



UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable Jennifer E. Niemann
Hearing Date: Wednesday, March 25, 2026
Department A - Courtroom #11
Fresno, California

Unless otherwise ordered, all matters before the Honorable Jennifer E. Niemann shall be simultaneously: (1) **In Person** at Courtroom #11, (2) via **ZoomGov Video**, (3) via **ZoomGov Telephone**, and (4) via **CourtCall**. You may choose any of these options unless otherwise ordered or stated below.

All parties who wish to appear at a hearing remotely must sign up by 4:00 p.m. **one business day** prior to the hearing. Information regarding how to sign up can be found on the **Remote Appearances** page of our website at <https://www.caeb.uscourts.gov/Calendar/CourtAppearances>. Each party who has signed up will receive a Zoom link or phone number, meeting I.D., and password via e-mail.

If the deadline to sign up has passed, parties who wish to appear remotely must contact the Courtroom Deputy for the Department holding the hearing.

Please also note the following:

- Parties in interest may connect to the video or audio feed free of charge and should select which method they will use to appear when signing up.
- Members of the public and the press appearing by ZoomGov may only listen in to the hearing using the zoom telephone number. Video appearances are not permitted.
- Members of the public and the press may not listen in to trials or evidentiary hearings, though they may appear in person in most instances.

To appear remotely for law and motion or status conference proceedings, you must comply with the following guidelines and procedures:

1. Review the [Pre-Hearing Dispositions](#) prior to appearing at the hearing.
2. Parties appearing via CourtCall are encouraged to review the [CourtCall Appearance Information](#).

If you are appearing by ZoomGov phone or video, please join at least 10 minutes prior to the start of the calendar and wait with your microphone muted until the matter is called.

Unauthorized Recording is Prohibited: Any recording of a court proceeding held by video or teleconference, including "screen shots" or other audio or visual copying of a hearing is prohibited. Violation may result in sanctions, including removal of court-issued media credentials, denial of entry to future hearings, or any other sanctions deemed necessary by the court. For more information on photographing, recording, or broadcasting Judicial Proceedings, please refer to Local Rule 173(a) of the United States District Court for the Eastern District of California.

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

Each matter on this calendar will have one of three possible designations: No Ruling, Tentative Ruling, or Final Ruling. These instructions apply to those designations.

No Ruling: All parties will need to appear at the hearing unless otherwise ordered.

Tentative Ruling: **If a matter has been designated as a tentative ruling it will be called, and all parties will need to appear at the hearing unless otherwise ordered.** The court may continue the hearing on the matter, set a briefing schedule, or enter other orders appropriate for efficient and proper resolution of the matter. The original moving or objecting party shall give notice of the continued hearing date and the deadlines. The minutes of the hearing will be the court's findings and conclusions.

Final Ruling: Unless otherwise ordered, there will be no hearing on these matters. The final disposition of the matter is set forth in the ruling and it will appear in the minutes. The final ruling may or may not finally adjudicate the matter. If it is finally adjudicated, the minutes constitute the court's findings and conclusions.

Orders: Unless the court specifies in the tentative or final ruling that it will issue an order, the prevailing party shall lodge an order within 14 days of the final hearing on the matter.

THE COURT ENDEAVORS TO PUBLISH ITS RULINGS AS SOON AS POSSIBLE. HOWEVER, CALENDAR PREPARATION IS ONGOING AND THESE RULINGS MAY BE REVISED OR UPDATED AT ANY TIME PRIOR TO 4:00 P.M. THE DAY BEFORE THE SCHEDULED HEARINGS. PLEASE CHECK AT THAT TIME FOR POSSIBLE UPDATES.

9:30 AM

1. [26-10469](#)-A-12 **IN RE: MCCALL'S NURSERIES, INC.**

ORDER TO SHOW CAUSE FOR FAILURE TO UPDATE CONTACT INFORMATION IN PACER
2-19-2026 [[45](#)]

RILEY WALTER/ATTY. FOR DBT.
RESPONSIVE PLEADING

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

DISPOSITION: The order to show cause will be vacated.

ORDER: The court will issue an order.

The record shows that the incorrect contact information was updated by the debtor's counsel. Therefore, this order to show cause will be VACATED. No appearance is necessary.

2. [25-10074](#)-A-12 **IN RE: CAPITAL FARMS, INC**
[CAE-1](#)

CONTINUED STATUS CONFERENCE RE: CHAPTER 12 VOLUNTARY PETITION
1-10-2025 [[1](#)]

PETER FEAR/ATTY. FOR DBT.

NO RULING.

3. [25-10074](#)-A-12 **IN RE: CAPITAL FARMS, INC**
[FW-17](#)

MOTION TO CONFIRM CHAPTER 12 PLAN
7-31-2025 [[251](#)]

CAPITAL FARMS, INC./MV
PETER FEAR/ATTY. FOR DBT.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted if record adequately supplemented.

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

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1), and with notice of the date for filing objections to confirmation at least 21 days prior to the deadline as required by Federal Rule of Bankruptcy Procedure 2002(a)(8). While no objection to confirmation was filed in response to the notice of this hearing, Metropolitan Tower Life Insurance Company ("MetLife") filed an objection to this plan prior to the notice of this hearing being filed and

served. Doc. #381. The failure of other creditors, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f) (1) (B) may be deemed a waiver of any opposition to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Therefore, the defaults of the non-responding parties in interest are entered. Because it is unclear to the court whether MetLife's objection to confirmation has been resolved, this matter will proceed as scheduled.

Capital Farms, Inc. ("Debtor"), the debtor in this chapter 12 case, moves the court for an order confirming the Chapter 12 Plan Dated January 17, 2026 (the "Plan"). Doc. #401. As noted above, MetLife filed an objection to confirmation of the Plan that has not been withdrawn.

The requirements for confirmation of a chapter 12 plan are outlined in 11 U.S.C. § 1225(a)-(b). The six requirements of § 1225(a) apply to all plans. The requirements of § 1225(b) only apply when the chapter 12 trustee or the holder of an allowed unsecured claims objects to confirmation. Because MetLife is a creditor of a lessor of Debtor and not a general unsecured creditor of Debtor, § 1225(b) does not apply to this Plan. Therefore, only the § 1225(a) requirements need to be considered to confirm the Plan.

With respect to § 1225(a) (1), the Plan complies with the applicable provisions of chapter 12 and meets the mandatory provisions of 11 U.S.C. § 1222(a). The Plan:

- (1) provides for the submission of all future earning or other future income of Debtor to the supervision and control of Trustee as is necessary for the execution of the Plan as required by § 1222(a) (1);
- (2) provides for the full payment, in deferred cash payments, of all claims entitled to priority under § 507, unless the holder of a particular claim agrees to a different treatment of that claim as required by § 1222(a) (2); and
- (3) provides the same treatment for each claim or interest within a particular class unless the holder of a particular claim or interest agrees to less favorable treatment as required by § 1222(a) (3).

Doc. #401; Supp. Decl. of Sukhwant S. Gill, Doc. #403. The provisions of § 1222(a) (4) and (a) (5) do not apply in this case.

With respect to § 1225(a) (2), the requirements have been met pursuant to the Plan. Debtor owes no fees under Chapter 123 of Title 28 of the United States Code, and the Plan requires no fees to be paid prior to confirmation. Plan, Doc. #401; Gill Supp. Decl., Doc. #403.

With respect to § 1225(a) (3), the Plan has been proposed in good faith and has not been proposed by any means forbidden by law. Gill Supp. Decl., Doc. #403.

With respect to § 1225(a) (4), Debtor asserts in its liquidation analysis that priority and general unsecured claims will receive nothing in a chapter 7 liquidation. Ex. A, Doc. #402. Because priority claims will be paid in full and general unsecured creditors will receive nothing under the Plan, it appears that the Plan complies with 11 U.S.C. § 1225(a) (4).

