

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Robert S. Bardwil
Bankruptcy Judge
Sacramento, California

April 21, 2020 at 10:00 a.m.

ALL APPEARANCES MUST BE TELEPHONIC
(Please see the court's website for instructions.)

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

1. Matters resolved without oral argument:

Unless otherwise stated, the court will prepare a civil minute order on each matter listed. If the moving party wants a more specific order, it should submit a proposed amended order to the court. In the event a party wishes to submit such an Order it needs to be titled 'Amended Civil Minute Order.'

If the moving party has received a response or is aware of any reason, such as a settlement, that a response may not have been filed, the moving party must contact Lindsey Peratis, the Courtroom Deputy, at (916) 930-4473 at least one hour prior to the scheduled hearing.

2. The court will not continue any short cause evidentiary hearings scheduled below.
3. If a matter is denied or overruled without prejudice, the moving party may file a new motion or objection to claim with a new docket control number. The moving party may not simply re-notice the original motion.
4. If no disposition is set forth below, the matter will be heard as scheduled.

1.	19-27700 -C-13	KRISTA/SEAN BILLINGS	MOTION TO CONFIRM PLAN
	PLC -2		2-20-20 [37]

Final ruling:

This is the debtors' motion to confirm a plan. The moving party failed to serve the creditors filing Claim Nos. 2-1, 3-1, 4-1, 5-1, 6-1, 7-1, 8-1, 9-1, 10-1, 11-1 and 12-1 at the addresses on their proofs of claim, as required by Fed. R. Bankr. P. 2002(g), with the plan, motion, notice, and supporting declaration that were filed and served on February 20, 2020. On February 21, 2020 movant filed and served an amended notice of hearing on these parties, but not the plan, motion, or supporting declaration. As a result of this service defect, the motion will be denied by minute order. No appearance is necessary.

April 21, 2020 at 10:00 a.m.

2. [19-21503](#)-B-13 JOHNNY DUANGSAWAT CONTINUED MOTION TO MODIFY PLAN
[JCK](#)-1 2-25-20 [[19](#)]
3. [18-27004](#)-B-13 MYRTIS MARTIN MOTION TO INCUR DEBT
[HWW](#)-4 4-6-20 [[49](#)]
4. [20-20109](#)-C-13 KARLA SLADARIU CONTINUED OBJECTION TO
[EMM](#)-1 CONFIRMATION OF PLAN BY
DEUTSCHE BANK NATIONAL TRUST
COMPANY 3-5-20 [[27](#)]
5. [20-20109](#)-C-13 KARLA SLADARIU MOTION TO VALUE COLLATERAL OF
[PGM](#)-1 DEUTSCHE BANK NATIONAL TRUST
COMPANY
3-6-20 [[31](#)]

6. [20-20109](#)-C-13 KARLA SLADARIU CONTINUED OBJECTION TO
[RDG](#)-1 CONFIRMATION OF PLAN BY RUSSELL
D. GREER
3-2-20 [[21](#)]

7. [18-23710](#)-B-13 DAVID/EMILINDA VERA MOTION FOR RELIEF FROM
[JAC](#)-1 AUTOMATIC STAY
3-26-20 [[143](#)]
ROCKY TOP RENTALS, LLC VS.

Final ruling:

The motion is denied without prejudice. No proof of service was filed with the motion to evidence service. The court will deny the motion by minute order. No appearance is necessary.

