



**UNITED STATES BANKRUPTCY COURT  
Eastern District of California  
Honorable René Lastreto II  
Department B – Courtroom #13  
Fresno, California**

**Hearing Date: Wednesday, April 30, 2025**

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/CourtAppearances>. 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. [25-10204](#)-B-13     **IN RE: ARIEL/DAISY SAURE**  
[PBB-1](#)

MOTION TO VALUE COLLATERAL OF DEPARTMENT OF THE  
OF THE TREASURY-INTERNAL REVENUE SERVICE  
4-2-2025    [\[27\]](#)

DAISY SAURE/MV  
PETER BUNTING/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.

Ariel and Daisy Saure (collectively "Debtors") move for an order valuing certain assets ("the Assets") which secures a tax lien held by the Internal Revenue Service ("IRS") at a total of \$78,712.44 under 11 U.S.C. § 506(a). Doc. #27. The Assets secure an IRS claim totaling \$160,093.87, of which \$156,492.32 is secured. *Id.*; POC #4.

The Assets represent a combination of vehicles and other assets, as follows:

Description	Debtor's Valuation from Schedule A/B	Senior Liens	Equity
4179 San Jose Ave., Clovis CA ("the Residence")	\$510,000.00	\$471,598.00	\$38,402.00
2020 Harley Davidson	\$7,170.00	None	\$7,170.00
Household goods and furnishings, electronics, clothes, jewelry	\$5,000.00	None	\$5,000.00
Cash, money in bank at time of filing	\$11,575.44	None	\$11,575.44
2024 Federal Tax Refund	\$11,565.00	None	\$11,565.00
2018 Toyota Corolla	\$5,000.00	None	\$5,000.00
<b>Total</b>			<b>\$78,712.44</b>

Doc. #29; see Doc. #11 (Schedules A/B and D). The "Senior Lien" represents a mortgage on the Residence held by Freedom Mortgage Corporation. *Id.*

Debtors properly complied with Fed. R. Bankr. P. 2002(j), 5003(e), and LBR 2002-1 by serving the IRS at both the agency itself and through

the U.S. Attorney for the District in which this case was filed. Doc. #30.

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). The failure of the creditors, the chapter 13 trustee, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. *See Boone v. Burk (In re Eliapo)*, 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, 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). Constitutional due process requires that a plaintiff make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

11 U.S.C. § 1325(a)(\*) (the hanging paragraph) states that 11 U.S.C. § 506 is not applicable to claims described in subparagraph (5) if (1) the creditor has a purchase money security interest ("PMSI") securing the debt that is the subject of the claim, (2) the debt was incurred within (a) 910 days preceding the petition date if the collateral is a motor vehicle acquired for personal use of the debtor, or (b) one year preceding the petition date for personal property other than a motor vehicle.

11 U.S.C. § 506(a)(1), which applies to all debtors under this title, states:

An allowed claim of a creditor secured by a lien on property in which the estate has an interest, or that is subject to setoff under section 553 of this title, is a secured claim to the extent of the value of such creditor's interest in the estate's interest in such property, or to the extent of the amount subject to setoff, as the case may be, and is an unsecured claim to the extent that the value of such creditor's interest or the amount so subject to set off is less than the amount of such allowed claim. Such value shall be determined in light of the purpose of the valuation and of the proposed disposition or use of such property, and in conjunction with any hearing on such disposition or use or on a plan affecting such creditor's interest.

11 U.S.C. § 506(a)(2) states:

If the debtor is an individual in a case under chapter 7 or 13, such value with respect to personal property securing an allowed claim shall be determined based on the replacement value of such property as of the date of the filing of the petition without deduction for costs of sale or marketing. With respect to property acquired for personal, family, or household purposes, replacement value shall mean the price a retail merchant would charge for property of that kind considering the age and condition of the property at the time value is determined.

Here, the IRS lien is not a purchase money security interest, and so the elements of § 1325(a)(\*) are not met and § 506 is applicable.

Joint debtor Airel Pescador Saure declares the Assets, including the equity in the Residence after the remaining mortgage balance is subtracted, has a replacement value of **\$78,712.44**. Doc. #29. Debtor is competent to testify as to the value of the Vehicle. Given the absence of contrary evidence, the debtor's opinion of value may be conclusive. *Enewally v. Wash. Mut. Bank (In re Enewally)*, 368 F.3d 1165, 1173 (9th Cir. 2004).

