



**UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable René Lastreto II
Department B – Courtroom #13
Fresno, California
Hearing Date: Tuesday, April 30, 2024**

Unless otherwise ordered, all matters before the Honorable René Lastreto II, shall be simultaneously: (1) **In Person** at, Courtroom #13 (Fresno hearings only), (2) via **ZoomGov Video**, (3) via **ZoomGov Telephone**, and (4) via **CourtCall**. You may choose any of these options unless otherwise ordered or stated below.

All parties or their attorneys who wish to appear at a hearing remotely must sign up by **4:00 p.m. one business day** prior to the hearing. Information regarding how to sign up can be found on the **Remote Appearances** page of our website at <https://www.caeb.uscourts.gov/Calendar/RemoteAppearances>. Each party/attorney who has signed up will receive a Zoom link or phone number, meeting I.D., and password via e-mail.

If the deadline to sign up has passed, parties and their attorneys who wish to appear remotely must contact the Courtroom Deputy for the Department holding the hearing.

Please also note the following:

- Parties in interest and/or their attorneys may connect to the video or audio feed free of charge and should select which method they will use to appear when signing up.
- Members of the public and the press who wish to attend by ZoomGov may only listen in to the hearing using the Zoom telephone number. Video participation or observing are not permitted.
- Members of the public and the press may not listen in to trials or evidentiary hearings, though they may attend in person unless otherwise ordered.

To appear remotely for law and motion or status conference proceedings, you must comply with the following guidelines and procedures:

1. Review the [Pre-Hearing Dispositions](#) prior to appearing at the hearing.
2. Parties appearing via CourtCall are encouraged to review the [CourtCall Appearance Information](#). If you are appearing by ZoomGov phone or video, please join at least 10 minutes prior to the start of the calendar and wait with your microphone muted until the matter is called.

Unauthorized Recording is Prohibited: Any recording of a court proceeding held by video or teleconference, including "screen shots" or other audio or visual copying of a hearing is prohibited. Violation may result in sanctions, including removal of court-issued media credentials, denial of entry to future hearings, or any other sanctions deemed necessary by the court. For more information on photographing, recording, or broadcasting Judicial Proceedings, please refer to Local Rule 173(a) of the United States District Court for the Eastern District of California.

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

Each matter on this calendar will have one of three possible designations: No Ruling, Tentative Ruling, or Final Ruling. These instructions apply to those designations.

No Ruling: All parties will need to appear at the hearing unless otherwise ordered.

Tentative Ruling: If a matter has been designated as a tentative ruling it will be called, and all parties will need to appear at the hearing unless otherwise ordered. The court may continue the hearing on the matter, set a briefing schedule, or enter other orders appropriate for efficient and proper resolution of the matter. The original moving or objecting party shall give notice of the continued hearing date and the deadlines. The minutes of the hearing will be the court's findings and conclusions.

Final Ruling: Unless otherwise ordered, there will be no hearing on these matters. The final disposition of the matter is set forth in the ruling and it will appear in the minutes. The final ruling may or may not finally adjudicate the matter. If it is finally adjudicated, the minutes constitute the court's findings and conclusions.

Orders: Unless the court specifies in the tentative or final ruling that it will issue an order, the prevailing party shall lodge an order within 14 days of the final hearing on the matter.

Post-Publication Changes: The court endeavors to publish its rulings as soon as possible. However, calendar preparation is ongoing, and these rulings 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 any possible updates.

9:30 AM

1. [23-11332](#)-B-11 IN RE: TWILIGHT HAVEN, A CALIFORNIA
NON-PROFIT CORPORATION
[LNH-1](#)

MOTION FOR COMPENSATION FOR LISA HOLDER, CHAPTER 11
TRUSTEE(S)
4-9-2024 [[571](#)]

LISA HOLDER/MV
RILEY WALTER/ATTY. FOR DBT.
LISA HOLDER/ATTY. FOR MV.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted.

ORDER: The minutes of the hearing will be the court's
findings and conclusions. The Moving Party will
submit a proposed order after hearing.

Lisa Holder, Subchapter V trustee in the above-styled case ("Trustee")
filed by Twilight Haven, a California non-profit corporation ("Debtor"),
brings her first and final application for compensation under 11 U.S.C.
§ 330. Doc. #571. Trustee seeks **\$13,260.00** in fees and **\$100.00** in
expenses, for a total requested compensation of **\$13,360.00**. *Id.* Debtor
filed for bankruptcy under Chapter 11, Subchapter V, on June 22, 2023.
Doc. #1. Trustee was appointed on June 27, 2023. Doc. #17. This
Application covers the time period from June 27, 2023 through April 30,
2024, plus time estimated for final administrative matters noted to take
place on or about May 31, 2024. *Id.*

Written opposition was not required and may be presented at the hearing.
In the absence of opposition, this motion will be GRANTED.

This motion was filed and served on 21-days' notice pursuant to Local
Rule of Practice ("LBR") 9014-1(f)(2) and will proceed as scheduled.
Unless opposition is presented at the hearing, the court intends to
enter the respondents' defaults and grant the motion. If opposition is
presented at the hearing, the court will consider the opposition and
whether further hearing is proper pursuant to LBR 9014-1(f)(2). The
court will issue an order if a further hearing is necessary.

