

UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Ronald H. Sargis
Bankruptcy Judge
Sacramento, California

April 5, 2023 at 2:00 p.m.

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| 1. <u>23-20380</u>-E-12 <u>CAE-1</u> | TIMOTHY WILSON | STATUS CONFERENCE RE: VOLUNTARY PETITION 2-7-23 [<u>1</u>] |
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Debtor's Atty: Mark A. Wolff

Notes:

Trustee Report at 341 Meeting lodged 3/14/23; continued to 3/27/23 at 10:00 a.m.

Debtor's Status Conference Statement filed 3/22/23 [Dckt 28]

Trustee Report at 341 Meeting lodged 3/27/23; meeting adjourned

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| The Status Conference is XXXXXXX |
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APRIL 5, 2023 CHAPTER 12 STATUS CONFERENCE

On March 22, 2023, the Debtor in Possession filed a Status Report. Dckt. 28. In the Status Report, the Debtor in Possession provides an analysis of Debtor's eligibility for prosecuting a case under Chapter 12. Debtor's business is as a "professional forester."

The Chapter 12 Trustee filed his Status Report on March 30, 2023. Dckt. 32. With respect to eligibility as a Chapter 12 Debtor, the Trustee calls into question the following elements, asserting:

- A. The Debtor in Possession has not provided evidence that more than fifty percent (50%) of the debt is from farming operations in the second and third year preceding the commencement of this Bankruptcy Case.
- B. The Chapter 12 Trustee raises the same question for Debtor's income being more than fifty percent (50%) for the second and third year preceding the commencement of this Bankruptcy Case.

1. The Trustee's computation that in 2021 the Debtor had \$51,814 in farm income and \$138,026 in income from non-farming sources.
- C. The Trustee states that there is not evidence and legal authority that Custom Hire and Other Income is from a farming operations.

At the Status Conference, **XXXXXXX**

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

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

The Chapter 12 Status Conference having been conducted by the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Status Conference is **XXXXXXX**

FINAL RULINGS

2. [22-22864-E-13](#) NATHANIEL SOBAYO STATUS CONFERENCE RE:
[23-2001](#) COMPLAINT
CAE-1 1-3-23 [[1](#)]

**SOBAYO V. THE BANK OF NEW YORK
MELLON ET AL**

ADVERSARY DISMISSED 3/23/23

Final Ruling: No appearance at the April 5, 2023 Status Conference is required.

Adv. Filed: 1/3/23

Answer: 2/3/23 [Cathy Giblin; Gordon Property Management San Francisco; Poplar Plaza Apartments]

Nature of Action:

Recovery of money/property - turnover of property

Recovery of money/property - preference

Notes:

Adversary dismissed as to all Parties 3/23/23

The court having dismissed this Adversary Proceeding, the Status Conference is concluded and removed from the Calendar.

3. [22-21770-E-13](#) **RICHARD PILA**
[23-2015](#)
CAE-1

**STATUS CONFERENCE RE: NOTICE OF
REMOVAL**
1-27-23 [[1](#)]

**PILA V. PHH MORTGAGE
CORPORATION ET AL**

Final Ruling: No appearance at the April 5, 2023 Status Conference is required.

Plaintiff's Atty: unknown
Defendant's Atty: Jared D. Bissell; Peter Yould

Adv. Filed: 1/27/23
Answer: 2/3/23
Nature of Action:
Determination of removed claim or cause
Recovery of money/property - other
Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case)
Injunctive relief - other

Notes:

[RHS-1] Order to Show Cause Why Court Should Not Abstain from Adjudicating Non-Core Matters filed 2/16/23 [Dckt 16]; heard 3/21/23 at 1:30 p.m.; continued to 4/27/23 at 11:00 a.m., the Parties having reported that this matter has been settled.

Notice of Settlement filed 3/20/23 [Dckt 21]

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| The Status Conference is continued to 11:00 a.m. on April 28, 2023. |
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APRIL 5, 2023 STATUS CONFERENCE

The Parties having noticed that this matter has been settled and a Stipulation for Dismissal shall be filed (Notice; Dckt. 21). The court continues the Status Conference to be conducted with the continued hearing on the Court's Order to Show Cause.

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

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

The Status Conference having been scheduled, the Parties having filed their Notice of Settlement (Dckt. 21), and good cause appearing,

IT IS ORDERED that the Status Conference is continued to 11:00 a.m. on April 28, 2023.