With respect to § 1225(a) (5), the Plan complies with the requirements for treatment of Debtor's secured creditors because: (a) the Plan does not modify the claims of Classes 3 and 8; (b) for Classes 2, 5, 6 and 7, the Plan provides the holder of a secured claim retains the lien securing the amount of the claim and the value of property to be distributed under the Plan on account of each

secured claim is not less than the allowed amount of the respective secured claim as of the effective date of the Plan; and (c) the Plan provides that the collateral has been surrendered to the Class 4 creditor.

With respect to § 1225(a)(6), in order to make the payments to creditors as provided under the Plan, Debtor proposes to make monthly plan payments in the amount of \$73,725.34 for the first 7 months of the Plan, and \$69,925.06 for the remaining 29 months of the Plan. Ex. B, Doc. #414. Based on the revised projected budget, it appears Debtor will be able to make all payments required by the Plan.

However, MetLife's objection to the Plan has not been addressed. Specifically, MetLife is the lender to Debtor's lessor of the Sankey Ranch, a lease that Debtor is to assume under the Plan. Plan, § 3.01.3, Doc. #401. In order to assume a lease, Debtor must pay all outstanding lease obligations, which MetLife asserts includes its attorneys' fees and costs incurred in this case with respect to the Sankey Ranch. Doc. #381. Before the court finds that the Plan meets the requirements of 11 U.S.C. § 1225(a)(6), the court requires Debtor to address whether MetLife's objection has been resolved and, if not, how Debtor intends to pay all amounts required to be paid by Debtor to assume the Sankey Ranch lease.

The provisions of § 1225(a)(7) do not apply in this case.

Accordingly, subject to Debtor adequately addressing the court's concerns at the hearing with respect to MetLife's objection to confirmation of the Plan, the court is inclined to confirm the Plan.

4. [25-11791](#)-A-11 **IN RE: FRED RAU DAIRY, INC**
[CAE-1](#)

CONTINUED STATUS CONFERENCE RE: CHAPTER 11 VOLUNTARY PETITION
5-29-2025 [\[1\]](#)

PETER FEAR/ATTY. FOR DBT.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Continued to April 22, 2026 at 9:30 a.m.

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

Based on the debtor's status report filed on March 18, 2026 (Doc. #239), this chapter 11 status conference will be continued to April 22, 2026 at 9:30 a.m., the same date and time as the court proposes to continue the debtor's motion for continued use of cash collateral.

CONTINUED MOTION TO USE CASH COLLATERAL
5-30-2025 [4]

FRED RAU DAIRY, INC/MV
PETER FEAR/ATTY. FOR DBT.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted on an interim basis through May 3, 2026;
continued hearing to be held on April 22, 2026 at
9:30 a.m.

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

This motion was initially set for final hearing on June 25, 2025 pursuant to the initial motion papers and an interim order authorizing use of cash collateral. Doc. ##4, 13. The final hearing was continued to July 16, 2025 (Doc. #43), then to August 13, 2025 (Doc. #68), then to October 29, 2025 (Doc. #93), then to November 25, 2025 (Doc. #148), then to December 10, 2025 (Doc. #160), then to January 7, 2026 (Doc. #176), then to January 28, 2026 (Doc. #222), and subsequently to March 25, 2026 ("Interim Order"). Doc. #234. Pursuant to the prior orders, including the Interim Order, the court has authorized the debtor's interim use of cash collateral through March 29, 2026.

The latest hearing to authorize the debtor's continued use of cash collateral on an interim basis was set on at least 14 days' notice prior to the hearing date pursuant to Federal Rule of Bankruptcy Procedure 4001(b)(2) and Local Rule of Practice 9014-1(f)(2) and will proceed as scheduled. Because the request authorizing continuing interim use of cash collateral through May 3, 2026 was noticed on less than 28 days' notice, opposition to the continued interim use of cash collateral may be raised at the hearing. Unless opposition is presented at the hearing, the court intends to enter the respondents' defaults and grant use of cash collateral on an interim basis from March 30, 2026 through May 3, 2026. If opposition is presented at the hearing, the court will consider the opposition and whether further hearing is proper. The court will issue an order if a further hearing is necessary.

Fred Rau Dairy, Inc. ("DIP"), the chapter 11 debtor and debtor-in-possession, moves the court for an order authorizing DIP to use the cash collateral of: (i) AgWest Farm Credit ("AgWest"); (ii) Farm Credit Leasing Services; (iii) Stanislaus Farm Supply Co.; (iv) Nutrien Ag Solutions, Inc.; and (v) Associated Feed and Supply through May 3, 2026 subject to a weekly budget. Motion, Doc. #4; Am. Ex. B, Doc. #28; Order, Doc. #68; Order, Doc. #93; Order, Doc. #148; Interim Order, Doc. #234. DIP seeks court authorization to use cash collateral to pay expenses incurred by DIP in the normal course of its business. Motion, Doc. #4. DIP conducts both dairy farming and crop farming. Decl. of Michael Reid, Doc. #6. At the time the original motion was filed, DIP had approximately 2,600 Holstein cows, springers, heifers and bulls as well as approximately 150 Angus steers and farmed approximately 2,750 acres of farmland. Id.

Pursuant to 11 U.S.C. § 363, a debtor in possession can use property of the estate that is cash collateral by obtaining either the consent of each entity that has an interest in such cash collateral or court authorization after

notice and a hearing. 11 U.S.C. § 363(c)(2). "The primary concern of the court in determining whether cash collateral may be used is whether the secured creditors are adequately protected." In re Plaza Family P'ship, 95 B.R. 166 (E.D. Cal. 1989) (citing 11 U.S.C. § 363(e)). Bankruptcy Code section 361(1) states that adequate protection may be provided by "requiring the [debtor in possession] to make a cash payment or periodic cash payments to such entity, to the extent that the stay under section 362 of this title, use, sale, or lease under section 363 of this title, or any grant of a lien under section 364 of this title results in a decrease in the value of such entity's interest in such property." 11 U.S.C. § 361(1). Pursuant to 11 U.S.C. § 363(p), DIP carries the burden of proof on the issue of adequate protection.

On July 31, 2025, AgWest and DIP entered into a stipulation for DIP's use of AgWest's cash collateral ("Stipulation"). Doc. #77. At a hearing held on January 28, 2026, the court granted continued use of cash collateral on an interim basis through March 29, 2026, and required DIP to file supplemental papers on or before March 11, 2026. Interim Order, Doc. #234. On March 11, 2026, DIP filed a request for its continued use of cash collateral through May 3, 2026 based on the budget attached to the Interim Order. Doc. #237.

As adequate protection for DIP's use of cash collateral, DIP will grant replacement liens to Farm Credit Leasing Services, Stanislaus Farm Supply Co., Nutrien Ag Solutions, Inc. and Associated Feed and Supply (collectively, "Secured Creditors") to the extent Secured Creditors' cash collateral is used. Based on the budget attached to the Interim Order, DIP's use of cash collateral will generate less income than the cash collateral to be used through May 3, 2026. Doc. #234.

Because AgWest has stipulated to the use of its cash collateral, the court only needs to authorize DIP's use of Secured Creditors' cash collateral. The court finds DIP has met its burden of showing that Secured Creditors are adequately protected for DIP's use of their cash collateral by the proposed replacement liens. Doc. #234. Moreover, DIP needs to use the cash collateral to continue its post-petition business operations. Reid Decl., Doc. #6.

In the notice filed and served on March 11, 2026, DIP requested a new continued hearing on DIP's continued use of cash collateral in late April with a new budget to be filed and served at least 14 days prior to the new hearing. Doc. #237. The court proposes a continued hearing date of April 22, 2026 at 9:30 a.m., with supplemental pleadings to be filed and served no later than April 8, 2026.

Accordingly, pending opposition being raised at the hearing, the court will GRANT DIP's request to use cash collateral on an interim basis through May 3, 2026 on the terms set forth in the motion, as amended by interim orders and the Stipulation, and subject to the budget attached to the Interim Order. The court will continued the hearing to permit use of cash collateral beyond May 3, 2026 to April 22, 2026 at 9:30 a.m., with supplemental pleadings to be filed and served no later than April 8, 2026.