11 U.S.C. § 330(a)(1)(A) and (B) permit approval of "reasonable
compensation for actual, necessary services rendered by . . . [a]
professional person, or attorney" and "reimbursement for actual,
necessary expenses." In determining the amount of reasonable
compensation to be awarded to a professional person, the court shall
consider the nature, extent, and value of such services, considering all
relevant factors, including those enumerated in subsections (a)(3)(A)
through (E). § 330(a)(3).

The billing records accompanying the Application reflect that Trustee
incurred 44.20 hours at \$300.00 per hour for a total of **\$13,260.00**.
Doc. #574. No one other than Trustee herself was responsible for any of
the billed hours. *Id.* Applicant requests reimbursement for the following
expenses.

Photocopies (\$0.20 per page)	\$59.60
Postage for the fee application	\$42.24
PACER Fees (waived)	\$0.00
TOTAL	\$101.84

Docs. ##571,573-74. While expenses totaled \$101.84, Trustee only requests \$100.00 in expense reimbursement. *Id.*

Applicant's services here included, without limitation: case administration; initial debtor interview and meeting of creditors; fee/employment applications; fee/employment applications of others; assumption/rejections of leases and contracts; business operations; cash collateral use/financing; claim administration/fixing deadlines; and plan of reorganization/transaction. Doc. #574. The total fees incurred from these services is **\$13,260.00**, which includes an estimated time entry dated May 31, 2024, for .50 hours to be spent and \$150.00 in fees to be incurred for preparing the Trustee's final report. *Id.* (at pg. 3). The court finds the services and expenses reasonable, actual, and necessary.

Written opposition was not required and may be presented at the hearing. In the absence of opposition, this motion will be GRANTED. Applicant will be awarded **\$13,260.00** in fees as reasonable compensation for services rendered and **\$100.00** in reimbursement of actual, necessary expenses on a final basis under 11 U.S.C. § 330. Debtor will be authorized to pay Applicant a total of **\$13,360.00** for fees and expenses June 27, 2023 through April 30, 2024, plus time estimated for final administrative matters noted to take place on or about May 31, 2024.

2. [23-11332](#)-B-11 **IN RE: TWILIGHT HAVEN, A CALIFORNIA
NON-PROFIT CORPORATION**
[WJH-33](#)

CONTINUED MOTION TO ASSUME LEASE OR EXECUTORY CONTRACT
2-12-2024 [[474](#)]

TWILIGHT HAVEN, A CALIFORNIA
NON-PROFIT CORPORATION/MV
RILEY WALTER/ATTY. FOR DBT.

NO RULING.

3. [23-11332](#)-B-11 **IN RE: TWILIGHT HAVEN, A CALIFORNIA**
NON-PROFIT CORPORATION
[WJH-34](#)

CONTINUED MOTION TO ASSUME LEASE OR EXECUTORY CONTRACT
2-12-2024 [[479](#)]

TWILIGHT HAVEN, A CALIFORNIA
NON-PROFIT CORPORATION/MV
RILEY WALTER/ATTY. FOR DBT.

NO RULING.

4. [23-11332](#)-B-11 **IN RE: TWILIGHT HAVEN, A CALIFORNIA**
NON-PROFIT CORPORATION
[WJH-35](#)

MOTION TO ASSUME LEASE OR EXECUTORY CONTRACT
2-12-2024 [[484](#)]

TWILIGHT HAVEN, A CALIFORNIA
NON-PROFIT CORPORATION/MV
RILEY WALTER/ATTY. FOR DBT.

NO RULING.

5. [23-11332](#)-B-11 **IN RE: TWILIGHT HAVEN, A CALIFORNIA**
NON-PROFIT CORPORATION
[WJH-36](#)

MOTION TO ASSUME LEASE OR EXECUTORY CONTRACT
2-12-2024 [[490](#)]

TWILIGHT HAVEN, A CALIFORNIA
NON-PROFIT CORPORATION/MV
RILEY WALTER/ATTY. FOR DBT.

NO RULING.

6. [23-11332](#)-B-11 **IN RE: TWILIGHT HAVEN, A CALIFORNIA**
NON-PROFIT CORPORATION
[WJH-38](#)

MOTION FOR COMPENSATION BY THE LAW OFFICE OF WANGER JONES
HELSELY PC FOR RILEY C. WALTER, DEBTORS ATTORNEY(S)
4-4-2024 [[547](#)]

RILEY WALTER/ATTY. FOR DBT.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The Moving Party shall submit a proposed order after hearing.

Wanger Jones Helsely PC ("Applicant") seeks approval of a final application for allowance of compensation under 11 U.S.C. §§ 330 of the Bankruptcy Code for professional services rendered and reimbursement for expenses incurred as counsel for Twilight Haven, Debtor-In-Possession in the above-styled case ("Twilight Haven"). Doc. #547. The motion is accompanied by a statement of client approval executed by Kristine Williams, representative of the DIP. Doc. #551.

