

UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable René Lastreto
Hearing Date: Thursday, April 28, 2016
Place: Department B – Courtroom #13
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.

9:30 A.M.

- | | | | |
|----|---|-----------------------|---|
| 1. | <u>15-14017</u> -B-11 | CLUB ONE CASINO, INC. | CONTINUED STATUS CONFERENCE RE:
CHAPTER 11 VOLUNTARY PETITION
10-14-15 [<u>1</u>] |
| | HAGOP BEDOYAN/Atty. for dbt. | | |
| 2. | <u>15-14017</u> -B-11 | CLUB ONE CASINO, INC. | MOTION FOR COMPENSATION BY THE
LAW OFFICE OF KLEIN, DENATALE,
GOLDNER, COOPER, ROSENLIEB &
KIMBALL, LLP FOR HAGOP T.
BEDOYAN, DEBTORS ATTORNEY(S)
3-28-16 [<u>532</u>] |
| | HAGOP BEDOYAN/Atty. for dbt.
RESPONSIVE PLEADING | | |

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the application for fees will be approved, on an interim basis, without prejudice to any objections to final approval by creditors Long and Sarantos, without oral argument for cause shown. The applicant shall submit an order in conformance with this disposition. No appearance is necessary.

3. [15-14017](#)-B-11 CLUB ONE CASINO, INC.
KDG-18
JOHN MALONEY/MV

HAGOP BEDOYAN/Atty. for dbt.
JOHN MALONEY/Atty. for mv.
RESPONSIVE PLEADING
- MOTION FOR COMPENSATION FOR
JOHN K. MALONEY, SPECIAL
COUNSEL(S)
3-31-16 [[539](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the application for fees will be approved, on an interim basis without prejudice to any objections to final approval by creditors Long and Sarantos, without oral argument for cause shown. The applicant shall submit an order in conformance with this disposition. No appearance is necessary.

4. [15-14017](#)-B-11 CLUB ONE CASINO, INC.
KDG-19
DONALD FISCHBACH/MV

HAGOP BEDOYAN/Atty. for dbt.
DONALD FISCHBACH/Atty. for mv.
RESPONSIVE PLEADING
- MOTION FOR COMPENSATION FOR
DONALD R. FISCHBACH, SPECIAL
COUNSEL(S)
3-31-16 [[548](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the application for fees will be approved, on an interim basis, without prejudice to any objections to final approval by creditors Long and Sarantos, without oral argument for cause shown. The applicant shall submit an order in conformance with this disposition. No appearance is necessary.

5. [15-14017](#)-B-11 CLUB ONE CASINO, INC.
KDG-20
BILL HUGHES/MV

HAGOP BEDOYAN/Atty. for dbt.
- MOTION FOR COMPENSATION FOR
BILL HUGHES, OTHER
PROFESSIONAL(S)
3-31-16 [[546](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the application for fees will be approved in full on an interim basis without oral argument for cause shown. The applicant shall submit an order in conformance with this disposition. No appearance is necessary.

6. [15-14017](#)-B-11 CLUB ONE CASINO, INC.
SMR-6
CLUB ONE CASINO, INC./MV

HAGOP BEDOYAN/Atty. for dbt.
RESPONSIVE PLEADING
- MOTION FOR COMPENSATION BY THE
LAW OFFICE OF SHEPPARD, MULLIN,
RICHTER & HAMPTON LLP FOR ORI
KATZ, DEBTORS ATTORNEY(S)
3-31-16 [[559](#)]

7. [15-14017](#)-B-11 CLUB ONE CASINO, INC.
WW-3
ELAINE LONG/MV

HAGOP BEDOYAN/Atty. for dbt.
HOLLY ESTES/Atty. for mv.
RESPONSIVE PLEADING
- CONTINUED MOTION TO CONSOLIDATE
LEAD CASE 15-14017 WITH
15-14021
11-21-15 [[189](#)]

