



**UNITED STATES BANKRUPTCY COURT  
Eastern District of California**

**Chief Judge Fredrick E. Clement**  
Sacramento Federal Courthouse  
501 I Street, 7<sup>th</sup> Floor  
Courtroom 28, Department A  
Sacramento, California

**DAY: TUESDAY**  
**DATE: APRIL 4, 2023**  
**CALENDAR: 10:30 A.M. ADVERSARY PROCEEDINGS**

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Unless otherwise ordered, all matters before Chief Judge Fredrick E. Clement shall be heard simultaneously: (1) **IN PERSON** in Courtroom 28, (2) via **ZOOMGOV VIDEO**, (3) via **ZOOMGOV TELEPHONE**, and (4) via **COURTCALL**.

You may choose any of these options unless otherwise ordered.

Parties in interest and members of the public may connect to the Zoomgov video and audio feeds, free of charge, using the connection information provided:

**Video web address:**

<https://www.zoomgov.com/j/1619509124?pwd=UGtrT2ZYRGd3QVpucDJyTXpkOW5ZUT09>

**Meeting ID:** 161 950 9124

**Password:** 953846

**ZoomGov Telephone:** (669) 254-5252 (Toll Free)

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. You are required to give the court 24 hours advance notice. Review the court's [Zoom Procedures and Guidelines](#) for these, and additional instructions.
3. Parties appearing via CourtCall are encouraged to review the [CourtCall Appearance Information](#).

Please join at least 10 minutes prior to the start of the calendar and wait with your microphone muted until your 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.

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## PRE-HEARING DISPOSITION

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### RULINGS

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

**"No Ruling"** means the likely disposition of the matter will not be disclosed in advance of the hearing. The matter will be called; parties wishing to be heard should rise and be heard.

**"Tentative Ruling"** means the likely disposition, and the reasons therefor, are set forth herein. The matter will be called. Aggrieved parties or parties for whom written opposition was not required should rise and be heard. Parties favored by the tentative ruling need not appear. However, non-appearing parties are advised that the court may adopt a ruling other than that set forth herein without further hearing or notice.

**"Final Ruling"** means that the matter will be resolved in the manner, and for the reasons, indicated below. The matter will not be called; parties and/or counsel need not appear and will not be heard on the matter.

### CHANGES TO PREVIOUSLY PUBLISHED RULINGS

On occasion, the court will change its intended ruling on some of the matters to be called and will republish its rulings. The parties and counsel are advised to recheck the posted rulings after 3:00 p.m. on the next business day prior to the hearing. Any such changed ruling will be preceded by the following bold face text: **"[Since posting its original rulings, the court has changed its intended ruling on this matter]"**.

### ERRORS IN RULINGS

Clerical errors of an insignificant nature, e.g., nomenclature ("2017 Honda Accord," rather than "2016 Honda Accord"), amounts, ("\$880," not "\$808"), may be corrected in (1) tentative rulings by appearance at the hearing; or (2) final rulings by appropriate ex parte application. Fed. R. Civ. P. 60(a) *incorporated by* Fed. R. Bankr. P. 9024. All other errors, including those occasioned by mistake, inadvertence, surprise, or excusable neglect, must be corrected by noticed motion. Fed. R. Bankr. P. 60(b), *incorporated by* Fed. R. Bankr. P. 9023.

1. [22-20832](#)-A-7     **IN RE: DANIEL STEWART**  
[22-2046](#)     [FEC-1](#)

CONTINUED PRE-TRIAL CONFERENCE RE: COMPLAINT TO DETERMINE  
DISCHARGEABILITY OF DEBT  
7-14-2022     [[1](#)]

DECKER ET AL V. STEWART, JR.  
CHARLES HASTINGS/ATTY. FOR PL.

**No Ruling**

2. [14-31850](#)-A-13     **IN RE: TUA/SHING VANG**  
[21-2079](#)

CONTINUED PRE-TRIAL CONFERENCE RE: COMPLAINT FOR: 1)  
DECLARATORY RELIEF TO DETERMINE VALUE AND EXTENT OF LIEN; 2)  
BREACH OF CONTRACT; 3) VIOLATION 11 U.S.C. 362 (K) AND 524  
(A) (2); 4) ATTORNEY FEES AND COSTS  
11-9-2021     [[1](#)]

VANG ET AL V. FAY SERVICING,  
LLC  
PETER MACALUSO/ATTY. FOR PL.