6. [23-23996](#)-A-11 **IN RE: 9250 BIG HORN HOLDINGS, INC.**
[CAE-1](#)

CONTINUED STATUS CONFERENCE RE: CHAPTER 11 VOLUNTARY PETITION
11-7-2023 [[1](#)]

GABRIEL LIBERMAN/ATTY. FOR DBT.
RESPONSIVE PLEADING

NO RULING.

7. [23-23996](#)-A-11 **IN RE: 9250 BIG HORN HOLDINGS, INC.**
[DL-6](#)

CONTINUED MOTION TO CONVERT CASE FROM CHAPTER 11 TO CHAPTER 7
11-10-2025 [[283](#)]

GABRIEL LIBERMAN/ATTY. FOR DBT.
WALTER DAHL/ATTY. FOR MV.
RESPONSIVE PLEADING

NO RULING.

8. [23-23996](#)-A-11 **IN RE: 9250 BIG HORN HOLDINGS, INC.**
[DL-7](#)

CONTINUED MOTION FOR APPROVAL OF AMENDED DISCLOSURE STATEMENT
11-17-2025 [[294](#)]

WALTER DAHL/MV
GABRIEL LIBERMAN/ATTY. FOR DBT.
WALTER DAHL/ATTY. FOR MV.
RESPONSIVE PLEADING

NO RULING.

11:00 AM

1. [26-10223](#)-A-7 **IN RE: LETICIA HAMILTON**

PRO SE REAFFIRMATION AGREEMENT WITH BENEFICIAL STATE BANK
3-3-2026 [[20](#)]

NO RULING.

1. [26-10009](#)-A-7 **IN RE: MARIO/IVONNE MARTINEZ**
[TCS-1](#)

MOTION TO AVOID LIEN OF PORTFOLIO RECOVERY ASSOCIATES, LLC
2-13-2026 [[21](#)]

IVONNE MARTINEZ/MV
TIMOTHY SPRINGER/ATTY. FOR DBT.

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

DISPOSITION: Granted.

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

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movants have done here.

Mario Alberto Martinez and Ivonne Martinez (together, "Debtors"), the debtors in this chapter 7 case, move pursuant to 11 U.S.C. § 522(f) and Federal Rules of Bankruptcy Procedure 4003(d) and 9014 to avoid the judicial lien of Portfolio Recovery Associates, LLC ("Creditor") on the residential real property commonly referred to as 510 Willis Avenue, Madera, California 93637 (the "Property"). Doc. #21; Schedule C, Doc. #13; Schedule D, Doc. #13.

In order to avoid a lien under 11 U.S.C. § 522(f)(1), the movant must establish four elements: (1) there must be an exemption to which the debtor would be entitled under § 522(b); (2) the property must be listed on the debtor's schedules as exempt; (3) the lien must impair the exemption; and (4) the lien must be either a judicial lien or a non-possessory, non-purchase money security interest in personal property listed in § 522(f)(1)(B). 11 U.S.C. § 522(f)(1); Goswami v. MTC Distrib. (In re Goswami), 304 B.R. 386, 390-91 (B.A.P. 9th Cir. 2003) (quoting In re Mohring, 142 B.R. 389, 392 (Bankr. E.D. Cal. 1992)).

Where the movant seeks to avoid multiple liens as impairing the debtor's exemption, the liens must be avoided in the reverse order of their priority. Bank of Am. Nat'l Tr. & Sav. Ass'n v. Hanger (In re Hanger), 217 B.R. 592, 595 (B.A.P. 9th Cir. 1997). Liens already avoided are excluded from the exemption-impairment calculation with respect to other liens. Id.; 11 U.S.C. § 522(f)(2)(B). The court "must approach lien avoidance from the back of the line, or at least some point far enough back in line that there is no nonexempt equity in sight." All Points Cap. Corp. v. Meyer (In re Meyer), 373 B.R. 84, 88

(B.A.P. 9th Cir. 2007). “[J]udicial liens are avoided in reverse order until the marginal lien, i.e., the junior lien supported in part by equity, is reached.” Id.

Debtors filed the bankruptcy petition on January 3, 2026. Doc. #1. A judgment was entered against Debtors in the amount of \$5,632.81 in favor of Creditor on May 25, 2022. Ex. B, Doc. #24. The abstract of judgment was recorded pre-petition in Madera County on January 25, 2023, as document number 2023001525. Ex. B, Doc. #24. The lien attached to Debtors’ interest in the Property located in Madera County. Doc. #21. The Property also is encumbered by a lien in favor of LoanCare LLC in the amount \$218,215.00. Schedule D, Doc. #13. Debtors claimed an exemption of \$200,000.00 in the Property under California Code of Civil Procedure § 704.730. Schedule C, Doc. #13. Debtors assert a market value for the Property as of the petition date at \$398,000.00. Schedule A/B, Doc. #13. Debtors also set for hearing a motion to avoid one junior judicial lien on the Property, which is being granted (see calendar matter #2 below).

Applying the statutory formula:

Amount of Creditor’s judicial lien		\$5,632.81
Total amount of all other liens on the Property (excluding junior judicial liens)	+	\$218,215.00
Amount of Debtor’s claim of exemption in the Property	+	\$200,000.00
		\$423,847.81
Value of Debtor’s interest in the Property absent liens	-	\$398,000.00
Amount Creditor’s lien impairs Debtor’s exemption		\$25,847.81

After application of the arithmetical formula required by § 522(f)(2)(A), the court finds there is insufficient equity to support Creditor’s judicial lien. Therefore, the fixing of this judicial lien impairs Debtors’ exemption in the Property and its fixing will be avoided.

Debtors have established the four elements necessary to avoid a lien under 11 U.S.C. § 522(f)(1). Accordingly, this motion is GRANTED. The proposed order shall state that Creditor’s judicial lien is avoided on the subject Property only and include a copy of the abstract of judgment as an exhibit.

2. [26-10009](#)-A-7 **IN RE: MARIO/IVONNE MARTINEZ**
[TCS-2](#)

MOTION TO AVOID LIEN OF PORTFOLIO RECOVERY ASSOCIATES, LLC
2-16-2026 [\[26\]](#)

IVONNE MARTINEZ/MV
TIMOTHY SPRINGER/ATTY. FOR DBT.

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

DISPOSITION: Granted.

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

This motion was set for hearing on at least 28 days’ notice prior to the hearing date pursuant to Local Rule of Practice (“LBR”) 9014-1(f)(1). The failure of creditors, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of

the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movants have done here.

Mario Alberto Martinez and Ivonne Martinez (together, "Debtors"), the debtors in this chapter 7 case, move pursuant to 11 U.S.C. § 522(f) and Federal Rules of Bankruptcy Procedure 4003(d) and 9014 to avoid the judicial lien of Portfolio Recovery Associates, LLC ("Creditor") on the residential real property commonly referred to as 510 Willis Avenue, Madera, California 93637 (the "Property"). Doc. #26; Schedule C, Doc. #13; Schedule D, Doc. #13.

In order to avoid a lien under 11 U.S.C. § 522(f)(1), the movant must establish four elements: (1) there must be an exemption to which the debtor would be entitled under § 522(b); (2) the property must be listed on the debtor's schedules as exempt; (3) the lien must impair the exemption; and (4) the lien must be either a judicial lien or a non-possessory, non-purchase money security interest in personal property listed in § 522(f)(1)(B). 11 U.S.C. § 522(f)(1); Goswami v. MTC Distrib. (In re Goswami), 304 B.R. 386, 390-91 (B.A.P. 9th Cir. 2003) (quoting In re Mohring, 142 B.R. 389, 392 (Bankr. E.D. Cal. 1992)).

Where the movant seeks to avoid multiple liens as impairing the debtor's exemption, the liens must be avoided in the reverse order of their priority. Bank of Am. Nat'l Tr. & Sav. Ass'n v. Hanger (In re Hanger), 217 B.R. 592, 595 (B.A.P. 9th Cir. 1997). Liens already avoided are excluded from the exemption-impairment calculation with respect to other liens. Id.; 11 U.S.C. § 522(f)(2)(B). The court "must approach lien avoidance from the back of the line, or at least some point far enough back in line that there is no nonexempt equity in sight." All Points Cap. Corp. v. Meyer (In re Meyer), 373 B.R. 84, 88 (B.A.P. 9th Cir. 2007). "[J]udicial liens are avoided in reverse order until the marginal lien, i.e., the junior lien supported in part by equity, is reached." Id.

