

UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable W. Richard Lee
Hearing Date: Tuesday, April 12, 2016
Place: Department C – Courtroom #12
Fresno, California

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

1. The following rulings are tentative. The tentative ruling will not become the final ruling until the matter is called at the scheduled hearing. **Pre-disposed matters will generally be called, and the rulings placed on the record at the end of the calendar.** Any party who desires to be heard with regard to a pre-disposed matter may appear at the hearing. If the party wishes to contest the tentative ruling, he/she shall notify the opposing party/counsel of his/her intention to appear. **If no disposition is set forth below, the hearing will take place as scheduled.**
2. Submission of Orders:

Unless the tentative ruling expressly states that the court will prepare a civil minute order, then the tentative ruling will only appear in the minutes. If any party desires an order, then the appropriate form of order, which conforms to the tentative ruling, must be submitted to the court. When the debtor(s) discharge has been entered, proposed orders for relief from stay must reflect that the motion is denied as to the debtor(s) and granted only as to the trustee. Entry of discharge normally is indicated on the calendar.
3. Matters Resolved Without Opposition:

If the tentative ruling states that no opposition was filed, and the moving party is aware of any reason, such as a settlement, why a response may not have been filed, the moving party must advise Vicky McKinney, the Calendar Clerk, at (559) 499-5825 by 4:00 p.m. the day before the scheduled hearing.
4. Matters Resolved by Stipulation:

If the parties resolve a matter by stipulation after the tentative ruling has been posted, but **before the formal order is entered on the docket**, the **moving party** may appear at the hearing and advise the court of the settlement or withdraw the motion. Alternatively, the parties may submit a stipulation and order to modify the tentative ruling together with the proposed order resolving the matter.
5. Resubmittal of Denied Matters:

If the moving party decides to re-file a matter that is denied without prejudice for any reason set forth below, the moving party must file and serve a new set of pleadings with a new docket control number. It may not simply re-notice the original motion.

THE COURT ENDEAVORS TO PUBLISH ITS PREDISPOSITIONS AS SOON AS POSSIBLE, HOWEVER CALENDAR PREPARATION IS ONGOING AND THESE PREDISPOSITIONS 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.

1:30 P.M.

1. [15-10705](#)-C-11 CHARLOTTE SALWASSER CONTINUED STATUS CONFERENCE RE:
[15-1113](#) AMENDED COMPLAINT
5T FARMS ET AL V. SALWASSER 1-4-16 [[23](#)]
RILEY WALTER/Atty. for pl.

Based on the plaintiff's status report, this status conference will be continued to May 17, 2016, at 1:30 p.m. Pursuant to the order dated March 8, 2016, the defendant's responsive pleading must still be filed and served by April 20, 2016, unless the adversary proceeding is settled and dismissed. No appearance is necessary.

2. [15-10705](#)-C-11 CHARLOTTE SALWASSER MOTION TO COMPROMISE
ROBERT HAWKINS/MV CONTROVERSY/APPROVE SETTLEMENT
AGREEMENT WITH DEBTORS AND
TRUSTEE; CENTRAL VALLEY
COMMUNITY BANK; 5T FARMS;
ALBERTA OTTO; ALFRED DURAN;
ASSEMI & SONS, INC.; LINCOLN
GRANTOR FARMS; MANNING AVENUE
PISTACHIOS; BRYAN AMBROS
3-18-16 [[914](#)]
D. GARDNER/Atty. for dbt.
HAGOP BEDOYAN/Atty. for mv.

3. [15-10705](#)-C-11 CHARLOTTE SALWASSER MOTION FOR COMPENSATION FOR
JES-5 JAMES E. SALVEN, OTHER
JAMES SALVEN/MV PROFESSIONAL(S)
3-8-16 [[893](#)]
D. GARDNER/Atty. for dbt.

By stipulation and order dated April 1, 2016, this matter has been rescheduled to May 17, 2016, at 1:30 p.m. No appearance is necessary.

4. [15-10705](#)-C-11 CHARLOTTE SALWASSER MOTION TO APPROVE STIPULATION
WJH-6 TO APPROVE PAST AND FUTURE
CENTRAL VALLEY COMMUNITY SALES OF REAL PROPERTY
BANK/MV 3-4-16 [[886](#)]
D. GARDNER/Atty. for dbt.
KURT VOTE/Atty. for mv.

This matter will be continued to May 17, 2016, at 1:30 p.m., for additional briefing and information. This court has approved and authorized all of the real property sales that have been set for hearing before this court. It is not clear what further relief is required in this case. If this stipulation is intended to be a compromise of controversy, then the moving papers need to identify and describe the controversy and address the applicable factors for its approval. No appearance is necessary.

5. [15-10705](#)-C-11 CHARLOTTE SALWASSER CONTINUED MOTION TO DISMISS
WW-2 CASE, AND/OR MOTION TO APPOINT
5T FARMS/MV TRUSTEE
12-30-15 [[788](#)]
D. GARDNER/Atty. for dbt.
RILEY WALTER/Atty. for mv.
RESPONSIVE PLEADING

6. [13-14530](#)-C-7 KATHERYN JONES MOTION FOR COMPENSATION FOR
JTW-2 JANZEN, TAMBERI & WONG,
JANZEN, TAMBERI, AND WONG/MV ACCOUNTANT(S)
3-17-16 [[248](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

7. [15-12763](#)-A-13 FRANK MOOSIOS PRETRIAL CONFERENCE RE: MOTION
DRJ-3 TO DISMISS CASE
LOUIS MOOSIOS/MV 11-10-15 [[72](#)]
TRUDI MANFREDO/Atty. for dbt.
DAVID JENKINS/Atty. for mv.
RESPONSIVE PLEADING
8. [15-11079](#)-C-7 WEST COAST GROWERS, INC. MOTION TO COMPROMISE
KDG-17 A CALIFORNIA CORPORATION CONTROVERSY/APPROVE SETTLEMENT
ROBERT HAWKINS/MV AGREEMENT WITH DEBTORS AND
TRUSTEE; ET. AL.
3-17-16 [[709](#)]
HAGOP BEDOYAN/Atty. for dbt.
ROBERT HAWKINS/Atty. for mv.
RESPONSIVE PLEADING

9. [15-11079](#)-C-7 WEST COAST GROWERS, INC. CONTINUED OBJECTION TO CLAIM OF
WW-4 A CALIFORNIA CORPORATION CHARLOTTE E. SALWASSER,
5T FARMS/MV 12-21-15 [[654](#)]
HAGOP BEDOYAN/Atty. for dbt.
RILEY WALTER/Atty. for mv.
10. [13-13388](#)-C-11 GEORGE/MARILYN LANTING MOTION TO DISMISS CASE
TCS-15 3-22-16 [[378](#)]
GEORGE LANTING/MV
NANCY KLEPAC/Atty. for dbt.
11. [15-11080](#)-C-11 SALWASSER, INC. MOTION/APPLICATION FOR
FW-7 COMPENSATION FOR PETER L. FEAR,
DEBTORS ATTORNEY(S) FILED BY
PETER L. FEAR
3-21-16 [[179](#)]
PETER FEAR/Atty. for dbt.

This matter was set for hearing on less than 28 days' notice and no opposition is required prior to the hearing. However, the motion appears to be properly noticed and the court is prepared to grant the motion for good cause, without a further hearing, unless someone appears in opposition. If there is any opposition, the court will issue a civil minute order setting a briefing schedule and a final hearing date. In the absence of opposition, the minutes will reflect that the motion was granted and the moving party may submit a proposed order. No appearance is necessary.