Applicant was employed to perform services under § 327 of the Code pursuant to an order of this court dated July 14, 2023. Doc. #96. Applicant seeks **\$87,915.00** in fees for 226.7 billable hours and **\$7,886.19** in expenses from November 16, 2023, through February 13, 2024, for a total final compensation award of **\$95,801.19**. Docs. ##547,550. This is reflected in the following chart:

Name	Hours	Rate	Fees Incurred
Quinn, Ian	86.10	\$325.00	\$27,982.50
Walter, Riley	27.60	\$550.00	\$15,235.00
Walter, Riley	57.10	\$595.00	\$33,974.50
Ravizza, Hanna	3.40	\$220.00	\$748.00
Medina, Nicole	52.50	\$190.00	\$9,975.00
Total	226.7		\$87,915.00

Doc. #550. Applicant also seeks **\$7,886.19** in expenses as follows:

Postage	\$1,954.60
Reproduction	\$5,067.15
Electronic Research	\$179.40
Filing/Recording Fees	\$665.10
Mileage	\$19.94
Total	\$7,886.19

Docs. ##547,550.

Written opposition was not required and may be presented at the hearing. In the absence of opposition, the court is inclined to GRANT this motion.

This motion was filed and served pursuant to Local Rule of Practice ("LBR") 9014-1(f)(2) and will proceed as scheduled. Unless opposition is presented at the hearing, the court intends to enter the respondents' defaults and grant the motion. If opposition is presented at the hearing, the court will consider the opposition and whether further hearing is proper pursuant to LBR 9014-1(f)(2). The court will issue an order if a further hearing is necessary.

11 U.S.C. § 330(a)(1)(A) and (B) permit approval of "reasonable compensation for actual, necessary services rendered by . . . [a] professional person, or attorney" and "reimbursement for actual, necessary expenses." In determining the amount of reasonable compensation to be awarded to a professional person, the court shall consider the nature, extent, and value of such services, considering all relevant factors, including those enumerated in subsections (a)(3)(A) through (E). § 330(a)(3). The previous interim compensation awards under 11 U.S.C. § 331 are subject to final review under § 330.

Applicant's services here included, without limitation: case administration; claims administration and objections; estate/business operations; fees and employment; financing; litigation/contested matters; plan/disclosure statement; relief from stay/adequate protection; and sales/transfers. Doc. #550. The court finds the services and expenses reasonable, actual, and necessary. Debtor has consented to payment of the proposed fees and expenses. Doc. #551

Though Applicant states this is a "final" fee application, neither the motion nor the supporting documents state that Applicant seeks approval of any previous award on a final basis. This means any previous award remains an award on an interim basis.

Written opposition was not required and may be presented at the hearing. In the absence of opposition, this motion will be GRANTED. Applicant will be awarded **\$87,915.00** in fees as reasonable compensation for services rendered and **\$7,886.19** in reimbursement of actual, necessary expenses on a final basis under 11 U.S.C. § 330. Debtor will be authorized to pay Applicant a total of **\$95,801.19** for fees and expenses from November 16, 2023, through February 13, 2024.

7. [23-11332](#)-B-11 **IN RE: TWILIGHT HAVEN, A CALIFORNIA**
NON-PROFIT CORPORATION
[WJH-39](#)

MOTION FOR COMPENSATION FOR ROOS & MCNABB CPA'S PC,
ACCOUNTANT(S)
4-9-2024 [[565](#)]

ROOS & MCNABB/MV
RILEY WALTER/ATTY. FOR DBT.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The Moving Party shall submit a proposed order after hearing.

Roos & McNabb CPA's PC ("Applicant") seeks approval of a final application allowance of compensation under 11 U.S.C. §§ 330 of the Bankruptcy Code for professional services rendered and reimbursement for expenses incurred as counsel for Twilight Haven, the Debtor-In-Possession in the above-styled case ("Twilight Haven"). Doc. #565. The motion is accompanied by a statement of client approval executed by Kristine Williams, representative of the DIP. Doc. #569.

This is Applicant's second and final Application for Compensation. Doc. #565. On December 19, 2023, the court granted Applicant's request for \$6,766.00 in fees with no costs requested, payment for which Applicant received on March 20, 2024. *Id.*

Written opposition was not required and may be presented at the hearing. In the absence of opposition, the court is inclined to GRANT this motion.

This motion was filed and served pursuant to Local Rule of Practice ("LBR") 9014-1(f)(2) and will proceed as scheduled. Unless opposition is presented at the hearing, the court intends to enter the respondents' defaults and grant the motion. If opposition is presented at the hearing, the court will consider the opposition and whether further hearing is proper pursuant to LBR 9014-1(f)(2). The court will issue an order if a further hearing is necessary.

Applicant was employed by the Trustee to perform accounting services under § 327 of the Code pursuant to an order of this court dated July 14, 2023. Doc. #97. In this Application, Applicant seeks **\$2,045.50** in fees based on 7.7 billable hours and \$0.00 in expenses from November 18, 2023, through February 13, 2024, for a total interim compensation award of **\$2,045.00**. Docs. ##565, 567-68. Roland Roos, CPA, was the only personnel of Applicant to bill any hours. *Id.* Applicant does not seek compensation for expenses incurred. *Id.*

11 U.S.C. § 330(a)(1)(A) and (B) permit approval of "reasonable compensation for actual, necessary services rendered by . . . [a] professional person, or attorney" and "reimbursement for actual, necessary expenses." In determining the amount of reasonable compensation to be awarded to a professional person, the court shall

consider the nature, extent, and value of such services, considering all relevant factors, including those enumerated in subsections (a) (3) (A) through (E). § 330(a) (3). The previous interim compensation awards under 11 U.S.C. § 331 are subject to final review under § 330.