Debtors filed the bankruptcy petition on January 3, 2026. Doc. #1. A judgment was entered against Debtors in the amount of \$4,077.65 in favor of Creditor on September 7, 2023. Ex. B, Doc. #29. The abstract of judgment was recorded pre-petition in Madera County on November 11, 2023, as document number 2023022292. Ex. B, Doc. #29. The lien attached to Debtors' interest in the Property located in Madera County. Doc. #26. The Property also is encumbered by a lien in favor of LoanCare LLC in the amount \$218,215.00. Schedule D, Doc. #13. Debtors claimed an exemption of \$200,000.00 in the Property under California Code of Civil Procedure § 704.730. Schedule C, Doc. #13. Debtors assert a market value for the Property as of the petition date at \$398,000.00. Schedule A/B, Doc. #13. There appears to be a senior judicial lien recorded in Madera County on January 25, 2023 with respect to a lien held by Portfolio Recovery Associates, LLC entered on May 25, 2022 for \$5,632.81. Ex. D, Doc. #29.

Applying the statutory formula:

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Amount of Creditor's judicial lien		\$4,077.65
Total amount of all other liens on the Property (excluding junior judicial liens)	+	\$223,847.81
Amount of Debtor's claim of exemption in the Property	+	\$200,000.00
		\$427,925.46
Value of Debtor's interest in the Property absent liens	-	\$398,000.00
Amount Creditor's lien impairs Debtor's exemption		\$29,925.46

After application of the arithmetical formula required by § 522(f)(2)(A), the court finds there is insufficient equity to support Creditor's judicial lien. Therefore, the fixing of this judicial lien impairs Debtors' exemption in the Property and its fixing will be avoided.

Debtors have established the four elements necessary to avoid a lien under 11 U.S.C. § 522(f)(1). Accordingly, this motion is GRANTED. The proposed order shall state that Creditor's judicial lien is avoided on the subject Property only and include a copy of the abstract of judgment as an exhibit.

3. [25-14314](#)-A-7 **IN RE: OLGA SALINAS**
[KMM-1](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY
2-12-2026 [\[13\]](#)

SYSTEMS & SERVICES TECHNOLOGIES, INC./MV
D. GARDNER/ATTY. FOR DBT.
KIRSTEN MARTINEZ/ATTY. FOR MV.

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

DISPOSITION: Granted.

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

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the debtor, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a movant make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

The movant, Systems & Services Technologies, Inc. ("Movant"), seeks relief from the automatic stay under 11 U.S.C. § 362(d)(1) and (d)(2) with respect to a 2014 Solaire 297RLDS, VIN: 4X4TPAF26EN016165 ("Vehicle"). Doc. #13.

11 U.S.C. § 362(d)(1) allows the court to grant relief from the stay for cause, including the lack of adequate protection. "Because there is no clear definition of what constitutes 'cause,' discretionary relief from the stay must

be determined on a case by case basis." In re Mac Donald, 755 F.2d 715, 717 (9th Cir. 1985).

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

After review of the included evidence, the court finds that "cause" exists to lift the stay because the debtor has failed to make at least four complete pre- and post-petition payments. Movant has produced evidence that the debtor is delinquent by at least \$1,515.24. Decl. of Shelly Seipel, Doc. #16. Movant is in possession of the Vehicle. Id.

The court also finds that the debtor does not have any equity in the Vehicle and the Vehicle is not necessary to an effective reorganization because the debtor is in chapter 7. Id. The Vehicle is valued at \$10,100.00 and the debtor owes \$27,596.04. Seipel Decl., Doc. #16.

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

4. [26-10316](#)-A-7 **IN RE: CHUCK/NANCY LAU**
[AP-1](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY
2-23-2026 [[19](#)]

ROCKET MORTGAGE, LLC/MV
PETER BUNTING/ATTY. FOR DBT.
WENDY LOCKE/ATTY. FOR MV.
CONT'D TO 4/22/26 BY ECF ORDER #35

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

DISPOSITION: Continued to April 22, 2026 at 1:30 p.m.

NO ORDER REQUIRED.

On March 24, 2026, the court issued an order granting movant's request to continue the hearing on the motion for relief from the automatic stay to April 22, 2026 at 1:30 p.m. Doc. #35.

MOTION TO COMPEL ABANDONMENT
3-11-2026 [26]

NANCY LAU/MV
PETER BUNTING/ATTY. FOR DBT.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted.

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

This motion was filed and served on at least 14 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(2) and will proceed as scheduled. Unless opposition is presented at the hearing, the court intends to enter the respondents' defaults and grant the motion. If opposition is presented at the hearing, the court will consider the opposition and whether further hearing is proper pursuant to LBR 9014-1(f)(2). The court will issue an order if a further hearing is necessary.

Chuck Hing Lau and Nancy Quemada Lau (together, "Debtors"), the chapter 7 debtors in this case, move the court to compel the chapter 7 trustee to abandon the estate's interest in the single-family residence located at 1890 North Hornet Avenue, Clovis, California 93619 (the "Property"). Doc. #26. Debtors assert that they have no non-exempt equity in the Property and the Property therefore has no value to the bankruptcy estate. Id.

11 U.S.C. § 554(b) permits the court, on request of a party in interest and after notice and a hearing, to order the trustee to abandon property that is burdensome to the estate or of inconsequential value and benefit to the estate. Vu v. Kendall (In re Vu), 245 B.R. 644, 647 (B.A.P. 9th Cir. 2000). To grant a motion to abandon property, the bankruptcy court must find either that the property is (1) burdensome to the estate or (2) of inconsequential value and inconsequential benefit to the estate. Id. (citing Morgan v. K.C. Mach. & Tool Co. (In re K.C. Mach. & Tool Co.), 816 F.2d 238, 245 (6th Cir. 1987)). However, "an order compelling abandonment [under § 554(b)] is the exception, not the rule. Abandonment should only be compelled in order to help the creditors by assuring some benefit in the administration of each asset. . . . Absent an attempt by the trustee to churn property worthless to the estate just to increase fees, abandonment should rarely be ordered." Id. (quoting K.C. Mach. & Tool Co., 816 F.2d at 246).

Here, Debtors do not allege that the Property is burdensome to the estate. Motion, Doc. #26. Therefore, Debtors must establish that the Property is of inconsequential value and benefit to the estate. 11 U.S.C. § 554(b); Vu, 245 B.R. at 647. Debtors' Property is valued at \$745,200.00, and the Property is encumbered by a first deed of trust in the amount of \$386,887.87 and a second deed of trust in the amount of \$22,423.19, totalings \$409,311.06 in secured liens. Schedule D, Doc. #13; Decl. of Chuck Hing Lau, Doc. #28. Under California Civil Procedure Code § 704.730, Debtors claimed an exemption of \$428,000.00 in the Property. Schedule C, Doc. #13; Lau Decl., Doc. #28. The court finds that Debtors have met their burden of establishing by a preponderance of the evidence that the Property is of inconsequential value and benefit to the estate.

Accordingly, pending opposition being raised at the hearing, this motion will be GRANTED. The order shall specifically identify the property abandoned.

6. [26-10319](#)-A-7 **IN RE: IGNACIO/IRENE VALDEZ**

ORDER TO SHOW CAUSE - FAILURE TO PAY FEES
3-4-2026 [[35](#)]

\$34.00 FILING FEE PAID 3/5/26

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

DISPOSITION: The order to show cause will be vacated.

ORDER: The court will issue an order.

The record shows that the amendment filing fees now due have been paid.

7. [26-10426](#)-A-7 **IN RE: MANMEET SARNA AND LAKHVINDER KAUR**
[JCW-1](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY
2-24-2026 [[10](#)]

FINANCIAL SERVICES VEHICLE TRUST/MV
JERRY LOWE/ATTY. FOR DBT.
JENNIFER WONG/ATTY. FOR MV.

