

UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable René Lastreto II
Hearing Date: Wednesday, March 31, 2021
Place: Department B – Courtroom #13
Fresno, California

ALL APPEARANCES MUST BE TELEPHONIC
(Please see the court's website for instructions.)

Pursuant to District Court General Order 618, no persons are permitted to appear in court unless authorized by order of the court until further notice. All appearances of parties and attorneys shall be telephonic through CourtCall. The contact information for CourtCall to arrange for a phone appearance is: (866) 582-6878.

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. 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. [18-13708](#)-B-13 **IN RE: LEONARDO CHAVEZ**

CONTINUED STATUS CONFERENCE RE: NOTICE OF CHAPTER 13
TRUSTEE'S FORBEARANCE
3-2-2021 [\[85\]](#)

NIMA VOKSHORI/ATTY. FOR DBT.

NO RULING.

Leonardo Chavez ("Debtor") received a four-month forbearance letter from Specialized Loan Servicing, LLC ("SLS"). This matter was continued so that SLS could file the forbearance letter as required by General Order 20-03.

SLS filed two Notices of Temporary Forbearance on March 26, 2021 with an effective date of February 1, 2021. See docket generally. The first states that the forbearance will last five months. One minute later, SLS filed a second notice stating that the forbearance would only be four months in duration. SLS also filed a Notice of Mortgage Payment Change on March 28, 2021 indicating the payment would change to \$1,002.09 as of May 1, 2021. This seems to imply that the forbearance effective February 1, 2021 is only three months long.

This matter will be called as scheduled to inquire about the status of the forbearance.

2. [20-13441](#)-B-13 **IN RE: CATHERINE BARAJAS**
[MHM-1](#)

MOTION TO DISMISS CASE
3-2-2021 [\[20\]](#)

MICHAEL MEYER/MV
TIMOTHY SPRINGER/ATTY. FOR DBT.

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

DISPOSITION: Granted.

ORDER: The court will issue an order.

Unless the trustee's motion is withdrawn before the hearing, the motion will be granted without oral argument for cause shown.

This motion was set for hearing on 28 days' notice as required by Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of the 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 amounts of damages). *Televideo Systems, Inc. v. Heidenthal*, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires that a plaintiff make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

Here, the chapter 13 trustee asks the court to dismiss this case for unreasonable delay by the debtor that is prejudicial to creditors (11 U.S.C. § 1307(c)(1)). The debtor failed to appear at the scheduled 341 meeting of creditors and failed to provide the trustee with all of the documentation required by 11 U.S.C. § 521(a)(3) and (4). Debtor did not oppose.

Under 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, for "cause". "A debtor's unjustified failure to expeditiously accomplish any task required either to propose or to confirm a chapter 13 plan may constitute cause for dismissal under § 1307(c)(1)." *Ellsworth v. Lifescape Med. Assocs., P.C. (In re Ellsworth)*, 455 B.R. 904, 915 (B.A.P. 9th Cir. 2011).

Accordingly, this motion will be GRANTED. The case will be dismissed.

3. [21-10443](#)-B-13 **IN RE: JORGE LOPEZ**
[CLH-1](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY
3-17-2021 [\[17\]](#)

VERONICA LOPEZ/MV
DUSHAWN JOHNSON/ATTY. FOR DBT.
CAREY HAYDON/ATTY. FOR MV.

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

DISPOSITION: Denied without prejudice.

ORDER: The court will issue an order.

This motion is DENIED WITHOUT PREJUDICE for failure to comply with the Local Rules of Practice and Federal Rules of Bankruptcy Procedure.¹

First, LBR 9014-1(f)(2)(C) states that motions filed on less than 28 days' notice, but at least 14 days' notice, require the movant to notify respondents that no party in interest shall be required to file written opposition to the motion. Opposition, if any, shall be presented at the hearing on the motion. If opposition is presented, or if there is other good cause, the court may continue the hearing to permit the filing of evidence and briefs.

This motion was filed on March 14, 2021 and set for hearing on March 31, 2021. Doc. #17. March 31, 2021 is 14 days after March 14, 2021, and therefore this hearing was set on less than 28 days' notice under LBR 9014-1(f)(2). The notice stated that written opposition was required and must be filed at least 14 days preceding the date of the hearing. Doc. #18. That is incorrect. Because the hearing was set on 14 days' notice, the notice should have stated that no written opposition was required and may be presented at the hearing. Because this motion was noticed on less than 28 days' notice, the language of LBR 9014-1(f)(2)(C) should have been included in the notice.