Applicant's services here included, without limitation: (1) general accounting services, and (2) tax preparation. Docs. ##565,567-68. The court finds the services and expenses reasonable, actual, and necessary. The DIP representative declares that she has reviewed the Application and approves. Doc. #569.

Though Applicant states this is a "final" fee application, neither the motion nor the supporting documents state that Applicant seeks approval of any previous award on a final basis. This means any previous award remains an award on an interim basis.

In the absence of any opposition, the court is inclined to approve on a final basis under 11 U.S.C. §331 compensation in the amount of **\$2,045.50** in fees and **\$0.00** in expenses, for a total award of **\$2,045.50**, as an administrative expense of the estate and an order authorizing and directing the DIP to pay such to Applicant from the first available estate funds.

8. [23-11332](#)-B-11 **IN RE: TWILIGHT HAVEN, A CALIFORNIA**
NON-PROFIT CORPORATION
[WJH-40](#)

MOTION FOR COMPENSATION FOR GREGORY J. SMITH, SPECIAL
COUNSEL(S)
4-4-2024 [[552](#)]

GREGORY SMITH/MV
RILEY WALTER/ATTY. FOR DBT.
GREGORY SMITH/ATTY. FOR MV.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The Moving Party shall submit a proposed order after hearing.

The Law Office of Gregory J. Smith ("Applicant") seeks approval of a final application allowance of compensation under 11 U.S.C. §§ 330 of the Bankruptcy Code for professional services rendered and reimbursement for expenses incurred as counsel for Twilight Haven, the Debtor-In-Possession in the above-styled case ("Twilight Haven"). Doc. #552. The motion is accompanied by a statement of client approval executed by Kristine Williams, representative of the DIP. Doc. #557.

This is Applicant's second and final Application for Compensation. Doc. #552. On December 19, 2023, the court granted Applicant's request for \$6,766.00 in fees with no costs requested, payment for which Applicant received on March 11, 2024. *Id.*

Written opposition was not required and may be presented at the hearing. In the absence of opposition, the court is inclined to GRANT this motion.

This motion was filed and served pursuant to Local Rule of Practice ("LBR") 9014-1(f)(2) and will proceed as scheduled. Unless opposition is presented at the hearing, the court intends to enter the respondents' defaults and grant the motion. If opposition is presented at the hearing, the court will consider the opposition and whether further hearing is proper pursuant to LBR 9014-1(f)(2). The court will issue an order if a further hearing is necessary.

Applicant was employed by the Trustee to perform services under § 327 of the Code pursuant to an order of this court dated August 22, 2023. Doc. #156. Applicant seeks **\$18,421.50** in fees based on 58.3 billable hours and **\$61.35** in expenses from November 1, 2023, through February 13, 2024, for a total interim compensation award of **\$18,482.85**, as reflected in the following charts:

Professional	Hours	Rate	Amount
Gregory Smith, Attorney	41.70	\$375.00	\$16,012.50
Danielle Luna, Paralegal	16.6	\$165.00	\$2,409.00
Total	58.3		\$18,421.50

Type of Expense	Amount
Reproduction	\$61.35
Total	\$61.35

Docs. ##552,554-55.

11 U.S.C. § 330(a)(1)(A) and (B) permit approval of "reasonable compensation for actual, necessary services rendered by . . . [a] professional person, or attorney" and "reimbursement for actual, necessary expenses." In determining the amount of reasonable compensation to be awarded to a professional person, the court shall consider the nature, extent, and value of such services, considering all relevant factors, including those enumerated in subsections (a)(3)(A) through (E). § 330(a)(3). The previous interim compensation awards under 11 U.S.C. § 331 are subject to final review under § 330.

Applicant's services here included, without limitation: (1) work ON "general employment matters" and (2) work specific to the Castellanos litigation. Docs. ##552-554-55. The court finds the services and expenses reasonable, actual, and necessary. The DIP representative declares that she has reviewed the Application and approves. Doc. #556.

Though Applicant states this is a "final" fee application, neither the motion nor the supporting documents state that Applicant seeks approval of any previous award on a final basis. This means any previous award remains an award on an interim basis. If there is no opposition at the hearing, this motion will GRANTED. The court will approve on a final basis under 11 U.S.C. §331 compensation in the amount of **\$18,421.50** in fees and **\$61.35** in expenses for a total award **\$18,482.85** as an administrative expense of the estate and an order authorizing and directing the DIP to pay such to Applicant from the first available estate funds.

9. [23-11332](#)-B-11 **IN RE: TWILIGHT HAVEN, A CALIFORNIA**
NON-PROFIT CORPORATION
[WJH-42](#)

MOTION FOR COMPENSATION FOR IMPOSSIBLE SERVICES GROUP, INC.,
CONSULTANT(S)
4-4-2024 [[558](#)]

IMPOSSIBLE SERVICES GROUP,
INC./MV
RILEY WALTER/ATTY. FOR DBT.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The Moving Party shall submit a proposed order after hearing.

Impossible Services Group, Inc. ("Applicant") seeks approval of a first and final application allowance of compensation under 11 U.S.C. §§ 330 of the Bankruptcy Code for professional services rendered and reimbursement for expenses incurred as counsel for Twilight Haven, the Debtor-In-Possession in the above-styled case ("Twilight Haven" or "Debtor"). Doc. #558. The motion is accompanied by a statement of client approval executed by Kristine Williams, representative of the DIP. Doc. #562.