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

DISPOSITION: Granted.

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

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the debtors, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a movant make a prima facie showing that they are entitled to the relief sought, which the movant has done here.

The movant, Financial Services Vehicle Trust ("Movant"), seeks relief from the automatic stay under 11 U.S.C. § 362(d)(1) with respect to a 2025 BMW X6 xDrive40i Sport Utility 4D, VIN: 5YM23ET0XS9X97193 ("Vehicle"). Doc. 10.

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

After review of the included evidence, the court finds that "cause" exists to lift the stay because the debtors have failed to make at least five complete pre-petition payments. Movant has produced evidence that the debtors are delinquent by at least \$14,189.85. Decl. of Christopher Dick, Doc. #12. In addition, the debtors do not have any interest in the Vehicle because the debtors' possession of the Vehicle stems from a lease agreement with Movant. Id.; Ex. A, Doc. #13.

Accordingly, the motion is granted pursuant to 11 U.S.C. § 362(d)(1) to permit Movant to gain immediate possession of the Vehicle pursuant to applicable law. No other relief is awarded.

The 14-day stay of Fed. R. Bankr. P. 4001(a)(4) is ordered waived because the debtors have failed to make at least five pre-petition payments to Movant in accordance with the lease agreement.

8. [25-14134](#)-A-7 **IN RE: KAITLIN CASAREZ**
[JCW-1](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY
2-12-2026 [[13](#)]

FORD MOTOR CREDIT COMPANY LLC/MV
D. GARDNER/ATTY. FOR DBT.
JENNIFER WONG/ATTY. FOR MV.

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

DISPOSITION: Granted.

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

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the debtor, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a movant make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

The movant, Ford Motor Credit Company LLC ("Movant"), seeks relief from the automatic stay under 11 U.S.C. § 362(d)(1) and (d)(2) with respect to a

2019 Ford EcoSport S Sport Utility 4D; VIN: MAJ3S2FEXKC265098 ("Vehicle").
Doc. #13.

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

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

After review of the included evidence, the court finds that "cause" exists to lift the stay because the debtor has failed to make at least two complete pre- and post-petition payments. Movant has produced evidence that the debtor is delinquent by at least \$1,134.66. Decl. of Pamela Rucker, Doc. #16.

The court also finds that the debtor does not have any equity in the Vehicle and the Vehicle is not necessary to an effective reorganization because the debtor is in chapter 7. The Vehicle is valued at \$4,585.00 and the debtor owes \$8,903.19. Rucker Decl., Doc. #16.

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

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

9. [26-10339-A-7](#) **IN RE: ENEDINA SCOTT**
[SKI-1](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY
2-24-2026 [[13](#)]

TD BANK, N.A./MV
MARK ZIMMERMAN/ATTY. FOR DBT.
SHERYL ITH/ATTY. FOR MV.

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

DISPOSITION: Granted.

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

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the debtor, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-

mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a movant make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

The movant, TD Bank, N.A. ("Movant"), seeks relief from the automatic stay under 11 U.S.C. § 362(d)(1) and (d)(2) with respect to a 2023 Cadillac CT4, VIN: 1G6DB5RK4P0124699 ("Vehicle"). Doc. #13.

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

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

After review of the included evidence, the court finds that "cause" exists to lift the stay because the debtor has failed to make at least one complete pre-petition payment. Movant has produced evidence that the debtor is delinquent by at least \$675.33 plus repossession fees in the amount of \$400.00. Decl. of David L. Tagliaferri, Doc. #17. The Vehicle was voluntarily surrendered to Movant on January 27, 2026. Id.

The court also finds that the debtor does not have any equity in the Vehicle and the Vehicle is not necessary to an effective reorganization because the debtor is in chapter 7. The Vehicle is valued at \$30,425.00 and the debtor owes \$31,233.41. Decl. of John Eng, Doc. #16; Tagliaferri Decl., Doc. #17.

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

The 14-day stay of Fed. R. Bankr. P. 4001(a)(4) is ordered waived because the debtor has failed to make at least one pre-petition payment to Movant, the Vehicle is a depreciating asset, and the debtor has already voluntarily surrendered the Vehicle to Movant.

10. [25-13552](#)-A-7 **IN RE: LUIS ROSALES**
[PFT-1](#)

OPPOSITION RE: TRUSTEE'S MOTION TO DISMISS FOR FAILURE TO APPEAR AT
SEC. 341(A) MEETING OF CREDITORS
2-9-2026 [[22](#)]

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

DISPOSITION: Conditionally denied.

ORDER: The court will issue the order.

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

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

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

11. [25-10662](#)-A-7 **IN RE: RICARDO/LORI CAZARES**
[FW-7](#)

MOTION TO COMPROMISE CONTROVERSY/APPROVE SETTLEMENT AGREEMENT WITH
RICARDO CAZARES AND LORI ANGELICA CAZARES
2-23-2026 [\[66\]](#)

PETER FEAR/MV
STEPHAN BROWN/ATTY. FOR DBT.
GABRIEL WADDELL/ATTY. FOR MV.

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

DISPOSITION: Granted.

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

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

As a procedural matter, the notice of hearing filed in connection with this motion does not comply with LBR 9014-1(d)(3)(B)(i), which requires the notice include the names and addresses of persons who must be served with any opposition. The court encourages counsel to review the local rules to ensure compliance in future matters or those matters may be denied without prejudice for failure to comply with the local rules. The rules can be accessed on the court's website at <https://www.caeb.uscourts.gov/LocalRules.aspx>.

Peter L. Fear ("Trustee"), the chapter 7 trustee of the bankruptcy estate of Ricardo Cazares and Lori Angelica Cazares (together "Debtors"), moves the court for an order pursuant to Federal Rule of Bankruptcy Procedure 9019 approving a settlement between Trustee and Debtors. Doc. #66.

Debtors, in their schedules filed on March 3, 2025, disclosed an ownership interest in (1) a 1982 Chevrolet Pick-Up valued at \$39,600.00, (2) a 2021 Ford F-350 valued at \$58,982.00, in which Debtors claimed an exemption in the amount of \$20,336.96, and (3) 100% of Cazares Insurance Marketing, LLC ("LLC"), valued at \$896.68, in which Debtors claimed an exemption in the amount of \$896.68 (collectively, the "Property"). Schedules A/B & C, Doc. #1; Tr's Decl., Doc. #68. Trustee and Debtors disputed several issues regarding the Property, such as the actual values of the Property, the ownership rights of the proceeds of the LLC, and the right to sell the LLC to third parties, subject to higher bid, owing to the fact that the LLC is involved in the insurance industry and is subject to restrictions on license and licensees. Id. To resolve these disputes, Trustee agrees to sell the Property to Debtors for \$180,000.00. Id. Debtors and Trustee entered into a settlement agreement ("Settlement Agreement") that calls for Debtor to pay the sum of \$180,000.00 in monthly installments of \$7,500.00. Id.; Ex. A, Doc. #69. Debtors have made four monthly installment payments totaling \$30,000.00 thus far. Tr's Decl., Doc. #68.

On a motion by the trustee and after notice and a hearing, the court may approve a compromise or settlement. Fed. R. Bankr. P. 9019. Approval of a compromise must be based upon considerations of fairness and equity. Martin v. Kane (In re A & C Props.), 784 F.2d 1377, 1381 (9th Cir. 1986). The court must consider and balance four factors: (1) the probability of success in the litigation; (2) the difficulties, if any, to be encountered in the matter of collection; (3) the complexity of the litigation involved, and the expense, inconvenience, and delay necessarily attending it; and (4) the paramount interest of the creditors with a proper deference to their reasonable views. Woodson v. Fireman's Fund Ins. Co. (In re Woodson), 839 F.2d 610, 620 (9th Cir. 1988).