Second, Rule 4001(a) requires motions for relief from the automatic stay to be "made in accordance with Rule 9014[.]" Rule 9014(b) requires motions in contested matters to be served upon the parties against whom relief is being sought pursuant to Rule 7004. This motion could be a contested matter if any party in interest opposes.

Rule 7004 allows service in the United States by first class mail by "mailing a copy of the summons and complaint to the individual's dwelling house or usual place of abode or to the place where the individual regularly conducts a business or profession." Rule 7004(b)(1). Rule 7004's service requirement is not subject to waiver under Civil Rule 4(d). See Rule 7004(a)(1).

Here, the certificate of service (Doc. #24) indicates that Jorge L. Lopez ("Debtor") and his bankruptcy attorney, Dushawn M. Johnson, were not served at all. Debtor and his attorney must be served by mail in accordance with Rule 7004. The court notes that the chapter 13 trustee and United States trustee were both properly served by mail.

For the foregoing reasons, this motion will be DENIED WITHOUT PREJUDICE.

¹ Unless otherwise indicated, references to "LBR" will be to the Local Rules of Practice for the United States Bankruptcy Court, Eastern District of California; "Rule" will be to the Federal Rules of Bankruptcy Procedure; and "Civil Rule" will be to the Federal Rules of Civil Procedure.

4. 21-10047-B-13 **IN RE: JASON ATHERTON AND GENZZIA**
TCS-3 **DOVIGI-ATHERTON**

MOTION TO VALUE COLLATERAL OF CARMAX AUTO FINANCE
2-19-2021 [[23](#)]

GENZZIA DOVIGI-ATHERTON/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 28 days' notice as required by Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of the creditors, the chapter 13 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 amounts of damages). *Televideo Systems, Inc. v. Heidenthal*, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires that a plaintiff make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

Jason Aaron Atherton and Genzzia Sabrina Dovigi-Atherton ("Debtors") ask the court for an order valuing a 2012 Toyota Sienna ("Vehicle") at \$7,050.00. Doc. #23. Vehicle is encumbered by a purchase-money security interest in favor of Carmax Auto Finance ("Creditor"). No party in interest timely filed written opposition.

This motion will be GRANTED.

11 U.S.C. § 1325(a)(*) (the hanging paragraph) states that 11 U.S.C. § 506 is not applicable to claims described in that paragraph if (1) the creditor has a purchase money security interest securing the debt that is the subject of the claim, (2) the debt was incurred within 910 days preceding the filing of the petition, and (3) the collateral is a motor vehicle acquired for the personal use of the debtor.

Mr. Atherton filed a declaration in which he states the Vehicle was purchased on November 23, 2015, which is more than 910 days prior to the bankruptcy. The elements of § 1325(a)(*) are not met and § 506 is applicable.

11 U.S.C. § 506(a)(1) limits a secured creditor's claim "to the extent of the value of such creditor's interest in the estate's interest in such property . . . and is an unsecured claim to the extent that the value of such creditor's interest . . . is less than the amount of such allowed claim."

11 U.S.C. § 506(a)(2) states that the value of personal property securing an allowed claim shall be determined based on the replacement value of such property as of the petition filing date. "Replacement value" means "the price a retail merchant would charge for property of that kind considering the age and condition of the property at the time value is determined."

Mr. Atherton states Vehicle's replacement value is \$7,050.00. Doc. #25. His valuation is based on the following:

- (a) Vehicle is approximately 9 years old.
- (b) Vehicle has 203,000 miles.
- (c) Vehicle's interior has 9 years of normal wear and tear.
- (d) Vehicle has been in 3 minor accidents.
- (e) The front left side corner of the bumper is cracked and fastened by zip ties.
- (f) The transmission/transaxle does not operate correctly.
- (g) Vehicle has minor miscellaneous bumps and scratches on the front and back bumpers.

Id. Debtors also listed Vehicle in Schedule A/B with a value of \$7,050.00. Doc. #1, Schedule A/B, ¶ 3.1.