8. [15-14021](#)-B-11 CLUB ONE ACQUISITION
CORP.
T. BELDEN/Atty. for dbt.
CONTINUED STATUS CONFERENCE RE:
CHAPTER 11 VOLUNTARY PETITION
10-14-15 [[1](#)]
9. [16-10643](#)-B-12 MARK FORREST
HAGOP BEDOYAN/Atty. for dbt.
STATUS REPORT RE: CHAPTER 12
VOLUNTARY PETITION
3-2-16 [[1](#)]
10. [15-14685](#)-B-11 B&L EQUIPMENT RENTALS,
INC.
LEONARD WELSH/Atty. for dbt.
CONTINUED STATUS CONFERENCE RE:
CHAPTER 11 VOLUNTARY PETITION
11-30-15 [[1](#)]
11. [15-14685](#)-B-11 B&L EQUIPMENT RENTALS,
RAS-1 INC.
HITACHI CAPITAL AMERICA
CORP./MV
LEONARD WELSH/Atty. for dbt.
RICHARD SOLOMON/Atty. for mv.
MOTION FOR ORDER APPROVING
STIPULATION FOR ADEQUATE
PROTECTION AND RELIEF FROM
AUTOMATIC STAY
3-17-16 [[198](#)]

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 to which the stipulation has been attached. No appearance is necessary.

1:30 P.M.

1. [16-10409](#)-B-13 ROBERTO LUNA
UST-1
TRACY DAVIS/MV
SHARRON WILLIAMS GELOBTER/Atty. for dbt.
ROBIN TUBESING/Atty. for mv.

MOTION FOR REVIEW OF FEES
AND/OR MOTION FOR SANCTIONS
3-29-16 [[24](#)]

Disgorgement Under 11 U.S.C. §329.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. From the court's review of the evidence submitted by the U.S. Trustee, the declaration submitted by Tubesing dated March 29, 2016, and the record, it appears that the compensation provided by the debtor to his attorneys exceeded the reasonable value of the services received.

Accordingly, the respondents' default will be entered and the motion will be granted without oral argument for cause shown. Pursuant to 11 U.S.C. §329(b), within 30 days of entry of the order granting this motion Sharron Williams Gelobter and Volks Anwalt shall disgorge to debtor all fees received from the debtor. Ms. Williams Gelobter and Volks Anwalt (if necessary) shall file a declaration in this case that these funds have been disgorged to the debtor and the date of disgorgement.

Any agreement between Mr. Luna, and Ms. Williams Gelobter and Volks Anwalt, for payment of future fees will be cancelled.

Sanctions for Violations of Local Rules.

The U.S. Trustee also requests that Ms. Williams Gelobter and Volks Anwalt be sanctioned \$5,000, jointly and severally, for five separate violations of LBR 9004-1(c)(1)(B), (C) and (D). Specifically, the U.S. Trustee alleges that Ms. Williams Gelobter was asked, as permitted under LBR 9004-1, to produce five originally signed documents showing the debtor's signature. The documents were either not produced or those that were produced reflected the debtor's signature on dates that did not comport with the "/s/" e-signature on the documents electronically filed with the court.

Local Bankruptcy Rule 9004-1(c)(1)(D) provides that the failure to produce originally signed documents "may result in the imposition of sanctions . . . upon the motion of the . . . U.S. Trustee. . . ." In addition to that specific sanction, LBR 1001-1(g) permits sanctions against counsel (or a party) for non-compliance with the Local Rules.

There is no question that a bankruptcy court has the power to impose sanctions for violations of local rules. *Miranda v. S.Pac.Transp. Co.*, 710 F.2d 516, 519 (9th Cir. 1983). In *Zambrano v. City of Tustin*, 885 F.2d 1473, 1480 (9th Cir. 1989), the Ninth Circuit outlined a framework for a modulated approach to such sanction awards. This approach requires:

1. Sanctions must be consistent with the federal rules and with other statutes;
2. The order must be necessary for the court to carry out the conduct of its business. There must be a close connection between the sanctionable conduct and the need to preserve the integrity of the court docket or the sanctity of the federal rules;
3. The order must be consistent with "principles of right and justice"; and
4. Any sanction imposed must be proportionate to the offense and commensurate with principles of restraint and dignity inherent in judicial power. This last principle includes a responsibility to consider the usefulness of more moderate penalties before imposing a monetary sanction. *Zambrano*, 885 F.2d at 1480.