8. [18-25611](#)-B-13 SHARIE DAVIS CONTINUED MOTION TO MODIFY PLAN
[BSH](#)-2 1-22-20 [[23](#)]

9. [20-20813](#)-C-13 ANTOINETTE WOODS OBJECTION TO CLAIM OF LVNV
[MJD](#)-1 FUNDING, LLC, CLAIM NUMBER 3
3-4-20 [[16](#)]

10. [19-25214](#)-B-13 MICHAEL YBARRA MOTION TO CONFIRM PLAN
[DEF](#)-2 2-14-20 [[41](#)]
11. [19-27414](#)-B-13 GUADALUPE TAFOLLA MOTION TO VALUE COLLATERAL OF
[MJH](#)-2 PNC MORTGAGE
3-19-20 [[40](#)]
12. [19-27715](#)-B-13 LAROY SCOTT MOTION TO CONFIRM PLAN
[RK](#)-[1](#) 3-4-20 [[30](#)]
13. [19-27715](#)-B-13 LAROY SCOTT OBJECTION TO NOTICE OF MORTGAGE
[RK](#)-[2](#) PAYMENT CHANGE
4-6-20 [[50](#)]

14. [20-21225](#)-B-13 YVONNE LOPEZ
[GMW](#)-1

MOTION TO VALUE COLLATERAL OF
FRANKLIN CREDIT MANAGEMENT
CORPORATION
3-16-20 [[15](#)]

15. [20-20826](#)-B-13 KEYSA TRUELL
[JMM](#)-1

MOTION TO VALUE COLLATERAL OF
SANTANDER CONSUMER USA INC.
3-17-20 [[12](#)]

Final ruling:

The motion is denied without prejudice. The creditor, Santander Consumer USA, Inc., was not served through its agent for service of process as required by FRBP 7004(a)(3). As a result of this service defect the court will deny the motion by minute order. No appearance is necessary.

16. [15-27327](#)-B-13 RONALD WHITAKER AND MELBA MCNEAL-WHITAKER
[PGM](#)-3

MOTION TO MODIFY PLAN
3-3-20 [[63](#)]

Final ruling:

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is referenced in LBR 3015-1(e). The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

17. [20-20527](#)-C-13 VIKAS/RITU VERMA
[JK](#)-2

MOTION FOR RELIEF FROM
AUTOMATIC STAY AND/OR MOTION
FOR ADEQUATE PROTECTION
3-17-20 [[43](#)]

VONNEX-MADISON LLC VS.

18. [17-22229](#)-B-13 DENNIS/SHERRY CRUZ MOTION FOR HARDSHIP DISCHARGE
[TBK](#)-7 3-13-20 [[136](#)]

Final ruling:

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion for hardship discharge under Bankruptcy Code § 1328(b) is supported by the record. As such the court will grant the motion. Moving party is to submit an appropriate order. No appearance is necessary.

19. [20-21329](#)-C-13 TONYA SMITH MOTION FOR RELIEF FROM
[ABV](#)-1 AUTOMATIC STAY
3-24-20 [[15](#)]
CIVIC VENTURES, LLC VS.

Final ruling:

This case was dismissed on March 24, 2020. As a result the motion will be denied by minute order as moot. No appearance is necessary.

20. [15-27238](#)-B-13 ELMER/LEAH PERPETUA MOTION TO MODIFY PLAN
[RWF](#)-1 BELTRAN 2-28-20 [[23](#)]

21. [15-26244](#)-B-13 DOUGLAS GONZALES MOTION TO MODIFY PLAN
[PGM](#)-1 3-6-20 [[106](#)]

22. [18-24547](#)-B-13 LILLIE BRACY
[BLG](#)-2

MOTION TO MODIFY PLAN
2-19-20 [[77](#)]

23. [19-23047](#)-B-13 ROBERT/SOPHIA BLANTON
[WLG](#)-2

MOTION TO MODIFY PLAN
3-6-20 [[59](#)]

24. [18-26050](#)-B-13 DONNIE LEA
[GSJ](#)-2

MOTION TO MODIFY PLAN
3-4-20 [[37](#)]

25. [16-21452](#)-B-13 MARIO ORTIZ
[NFG](#)-3

CONTINUED MOTION TO ENFORCE
TERMS OF CONFIRMED AMENDED PLAN
5-20-19 [[117](#)]

26. [12-33654](#)-B-13 TED/TAMMY FOLEY
[LRR-4](#)

MOTION TO AVOID LIEN OF U.S.
BANK, N.A.
3-2-20 [[63](#)]

Final ruling:

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. The court finds the judicial lien described in the motion impairs an exemption to which the debtors are entitled. As a result, the court will grant the debtors' motion to avoid the lien. Moving party is to submit an appropriate order, which order shall specifically identify the real property subject to the lien and specifically identify the lien to be avoided. No appearance is necessary.