Creditor, meanwhile, filed Proof of Claim No. 1 on January 13, 2021 in the amount of \$19,931.63. Claim #1-1. Creditor's claim values Vehicle at \$9,375.00. *Id.*

This motion was fully noticed and no party in interest timely filed written opposition. Debtors are competent to testify as to the value of the Vehicle. Given the absence of contrary evidence, Debtors' opinion of value may be conclusive. *Enewally v. Wash. Mut. Bank (In re Enewally)*, 368 F.3d 1165, 1173 (9th Cir. 2004). Creditor's secured claim will be fixed at \$7,050.00. The proposed order shall specifically identify the collateral, and the proof of claim to which it relates. The order will be effective upon confirmation of the chapter 13 plan.

5. [18-12050](#)-B-13 **IN RE: GENEVIEVE SANTOS**
[ALG-4](#)

MOTION TO MODIFY PLAN
2-15-2021 [\[93\]](#)

GENEVIEVE SANTOS/MV
JANINE ESQUIVEL OJI/ATTY. FOR DBT.
RESPONSIVE PLEADING
WITHDRAWN

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

DISPOSITION: Dropped from calendar.

NO ORDER REQUIRED.

Debtor Genevieve Ann Santos withdrew the motion on March 22, 2021.
Doc. #103. This matter will be dropped from calendar.

6. [19-12163](#)-B-13 **IN RE: JACINTO/DEE'ANNA OROSCO**
[TDD-2](#)

CONTINUED MOTION TO MODIFY PLAN
1-21-2021 [\[77\]](#)

DEE'ANNA OROSCO/MV
TIMOTHY DUCAR/ATTY. FOR DBT.
FIFTH PLAN WITHDRAWN.

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

DISPOSITION: Dropped from calendar.

NO ORDER REQUIRED.

Jacinto Simon Orosco and Dee'Anna Marie Orosco ("Debtors") sought confirmation of their Fourth Modified Plan. Doc. #77. Chapter 13 trustee Michael H. Meyer ("Trustee") timely objected because the plan payments were insufficient to fund the plan. Doc. #83. Debtors replied by filing a Fifth Modified Plan that increased the plan payment, but this plan was not properly set for hearing on 35 days' notice. Docs. #85; #87. Debtors withdrew the Fifth Modified Plan at the hearing and the matter was continued for tracking purposes. Docs. #92; #99.

Subsequently, Trustee withdrew his objection on March 11, 2021. Doc. #97. On March 15, 2021, the court entered an order confirming the Fourth Modified Plan, which reflected the increased plan payment and was approved by Trustee. Doc. #101. Accordingly, this matter will be dropped from calendar.

7. [17-11570](#)-B-13 **IN RE: GREGGORY KIRKPATRICK**
[MHG-11](#)

CONTINUED OBJECTION TO NOTICE OF POSTPETITION MORTGAGE FEES,
EXPENSES, AND CHARGES
2-15-2021 [[273](#)]

GREGGORY KIRKPATRICK/MV
MARTIN GAMULIN/ATTY. FOR DBT.

NO RULING.

This matter was previously continued to March 31, 2021 to be heard as a scheduling conference in connection with the related objections in matters ##8-10. Doc. #288. Debtor's counsel filed a status report as ordered on March 24, 2021. Doc. #293.

The parties shall be prepared to discuss upcoming scheduling dates and discovery deadlines.

8. [17-11570](#)-B-13 **IN RE: GREGGORY KIRKPATRICK**
[MHG-12](#)

CONTINUED OBJECTION TO NOTICE OF POSTPETITION MORTGAGE FEES,
EXPENSES, AND CHARGES
2-15-2021 [[278](#)]

GREGGORY KIRKPATRICK/MV
MARTIN GAMULIN/ATTY. FOR DBT.

NO RULING.

This matter was previously continued to March 31, 2021 to be heard as a scheduling conference in connection with the related objections in matters ##7, 9-10. Doc. #289. Debtor's counsel filed a status report as ordered on March 24, 2021. Doc. #293.

The parties shall be prepared to discuss upcoming scheduling dates and discovery deadlines.

9. [17-11570](#)-B-13 **IN RE: GREGGORY KIRKPATRICK**
[MHG-8](#)

SCHEDULING CONFERENCE RE: OBJECTION TO NOTICE OF
POSTPETITION MORTGAGE FEES, EXPENSES, AND CHARGES
12-4-2020 [[244](#)]

GREGGORY KIRKPATRICK/MV
MARTIN GAMULIN/ATTY. FOR DBT.