It appears from the moving papers that Trustee has considered the standards of A & C Properties and Woodson. Doc. #66. Regarding the first Woodson factor, Trustee is uncertain whether he will succeed in litigating the issues in dispute because litigation is inherently risky, and this uncertainty causes him to believe approval of the settlement is in the best interests of the estate. Tr's Decl., Doc. #68.

Regarding the second Woodson factor, Trustee believes collection will not be an issue because Trustee is holding onto the funds already paid by Debtors as well as the title to the two motor vehicles, and Trustee could proceed to liquidate the vehicles should Debtors fail to pay the remaining \$150,000.00 owed under the Settlement Agreement. Tr's Decl., Doc. #68. However, Debtors have consistently paid the monthly settlement installments since last year and their payment history leads Trustee to believe Debtors are motivated to complete their obligations under the Settlement Agreement. Id.

Regarding the third and fourth Woodson factors, Trustee believes the value of the vehicles, Debtors' interest in the LLC, and the value of the LLC would be resolved with relatively low complexity, but the estate's right to collect the proceeds from the LLC and Trustee's ability to liquidate the LLC at general auction to the public will be more complex. Tr's Decl., Doc. #68. Moreover, approving the settlement will result in \$180,000.00 for the benefit of the estate, which Trustee believes is the only opportunity for any creditors to get any payment out of the estate. Id.

The court concludes that the Woodson factors balance in favor of approving the compromise, and the compromise is in the best interests of the creditors and the estate. It appears that the compromise pursuant to Federal Rule of Bankruptcy Procedure 9019 is a reasonable exercise of Trustee's business judgment. The court may give weight to the opinions of the trustee, the parties, and their attorneys. In re Blair, 538 F.2d 849, 851 (9th Cir. 1976).

No opposition has been filed. Furthermore, the law favors compromise and not litigation for its own sake. Id.

Accordingly, the motion is GRANTED, and the Settlement Agreement between Trustee and Debtors is approved.

12. [22-11268](#)-A-7 **IN RE: IVAN MENDOZA AND YADIRA MADRIGAL**
[FW-5](#)

MOTION FOR COMPENSATION BY THE LAW OFFICE OF FEAR WADDELL, P.C. FOR
PETER A. SAUER, TRUSTEES ATTORNEY(S)
2-20-2026 [83]

T. O'TOOLE/ATTY. FOR DBT.
PETER SAUER/ATTY. FOR MV.

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

DISPOSITION: Granted.

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

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the debtors, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

Fear Waddell, P.C., ("Movant"), attorney for chapter 7 trustee Peter L. Fear ("Trustee"), requests allowance of final compensation and reimbursement for expenses for services rendered from August 16, 2023 through February 19, 2026. Doc. #83. Movant provided legal services valued at \$10,073.50, and requests compensation for that amount. Id. Movant requests reimbursement for expenses in the amount of \$205.98. Id. This is Movant's first and final fee application. Trustee consents to the amount requested in Movant's application. Decl. of Peter L. Fear, Doc. #85.

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

Movant's services included, without limitation: (1) providing counsel to Trustee as to the administration of the chapter 7 case; (2) investigating the debtor's "Lemon Law" action; (3) communicating with special counsel regarding

structure of a proposed settlement; (4) researching and analyzing the statutory fee scheme under California "Lemon Law"; (5) preparing a motion for court approval of the settlement; (6) preparing and filing employment and fee applications; and (7) reviewing proofs of claim. Decl. of Peter A. Sauer, Doc. #86; Exs. A & B, Doc. #87. The court finds the compensation and reimbursement sought are reasonable, actual, and necessary.

This motion is GRANTED on a final basis. The court allows final compensation in the amount of \$10,073.50 and reimbursement for expenses in the amount of \$205.98. Trustee is authorized to make a combined payment of \$10,279.48, representing compensation and reimbursement, to Movant. Trustee is authorized to pay the amount allowed by this order from available funds only if the estate is administratively solvent and such payment is consistent with the priorities of the Bankruptcy Code.

13. [25-22383](#)-A-7 **IN RE: WAYNE/CHRISTINE PARKER**
[DNL-4](#)

MOTION TO SELL
2-26-2026 [79]

ETHAN BIRNBERG/MV
PATRICIA WILSON/ATTY. FOR DBT.
J. CUNNINGHAM/ATTY. FOR MV.
RESPONSIVE PLEADING

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Continue to April 22, 2026 at 1:30 p.m.

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

This motion was filed and served on at least 21 days' notice prior to the hearing date pursuant to Federal Rule of Bankruptcy Procedure 2002 and Local Rule of Practice ("LBR") 9014-1(f)(2) and will proceed as scheduled. While not required, Redding Business Park LLC ("Creditor") filed opposition to Debtors' motion to sell. Doc. ##86, 88. Based on Creditor's opposition, the court intends to continue the hearing on this motion until Creditor's objection to Debtors' claimed exemptions has been resolved.

Ethan J. Birnberg ("Trustee"), the chapter 7 trustee of the bankruptcy estate of Wayne Evan Parker and Christine Eve Parker (together, "Debtors"), moves the court for an order authorizing the sale of the following company assets and vehicles to Debtors:

- (1) 18,000# Clark Forklift;
- (2) 10,000# Hyster Forklift;
- (3) 66 Ton 2008 UniHydro Iron Worker;
- (4) 1982 Marvel Series 8, Mark 1, Band Saw;
- (5) 12" Cold Saw;
- (6) Miller Plasma Cutter Spectrum 2050;
- (7) 2007 Miller 140 Welder;
- (8) 2007 Miller-Matic 252 Welder;

- (9) Miller CP-302, 3- Phase Welder;
- (10) Miller 225G Bobcat Welder/Generator;
- (11) Misc. Shelves and Racks;
- (12) Acetylene/Oxygen Torch Set;
- (13) Misc. Hand Power Tools;
- (14) Misc. Battery Powered Hand Tools;
- (15) Misc. Hand Tools - Hammers, Saws, Prybars, Wrenches, etc.;
- (16) Misc. Chains, Straps, Tie Downs, Ropes, etc.;
- (17) (3) 8x15 Metal Sheds¹;
- (18) 10# Delta Table Saw;
- (19) Kyocera Taskalfa 3253 ci Office Copier;
- (20) KIP 770 Plotter;
- (21) 125 KW Kohler Generator (NonCARB Compliant);
- (22) JLG Scissor Lift (not operational w/bad motor);
- (23) 2003 Toyota Tacoma;
- (24) 2000 Ford F350;
- (25) 1963 Toyota FJ40;
- (26) 2005 Honda Ricon 250;
- (27) 1991 Bluewater Boat 19';
- (28) 1992 Boat Trailer;
- (29) 2006 Suzuki Quad Elger 400;
- (30) 2000 Karavan Utility Trailer;
- (31) 1994 Shop Fab 32' Truss Trailer; and
- (32) 2002 Big Tex MP Trailer

(collectively, "Personal Property"). Tr.'s Mot., Doc. #79. Trustee proposes to sell the Personal Property to Debtors for \$40,800, payable by \$12,900 in cash and \$27,900 in allowed exemptions. Id. The proposed sale is subject to overbid through the conclusion of the sale hearing. Id.

Pursuant to 11 U.S.C. § 363(b)(1), the trustee, after notice and a hearing, may "use, sell, or lease, other than in the ordinary course of business, property of the estate." Proposed sales under § 363(b) are reviewed to determine whether they are: (1) in the best interests of the estate resulting from a fair and reasonable price; (2) supported by a valid business judgment; and (3) proposed in good faith. In re Alaska Fishing Adventure, LLC, 594 B.R. 883, 887 (Bankr. D. Alaska 2018) (citing 240 N. Brand Partners, Ltd. v. Colony GFP Partners, L.P. (In re 240 N. Brand Partners, Ltd.), 200 B.R. 653, 659 (B.A.P. 9th Cir. 1996)). "In the context of sales of estate property under § 363, a bankruptcy court 'should determine only whether the trustee's judgment [is] reasonable and whether a sound business justification exists supporting the sale and its terms.'" Alaska Fishing Adventure, 594 B.R. at 889 (quoting 3 COLLIER ON BANKRUPTCY ¶ 363.02[4] (Richard Levin & Henry J. Sommer eds., 16th ed.)). "[T]he trustee's business judgment is to be given great judicial deference."

