

**UNITED STATES BANKRUPTCY COURT
Eastern District of California**

Honorable Christopher D. Jaime
Robert T. Matsui U.S. Courthouse
501 I Street, Sixth Floor
Sacramento, California

PRE-HEARING DISPOSITIONS COVER SHEET

DAY: TUESDAY

DATE: May 12, 2020

CALENDAR: 1:00 P.M. CHAPTER 13

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. 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 and no appearance is necessary. 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 seven (7) days of the final hearing on the matter.

UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Christopher D. Jaime
Bankruptcy Judge
Sacramento, California

May 12, 2020 at 1:00 p.m.

1. [20-22023](#)-B-13 ROBERT/RINDA THOKE MOTION TO VALUE COLLATERAL OF
 [MRL](#)-1 Mikalah R. Liviakis CAPITAL ONE NATIONAL
 ASSOCIATION
 4-13-20 [[8](#)]

Final Ruling

The motion has been set for hearing on 28-days notice. Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to value the secured claim of Capital One National Association at \$6,500.00.

Debtors' motion to value the secured claim of Capital One National Association ("Creditor") is accompanied by the Declaration of Robert Thoke. Debtors are the owners of a 2015 Nissan Versa ("Vehicle"). The Debtors seeks to value the Vehicle at a replacement value of \$6,500.00 as of the petition filing date. As the owners, Debtors' opinion of value is evidence of the asset's value. See Fed. R. Evid. 701; see also *Enewally v. Wash. Mut. Bank (In re Enewally)*, 368 F.3d 1165, 1173 (9th Cir. 2004).

No Proof of Claim Filed

The court has reviewed the Claims Registry for this bankruptcy case. No proof of claim has been filed by Creditor for the claim to be valued.

Discussion

The lien on the Vehicle's title secures a purchase-money loan incurred in November 2015, which is more than 910 days prior to filing of the petition, to secure a debt owed to Creditor with a balance of approximately \$8,593.00. Therefore, the Creditor's claim secured by a lien on the asset's title is under-collateralized. The Creditor's secured claim is determined to be in the amount of \$6,500.00. See 11 U.S.C. § 506(a). The valuation motion pursuant to Fed. R. Civ. P. 3012 and 11 U.S.C. § 506(a) is granted.

The motion is ORDERED GRANTED for reasons stated in the ruling appended to the minutes.

The court will enter a minute order.

2. [20-20634](#)-B-13 DEEANNE HELTON AND CONTINUED MOTION TO CONFIRM
FF-2 MICHAEL COOPER PLAN
Thru #3 Gary Ray Fraley 3-3-20 [[25](#)]

Final Ruling

The objection was originally filed at least 14 days prior to the hearing on the motion to confirm a plan. See Local Bankruptcy Rules 3015-1(c)(4) & (d)(1) and 9014-1(f)(2). It was continued to be heard in conjunction with the motion to value collateral of Golden 1 Credit Union. Opposition was filed by the Chapter 13 Trustee.

The court has determined this matter may be decided on the papers. See General Order No. 612 at 2, ¶ 2 (E.D. Cal. March 18, 2020) (ordering all civil matters to be decided on the papers due to courthouse closure and national COVID-19 crisis); General Order No. 617 (E.D. Cal. April 17, 2020) at 2-3, ¶ 3 (extending General Order No. 612 through June 1, 2020). The court has also determined that oral argument will not assist in the decision-making process or resolution of the motion. See Local Bankr. R. 9014-1(h), 1001-1(f).

The court's decision is to confirm the plan.

Feasibility depends on the granting of a motion to value collateral of Golden 1 Credit Union. That matter is heard at Item No. 3, MCN-2, and is granted.

The plan complies with 11 U.S.C. §§ 1322 and 1325(a). The objection is overruled and the plan filed March 3, 2020, is confirmed.

The motion is ORDERED GRANTED for reasons stated in the ruling appended to the minutes. Counsel for the Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved, the Chapter 13 Trustee will submit the proposed order to the court.

The court will enter a minute order.

3. [20-20634](#)-B-13 DEEANNE HELTON AND MOTION TO VALUE COLLATERAL OF
[MCN-2](#) MICHAEL COOPER GOLDEN 1 CREDIT UNION
Gary Ray Fraley 4-3-20 [[35](#)]

Final Ruling

The motion has been set for hearing on 28-days notice. Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. Cf. *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to value the secured claim of Golden 1 Credit Union at \$21,500.00.

Debtors' motion to value the secured claim of Golden 1 Credit Union ("Creditor") is accompanied by Debtors' declaration. Debtors are the owners of a 2017 Dodge 1500 ("Vehicle"). The Debtors seek to value the Vehicle at a replacement value of \$21,500.00 as of the petition filing date. As the owners, Debtors' opinion of value is evidence of the asset's value. See Fed. R. Evid. 701; see also *Enewally v. Wash. Mut. Bank (In re Enewally)*, 368 F.3d 1165, 1173 (9th Cir. 2004).