NO RULING.

This matter was previously continued to March 31, 2021 to be heard as a scheduling conference in connection with the related objections in matters ##7-8, 10. Doc. #269. Debtor's counsel filed a status report as ordered on March 24, 2021. Doc. #293.

The parties shall be prepared to discuss upcoming scheduling dates and discovery deadlines.

10. [17-11570](#)-B-13 **IN RE: GREGGORY KIRKPATRICK**
[MHG-9](#)

SCHEDULING CONFERENCE RE: OBJECTION TO NOTICE OF
POSTPETITION MORTGAGE FEES, EXPENSES, AND CHARGES
12-14-2020 [\[250\]](#)

GREGGORY KIRKPATRICK/MV
MARTIN GAMULIN/ATTY. FOR DBT.
RESPONSIVE PLEADING

NO RULING.

This matter was previously continued to March 31, 2021 to be heard as a scheduling conference in connection with the related objections in matters ##7-9. Doc. #270. Debtor's counsel filed a status report as ordered on March 24, 2021. Doc. #293.

The parties shall be prepared to discuss upcoming scheduling dates and discovery deadlines.

11. [19-14670](#)-B-13 **IN RE: OSCAR SALAZAR RIOS AND GLORIA ESCOBAR**
[JHK-1](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY
3-1-2021 [\[24\]](#)

TD AUTO FINANCE LLC/MV
SCOTT LYONS/ATTY. FOR DBT.
JOHN KIM/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 28 days' notice as required by Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of the creditors, the debtor, the chapter 13 trustee, 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 amounts of damages). *Televideo Systems, Inc. v. Heidenthal*, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires that a plaintiff make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

TD Auto Finance, LLC ("Movant"), seeks relief from the automatic stay under 11 U.S.C. § 362(d)(1) with respect to a 2016 Chevrolet Tahoe ("Vehicle"). Doc. #24. No party in interest timely filed written opposition.

This motion will be GRANTED.

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).

Oscar Miguel Salazar Rios and Gloria Escobar ("Debtors") filed bankruptcy on November 6, 2019. Doc. #1. Among the assets in their schedules, Debtors listed Vehicle with a value of \$0.00 and noting: "Total loss - Vehicle was in an auto accident - Surrendering[.]" Doc. #18, Schedule A/B, ¶ 3.4. Movant is listed in Schedule E/F with unsecured claims in the amounts of \$41,260.00 and \$7,153.00. Doc. #1, Schedule E/F, ¶¶ 4.34, 4.35.

Debtors confirmed their chapter 13 plan on January 7, 2020. Doc. #21. The plan does not provide for Movant and is silent as to Vehicle. Doc. #2. The court notes that Movant mailed a notice of intent to file this motion on February 17, 2021 and provided Debtors with an opportunity to cure. Doc. #28; #29, Ex. C.

After review of the included evidence, the court finds that "cause" exists to lift the stay because Debtors have failed to make at least 8.81 pre-petition and 16 post-petition payments. Doc. #30. Movant has produced evidence that debtor is delinquent at least \$44,432.45. Doc. #27.

Accordingly, the motion will be granted pursuant to 11 U.S.C. § 362(d)(1) 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)(3) will be ordered waived because the collateral is a depreciating asset, Debtors' schedules state they will surrender Vehicle, Vehicle is not provided for in the plan, and Debtor has missed at least 16 post-petition payments.

12. [20-12287](#)-B-13 **IN RE: JEFFREY/ANGELA BROWN**
[NES-2](#)

MOTION TO INCUR DEBT
2-24-2021 [\[26\]](#)

ANGELA BROWN/MV
NEIL SCHWARTZ/ATTY. FOR DBT.

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

DISPOSITION: Denied without prejudice.

ORDER: The court will issue an order.

This motion is DENIED WITHOUT PREJUDICE for failure to comply with the Local Rules of Practice ("LBR").

The notice (Doc. #27) did not contain the language required under LBR 9014-1(d)(3)(B). LBR 9014-1(d)(3)(B)(iii) requires the movant to notify respondents that they can determine whether the matter has been resolved without oral argument or whether the court has issued a tentative ruling, and can view pre-hearing dispositions by checking the court's website at www.caeb.uscourts.gov after 4:00 p.m. the day before the hearing, and notify parties appearing telephonically that they must view the pre-hearing dispositions prior to the hearing.