**No Ruling**

3. [20-23457](#)-A-7     **IN RE: ERNESTO/MARILYN PATACSIL**  
[20-2167](#)

MOTION TO DETERMINE FACTS AS ESTABLISHED BY JURY FINDINGS  
AND COURT FINDINGS, AND TO GIVE PRECLUSIVE EFFECT  
12-2-2022     [[117](#)]

CABARDO ET AL V. PATACSIL ET  
AL  
HECTOR MARTINEZ/ATTY. FOR MV.

**Final Ruling**

Amended Order filed March 23, 2023, ECF No. 201, moves this motion  
to April 18, 2023, at 10:30 a.m. No appearances are required.

4. [20-23457](#)-A-7     **IN RE: ERNESTO/MARILYN PATACSIL**  
[20-2167](#)     [FEC-1](#)

MOTION FOR IN LIMINE TO GIVE PRECLUSIVE EFFECT TO TRIAL  
COURT FINDINGS AND BAR TESTIMONY CONTRARY TO THOSE FINDINGS  
11-30-2022    [[106](#)]

CABARDO ET AL V. PATACSIL ET  
AL  
HECTOR MARTINEZ/ATTY. FOR MV.

**Final Ruling**

Amended Order filed March 23, 2023, ECF No. 201, moves this motion  
to April 18, 2023, at 10:30 a.m. No appearances are required.

5. [22-21067](#)-A-7     **IN RE: CHRISTOPHER CARTER**  
[22-2043](#)     [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: SEALED PER ORDER DATED  
07/12/22 COMPLAINT  
7-11-2022    [[1](#)]

DOE 1 ET AL V. CARTER  
LARRY BAUMBACH/ATTY. FOR PL.

**No Ruling**

6. [22-21277](#)-A-7     **IN RE: YOUSEF HADDAD**  
[22-2091](#)     [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT  
9-6-2022    [[1](#)]

EBF HOLDINGS, LLC V. HADDAD

**Final Ruling**

Judgment was entered March 23, 2023, ECF No. 43, the Status  
conference is concluded. A civil minute order shall issue.

7. [22-22290](#)-A-7     **IN RE: AMD METAL WORKS, INC**  
[23-2017](#)     [CAE-1](#)

STATUS CONFERENCE RE: NOTICE OF REMOVAL  
12-6-2022     [[1](#)]

AMD METAL WORKS, INC. V.  
JOHNSTONE MOYER, INC.  
UNKNOWN TIME OF FILING/ATTY. FOR PL.

**Final Ruling**

The status conference is continued to May 31, 2023, at 10:30 a.m.  
Not later than 14 days prior to the continued status conference the  
parties shall file a joint status report. A civil minute order  
shall issue.

8. [22-22290](#)-A-7     **IN RE: AMD METAL WORKS, INC**  
[23-2017](#)     [DNL-1](#)

MOTION TO EXTEND TIME  
2-15-2023     [[31](#)]

AMD METAL WORKS, INC. V.  
JOHNSTONE MOYER, INC.  
J. CUNNINGHAM/ATTY. FOR MV.

**Final Ruling**

The motion to extend time for defendant Johnstone Moyer, Inc. is  
granted, and time is extended to April 4, 2023. A civil minute  
order shall issue.

9. [22-22290](#)-A-7     **IN RE: AMD METAL WORKS, INC**  
[23-2017](#)     [FEC-1](#)

AMENDED ORDER TO SHOW CAUSE  
2-24-2023     [[39](#)]

AMD METAL WORKS, INC. V.  
JOHNSTONE MOYER, INC.

**Final Ruling**

The disclosure statement has been filed, and the order to show cause  
is dropped. A civil minute order will issue.

10. [21-22496](#)-A-7     **IN RE: LILLIAN/ISAGANI SISAYAN**  
[21-2089](#)     [CAE-1](#)

STATUS CONFERENCE RE: NOTICE OF REMOVAL  
12-21-2021     [[1](#)]

BALOCATING ET AL V. SISAYAN ET  
AL  
UNKNOWN TIME OF FILING/ATTY. FOR PL.

**No Ruling**

11. [21-22496](#)-A-7     **IN RE: LILLIAN/ISAGANI SISAYAN**  
[22-2020](#)     [CAE-1](#)

STATUS CONFERENCE RE: COMPLAINT  
4-6-2022     [[1](#)]

CARELLO V. SISAYAN ET AL  
J. CUNNINGHAM/ATTY. FOR PL.

**No Ruling**