Written opposition was not required and may be presented at the hearing. In the absence of opposition, the court is inclined to GRANT this motion.

This motion was filed and served pursuant to Local Rule of Practice ("LBR") 9014-1(f)(2) and will proceed as scheduled. Unless opposition is presented at the hearing, the court intends to enter the respondents' defaults and grant the motion. If opposition is presented at the hearing, the court will consider the opposition and whether further hearing is proper pursuant to LBR 9014-1(f)(2). The court will issue an order if a further hearing is necessary.

Applicant was employed as a consultant for Debtor under § 327 of the Code pursuant to an order of this court dated August 24, 2023. Doc. #161. Applicant seeks **\$64,964.50** in fees based on 58.3 billable hours and **\$458.50** in expenses from July 28, 2023, through February 13, 2024, for a total compensation award of **\$65,423.00**, as reflected in the following charts:

Professional	Hours	Rate	Amount
Aaron Chambers, Principal Consultant	289.20	\$225.00	\$65,070.00
Jinhua Amy Liu, Senior Associate	4.3	\$115.00	\$494.50
Maria Ortiz, Admin	1.0	\$75.00	\$75.00
(less non-billed time			(\$675.00)
Total	294.5		\$64,964.50

Type of Expense	Amount
Mileage	\$458.50
Total	\$458.50

Docs. ##558, 560-61.

11 U.S.C. § 330(a)(1)(A) and (B) permit approval of "reasonable compensation for actual, necessary services rendered by . . . [a] professional person, or attorney" and "reimbursement for actual, necessary expenses." In determining the amount of reasonable compensation to be awarded to a professional person, the court shall consider the nature, extent, and value of such services, considering all relevant factors, including those enumerated in subsections (a)(3)(A) through (E). § 330(a)(3).

Applicant's services here included, without limitation: accounting/auditing; business analysis; business operations; case administration; claims administration and objections; corporate finance; fee/employment applications; financing; litigation consulting; plan and disclosure statement; and tax issues. Docs. ##558, 560-61. The DIP representative declares that she has reviewed the Application and approves. Doc. #562.

If there is no opposition at the hearing, this motion will GRANTED. The court will approve on a final basis under 11 U.S.C. §331 compensation in the amount of **\$64,964.50** in fees and **\$458.50** in expenses for a total award **\$65,423.00** as an administrative expense of the estate and an order authorizing and directing the DIP to pay such to Applicant from the first available estate funds.

10. [24-10546](#)-B-12 **IN RE: MAXIMINIO/MARIE SILVEIRA**
[CAE-1](#)

STATUS CONFERENCE RE: CHAPTER 12 VOLUNTARY PETITION
3-5-2024 [[1](#)]

PETER FEAR/ATTY. FOR DBT.

NO RULING.

11. [23-10457](#)-B-11 **IN RE: MADERA COMMUNITY HOSPITAL**
[WJH-3](#)

FURTHER HEARING RE: MOTION TO USE CASH COLLATERAL AND/OR
MOTION FOR ADEQUATE PROTECTION
3-13-2023 [[18](#)]

MADERA COMMUNITY HOSPITAL/MV
RILEY WALTER/ATTY. FOR DBT.

FINAL RULING: There will be no hearing in this matter.

DISPOSITION: Concluded. Removed from the calendar.

ORDER: The court will enter the order.

On April 17, 2024, the court entered an order confirming the Plan of Reorganization in the above-styled case. Doc. #1707. Accordingly, the instant motion is concluded and shall be dropped from the calendar.

12. [17-13797](#)-B-9 **IN RE: TULARE LOCAL HEALTHCARE DISTRICT**
[WJH-18](#)

CONTINUED OBJECTION TO CLAIM OF TULARE HOSPITALIST GROUP,
CLAIM NUMBER 231
1-8-2020 [[1784](#)]

TULARE LOCAL HEALTHCARE
DISTRICT/MV
RILEY WALTER/ATTY. FOR DBT.
CONT'D TO 7/30/24 PER ECF STIP AND ORDER #2661

FINAL RULING: There will be no hearing in this matter.

DISPOSITION: Continued to July 30, 2024, at 9:30 a.m.

No order is required.

Pursuant to the court's Order approving Stipulation (Doc. #2661), this matter is CONTINUED to July 30, 2024, at 9:30 a.m.

13. [17-13797](#)-B-9 **IN RE: TULARE LOCAL HEALTHCARE DISTRICT**
[WJH-19](#)

SCHEDULING CONFERENCE RE: OBJECTION TO CLAIM OF GUPTA-KUMAR
MEDICAL PRACTICE, CLAIM NUMBER 232
1-8-2020 [[1789](#)]

TULARE LOCAL HEALTHCARE
DISTRICT/MV
RILEY WALTER/ATTY. FOR DBT.
CONTINUED TO 7/30/24 PER ECF STIP AND ORDER #2662

FINAL RULING: There will be no hearing in this matter.

DISPOSITION: Continued to July 30, 2024, at 9:30 a.m.

No order is required.

Pursuant to the court's Order approving Stipulation (Doc. #2661), this
matter is CONTINUED to July 30, 2024, at 9:30 a.m..