¹ The motion includes (3) 8x15 Metal Sheds ("Sheds") as part of the Personal Property to be sold as well as part of the excluded items that are not part of this motion. Doc. #79. A subsequent correction was filed by Trustee stating that the Sheds should not have been included in the excluded items and should be part of the Personal Property to be sold to Debtors by Trustee. Doc. #84.

Id. at 889-90 (quoting In re Psychometric Sys., Inc., 367 B.R. 670, 674 (Bankr. D. Colo. 2007)).

Trustee believes that approval of the sale of the Personal Property on the terms set forth in the motion is in the best interests of creditors and the estate. Decl. of Ethan J. Birnberg, Doc. #81. Trustee and Debtors have entered into an agreement for the purchase and sale of the Personal Property. Birnberg Decl., Doc. #81. Trustee holds a deposit in the amount of \$40,300.00 previously tendered by Debtors toward the purchase of an estate asset that was not approved by the court. Ex. A, Doc. #82. After those funds were tendered, Trustee learned that the tender was funded in part by \$16,640.00 in estate funds derived from an unscheduled refund received from the trustee assigned to a prior chapter 13 bankruptcy case filed by Debtors. Id. The difference is \$23,660.00. Id.

Creditor objects to the motion to sell the Personal Property because:

(1) Debtor has undervalued all of the estate's property, (2) an independent appraisal should be done so Debtors' schedules reflect fair market value, (3) the "tools-of-trade" exemption is not correctly applied, (4) Debtors have not provided evidence to support Debtors' financial capacity to fund this purchase, (5) a proposed sale to proposed buyer Michael Roberts warrants disclosure of relationship to Debtors, and (6) the motion to sell has not been made in good faith. Doc. #86, 88.

With respect to Creditor's objection that addresses property not included in the instant motion to sell, the court will not make any determinations at this time regarding that objection because that property is not the subject of this motion.

While Trustee has responded to Creditor's opposition stating that the issues raised regarding Debtors' exemptions have now been resolved, there is no indication by Creditor that the issues raised in its opposition have been satisfied. Doc. #101. Creditor filed and served an objection to Debtors' claim of exemptions one day after Trustee filed his reply to Creditor's opposition. See Doc. #90.

Creditor's objection to Debtors' claimed exemptions in the Personal Property is set for hearing on April 22, 2026 at 1:30 p.m. Because the cash amount to be paid by Debtors for the Personal Property requires a determination of the amount of Debtors' allowed exemptions, this motion will be continued to be heard in conjunction with Creditor's objection to Debtors' claimed exemptions in the Personal Property.

Accordingly, pending further opposition being raised at the hearing, this motion will be continued to April 22, 2026 at 1:30 p.m. to be heard with the hearing on Creditor's objection to exemptions (LMR-3). Doc. ##95-98.

14. [24-13492](#)-A-7 **IN RE: ROGELIO/MYRA RIOS**
[RSW-3](#)

MOTION TO APPROVE LOAN MODIFICATION
3-9-2026 [\[65\]](#)

MYRA RIOS/MV
ROBERT WILLIAMS/ATTY. FOR DBT.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted.

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

This motion was filed and served on at least 14 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(2) and will proceed as scheduled. Unless opposition is presented at the hearing, the court intends to enter the respondents' defaults and grant the motion. If opposition is presented at the hearing, the court will consider the opposition and whether further hearing is proper pursuant to LBR 9014-1(f)(2). The court will issue an order if a further hearing is necessary.

Rogelio Frausto Rios and Myra Rios (together, "Debtors"), the chapter 7 debtors in this case, move the court for an order authorizing Debtors to modify their existing mortgage. Doc. #65. Debtors seek to modify the mortgage on their primary residence located at 13406 Night Star Lane, Bakersfield, California 93314 ("Residence"). Id.

Freedom Mortgage Corporation ("Freedom") holds a deed of trust on the Residence. Schedule D, Doc. #1; Doc. #65. Freedom has offered a home loan modification for the Residence because Debtors are behind on their loan payments to Freedom and the proposed loan modification will bring Debtors current. Doc. #65; Decl. of Rogelio Rios, Doc. #67. Debtors seek to accept Freedom's offer to bring them current. Rios Decl., Doc. #67.

Comparing the proof of claim filed by Freedom to the proposed modification, the modification will increase the interest rate from 3.875% to 7% and the monthly payment from \$2,469.28 to \$3,051.23, as well as extend the maturity date of the loan from February 1, 2046 to November 1, 2065. Claim 8; Rios Decl., Doc. #67. The modified debt is a single loan incurred only to modify the existing debt encumbering Debtors' Residence and the only security for the modification will be Debtors' Residence. Rios Decl., Doc. #67. No other terms are changes as part of the agreement. The chapter 7 trustee filed a Report of No Distribution, and an order approving the final account was entered on January 6, 2026. Order, Doc. #63.

Accordingly, pending opposition being raised at the hearing, this motion is GRANTED. Debtors are authorized, but not required, to complete the agreement with Movant. Debtors and Movant are authorized to enter into any agreement and execute any documents as may be necessary to carry out the agreement in accordance with the motion.

ORDER TO APPEAR AND SHOW CAUSE WHY A PATIENT CARE OMBUDSMAN SHOULD NOT
BE APPOINTED
3-3-2026 [\[19\]](#)

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: The minutes of the hearing will be the court's findings
and conclusions.

ORDER: The court will issue an order.

On February 23, 2026, debtors Natasha Sage Castillo-Lopez and Fabian Lopez-Llort (together, "Debtors") filed a voluntary chapter 7 bankruptcy petition. Doc. #1. As part of their bankruptcy petition, Debtors stated that they are sole proprietors of a business named "Bodywork Associates" and described that business as a health care business. Id. On March 3, 2026, this court issued an order to show cause why a patient care ombudsman should not be appointed pursuant to 11 U.S.C. § 333(a)(1). Doc. #9.

To determine whether the appointment of a patient care ombudsman is necessary under the specific facts of this case, the court must examine the operations of the debtor in light of the following nine non-exclusive factors:

- (1) The cause of the bankruptcy;
- (2) The presence and role of licensing or supervising entities;
- (3) Debtor's past history of patient care;
- (4) The ability of the patients to protect their rights;
- (5) The level of dependency of the patients on the facility;
- (6) The likelihood of tension between the interests of the patients and the debtor;
- (7) The potential injury to the patients if the debtor drastically reduced its level of patient care;
- (8) The presence and sufficiency of internal safeguards to ensure appropriate level of care; and
- (9) The impact of the cost of an ombudsman on the likelihood of a successful reorganization.

In re Valley Health Sys., 381 B.R. 756, 761 (Bankr. C.D. Cal. 2008) (citing In re Alternate Family Care, 377 B.R. 754, 785 (Bankr. S.D. Fla. 2007)). "The weight to be accorded to each of the Alternate Family Care factors in making a determination whether to appoint a patient care ombudsman is left to the sound discretion of the court." Valley Health Sys., 381 B.R. at 761.

At the hearing, Debtors should be prepared to address the operation of their sole proprietorship business "Bodywork Associates" in light of the nine non-exclusive factors listed above as well as provide any other information the court may need to consider in determining whether a patient care ombudsman should be appointed in Debtors' bankruptcy case.

MOTION FOR COMPENSATION BY THE LAW OFFICE OF DESMOND, NOLAN, LIVAICH &
CUNNINGHAM TRUSTEES ATTORNEY(S)
2-23-2026 [209]

SUSAN SMITH/MV
GALEN GENTRY/ATTY. FOR DBT.
J. CUNNINGHAM/ATTY. FOR MV.

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

DISPOSITION: Granted.

