus NX350 (the "Property").

The debtor has presented evidence that the replacement value of the Property at the time of filing was \$44,620.00. Declaration, Dkt. 18.

DISCUSSION

The lien on the Vehicle's title secures a purchase-money loan incurred on February, 2023, which is more than 910 days prior to filing of the petition. 11 U.S.C. § 1325(a)(9) (hanging paragraph).

The Chapter 13 Trustee filed non-opposition on March 9, 2026, noting that a claim had not yet been filed. Dkt. 29

Upon review of the record, the court finds the value of the Property is \$44,620.00. Therefore, Creditor's secured claim is determined to be \$44,620.00. 11 U.S.C. § 506(a).

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Value Collateral and Secured Claim filed by the debtor having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion pursuant to 11 U.S.C.

March 24, 2026 at 11:00 a.m.

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§ 506(a) is granted, and the claim of Toyota Financial Services ("Creditor") secured by property commonly known as 2023 Lexus NX350 (the "Property") is determined to be a secured claim in the amount of \$44,620.00, and the balance of the claim is a general unsecured claim to be paid through the confirmed bankruptcy plan.

Final Ruling: No appearance at the March 24, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 47 days' notice was provided. Dkt. 56.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Modify Plan is granted.

The debtors filed this Motion seeking to modify the terms of the confirmed plan pursuant to 11 U.S.C. § 1329.

The Chapter 13 trustee filed a non-opposition on March 6, 2026. Dkt. 62.

Upon review of the record, the court finds the plan complies with 11 U.S.C. §§ 1322, 1325(a), and 1329. The Motion is granted, and the plan is confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Modify Plan filed by the debtors, Larry and Lisa McLain, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is granted, the Modified Chapter 13 Plan (Dkt. 52) meets the requirements of 11 U.S.C. §§ 1322, 1325(a), and 1329, and the plan is confirmed. Counsel for Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved, the Chapter 13 Trustee will submit the proposed order to the court.

45. [26-20097](#)-C-13 CHRISTOPHER VILLELA AND OBJECTION TO CONFIRMATION OF
[DPC-1](#) JENNIFER JONES PLAN BY DAVID P. CUSICK
Seth L. Hanson 2-26-26 [[19](#)]

Thru #46

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 26 days' notice was provided. Dkt. 22.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan relies on motions to value collateral that have not yet been filed;
2. Debtors have not amended their schedules to reflect the worker's compensation settlement;
3. Debtors have additional income that can be used to pay creditors;
4. SOFA has not been amended to reflect the attorney's retainer that was paid by debtors; and
5. Debtors are delinquent in plan payments.

DISCUSSION

The plan proposes valuing the secured claims of OneMain Financial Group, LLC and Toyota Financial Services. Before the court enters an order valuing that secured claim, the plan's feasibility is uncertain.

The debtor has supplied insufficient information relating to their worker's compensation settlement to assist the Chapter 13 Trustee in determining the value of the asset.

The plan proposes a monthly payment that may be less than all of the debtor's disposable income because of income tax refund debtors received for the 2024 tax year. That is reason to deny confirmation. 11 U.S.C. § 1325(b)(1).

The debtors are \$4,575.00 delinquent in plan payments. Declaration, Dkt. 21. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. See 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.

46. [26-20097](#)-C-13 CHRISTOPHER VILLELA AND OBJECTION TO CONFIRMATION OF
[KMM-1](#) JENNIFER JONES PLAN BY TOYOTA MOTOR CREDIT
Seth L. Hanson CORPORATION
2-25-26 [[15](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 27 days' notice was provided. Dkt. 18.

The Objection to Confirmation of Plan is sustained.

Creditor Toyota Motor Credit Corporation ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan does not fully provide for Creditor's claim.

DISCUSSION

The plan at Section 3.02 provides that Creditor's Proof of Claim, *and not the plan*, determines the amount and classification of a claim. And, the debtor has yet not filed a motion to value collateral.

Before the court enters an order valuing that secured claim, the Creditor's Proof of Claim determines the amount of the claim. Therefore, debtor has not carried his burden to show the plan is adequately funded. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by Toyota Motor Credit Corporation, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Objection is sustained.