14. [17-13797](#)-B-9 **IN RE: TULARE LOCAL HEALTHCARE DISTRICT**
[WJH-25](#)

CONTINUED OBJECTION TO CLAIM OF INPATIENT HOSPITAL GROUP,
INC., CLAIM NUMBER 230
1-10-2020 [[1834](#)]

TULARE LOCAL HEALTHCARE
DISTRICT/MV
RILEY WALTER/ATTY. FOR DBT.
CONTINUED TO 7/30/24 PER ECF STIP AND ORDER #2663

FINAL RULING: There will be no hearing in this matter.

DISPOSITION: Continued to July 30, 2024, at 9:30 a.m.

No order is required.

Pursuant to the court's Order approving Stipulation (Doc. #2661), this
matter is CONTINUED to July 30, 2024, at 9:30 a.m.

1:30 PM

1. [24-10129](#)-B-7 **IN RE: TIMOTHY TASSEY AND CASANDRA SANDOVAL**
[MAZ-1](#)

MOTION TO COMPEL ABANDONMENT
3-22-2024 [[16](#)]

CASANDRA SANDOVAL/MV
MARK ZIMMERMAN/ATTY. FOR DBT.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: The Moving Party shall submit a proposed order in conformance with the ruling below.

Timothy Tassej and Casandra Sandoval ("Sandoval") (collectively "Debtors") move for an order compelling chapter 7 trustee Irma C. Edmonds ("Trustee") to abandon the estate's interest in property used in the operation of Neat and Tidy, Sandoval's house cleaning business. Doc. #16. Specifically, Debtors seek the abandonment of certain cleaning supplies (the "Cleaning Supplies"), which are listed in the Schedules as follows:

Asset	Value	Exempt	Lien	Net
Cleaning Supplies	\$50.00	\$50.00 (703.140(b)(4); 703.150	\$0.00	\$0.00

Doc. #1 (*Sched. A/B 41.1; Sched. C; Sched. D*). Debtor exempted the Cleaning Supplies for their full value under Cal. Code Civ. Proc. § 703.140(b)(5) and § 703.150, and none of the Cleaning Supplies are encumbered by any secured creditors. *Id.*

No party in interest timely filed written opposition. This motion will be GRANTED.

This motion was set for hearing on 28 days' notice as required by Local Rule of Practice ("LBR") 9014-1(f)(1). Thus, pursuant to LBR 9014-1(f)(1)(B), the failure of any party in interest (including but not limited to creditors, the debtor, the U.S. Trustee, or any other properly-served party in interest) to file written opposition at least 14 days prior to the hearing may be deemed a waiver of any such opposition to the granting of the motion. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). When there is no opposition to a motion, the defaults of all parties in interest who failed to timely respond will be entered, and, in the absence of any opposition, the movant's factual allegations will be taken as true (except those relating to amounts of damages). *Televideo Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917 (9th Cir. 1987). Because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary when an unopposed movant has made a prima facie case for the requested relief. *See Boone v. Burk (In re Eliapo)*, 468 F.3d 592 (9th Cir. 2006).

11 U.S.C. § 554(b) provides that "on request of a party in interest and after notice and a hearing, the court may order the trustee

to abandon any property of the estate that is burdensome to the estate or that is of inconsequential value and benefit to the estate.”

To grant a motion to abandon property, the bankruptcy court must find either that: (1) the property is burdensome to the estate or (2) of inconsequential value and inconsequential benefit to the estate. *In re Vu*, 245 B.R. 644, 647 (B.A.P. 9th Cir. 2000). As one court noted, “an order compelling abandonment is the exception, not the rule. Abandonment should only be compelled in order to help the creditors by assuring some benefit in the administration of each asset Absent an attempt by the trustee to churn property worthless to the estate just to increase fees, abandonment should rarely be ordered.” *In re K.C. Mach. & Tool Co.*, 816 F.2d 238, 246 (6th Cir. 1987). In evaluating a proposal to abandon property, it is the interests of the estate and the creditors that have primary consideration, not the interests of the debtor. *In re Johnson*, 49 F.3d 538, 541 (9th Cir. 1995) (noting that the debtor is not mentioned in § 554). *In re Galloway*, No. AZ-13-1085-PaKiTa, 2014 Bankr. LEXIS 3626, at *16-17 (B.A.P. 9th Cir. 2014).

Sandoval contends that substantially all the income from her housekeeping business is the result of the labor of Debtor, and Sandoval does not have any employees. Doc. #1. Further, Sandoval certifies that she was qualified and eligible to claim the exemptions under applicable law and understands that if for any reason it is determined that she is not qualified to claim an exemption in the property listed, or if there is some other error in the exemption claimed, Trustee may demand that Debtors compensate the estate for any damage caused by the claimed exemption. *Id.* Debtors agree to not amend the exemptions affecting the Cleaning Supplies unless Trustee stipulated to that amendment, or such relief is granted by further order of the court. *Id.*

No party responded to this motion, and the defaults of all non-responding parties are entered. The court will find that the Cleaning Supplies are of inconsequential value and benefit to the estate, and they were accurately scheduled and are encumbered or exempted in their entirety. Therefore, the court will GRANT this motion.

The order shall specifically include the property to be abandoned.

2. [21-12873](#)-B-7 **IN RE: CESAR PENA BARRAZA AND OLGA PENA**
LOPEZ
[SL-2](#)

MOTION TO COMPEL ABANDONMENT
4-16-2024 [[65](#)]

OLGA PENA LOPEZ/MV
SCOTT LYONS/ATTY. FOR DBT.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The Moving Party shall submit a proposed order after hearing.