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

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the debtor, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

Desmond, Nolan, Livaich & Cunningham ("Movant"), attorney for chapter 7 trustee Susan K. Smith ("Trustee"), requests allowance of final compensation and reimbursement for expenses for services rendered from June 1, 2022 through February 10, 2026. Order, Doc. #38; Doc. #209; Ex. A, Doc. #212. While Movant provided legal services valued at \$110,071.50, Movant only requests allowance of fees in the amount of \$78,312.09. Doc. #209; Ex. A, Doc. #212. Movant requests reimbursement for expenses in the amount of \$1,687.91. Id. This is Movant's first and final fee application. Trustee consents to the amount requested in Movant's application. Id.

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

Movant's services included, without limitation: (1) preparing motion to sell multiple vehicles; (2) preparing motions to abandon the estate's interest in fixtures, furniture and equipment as well as multiple site leases and a 2015 Lincoln Navigator; (3) addressing stay relief motions; (4) settling issues with the IRS; (5) drafting motions and stipulations relating to administrative rent claims and allowance of priority wage claims; (6) meetings and communicating with creditors; (7) preparing and filing employment and fee applications; (8) providing counsel to Trustee as to tax issues; (9) reviewing

proofs of claim; (10) providing counsel to Trustee as to the administration of the chapter 7 case; and (11) communicating with a certified public accountant and Trustee as to tax refund request and tax returns. Decl. of J. Russell Cunningham, Doc. #211; Ex. A, Doc. #212. The court finds the compensation and reimbursement sought are reasonable, actual, and necessary.

This motion is GRANTED on a final basis. The court allows final compensation in the amount of \$78,312.09 and reimbursement for expenses in the amount of \$1,687.91. Trustee is authorized to make a combined payment of \$80,000.00, representing compensation and reimbursement, to Movant. Trustee is authorized to pay the amount allowed by this order from available funds only if the estate is administratively solvent and such payment is consistent with the priorities of the Bankruptcy Code.

17. [22-21095](#)-A-7 **IN RE: CALIFORNIA HISPANIC COMMISSION ON ALCOHOL AND DRUG ABUSE, INC.**
[DNL-16](#)

MOTION FOR COMPENSATION FOR SUSAN K. SMITH, CHAPTER 7 TRUSTEE(S)
2-23-2026 [214]

SUSAN SMITH/MV
GALEN GENTRY/ATTY. FOR DBT.
J. CUNNINGHAM/ATTY. FOR MV.

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

DISPOSITION: Granted.

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

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the debtor, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

Susan K. Smith ("Trustee"), the chapter 7 trustee, requests allowance of final compensation and reimbursement for expenses for services rendered as trustee in this case. Doc. #214. Trustee provided trustee services valued at \$18,909.48, and requests compensation for that amount. Id. Trustee requests reimbursement for expenses in the amount of \$1,712.93. Id. Since being appointed to this case on May 2, 2022, Trustee administered the estate, employed counsel and accountants, disposed of estate property, reviewed and reconciled financial records, and prepared final filings. Doc. #9; Exs., Doc. #217.

Section 330(a)(1) of the Bankruptcy Code authorizes "reasonable compensation for actual, necessary services rendered" and "reimbursement for actual,

necessary expenses" to a chapter 7 trustee. 11 U.S.C. § 330(a)(1). In determining the amount of reasonable compensation to be awarded a chapter 7 trustee, the court shall treat such compensation as a commission, based on § 326 of the Bankruptcy Code. 11 U.S.C. § 330(a)(7). Here, Trustee demonstrates reasonable compensation in accordance with the statutory framework of § 326. Doc. #214. Further, the court finds Trustee's services and requested expenses were actual and necessary to the administration of this estate.

This motion is GRANTED. The court allows statutory compensation in the amount of \$18,909.48 and reimbursement for expenses in the amount of \$1,712.93.

18. [22-21095](#)-A-7 **IN RE: CALIFORNIA HISPANIC COMMISSION ON ALCOHOL AND DRUG ABUSE, INC.**
[DNL-17](#)

MOTION FOR COMPENSATION FOR BACHECKI, CROM & CO., LLP, ACCOUNTANT(S)
2-23-2026 [[219](#)]

SUSAN SMITH/MV
GALEN GENTRY/ATTY. FOR DBT.
J. CUNNINGHAM/ATTY. FOR MV.

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

DISPOSITION: Granted.

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

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the debtor, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a moving party make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

Bachecki, Crom & Co., LLP, ("Movant"), accountants for chapter 7 trustee Susan K. Smith ("Trustee"), requests allowance of final compensation and reimbursement for expenses for services rendered from June 6, 2022 through January 28, 2026. Order, Doc. #39; Doc. #219; Ex. A, Doc. #222. Movant provided accounting services valued at \$94,500.00, and requests compensation for that amount. Doc. #219. Movant requests reimbursement for expenses in the amount of \$143.88. Id. This is Movant's first and final fee application.

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

Movant's services included, without limitation: (1) assisting Trustee with an asset investigation; (2) making a preliminary evaluation of the IRS payroll tax claims and secured claims interest accruals; (3) communicating with the IRS; (4) assessing employee retention tax credit claims; (5) providing Employee Retention Credit litigation support; (6) preparing pre-petition payroll tax returns and W-2s; (7) assisting with ERISA plan wind down; (8) preparing priority wage claim payroll tax withholding analysis and reporting; and (9) preparing tax returns. Decl. of Jay D. Crom, Doc. #221; Ex. A, Doc. #222. The court finds the compensation and reimbursement sought are reasonable, actual, and necessary.

This motion is GRANTED on a final basis. The court allows final compensation in the amount of \$94,500.00 and reimbursement for expenses in the amount of \$143.88. Trustee is authorized to make a combined payment of \$94,643.88, representing compensation and reimbursement, to Movant. Trustee is authorized to pay the amount allowed by this order from available funds only if the estate is administratively solvent and such payment is consistent with the priorities of the Bankruptcy Code.

19. [25-27295](#)-A-7 **IN RE: TRISTAN VANDE-BRAKE**
[KSH-1](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY
2-17-2026 [[15](#)]

M&T BANK/MV
PAULDEEP BAINS/ATTY. FOR DBT.
KRISTIN SCHULER-HINTZ/ATTY. FOR MV.

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

DISPOSITION: Granted.

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

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, the debtor, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a movant make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

The movant, M&T Bank ("Movant"), seeks relief from the automatic stay under 11 U.S.C. § 362(d)(1) and (d)(2) with respect to real property located at 2274 Swaisy Dr., Linda, California 95901 ("Property"). Doc. #15.

11 U.S.C. § 362(d)(1) allows the court to grant relief from the stay for cause, including the lack of adequate protection. "Because there is no clear

definition of what constitutes 'cause,' discretionary relief from the stay must be determined on a case by case basis." In re Mac Donald, 755 F.2d 715, 717 (9th Cir. 1985).

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

After review of the included evidence, the court finds that "cause" exists to lift the stay because the debtor has failed to make at least four complete pre- and post-petition payments. Movant has produced evidence that the debtor is delinquent by at least \$14,243.23, including late fees and attorney fees. Decl. of Stephanie Scholl, Doc. #17.

The court also finds that the debtor does not have any equity in the Property and the Property is not necessary to an effective reorganization because the debtor is in chapter 7. The Property is valued at \$385,306.00, and the debtor owes \$417,879.68. Doc. #15.

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

The order shall also provide that the bankruptcy proceeding has been finalized for purposes of California Civil Code § 2923.5.

The 14-day stay of Fed. R. Bankr. P. 4001(a)(4) is ordered waived because the debtor has failed to make at least four payments, both pre- and post-petition, to Movant.

20. [25-26199](#)-A-7 **IN RE: LINDSEY WILLSON**
[DWL-1](#)

MOTION TO EXTEND DEADLINE TO FILE A COMPLAINT OBJECTING TO DISCHARGE OF
THE DEBTOR, MOTION TO EXTEND DEADLINE TO FILE A COMPLAINT OBJECTING
TO DISCHARGEABILITY OF A DEBT
2-15-2026 [[27](#)]

CHRISTOPHER WILLSON/MV
MICHAEL HAYS/ATTY. FOR DBT.
PATRICIA WILSON/ATTY. FOR MV.
RESPONSIVE PLEADING

NO RULING.