

UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Ronald H. Sargis
Chief Bankruptcy Judge
Modesto, California

April 12, 2018, at 2:00 p.m.

1. [18-90149-E-11](#) **SOUZA PROPERTIES, INC.** **STATUS CONFERENCE RE:**
David Johnston **VOLUNTARY PETITION**
3-8-18 [1]

Debtor's Atty: David C. Johnston

The Status Conference is ~~XXXXXXXXXXXXXXXXXXXX~~.

Notes:

Order granting extension of deadline to file documents [to 4/5/18] filed 3/22/18 [Dckt 18]

Debtor's Chapter 11 Status Report filed 3/29/18 [Dckt 21]

[DCJ-2] Application of Debtor in Possession for Authority to Employ Attorney filed 4/1/18 [Dckt 23]; Order granting filed 4/2/18 [Dckt 26]

Notice of Perfection of Security Interest in Real Property and Non-Consent to Use of Cash Collateral [Anshin Family Trust] filed 4/4/18 [Dckt 28]

APRIL 12, 2018 STATUS CONFERENCE

The voluntary Chapter 11 Case was filed on March 8, 2018. The Schedules and Statement of Financial Affairs were filed on April 5, 2018.

At the Status Conference, ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~.

**REVIEW OF SCHEDULES
AND STATEMENT OF FINANCIAL AFFAIRS**

The financial information in the Schedules and Statement includes the following:

- I. Schedules—Dckt. 32
 - A. Schedule A/B—Real Property

1. Two parcels of real property in Turlock, California, consisting of one two-story retail building, one two-story shop, one warehouse, five houses, and five storage sheds/garages.
 - i. Stated FMV Value.....\$1,800,000
 2. Schedule A/B—Personal Property.....Aggregate FMV.....\$48,374
 - i. Financial Institution Accts.....\$ 1,347
 - ii. Title Company Deposit.....\$26,000
 - iii. Office Equip., FF&E.....\$20,000
 - iv. Breach of Lease Claims.....Unknown
 - v. Breach of Contract.....Unknown
- B. Schedule D—Secured Claims
1. New Hope Community Church.....(\$ 25,000)
 - i. Title Company Deposit, subject to breach of contract claims of Estate.
 2. Stanislaus County Tax Collector.....(\$ 6,366)
 - i. Real Property
 3. Money Brokers.....(\$1,344,411)
 - i. Real Property, first deed of trust
 4. Money Brokers.....(\$ 210,039)
 - i. Real Property, second deed of trust
- C. Schedule E/F—Priority Unsecured Claims.....None
- D. Schedule E/F—General Unsecured Claims.....(\$ 27,725)

II. Statement of Financial Affairs—Dekt. 31

A. Gross Income From Business, p. 1–2

- 1. 2018 YTD.....\$ 9,719
- 2. 2017.....\$ 56,758
- 3. 2016.....\$162,644

B. Legal Actions, p. 2

- 1. *Souza Properties v Hernandez*, Stanislaus County
 - i. Concluded

2. [13-92058-E-7](#) **SHERI HIEMSTRA**
[17-9016](#)
NELSON V. HIEMSTRA

**CONTINUED STATUS CONFERENCE RE:
 COMPLAINT
 10-9-17 [1]**

Plaintiff’s Atty: David C. Johnston
 Defendant’s Atty: Michael R. Germain

Adv. Filed: 10/9/17
 Answer: none

Nature of Action:
 Validity, Priority or Extent of Lien, Injunctive Relief, Declaratory Judgment

The Status Conference is XXXXXXXXXXXXXXXXXXXXXX.

Notes:
 Continued from 3/29/18 to allow the Parties time to complete their settlement documentation.

APRIL 12, 2018 STATUS CONFERENCE

At the Status Conference XXXXXXXXXXXXXXXXXXXXXX.

MARCH 29, 2018 STATUS CONFERENCE

Plaintiff filed a Status Report on March 27, 2018. Dckt. 21. Plaintiff reports that the Parties have agreed to settlement terms, but Plaintiff's counsel has been unable to complete the drafting of settlement documents due to illness in the family and a death in the family.

At the Status Conference, the parties requested that the hearing be continued to allow the parties to complete the settlement that has been negotiated.