13. [20-12691](#)-B-13 **IN RE: SAMUEL/ANA LOPEZ**
[MHM-4](#)

MOTION TO DISMISS CASE
3-2-2021 [\[73\]](#)

MICHAEL MEYER/MV
ANH NGUYEN/ATTY. FOR DBT.
RESPONSIVE PLEADING

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

DISPOSITION: Continued to April 8, 2021.

ORDER: The court will issue an order.

Chapter 13 trustee Michael H. Meyer ("Trustee") asks the court to dismiss this case for failure to confirm a chapter 13 plan and unreasonable delay by the debtors that is prejudicial to creditors under 11 U.S.C. § 1307.

Samuel Alexander Lopez and Ana Miriam Lopez ("Debtors") timely responded stating that their previous motion to confirm plan had been denied and a new plan is scheduled to be heard on April 8, 2021. Doc. #77. Debtors ask that Trustee's motion be denied or alternatively continued to April 8, 2021.

This motion will be continued to April 8, 2021 at 9:30 a.m. to be heard in connection with Debtors' motion to confirm chapter 13 plan.

14. [18-11964](#)-B-13 **IN RE: PAUL/MICHELLE ESPARZA**
[MHM-3](#)

STATUS CONFERENCE RE: NOTICE OF CHAPTER 13 TRUSTEE'S
FORBEARANCE
3-19-2021 [\[74\]](#)

ROBERT WILLIAMS/ATTY. FOR DBT.
EDWARD TREDER/ATTY. FOR MV.

NO RULING.

Wells Fargo Home Mortgage ("Wells Fargo") is a Class 1 creditor in Paul Eric Esparza and Michelle Esparza's ("Debtors") confirmed chapter 13 plan. Doc. #57.

Wells Fargo previously filed a Notice of Request for Mortgage Forbearance Due to the Covid19 Pandemic that provided for a forbearance effective May 1, 2020 for three months. Chapter 13 trustee Michael H. Meyer ("Trustee") ceased payments between May 2020 and July 2020 and resumed payments in August 2020. Doc. #74.

Debtors provided Trustee with a letter from Wells Fargo on March 16, 2021, which extended the mortgage payment suspension through April 2021. *Id.* Wells Fargo previously had given a nine-month suspension of payments, and according to this notice, it extended for another three months for a total of 12 months. *Id.*

Trustee states that he has already made six ongoing payments to Wells Fargo between August 2020 and February 2021. *Id.* No extension of the forbearance has been filed by Wells Fargo. Trustee therefore requests that the forbearance be effective for months: May 2020 - July 2020; December 2020; and March 2021 - April 2021. *Id.*

The parties shall be prepared to discuss treatment of secured creditor Wells Fargo's mortgage payment forbearance.

11:00 AM

1. [20-13855](#)-B-11 **IN RE: MOHOMMAD KHAN**
[20-1068](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT
12-30-2020 [[1](#)]

U.S. TRUSTEE V. KHAN
JUSTIN VALENCIA/ATTY. FOR PL.

NO RULING.

2. [08-17066](#)-B-13 **IN RE: JOE PARKS**
[20-1039](#) [FW-1](#)

CONTINUED STATUS CONFERENCE RE: MOTION TO COMPEL, AND/OR
MOTION FOR SANCTIONS
1-18-2021 [[21](#)]

PARKS V. HSBC MORTGAGE
SERVICES, INC. ET AL
GABRIEL WADDELL/ATTY. FOR MV.
DISMISSED 3/12/21

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

DISPOSITION: Dropped from calendar.

NO ORDER REQUIRED.

On March 12, 2021, the parties stipulated to dismiss the adversary proceeding with prejudice pursuant to Fed. R. Civ. P. 41(a) (applicable under Fed. R. Bankr. P. 7041). Doc. #31. Accordingly, this adversary proceeding is dismissed with prejudice and this status conference will be dropped from calendar.

3. [17-11570](#)-B-13 **IN RE: GREGGORY KIRKPATRICK**
[19-1100](#)

CONTINUED FURTHER SCHEDULING CONFERENCE RE: COMPLAINT
9-24-2019 [[1](#)]

KIRKPATRICK V. CALLISON ET AL
MARTIN GAMULIN/ATTY. FOR PL.
RESPONSIVE PLEADING

NO RULING.