Cesar Omar Pena Barraza ("Barraza") and Olga Dolores Pena Lopez ("Lopez") (collectively "Debtors") move for an order compelling chapter 7 trustee Irma C. Edmonds ("Trustee") to abandon the estate's interest in real estate in the form of their residential home located at 924 E. K Street, Visalia, CA 93292 ("the Property"). Doc. #65.

Written opposition was not required and may be presented at the hearing. In the absence of opposition, the court is inclined to GRANT this motion.

This motion was filed and served pursuant to Local Rule of Practice ("LBR") 9014-1(f)(2) and will proceed as scheduled. Unless opposition is presented at the hearing, the court intends to enter the respondents' defaults and grant the motion. If opposition is presented at the hearing, the court will consider the opposition and whether further hearing is proper pursuant to LBR 9014-1(f)(2). The court will issue an order if a further hearing is necessary.

11 U.S.C. § 554(b) provides that "on request of a party in interest and after notice and a hearing, the court may order the trustee to abandon any property of the estate that is burdensome to the estate or that is of inconsequential value and benefit to the estate."

To grant a motion to abandon property, the bankruptcy court must find either that: (1) the property is burdensome to the estate or (2) of inconsequential value and inconsequential benefit to the estate. *In re Vu*, 245 B.R. 644, 647 (B.A.P. 9th Cir. 2000). As one court noted, "an order compelling abandonment is the exception, not the rule. Abandonment should only be compelled in order to help the creditors by assuring some benefit in the administration of each asset Absent an attempt by the trustee to churn property worthless to the estate just to increase fees, abandonment should rarely be ordered." *In re K.C. Mach. & Tool Co.*, 816 F.2d 238, 246 (6th Cir. 1987). In evaluating a proposal to abandon property, it is the interests of the estate and the creditors that have primary consideration, not the interests of the debtor. *In re Johnson*, 49 F.3d 538, 541 (9th Cir. 1995) (noting that the debtor is not mentioned in § 554). *In re Galloway*, No. AZ-13-1085-PaKiTa, 2014 Bankr. LEXIS 3626, at *16-17 (B.A.P. 9th Cir. 2014).

At the time of filing, Debtors were married and were co-owners of the Property. Doc. #67. Barraza declares that he and Lopez have since divorced, and they wish to sell the Property and divide its equity pursuant to their divorce decree. *Id.* The Property is listed in the schedules as follows:

Asset	Value	Lien	Exemption	Net
Real Property, Residence, Building, Land or Other Real Estate: Single-family home located at 924 E. K Street Visalia, CA 93292	\$328,373.00	\$156,880.00 owed to Specialized Loan Servicing Total Liens: \$156,880.0	\$300,000.00 (C.C.P.) \$704.730	\$0.00

Doc. #1 (*Sched. A/B 41.1; Sched. C; Sched. D*). The Property was encumbered at the time of filing by a deed of trust held by Specialized Loan Servicing, and Debtors claimed a \$300,000.00 exemption pursuant to Cal. Code Civ. Proc. § 704.730.

Debtors contend that between the outstanding lien and the exemption, there is no remaining equity in the Property, and so it is of inconsequential value to the estate. Doc. #67. Barazzo certifies that Debtors were qualified and eligible to claim the exemptions under applicable law and that, if for any reason it is determined that Debtor is not qualified to claim an exemption in the property listed, or if there is some other error in the exemption claimed, Trustee may demand that Debtors compensate the estate for any damage caused by the claimed exemption. Debtor agrees to not amend the exemptions affecting the Business Assets unless Trustee stipulated to that amendment or such relief is granted by further order of the court. *Id.*

Written opposition was not required and may be presented at the hearing. In the absence of opposition, the court will find that the Property is of inconsequential value and benefit to the estate. The Property was accurately scheduled and is encumbered or exempted in their entirety. Therefore, the court intends to GRANT this motion.

The order shall specifically include the property to be abandoned.

3. [24-10573](#)-B-7 **IN RE: CHAD/CHANTE WOLFE**
[FDA-1](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY
4-16-2024 [[11](#)]

EDUCATIONAL EMPLOYEES CREDIT
UNION/MV
NICHOLAS WAJDA/ATTY. FOR DBT.
DON POOL/ATTY. FOR MV.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: The court intends to grant the motion for relief on the grounds stated in the motion.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The Moving Party shall submit a proposed order after hearing.

Educational Employees Credit Union ("Movant") seeks relief from the automatic stay under 11 U.S.C. §§ 362(d)(1) and (d)(2) with respect to a 2020 GMC Sierra 3500 HD Crew Cab (VIN: 1GT49UEY7LF182410) (Vehicle"). Doc. #11. Movant also requests waiver of the 14-day stay of Fed. R. Bankr. P. 4001(a)(3). *Id.*

Written opposition was not required and may be presented at the hearing. In the absence of opposition, this motion will be GRANTED.

This motion was filed and served pursuant to Local Rule of Practice ("LBR") 9014-1(f)(2) and will proceed as scheduled. Unless opposition is presented at the hearing, the court intends to enter the respondents' defaults and grant the motion. If opposition is presented at the hearing, the court will consider the opposition and whether further hearing is proper pursuant to LBR 9014-1(f)(2). The court will issue an order if a further hearing is necessary.