The U.S. Trustee has served Ms. Williams Gelobter and Volks Anwalt with this motion and no opposition has been filed. Accordingly, pursuant to Federal Rule of Civil Procedure 55 made applicable to contested matters by Federal Rule of Bankruptcy Procedure 9014(c), the default of Ms. Williams Gelobter and Volks Anwalt is hereby entered and well-pled facts will be taken as true.

A monetary sanction here is consistent with the federal rules. The official forms of the documents required to be filed by a debtor under Federal Rule of Bankruptcy Procedure 1007 must be signed under oath. These documents are required pursuant to the Bankruptcy Code and Federal Bankruptcy Rules in order to commence and prosecute a case under the Bankruptcy Code. The failure to properly submit those documents is a violation of the Bankruptcy Code and Rules. A bankruptcy court has the authority under 11 U.S.C. § 105 to issue orders necessary to carry out the provisions of the Bankruptcy Code. Federal Rule of Bankruptcy Procedure 1001 provides that the bankruptcy rules are to be construed to secure the just, speedy, inexpensive determination of every case and proceeding. The debtor's duties under 11 U.S.C. § 521 include filing these documents. While the documents were filed here, they are incorrect in representations made to the court regarding the date the documents were signed.

Sanctions here are necessary for the court to carry out the conduct of its business because the sanctionable conduct involved here is closely connected with the need for this bankruptcy court to preserve its integrity and the sanctity of the federal rules. This court, through its local rules, gives great freedom to those registered practitioners by permitting documents to be electronically filed with the "/s/" e-signature instead of "wet" signatures or actual images of the signed documents. The price for the freedom of practitioner calendar control is the requirement that the practitioner maintain a copy of the filed document which has the debtor's actual "wet signature." The dates of the e-signatures on the documents that are filed with the court must be consistent with the dates of the "wet signatures" of the retained copies. Ms. Williams Gelobter and Volks Anwalt abuse that privilege here by first misrepresenting when the documents were signed and second, failing to produce the documents after the U.S.

Trustee's inquiry. The court and interested parties must be able to rely on the accuracy of the documents presented electronically. Volks Anwalt and Ms. Williams Gelobter ignored that requirement here.

The court's order with respect to the sanction request is consistent with "principles of right and justice." The court is not dismissing Mr. Luna's petition. Navigating chapter 13 without an attorney is fraught with danger, and, at this time, the court cannot visit the actions of counsel upon this debtor. That is not to say that the court will not subsequently dismiss this case but, at present, this debtor suffers no prejudice by the sanction imposed.

The sanction imposed is proportionate to counsels' offenses. Here, a monetary sanction is the most moderate penalty. The court could preclude these attorneys from practicing in the Eastern District Bankruptcy Court for a period of time. That is not being imposed. The court could strike the nonconforming documents. However, that would simply hurt the debtor and result in the certain dismissal of the bankruptcy case.

Zambrano requires a finding of recklessness, repeated disregard of court rules, gross negligence, or willful misconduct. *Zambrano*, 885 F.2d at 1480, see also *In re Colville Confederated Tribes*, 980 F.2d 736 (9th Cir. 1992). This motion is unopposed. The Tubesing declaration sets forth the efforts the U.S. Trustee made to monitor this situation and enforce the Rules. However, the U.S. Trustee provided no evidence that either Ms. Williams Gelobter or Volks Anwalt have repeatedly disregarded our court rules or acted willfully. Nevertheless, it appears to this court that it is grossly negligent for these counsel to file documents that misrepresent when they were actually signed and to be unable to produce an actual "wet signature" of all documents requested by the U.S. Trustee and required by the Rules. Accordingly, even under *Zambrano, id.*, this conduct is sanctionable.

