



UNITED STATES BANKRUPTCY COURT  
Eastern District of California  
Honorable Jennifer E. Niemann  
Hearing Date: Thursday, April 3, 2025  
Department A – 510 19<sup>th</sup> street  
Bakersfield, California

***At this time, when in-person hearings in Bakersfield will resume is to be determined. No persons are permitted to appear in court for the time being. All appearances of parties and attorneys shall be as instructed below.***

Unless otherwise ordered, all matters before the Honorable Jennifer E. Niemann shall be simultaneously: (1) via **ZoomGov Video**, (2) via **ZoomGov Telephone**, and (3) 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.

1. [24-13401](#)-A-13      **IN RE: CYNTHIA BERMUDEZ**

ORDER TO SHOW CAUSE - FAILURE TO PAY FEES  
2-28-2025    [\[50\]](#)

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.

This matter will proceed as scheduled. An amended schedule D (Doc. #43) was filed by the debtor on February 13, 2025, which added a creditor who was not listed on the previously filed schedule D. A fee of \$34.00 was required at the time of filing because the amended schedule D added a creditor. The fee was not paid. A notice of payment due was served on the debtor on February 20, 2025. Doc. #49.

If the filing fee of \$34.00 is not paid prior to the hearing, the amended schedule D (Doc. #43) may be stricken, and sanctions may be imposed on the debtor on the grounds stated in the order to show cause.

2. [24-11626](#)-A-13      **IN RE: MANDIP GREWAL**  
[LGT-1](#)

OBJECTION TO CONFIRMATION OF PLAN BY LILIAN G. TSANG  
3-10-2025    [\[92\]](#)

LILIAN TSANG/MV  
ROBERT WILLIAMS/ATTY. FOR DBT.  
RESPONSIVE PLEADING

TENTATIVE RULING:            This matter will proceed as scheduled.

DISPOSITION:                Sustained.

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

This objection to confirmation was filed and served pursuant to Local Rule of Practice ("LBR") 3015-1(c)(4) and will proceed as scheduled. Although not required, the debtor filed a written response. Doc. #96. The court intends to sustain the objection because the debtor consents to the trustee's objection being sustained.

Mandip Kaur Grewal ("Debtor") filed a voluntary petition under chapter 7 on June 13, 2024. Doc. #1. Debtor's case was converted from chapter 7 to chapter 13 on January 22, 2025. Order, Doc. #79. Debtor filed a chapter 13 plan ("Plan") on January 24, 2025. Doc. #85. The chapter 13 trustee ("Trustee") objects to confirmation of the Plan because Debtor's chapter 13 documents are incomplete under § 1325(b)(3). Doc. #92.

11 U.S.C. § 1325(a)(3) requires that a plan be proposed in good faith and not by any means forbidden by law. Section 1325(a)(7) requires that the action of the debtor in filing the petition be in good faith. 11 U.S.C. § 1325(a)(3), (a)(7).

Trustee contends that the following documents are missing information, have not been updated or are incomplete: (1) disclosure of attorney compensation; (2) pre-filing credit counseling certificate; (3) Schedules A/B, C; and (4) Statement of Financial Affairs. Doc. #92. Without these requested documents, Trustee is unable to determine if the Plan is feasible and proposed in good faith. Doc. #92. In Debtor's response, Debtor states that a modified plan will be filed and served along with amended documents to resolve Trustee's issues raised in this objection. Doc. #96. Therefore, Debtor consents to the court sustaining Trustee's objection. Doc. #96.

Accordingly, the objection will be SUSTAINED.

3. [23-11029](#)-A-13     **IN RE: JITMA MANGOIG**  
[LGT-1](#)

CONTINUED MOTION TO DISMISS CASE  
1-29-2025    [\[56\]](#)

LILIAN TSANG/MV  
ROBERT WILLIAMS/ATTY. FOR DBT.

TENTATIVE RULING:            This matter will proceed as scheduled.

DISPOSITION:                Denied.