27. [18-25156](#)-B-13 LAJUAN ANDREWS
[RJ-1](#)

MOTION TO MODIFY PLAN
3-9-20 [[48](#)]

28. [19-26557](#)-B-13 IGNACIO EROSA
[JCK-3](#)

MOTION TO CONFIRM PLAN
2-25-20 [[69](#)]

Final ruling:

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is referenced in LBR 3015-1(e). The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

29. [19-26958](#)-B-13 JOSE/DEBORAH INIGUEZ
[RK-5](#)

MOTION TO CONFIRM PLAN
3-3-20 [[55](#)]

30. [19-20359](#)-B-13 VICTOR TOPETE
[WW-1](#)

MOTION TO INCUR DEBT
3-24-20 [[29](#)]

Final ruling:

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion to incur debt is supported by the record. As such the court will grant the motion. Moving party is to submit an appropriate order. No appearance is necessary.

31. [15-27866](#)-B-13 KENNETH/CHRISTINA SHAW
[MJD-3](#)

MOTION TO INCUR DEBT
3-31-20 [[71](#)]

32. [19-20973](#)-B-13 ALBERT/MARY HAYNES
[JGL-1](#)

MOTION TO MODIFY PLAN
3-6-20 [[32](#)]

Final ruling:

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is referenced in LBR 3015-1(e). The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

33. [18-25775](#)-B-13 ELIZABETH ANDRADE
[CYB-4](#)

MOTION TO MODIFY PLAN
3-4-20 [[71](#)]

Final ruling:

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is referenced in LBR 3015-1(e). The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

34. [20-20775](#)-C-13 EBALINA HERNANDEZ AND OBJECTION TO CONFIRMATION OF
[KMM](#)-1 ALAN TRUJILLO DOMINGUEZ PLAN BY TOYOTA MOTOR CREDIT
CORPORATION
3-5-20 [[13](#)]
35. [16-27379](#)-B-13 TIFFANY LOVE MOTION TO SELL
[NUU](#)-1 3-20-20 [[74](#)]
36. [17-25179](#)-B-13 QUINTON/ISARAPORN JACKSON MOTION TO SELL
[PGM](#)-2 3-30-20 [[53](#)]
37. [18-20179](#)-B-13 RAFAEL BROWN MOTION TO MODIFY PLAN
[MRL](#)-1 2-26-20 [[39](#)]

Final ruling:

This is the debtor's motion to confirm a modified plan. The motion will be denied for the following reasons: (1) the moving party failed to serve the creditor filing Claim No. 5-1 at the address on its proof of claim, as required by Fed. R. Bankr. P. 2002(g); and (2) the moving party failed to serve the U.S. Dept. of Education at its address on the Roster of Governmental Agencies, as required by LBR 2002-1(b). As a result of these service defects, the motion will be denied by minute order. No appearance is necessary.

38. [18-26188](#)-B-13 ANTHONY/MIRIAM MOTION TO MODIFY PLAN
[MMM](#)-2 DANGERFIELD 3-2-20 [[68](#)]

Final ruling:

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is referenced in LBR 3015-1(e). The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

39. [20-20798](#)-B-13 MOLICA SON MOTION TO CONFIRM PLAN
[GMW](#)-2 2-26-20 [[20](#)]

40. [19-21282](#)-B-13 KATHLEEN RAPISURA-PARDO MOTION TO VACATE DISMISSAL OF
[PLC](#)-7 CASE O.S.T.
DEBTOR DISMISSED: 4-9-20 [[91](#)]
03/28/2020