The question is the amount that is appropriate. The U.S. Trustee requests \$1,000 per violation or \$5,000 in total. However, there is no logical connection to that amount and the conduct. The only purpose the requested sanction would serve would be to potentially deter future conduct. In light of *Zambrano, id.*, this court exercises its discretion in sanctioning Ms. Williams Gelobter and Volks Anwalt in the approximate amount of attorney fees that the U.S. Trustee's pre-motion activities and the prosecution of this motion would have incurred in the private sector. Although the U.S. Trustee provided no evidence of that amount, the court imposes a sanction of \$1,800. This is based, in the court's experience, on an estimate of six hours of attorney time at \$300 an hour which, in the court's experience, is an average rate for counsel currently practicing bankruptcy in this area. The sanction will be payable by Ms. Williams Gelobter and Volks Anwalt jointly and severally. Payment will be to the Clerk of the Court within 30 days of the entry of the order. Both Volks Anwalt and Ms. Williams Gelobter shall file a declaration in the case that the sanctions has been satisfied.

The U.S. Trustee will prepare the order. No appearance is necessary.

2. [16-11209](#)-B-13 MOISES PALMA
PLG-1
MOISES PALMA/MV
STEVEN ALPERT/Atty. for dbt.
RESPONSIVE PLEADING
MOTION TO EXTEND AUTOMATIC STAY
4-14-16 [[8](#)]
3. [14-11111](#)-B-13 PHILLIP/MARNIE HAMILTON
MHM-2
MICHAEL MEYER/MV
TIMOTHY SPRINGER/Atty. for dbt.
RESPONSIVE PLEADING
CONTINUED MOTION TO DISMISS
CASE
12-10-15 [[79](#)]
4. [14-11111](#)-B-13 PHILLIP/MARNIE HAMILTON
TCS-5
PHILLIP HAMILTON/MV
TIMOTHY SPRINGER/Atty. for dbt.
RESPONSIVE PLEADING
MOTION TO MODIFY PLAN
3-14-16 [[96](#)]
5. [16-10714](#)-B-13 SONIA GONZALEZ
SAW-1
SONIA GONZALEZ/MV
STEVEN WOLVEK/Atty. for dbt.
MOTION TO EXTEND AUTOMATIC STAY
3-30-16 [[9](#)]
6. [11-16017](#)-B-13 ANTHONY DIMAGGIO
FW-6
PETER FEAR/Atty. for dbt.
MOTION FOR COMPENSATION BY THE
LAW OFFICE OF FEAR WADDELL,
P.C. FOR PETER FEAR, DEBTORS
ATTORNEY(S)
3-23-16 [[86](#)]

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 in part and denied in part without oral argument for cause shown. The fees are approved in the amount of \$796.50, for work could not have reasonably been anticipated. The fees are denied in the amount of \$1,625 for "Discharge and Case Closing." This work was reasonably anticipated when the case was accepted. The applicant shall submit a proposed order consistent with this disposition. No appearance is necessary.

7. [13-14721](#)-B-13 MICHAEL/ASHLEY RUIZ
MHM-2
MICHAEL MEYER/MV
PETER BUNTING/Atty. for dbt.
MOTION TO DISMISS CASE
3-4-16 [[46](#)]

8. [15-11327](#)-B-13 NORMAN/LESLIE OGLETREE MOTION TO MODIFY PLAN
CGF-2 3-23-16 [[43](#)]
NORMAN OGLETREE/MV
CHRISTOPHER FISHER/Atty. for dbt.
RESPONSIVE PLEADING

The scheduled hearing will be dropped from calendar without disposition and must be re-noticed and re-served. The record does not show that the motion moving papers, and plan, were served on all of the creditors as required by Local Rule 3015-1(d)(1). The court will enter a civil minute order. No appearance is necessary.

9. [14-14028](#)-B-13 GEORGETTE AVEDIKIAN MOTION TO DISMISS CASE
MHM-2 3-4-16 [[102](#)]
MICHAEL MEYER/MV
DAVID JENKINS/Atty. for dbt.
WITHDRAWN

The trustee's motion has been withdrawn. No appearance is necessary.

10. [15-10631](#)-B-13 MANSOUR/PHEBE TOPALIAN MOTION TO MODIFY PLAN
BDB-4 3-2-16 [[74](#)]
MANSOUR TOPALIAN/MV
BENNY BARCO/Atty. for dbt.

The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The debtors shall submit a proposed confirmation order for approval to the chapter 13 trustee. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed. No appearance is necessary.