11 U.S.C. § 362(d)(1) allows the court to grant relief from the stay for cause, including the lack of adequate protection. "Because there is no clear definition of what constitutes 'cause,' discretionary relief from the stay must be determined on a case-by-case basis." *In re Mac Donald*, 755 F.2d 715, 717 (9th Cir. 1985).

11 U.S.C. § 362(d)(2) allows the court to grant relief from the stay if the debtor does not have an equity in such property and such property is not necessary to an effective reorganization.

After review of the included evidence, the court finds that "cause" exists to lift the stay because Chad Allen and Chante Lee Wolfe ("Debtors") have failed to make 2 pre-petition payments in the amount of \$1,928.18 and 2 post-petition payments in the amount of \$1,928.18 plus late fees of \$75.00 for a total arrearage of \$3,931.36. Doc. #13.

The court also finds that the Debtors do not have any equity in the Vehicle and the Vehicle is not necessary to an effective reorganization because Debtors are in chapter 7. Debtors value the Vehicle at \$27,275.00 and the amount owed to Movant is \$46,425.93. Doc. #16.

Accordingly, the motion will be granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit the movant to dispose of its collateral pursuant to applicable law and to use the proceeds from its disposition to satisfy its claim. No other relief is awarded. Adequate protection is unnecessary in light of the relief granted herein.

The 14-day stay of Fed. R. Bankr. P. 4001(a)(3) will be ordered waived because the Debtors have failed to make at least 2 pre-petition and 2 post-petition payments, and the Vehicle is a depreciating asset.

Movant's counsel is advised to modify motion notices to accurately reflect the availability of video conference appearances and telephonic access options.

4. [24-10573](#)-B-7 **IN RE: CHAD/CHANTE WOLFE**
[FDA-2](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY
4-16-2024 [[18](#)]

EDUCATIONAL EMPLOYEES CREDIT
UNION/MV
NICHOLAS WAJDA/ATTY. FOR DBT.
DON POOL/ATTY. FOR MV.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: The court intends to grant the motion for relief on the grounds stated in the motion.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The Moving Party shall submit a proposed order after hearing.

Educational Employees Credit Union ("Movant") seeks relief from the automatic stay under 11 U.S.C. §§ 362(d)(1) and (d)(2) with respect to a 2021 Chevrolet Suburban 71 Sport Utility (VIN: 1GNSKDKD7MR238317) (Vehicle"). Doc. #18. Movant also requests waiver of the 14-day stay of Fed. R. Bankr. P. 4001(a)(3). *Id.*

Written opposition was not required and may be presented at the hearing. In the absence of opposition, this motion will be GRANTED.

This motion was filed and served pursuant to Local Rule of Practice ("LBR") 9014-1(f)(2) and will proceed as scheduled. Unless opposition is presented at the hearing, the court intends to enter the respondents' defaults and grant the motion. If opposition is presented at the hearing, the court will consider the opposition and whether further hearing is proper pursuant to LBR 9014-1(f)(2). The court will issue an order if a further hearing is necessary.

11 U.S.C. § 362(d)(1) allows the court to grant relief from the stay for cause, including the lack of adequate protection. "Because there is no clear definition of what constitutes 'cause,' discretionary relief from the stay must be determined on a case-by-case basis." *In re Mac Donald*, 755 F.2d 715, 717 (9th Cir. 1985).

11 U.S.C. § 362(d)(2) allows the court to grant relief from the stay if the debtor does not have an equity in such property and such property is not necessary to an effective reorganization.

After review of the included evidence, the court finds that "cause" exists to lift the stay because Chad Allen and Chante Lee Wolfe ("Debtors") have failed to make 2 pre-petition payments in the amount of \$2,352.26 and 1 post-petition payment in the amount of \$1,176.13 plus late fees of \$50.00 for a total arrearage of \$3,578.39. Doc. #20.

The court also finds that the Debtors do not have any equity in the Vehicle and the Vehicle is not necessary to an effective reorganization because Debtors are in chapter 7. Debtors value the Vehicle at \$41,668.00 and the amount owed to Movant is \$57,842.60. Doc. #22.

Accordingly, the motion will be granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit the movant to dispose of its collateral pursuant to applicable law and to use the proceeds from its disposition to satisfy its claim. No other relief is awarded. Adequate protection is unnecessary in light of the relief granted herein.

The 14-day stay of Fed. R. Bankr. P. 4001(a)(3) will be ordered waived because the Debtors have failed to make at least two pre-petition and 1 post-petition payment, and the Vehicle is a depreciating asset.

Movant's counsel is advised to modify notices to accurately reflect the court's video conference and telephonic appearance options.

5. [24-10079](#)-B-7 **IN RE: CHRISTOBAL/LETICIA RIVERA**
[RSW-1](#)

MOTION TO REDEEM AND/OR MOTION TO BORROW , MOTION FOR
COMPENSATION BY THE LAW OFFICE OF WILLIAMS & WILLIAMS FOR
ROBERT S. WILLIAMS, DEBTORS ATTORNEY(S)
4-3-2024 [[16](#)]

LETICIA RIVERA/MV
ROBERT WILLIAMS/ATTY. FOR DBT.
RESPONSIVE PLEADING

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Withdrawn.

No order is required.

On April 25, 2024, the parties in this matter submitted a joint stipulation that this motion be withdrawn and dropped from the calendar. Accordingly, this matter is WITHDRAWN.