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

On January 29, 2025, the chapter 13 trustee ("Trustee") moved to dismiss the debtor's chapter 13 case under 11 U.S.C. § 1307(c)(1) and (c)(6) for failure of the debtor to make all payments due under the plan. Doc. #56. Plan payments were delinquent in the amount of \$23,602.08 as of January 29, 2025, with an additional \$7,751.36 due on February 25, 2025. Id.

On February 13, 2025, the debtor filed and served a motion to confirm the debtor's first modified plan and set that motion for hearing on April 3, 2025. Doc. ##77-83, 87-88. That motion has been granted by final ruling, matter #4 below.

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). It appears that confirmation of the debtor's first modified plan satisfies all outstanding grounds for Trustee's motion to dismiss, so there is no "cause" for dismissal under 11 U.S.C. § 1307(c)(1) or (c)(6).

Accordingly, unless withdrawn prior to the hearing, this motion will be DENIED.

4. [23-11029](#)-A-13      **IN RE: JITMA MANGOIG**  
[RSW-1](#)

MOTION TO MODIFY PLAN  
2-13-2025    [\[77\]](#)

JITMA MANGOIG/MV  
ROBERT WILLIAMS/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 35 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 3015-1(d)(2). 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.

This motion is GRANTED. The confirmation order shall include the docket control number of the motion, and it shall reference the plan by the date it was filed.

5. [24-11841](#)-A-13      **IN RE: HEATHER CORONADO**  
[LGT-2](#)

MOTION TO DISMISS CASE  
2-20-2025    [\[76\]](#)

ROBERT WILLIAMS/ATTY. FOR DBT.  
RESPONSIVE PLEADING

TENTATIVE RULING:      This matter will proceed as scheduled.

DISPOSITION:      Continued to May 8, 2025 at 9:00 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.

The trustee's motion to dismiss will be continued to May 8, 2025 at 9:00 a.m. to be heard with the debtor's motion to confirm modified plan (RSW-4).  
Doc. ##81-86

6. [25-10142](#)-A-13     **IN RE: MARIANA LUCERO**  
[LGT-1](#)

OBJECTION TO CONFIRMATION OF PLAN BY TRUSTEE LILIAN G. TSANG  
2-24-2025    [\[13\]](#)

NEIL SCHWARTZ/ATTY. FOR DBT.

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

DISPOSITION:     Overruled as moot.

ORDER:             The court will issue an order.

This objection to confirmation is OVERRULED AS MOOT. The debtor filed a first amended plan on April 1, 2025 (NES-1, Doc. #23), with a motion to confirm the modified plan set for hearing on May 1, 2025, at 9:30 a.m. Doc. ##19-24.

7. [19-15045](#)-A-13     **IN RE: JESUS VELEZ**  
[LGT-1](#)

MOTION TO DETERMINE FINAL CURE AND MORTGAGE PAYMENT RULE 3002.1  
3-6-2025    [\[142\]](#)

LILIAN TSANG/MV  
ALLAN WILLIAMS/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 movant has done here.

Lilian G. Tsang ("Trustee"), the chapter 13 trustee, moves the court for a determination of final cure pursuant to Federal Rule of Bankruptcy Procedure ("Rule") 3002.1 with respect to the claim held by HGF Loan Series 2019-01 ("HGF"). Doc. #142. Trustee filed and served a Notice of Final Cure Payment pursuant to Rule 3002.1(f), but HGF failed to respond. See Doc. #146.

Rule 3002.1(g) requires that within 21 days after service of the notice under subdivision (f) of this rule, the holder shall file and serve on the debtor, debtor's counsel, and the trustee a statement indicating (1) whether it agrees that the debtor has paid in full the amount required to cure the default on the claim, and (2) whether the debtor is otherwise current on all payments consistent with 11 U.S.C. § 1322(b) (5).

If the holder of a claim fails to provide any information as required by Rule 3002.1(g), Rule 3002.1(i) permits the court, after notice and a hearing, to preclude the holder from presenting the omitted information, in any form, as evidence in any contested matter or adversary proceeding in the case, unless the court determines that the failure was substantially justified or is harmless. Rule 3002.1(i) (1).