11. [16-11231](#)-B-13 ROSA MURILLO MOTION TO EXTEND AUTOMATIC STAY
FW-1 4-14-16 [[7](#)]
ROSA MURILLO/MV
GABRIEL WADDELL/Atty. for dbt.

12. [11-16440](#)-B-13 CORNELUS/KARIN VAN DER
GH-3 LEE
CORNELUS VAN DER LEE/MV
GARY HUSS/Atty. for dbt.

OBJECTION TO CLAIM OF THOMAS
WARD AND JULIE MATTOX, CLAIM
NUMBER 6
3-10-16 [[53](#)]

The objection will be sustained without oral argument. The record reflects that the objection is unopposed. The claim will be disallowed in full as a priority claim and will be allowed as a general unsecured claim on the grounds stated in the objection. Debtors' counsel shall prepare the proposed order. No appearance is necessary.

13. [16-11043](#)-B-13 MARK/RISE MARTIN
SL-1
MARK MARTIN/MV
SCOTT LYONS/Atty. for dbt.

MOTION TO EXTEND AUTOMATIC STAY
4-5-16 [[9](#)]

14. [15-12244](#)-B-13 GENEVIEVE SANTOS
MHM-2
MICHAEL MEYER/MV
F. GIST/Atty. for dbt.

MOTION TO DISMISS CASE
3-4-16 [[42](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

15. [15-12349](#)-B-13 ANTHONY/KIMBERLY MIRELEZ
JDR-2
ANTHONY MIRELEZ/MV
JEFFREY ROWE/Atty. for dbt.

MOTION TO MODIFY PLAN
3-15-16 [[44](#)]

The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The debtors shall submit a proposed confirmation order for approval to the chapter 13 trustee. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed. No appearance is necessary.

16. [14-11451](#)-B-13 JOSE ALCANTAR
MHM-2
MICHAEL MEYER/MV
SCOTT LYONS/Atty. for dbt.

MOTION TO DISMISS CASE
3-4-16 [[64](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

17. [15-14151](#)-B-13 MATHEW ALFORD
SL-2
MATHEW ALFORD/MV
SCOTT LYONS/Atty. for dbt.
RESPONSIVE PLEADING

CONTINUED MOTION TO CONFIRM
PLAN
12-10-15 [[36](#)]

18. [15-14151](#)-B-13 MATHEW ALFORD
SL-3
MATHEW ALFORD/MV
SCOTT LYONS/Atty. for dbt.

MOTION TO VALUE COLLATERAL OF
HSBC MORTGAGE SERVICES, INC.
4-14-16 [[82](#)]

19. [12-17566](#)-B-13 RIGOBERTO/SANDRA SANCHEZ
AP-1
CITIMORTGAGE, INC./MV
PHILLIP GILLET/Atty. for dbt.
JONATHAN CAHILL/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
3-21-16 [[75](#)]

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The debtors' default will be entered and the motion will be granted without oral argument for cause shown. The automatic stay is terminated as it applies to the movant's right to enforce its remedies against the subject property under applicable nonbankruptcy law. The proposed order shall specifically describe the property or action to which the order relates. If the motion involves a foreclosure of real property in California, then the order shall also provide that the bankruptcy proceeding has been finalized for purposes of California Civil Code 2923.5 to the extent that it applies. If the notice and motion requested a waiver of Federal Rules of Bankruptcy Procedure 4001(a)(3), that relief will be granted. Unless the court expressly orders otherwise, the proposed order shall not include any other relief. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. §506(b), or applicable nonbankruptcy law, must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

The motion for relief under 11 U.S.C. §362(d)(4) is also granted as to the subject property only and not as to debtors. It appears from the evidence submitted and from the record that the debtors' bankruptcy case was used as part of a scheme to delay, hinder, or defraud creditors that involved transfer of a portion of the subject real property and multiple bankruptcy filings affecting such real property. The proposed order must comply with 362(d)(4). No appearance is necessary.

20. [16-10468](#)-B-13 FRED/ANNA VALDEZ

CONTINUED ORDER TO SHOW CAUSE -
FAILURE TO PAY FEES
3-25-16 [[16](#)]

SCOTT LYONS/Atty. for dbt.