No party in interest timely filed written opposition. Accordingly, this motion will be GRANTED. The secured claim of the IRS will be fixed at **\$78,712.44**. The proposed order shall specifically identify the collateral and the proof of claim to which it relates. The order will be effective upon confirmation of the chapter 13 plan.

2. [25-10009](#)-B-13      **IN RE: KATHERINE SCONIERS STANPHILL**

ORDER TO SHOW CAUSE - FAILURE TO PAY FEES  
4-7-2025    [\[36\]](#)

TENTATIVE RULING:            This matter will proceed as scheduled.

DISPOSITION:                The minutes of the hearing will be the court's findings and conclusions.

ORDER:                        The court will issue an order.

This matter will proceed as scheduled. If the fees due at the time of the hearing have not been paid prior to the hearing, the case will be dismissed on the grounds stated in the OSC.

If the installment fees due at the time of hearing are paid before the hearing, the order permitting the payment of filing fees in installments will be modified to provide that if future installments are not received by the due date, the case will be dismissed without further notice or hearing.

11:00 AM

1. [24-10003](#)-B-7    **IN RE: MARIA LUNA MANZO**  
[24-1004](#)    [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT  
3-29-2024    [\[1\]](#)

LABOR COMMISSIONER, STATE OF CALIFORNIA V. LUNA MANZO  
MATTHEW SIROLLY/ATTY. FOR PL.

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

DISPOSITION:    Concluded and dropped from the calendar.

No order is required.

On April 18, 2025, the Plaintiff in this adversary filed (a) a Plaintiff's Status Report advising that Plaintiff had filed a *Stipulation and Request to Enter Judgment/Consent Decree*, accompanied by a Settlement Agreement (Doc. #45); a Joint Stipulation that the attached Judgment be entered in this action, and a copy of the aforementioned Judgment (Doc. #46); and the *Stipulated Judgment and Consent Decree* as a separate document (Doc. #46).

In light of the foregoing, this Status Conference is CONCLUDED and will be DROPPED from the calendar.

2. [20-10809](#)-B-11    **IN RE: STEPHEN SLOAN**  
[21-1039](#)

CONTINUED STATUS CONFERENCE RE: AMENDED COMPLAINT  
10-27-2022    [\[58\]](#)

SANDTON CREDIT SOLUTIONS MASTER FUND IV, LP V. SLOAN ET  
KURT VOTE/ATTY. FOR PL.

NO RULING.

3. [18-11651](#)-B-11     **IN RE: GREGORY TE VELDE**  
[19-1007](#)     [CAE-1](#)

CONTINUED COMPLAINT  
1-7-2019     [[1](#)]

SUGARMAN V. BOARDMAN TREE FARM, LLC ET AL  
JOHN MACCONAGHY/ATTY. FOR PL.

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

DISPOSITION:     Continued to June 11, 2025, at 11:00 a.m.

ORDER:             The court will prepare the order.

For the reasons stated on the record during the hearing conducted on April 24, 2025, this Status Conference is continued to June 11, 2025, at 11:00 a.m.

4. [18-11651](#)-B-11     **IN RE: GREGORY TE VELDE**  
[19-1033](#)     [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: THIRD-PARTY COMPLAINT  
2-24-2021     [[163](#)]

SUGARMAN V. IRZ CONSULTING, LLC ET AL  
KYLE SCIUCHETTI/ATTY. FOR PL.

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

DISPOSITION:     Continued to June 11, 2025, at 11:00 a.m.

ORDER:             The court will prepare the order.

For the reasons stated on the record during the hearing conducted on April 24, 2025, this Status Conference is continued to June 11, 2025, at 11:00 a.m.

5. [18-11651](#)-B-11    **IN RE: GREGORY TE VELDE**  
[19-1037](#)    [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: NOTICE OF REMOVAL  
7-23-2018    [[1](#)]

IRZ CONSULTING LLC V. TEVELDE ET AL  
HAGOP BEDOYAN/ATTY. FOR PL.

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

DISPOSITION:        Continued to June 11, 2025, at 11:00 a.m.

ORDER:                The court will prepare the order.

For the reasons stated on the record during the hearing conducted on  
April 24, 2025, this Status Conference is continued to June 11, 2025,  
at 11:00 a.m.