The court finds that HGF failed to provide any information as required by Rule 3002.1(g) and will therefore preclude HGF from presenting the omitted information, in any form, as evidence in any contested matter or adversary proceeding in this case pursuant to Rule 3002.1(i) (1). The court also finds that the debtor has cured the default on the loan with HGF and the debtor is current on payments to HGF through December 2024.

Accordingly, this motion is GRANTED.

8. [20-10567](#)-A-13     **IN RE: DAVID ALFORD**  
[LGT-1](#)

MOTION TO DETERMINE FINAL CURE AND MORTGAGE PAYMENT RULE 3002.1  
2-12-2025    [\[53\]](#)

LILIAN TSANG/MV  
ROBERT WILLIAMS/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 movant has done here.

Lilian G. Tsang ("Trustee"), the chapter 13 trustee, moves the court for a determination of final cure pursuant to Federal Rule of Bankruptcy Procedure ("Rule") 3002.1 with respect to the claim held by Navy Federal Credit Union

("NFCU"). Doc. #53. Trustee filed and served a Notice of Final Cure Payment pursuant to Rule 3002.1(f), but NFCU failed to respond. See Doc. #57.

Rule 3002.1(g) requires that within 21 days after service of the notice under subdivision (f) of this rule, the holder shall file and serve on the debtor, debtor's counsel, and the trustee a statement indicating (1) whether it agrees that the debtor has paid in full the amount required to cure the default on the claim, and (2) whether the debtor is otherwise current on all payments consistent with 11 U.S.C. § 1322(b) (5).

If the holder of a claim fails to provide any information as required by Rule 3002.1(g), Rule 3002.1(i) permits the court, after notice and a hearing, to preclude the holder from presenting the omitted information, in any form, as evidence in any contested matter or adversary proceeding in the case, unless the court determines that the failure was substantially justified or is harmless. Rule 3002.1(i) (1).

The court finds that NFCU failed to provide any information as required by Rule 3002.1(g) and will therefore preclude NFCU from presenting the omitted information, in any form, as evidence in any contested matter or adversary proceeding in this case pursuant to Rule 3002.1(i) (1). The court also finds that the debtor has cured the default on the loan with NFCU and the debtor is current on payments to NFCU through November 2024.

Accordingly, this motion is GRANTED.

9. [24-12783](#)-A-13      **IN RE: EMANUEL/KAREN DOZIER**  
[JCW-1](#)

CONTINUED MOTION FOR RELIEF FROM AUTOMATIC STAY  
1-6-2025    [\[34\]](#)

J.P. MORGAN MORTGAGE ACQUISITION CORP./MV  
ROBERT WILLIAMS/ATTY. FOR DBT.  
JENNIFER WONG/ATTY. FOR MV.  
RESPONSIVE PLEADING

NO RULING.

10. [25-10289](#)-A-13      **IN RE: DANIEL LIEDL**  
[LGT-1](#)

OBJECTION TO CONFIRMATION OF PLAN BY LILIAN G. TSANG  
3-10-2025    [\[20\]](#)

LILIAN TSANG/MV  
JONATHAN VAKNIN/ATTY. FOR DBT.

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

DISPOSITION:      Continued to May 8, 2025 at 9:00 a.m.

ORDER:              The court will issue an order.

Daniel Mark Liedl ("Debtor") filed a voluntary petition under chapter 13 along with a chapter 13 plan ("Plan") on January 31, 2025. Doc. #1, 3. The



chapter 13 trustee ("Trustee") objects to confirmation of the Plan because Debtor: (1) needs to provide documents filed in Debtor's dissolution proceeding for Trustee to determine whether all property and assets have been included in Debtor's schedules and liquidation analysis; and (2) misclassified the claim of Rocket Mortgage. Doc. #20.

This objection will be continued to May 8, 2025 at 9:00 a.m. Unless this case is voluntarily converted to chapter 7, dismissed, or Trustee's objection to confirmation is withdrawn, Debtor shall file and serve a written response no later than April 24, 2025. The response shall specifically address each issue raised in the objection to confirmation, state whether the issue is disputed or undisputed, and include admissible evidence to support Debtor's position. Trustee shall file and serve a reply, if any, by May 1, 2025.