Pursuant to the civil minute order continuing this hearing, the OSC will be vacated. It appears from the record that the debtors are current with their installment payments. No appearance is necessary.

21. [15-14974](#)-B-13 HUMBERTO/GLORIA RUIZ ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
4-4-16 [[24](#)]

SCOTT LYONS/Atty. for dbt.
4/5/16 FINAL INSTALLMENT
PAID

The OSC will be vacated. The record shows that the required fee has been paid in full. No appearance is necessary.

22. [11-10380](#)-B-13 RICHARD/JACKIE OROZCO MOTION TO DETERMINE FINAL CURE
AND MORTGAGE PAYMENT RULE
3002.1
3-29-16 [[70](#)]

MICHAEL MEYER/MV

PETER FEAR/Atty. for dbt.
WITHDRAWN

The motion has been withdrawn. No appearance is necessary.

23. [14-13882](#)-B-13 VICTOR/ELIZABETH GUARDADO MOTION TO DISMISS CASE
3-4-16 [[56](#)]
MHM-2
MICHAEL MEYER/MV
VARDUHI PETROSYAN/Atty. for dbt.
RESPONSIVE PLEADING

24. [13-15688](#)-B-13 TERESO/ROSEMARY ROMERO MOTION FOR COMPENSATION FOR
RICK D. BANKS, DEBTORS
ATTORNEY(S)
3-8-16 [[39](#)]
RDB-2

RICK BANKS/Atty. for dbt.

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. Fees paid are approved in the amount of \$4,000. The moving party shall submit a proposed order. No appearance is necessary.

25. [15-14288](#)-B-13 GEORGE/JULIETTE ROBERTS MOTION TO CONFIRM PLAN
3-13-16 [[28](#)]
DRJ-2
GEORGE ROBERTS/MV
DAVID JENKINS/Atty. for dbt.
CONTINUED BY ORDER TO
6/1/16, RESPONSIVE PLEADING

This matter has been continued to June 1, 2016, at 1:30 p.m., by prior order of the court. No appearance is necessary.

26. [16-10192](#)-B-13 APRIL MCFARLAND

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
3-31-16 [[29](#)]

27. [16-10192](#)-B-13 APRIL MCFARLAND

AP-1

PENNYMAC LOAN SERVICES, LLC/MV

JONATHAN CAHILL/Atty. for mv.

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY
PENNYMAC LOAN SERVICES, LLC
3-7-16 [[16](#)]

Unless the case is dismissed at the hearing on the Order to Show Cause, above, this matter will be continued to May 19, 2016, at 1:30 p.m. The trustee has not yet concluded the meeting of creditors and by prior order of the court, the trustee has another 7 days after completion of the creditors' meeting to file his objection to the plan. The court will prepare and enter a civil minute order. No appearance is necessary.

28. [16-10192](#)-B-13 APRIL MCFARLAND

MHM-1

MICHAEL MEYER/MV

CONTINUED MOTION TO DISMISS
CASE
3-14-16 [[24](#)]

29. [10-64693](#)-B-13 GLENN/ELIZABETH DOBBS

MHM-1

MICHAEL MEYER/MV

LEONARD WELSH/Atty. for dbt.
RESPONSIVE PLEADING

CONTINUED MOTION TO DETERMINE
FINAL CURE AND MORTGAGE PAYMENT
RULE 3002.1
2-25-16 [[141](#)]

30. [13-15896](#)-B-13 KAREN SHARPE

BCS-4

BENJAMIN SHEIN/Atty. for dbt.

MOTION BY BENJAMIN C. SHEIN TO
WITHDRAW AS ATTORNEY
3-31-16 [[71](#)]

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.

31. [14-12397](#)-B-13 WILLY JIMENEZ
MHM-2
MICHAEL MEYER/MV
PETER BUNTING/Atty. for dbt.

MOTION TO DISMISS CASE
3-4-16 [[41](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

32. [16-11144](#)-B-13 CARLOS NAVARRETTE
TCS-1
CARLOS NAVARRETTE/MV
TIMOTHY SPRINGER/Atty. for dbt.

MOTION TO EXTEND AUTOMATIC STAY
4-20-16 [[16](#)]