

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

**Honorable Ronald H. Sargis**  
**Chief Bankruptcy Judge**  
**Sacramento, California**

**April 7, 2022 at 10:00 a.m.**

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**FINAL RULING**

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| 1. | <a href="#"><u>22-20108-E-11</u></a> <b>KAMCARE, LLC</b><br><a href="#"><u>ELP-1</u></a> <b>Gabriel Liberman</b><br><b>U.S. BANK TRUST NATIONAL</b><br><b>ASSOCIATION VS.</b> | <b>MOTION FOR RELIEF FROM</b><br><b>AUTOMATIC STAY</b><br><b>3-2-22 [19]</b> |
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**Final Ruling:** No appearance at the April 7, 2022 hearing is required.

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Local Rule 9014-1(f)(1) Motion—No Opposition Filed.

Sufficient Notice Provided. The Proof of Service states that the Motion and supporting pleadings were served on Debtor, Debtor’s Attorney, parties requesting special notice, and Office of the United States Trustee on March 2, 2022. By the court’s calculation, 36 days’ notice was provided. 28 days’ notice is required.

The Motion for Relief from the Automatic Stay has been set for hearing on the notice required by Local Bankruptcy Rule 9014-1(f)(1). Failure of the respondent and other parties in interest to file written opposition at least fourteen days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995) (upholding a court ruling based upon a local rule construing a party’s failure to file opposition as consent to grant a motion). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. *See Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006). Therefore, the defaults of the non-responding parties and other parties in interest are entered. Upon review of the record, there are no disputed material factual issues, and the matter will be resolved without oral argument. The court will issue its ruling from the parties’ pleadings.

**The Hearing on the Motion for Relief from the Automatic Stay is continued to April 28, 2022 at 10:00 am in Courtroom 33.**

Per the parties joint stipulation, filed on April 5, 2022, Dckt. 34, which the court construes to be a Joint Ex Parte Motion to Continue the Hearing (Fed. R. Bankr. P. 9013), the hearing on the Motion for Relief from the Automatic Stay is continued to April 28, 2022 at 10:00 am in Courtroom 33.

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 Motion for Relief from the Automatic Stay filed by U.S. Bank Trust National Association, as Trustee for LB-Igloo Series IV Trust (“Movant”) having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

**IT IS ORDERED** that the Hearing on the Motion for Relief from Automatic Stay is continued to April 28, 2022 at 10:00 am in Courtroom 33.