If Debtor elects to withdraw this plan and file a modified plan in lieu of filing a response, then a confirmable modified plan shall be filed, served, and set for hearing, not later than May 1, 2025. If Debtor does not timely file a modified plan or a written response, this objection to confirmation will be denied on the grounds stated in Trustee's opposition without a further hearing.

11. [25-10289](#)-A-13     **IN RE: DANIEL LIEDL**  
[SKI-1](#)

OBJECTION TO CONFIRMATION OF PLAN BY CARMAX BUSINESS SERVICES, LLC  
2-10-2025    [\[15\]](#)

CARMAX BUSINESS SERVICES, LLC/MV  
JONATHAN VAKNIN/ATTY. FOR DBT.  
SHERYL ITH/ATTY. FOR MV.

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

DISPOSITION:     Continued to May 8, 2025 at 9:00 a.m.

ORDER:             The court will issue an order.

Daniel Mark Liedl ("Debtor") filed a voluntary petition under chapter 13 along with a chapter 13 plan ("Plan") on January 31, 2025. Doc. ##1, 3. CarMax Business Services, LLC ("Creditor") objects to confirmation of the Plan because the Plan proposes to pay 3% interest on Creditor's claim, which does not comply with Till v. SCS Credit Corp., 541 U.S. 465 (2004). Doc. #15.

This objection will be continued to May 8, 2025 at 9:00 a.m. Unless this case is voluntarily converted to chapter 7, dismissed, or Creditor's objection to confirmation is withdrawn, Debtor shall file and serve a written response no later than April 24, 2025. The response shall specifically address each issue raised in the objection to confirmation, state whether the issue is disputed or undisputed, and include admissible evidence to support Debtor's position. Creditor shall file and serve a reply, if any, by May 1, 2025.

If Debtor elects to withdraw this plan and file a modified plan in lieu of filing a response, then a confirmable modified plan shall be filed, served, and set for hearing, not later than May 1, 2025. If Debtor does not timely file a modified plan or a written response, this objection to confirmation will be denied on the grounds stated in Creditor's opposition without a further hearing.

12. [24-12192](#)-A-13     **IN RE: ROBERT SARGENT**  
[RSW-3](#)

MOTION TO MODIFY PLAN  
2-13-2025    [\[52\]](#)

ROBERT SARGENT/MV  
ROBERT WILLIAMS/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 35 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 3015-1(d)(2). 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.

This motion is GRANTED. The confirmation order shall include the docket control number of the motion, and it shall reference the plan by the date it was filed.

13. [25-11067](#)-A-13     **IN RE: ROMELIA FERREL**  
[ONA-1](#)

MOTION TO IMPOSE AUTOMATIC STAY  
4-2-2025    [\[7\]](#)

ROMELIA FERREL/MV  
ONYINYE N. ANYAMA/ATTY. FOR DBT.  
OST 4/2/25

NO RULING.

1. [25-10002](#)-A-7     **IN RE: MIGUEL/ALEGRIA GONZALEZ**  
[DVW-1](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY  
3-6-2025    [[12](#)]

21ST MORTGAGE CORPORATION/MV  
ROBERT WILLIAMS/ATTY. FOR DBT.  
DIANE WEIFENBACH/ATTY. FOR MV.  
RESPONSIVE PLEADING

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

DISPOSITION:     Denied without prejudice.

ORDER:             The court will issue an order.

The certificate of service filed in connection with this motion shows that the chapter 7 trustee was only served electronically pursuant to Federal Rule of Civil Procedure 5 and Federal Rules of Bankruptcy Procedure ("Rule") 7005 and 9036 Service. Doc. #17. However, Rules 4001(a)(1) and 9014(b) require service of a motion for relief from stay to be made pursuant to Rule 7004. Rule 9036(e) does not permit electronic service when any paper is required to be served in accordance with Rule 7004.

Because the chapter 7 trustee was not served by mail as required by Rule 7004(b)(1), the motion was not served properly on the chapter 7 trustee.

Accordingly, this motion is DENIED WITHOUT PREJUDICE for improper service.

2. [24-13022](#)-A-7     **IN RE: MARIA VINLUAN**  
[YW-1](#)

MOTION TO CONVERT CASE FROM CHAPTER 7 TO CHAPTER 13  
3-14-2025    [[39](#)]

LEONARD WELSH/ATTY. FOR DBT.

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

DISPOSITION:     Denied as moot.

ORDER:             The court will issue an order.

An order dismissing this case was entered on March 28, 2025. Doc. #48. Therefore, this motion to convert the case from chapter 7 to chapter 13 will be DENIED AS MOOT.

MOTION FOR RELIEF FROM AUTOMATIC STAY  
3-6-2025    [\[14\]](#)

FELICIANO RAMOS/MV  
JOHN ASUNCION/ATTY. FOR DBT.  
CHAD BOYLES/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 matter is DENIED WITHOUT PREJUDICE for improper notice.

Federal Rules of Bankruptcy Procedure ("Rule") 4001(a)(1) and 9014(b) require service of a motion for relief from stay to be made pursuant to Rule 7004 on both the debtor as well as the chapter 7 trustee. Rule 9036(e) does not permit electronic service when any paper is required to be served in accordance with Rule 7004. When a pleading is required to be served by mail, Local Rule of Practice ("LBR") 7005-1 requires a certificate of service to be filed with the court using the court's mandatory certificate of service form. Here, there is no certificate of service filed with the court showing that the motion and related pleadings were served by mail on the debtor and the chapter 7 trustee. Therefore, the motion does not comply with LBR 7005-1 or LBR 9014-1(e)(2), which requires that proof of service of a pleading be filed with the court not more than three (3) days after the pleading has been filed with the court.

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 deadline for filing and serving written opposition as well as the names and addresses of persons who must be served with any opposition.

As a further procedural matter, the motion and supporting papers do not comply with LBR 9014-1(c). "In motions filed in the bankruptcy case, a Docket Control Number (designated as DCN) shall be included by all parties immediately below the case number on all pleadings and other documents, including proofs of service, filed in support of or opposition to motions." LBR 9014-1(c)(1). "Once a Docket Control Number is assigned, all related papers filed by any party, including motions for orders shortening the amount of notice and stipulations resolving that motion, shall include the same number." LBR 9014-1(c)(4). See LBR 9004-2(b)(6). Here, no DCN was assigned to the motion.

As a further procedural matter, the motion and supporting papers do not comply with LBR 9004-2(d), which requires that every document listed in LBR 9014-1(d)(1) be filed as a separate document. Here, the motion, notice, exhibits, and declaration were filed as a single document. Doc. #14.

The court encourages counsel for the moving party 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/LocalRulesAndGeneralOrders>.

4. [25-10390](#)-A-7     **IN RE: ROBERT HAMLIN**

ORDER TO SHOW CAUSE - FAILURE TO PAY FEES  
2-26-2025    [\[16\]](#)

DISMISSED 3/3/25

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

DISPOSITION:                    Dropped as moot.

NO ORDER REQUIRED.

An order dismissing the case was entered on March 3, 2025. Doc. #19. The order to show cause will be dropped as moot. No appearance is necessary.

5. [24-12293](#)-A-7     **IN RE: CARLOS/SONIA SALAZAR**  
[YW-3](#)

MOTION TO COMPEL ABANDONMENT  
3-17-2025    [\[42\]](#)

SONIA SALAZAR/MV  
LAUREN NAWORSKI/ATTY. FOR DBT.  
LEONARD WELSH/ATTY. FOR MV.

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.

Carlos Alberto Salazar and Sonia Salazar (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 1703 Somerset Street, Bakersfield, California (the "Property"). Doc. #42. Debtors assert that there is no non-exempt equity in the Property and the Property therefore has no value to the bankruptcy estate. Doc. #42.

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. #42. 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 \$593,867.00 and is encumbered by a mortgage totaling \$397,137.00. Schedule D, Doc. #1. Decl. of Carlos Alberto Salazar, Doc. #44. Under California Civil Procedure Code § 704.730, Debtors claimed a \$397,000.00 exemption in the Property. Am. Schedule C, Doc. #40; Decl., Doc. #44. 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.

1. [25-10505](#)-A-11     **IN RE: WATTS CHOPPING**  
[CAE-1](#)

STATUS CONFERENCE RE: CHAPTER 11 VOLUNTARY PETITION  
2-21-2025    [[1](#)]

LEONARD WELSH/ATTY. FOR DBT.

NO RULING.

2. [24-12709](#)-A-11     **IN RE: KEWEL MUNGER**  
[CAE-1](#)

CONTINUED STATUS CONFERENCE RE: CHAPTER 11 VOLUNTARY PETITION  
9-17-2024    [[1](#)]

RILEY WALTER/ATTY. FOR DBT.

NO RULING.

3. [25-10420](#)-A-11     **IN RE: JAMES GRIMES**  
[CAE-1](#)

STATUS CONFERENCE RE: CHAPTER 11 SUBCHAPTER V VOLUNTARY PETITION  
2-14-2025    [[1](#)]

LEONARD WELSH/ATTY. FOR DBT.

NO RULING.

1. [23-12905](#)-A-7     **IN RE: REZA IMANI**  
[24-1009](#)     [KJF-1](#)

MOTION TO DISMISS ADVERSARY PROCEEDING/NOTICE OF REMOVAL  
2-19-2025     [\[56\]](#)

CREDITORS ADJUSTMENT BUREAU, INC. V. IMANI  
MELODY ANDERSON/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 notice of hearing also does not comply with LBR 9014-1(d)(3)(B)(iii), which requires the notice to advise respondents that they can determine whether the matter has been resolved without oral argument or whether the court has issued a tentative ruling by viewing the court's website at [www.caeb.uscourts.gov](http://www.caeb.uscourts.gov) after 4:00 p.m. the day before the hearing, and that parties appearing telephonically must view the pre-hearing dispositions prior to the hearing. The court encourages counsel for the moving party 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/LocalRulesAndGeneralOrders>.

Creditors Adjustment Bureau, Inc. ("Plaintiff") moves the court for an order dismissing all claims asserted against defendant Reza Imani ("Defendant") pursuant to 11 U.S.C. §§ 727. Doc. #56.

Federal Rule of Bankruptcy Procedure ("Rule") 7041 provides in relevant part that "a complaint objecting to the debtor's discharge shall not be dismissed at the plaintiff's insistence without notice to the trustee, the United States trustee, and such other persons as the court may direct, and only on order of the court containing terms and conditions which the court deems proper."



Rule 7041 requires a court order to dismiss any causes of action objecting to the debtor's discharge. Local Rule of Practice 9014-1(k)(1) requires a motion to be set for hearing if the relief requested requires a court order.

Plaintiff commenced this adversary proceeding on April 23, 2024 seeking denial of Defendant's discharge pursuant to 11 U.S.C. § 727(a)(4)(A). Doc. #1. Plaintiff and Defendant have entered into a settlement agreement ("Settlement Agreement") which, based on its terms, Plaintiff will, among other things, dismiss this adversary proceeding in full upon completion of certain obligations by Defendant. Decl. of Anna Landa, Doc. #58; Ex. 1, Doc. #59. Specifically, (1) Defendant agrees to pay Plaintiff the sum of \$126,000.00 for the satisfaction of the abstract judgment recorded by Plaintiff in Kern County on November 11, 2015; (2) the sum of \$26,000.00 shall be paid by December 30, 2024; and (3) a final payment of \$100,000.00 is due on or before January 31, 2025. Ex. 1, Doc. #59. Defendant has satisfied the payment obligations of the Settlement Agreement. Landa Decl., Doc. #58.

On February 19, 2025, Plaintiff filed and served this motion to provide creditors, the United States trustee and other parties in interest notice of Plaintiff's intent to dismiss its complaint against Defendant objecting to Defendant's discharge under 11 U.S.C. §§ 727 as required by Rule 7041. Notice of this motion is proper, and no opposition to the relief requested has been filed.

Accordingly, this motion is GRANTED.

2. [22-10825](#)-A-7     **IN RE: JAMIE/MARIA GARCIA**  
[22-1018](#)     [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT  
8-19-2022     [\[1\]](#)

AGRO LABOR SERVICES, INC. ET AL V. GARCIA ET AL  
VIVIANO AGUILAR/ATTY. FOR PL.  
RESPONSIVE PLEADING

NO RULING.

3. [24-12873](#)-A-11     **IN RE: GRIFFIN RESOURCES, LLC**  
[24-1056](#)     [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT  
12-3-2024     [\[1\]](#)

GRIFFIN RESOURCES, LLC V. CALIFORNIA DEPARTMENT OF  
IAN QUINN/ATTY. FOR PL.  
REISSUED SUMMONS: 6/4/25 ON AMENDED COMPLAINT, DOC. NO. 34

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

DISPOSITION:     Dropped from calendar

NO ORDER REQUIRED.

A reissued summons was issued on March 14, 2025 setting a new status conference for June 4, 2025 at 11:00 a.m. Doc. #35. Accordingly, this status conference is dropped from calendar.

4. [24-12873](#)-A-11 **IN RE: GRIFFIN RESOURCES, LLC**  
[24-1056](#) [WJH-4](#)

CONTINUED MOTION FOR TEMPORARY RESTRAINING ORDER AND/OR MOTION FOR  
ORDER TO SHOW CAUSE RE: PRELIMINARY INJUNCTION  
12-3-2024 [[20](#)]

GRIFFIN RESOURCES, LLC V. CALIFORNIA DEPARTMENT OF  
IAN QUINN/ATTY. FOR MV.

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

DISPOSITION: Continued to May 1, 2025 at 11:00 a.m.

NO ORDER REQUIRED.

An order continuing the status conference to May 1, 2025 at 11:00 a.m. was entered on March 28, 2025. Doc. #46.

5. [24-12899](#)-A-7 **IN RE: BRIAN HAIR**  
[25-1001](#) [CAE-1](#)

STATUS CONFERENCE RE: COMPLAINT  
1-21-2025 [[1](#)]

GIBI TRUCKING LLC V. HAIR  
KATHLEEN CASHMAN-KRAMER/ATTY. FOR PL.

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

DISPOSITION: Continued to June 11, 2025 at 3:00 p.m.

NO ORDER REQUIRED.

An order continuing the status conference to June 11, 2025 at 3:00 p.m. was entered on March 21, 2025. Doc. #20.

6. [24-12899](#)-A-7     **IN RE: BRIAN HAIR**  
[25-1001](#)     [GRW-1](#)

MOTION TO DISMISS ADVERSARY PROCEEDING/NOTICE OF REMOVAL  
2-21-2025     [[10](#)]

GIBI TRUCKING LLC V. HAIR  
GARY WALLACE/ATTY. FOR MV.

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

DISPOSITION:     Denied as moot.

ORDER:     The court will issue an order.

An order has been entered granting the parties' stipulation to extend the time for the plaintiff to file an amended complaint, so this motion to dismiss is DENIED AS MOOT. Doc. #20.

7. [24-12873](#)-A-11     **IN RE: GRIFFIN RESOURCES, LLC**  
[24-1065](#)     [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT  
12-31-2024     [[1](#)]

GRIFFIN RESOURCES, LLC V. CALIFORNIA DEPARTMENT OF  
DONALD OLDAKER/ATTY. FOR PL.

NO RULING.

8. [24-12873](#)-A-11     **IN RE: GRIFFIN RESOURCES, LLC**  
[24-1065](#)     [DOJ-6](#)

CONTINUED MOTION TO DISMISS ADVERSARY PROCEEDING/NOTICE OF REMOVAL  
2-19-2025     [[13](#)]

GRIFFIN RESOURCES, LLC V. CALIFORNIA DEPARTMENT OF  
ALICE SEGAL/ATTY. FOR MV.

NO RULING.