The Chapter 13 Trustee has filed a response stating that the Creditor filed a series of claims in this matter. See Claim Nos. 1, am. 1, 21. The latter two both agree with

the Debtor's valuation.

Discussion

The lien on the Vehicle's title secures a purchase-money loan incurred on August 7, 2017, which is more than 910 days prior to filing of the petition, to secure a debt owed to Creditor with a balance of approximately \$32,652.60. Therefore, the Creditor's claim secured by a lien on the asset's title is under-collateralized. The Creditor's secured claim is determined to be in the amount of \$21,500.00. See 11 U.S.C. § 506(a). The valuation motion pursuant to Fed. R. Civ. P. 3012 and 11 U.S.C. § 506(a) is granted.

The motion is ORDERED GRANTED for reasons stated in the ruling appended to the minutes.

The court will enter a minute order.

4. [20-22040](#)-B-13 YVETTE LERMA
[MS-1](#) Mark Shmorgon

MOTION TO VALUE COLLATERAL OF
CONSUMER PORTFOLIO SERVICES,
INC.
4-13-20 [[8](#)]

Final Ruling

The motion has been set for hearing on 28-days notice. Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Opposition was filed.

The court has determined this matter may be decided on the papers. See General Order No. 612 at 2, ¶ 2 (E.D. Cal. March 18, 2020) (ordering all civil matters to be decided on the papers due to courthouse closure and national COVID-19 crisis); General Order No. 617 (E.D. Cal. April 17, 2020) at 2-3, ¶ 3 (extending General Order No. 612 through June 1, 2020). The court has also determined that oral argument will not assist in the decision-making process or resolution of the motion. See Local Bankr. R. 9014-1(h), 1001-1(f).

The court's decision is to value the secured claim of Consumer Portfolio Services, Inc. at \$6,000.00.

Debtor's motion to value the secured claim of Consumer Portfolio Services, Inc. ("Creditor") is accompanied by Debtor's declaration. Debtor is the owner of a 2016 Chevrolet Spark LS Hatchback 4D ("Vehicle"). The Debtor seeks to value the Vehicle at a replacement value of \$6,000.00 as of the petition filing date. As the owner, Debtor's opinion of value is evidence of the asset's value. See Fed. R. Evid. 701; see also *Enewally v. Wash. Mut. Bank (In re Enewally)*, 368 F.3d 1165, 1173 (9th Cir. 2004).

Opposition

Creditor has filed an opposition asserting a valuation for the Vehicle at \$7,920.00. This value is taken from the Kelley Blue Book.

Proof of Claim Filed

The court has reviewed the Claims Registry for this bankruptcy case. Claim No. 1-1 filed by Portfolio Services, Inc. is the claim which may be the subject of the present motion.

Discussion

Creditor asserts that the value of the Vehicle is approximately \$7,920.00 based on the "Good" valuation provided by Kelley Blue Book. The vehicle must be valued at its replacement value. In the Chapter 13 context, the replacement value of personal property used by a debtor for personal, household or family purposes is "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." See 11 U.S.C. § 506(a)(2).

A clean retail value as suggested by the Creditor cannot be relied upon by the court to establish the Vehicle's replacement value. Section 506(a)(2) asks for "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." The Creditor does not provide any consideration for the condition of the Vehicle and, therefore, it cannot be determined what a retailer would charge for this Vehicle as it is.

Debtor's valuation, on the other hand, takes into consideration the repair costs needed to the Vehicle and the Debtor provides a quote for estimated repairs from Caliber Collision totaling \$2,275.19. The estimate is accompanied by Debtor's declaration. The repair costs shine greater light on the unique condition of the Vehicle compared to

the general "Good" valuation provided by Creditor.

The lien on the Vehicle's title secures a purchase-money loan incurred on August 10, 2016, which is more than 910 days prior to filing of the petition, to secure a debt owed to Creditor with a balance of approximately \$18,990.55. Therefore, the Creditor's claim secured by a lien on the asset's title is under-collateralized. The Creditor's secured claim is determined to be in the amount of \$6,000.00. See 11 U.S.C. § 506(a). The valuation motion pursuant to Fed. R. Civ. P. 3012 and 11 U.S.C. § 506(a) is granted.

The motion is ORDERED GRANTED for reasons stated in the ruling appended to the minutes.

The court will enter a minute order.

5. [19-24749](#)-B-13 KAREN LANDWEHR
[PSB-1](#) Pauldeep Bains

MOTION TO MODIFY PLAN
4-2-20 [[24](#)]

Final Ruling

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rule 3015-1(d)(2), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 3015(g). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to permit the requested modification and confirm the modified plan.

11 U.S.C. § 1329 permits a debtor to modify a plan after confirmation. The Debtor has filed evidence in support of confirmation. No opposition to the motion was filed by the Chapter 13 Trustee or creditors. The modified plan complies with 11 U.S.C. §§ 1322, 1325(a), and 1329, and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the ruling appended to the minutes. Counsel for the Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved, the Chapter 13 Trustee will submit the proposed order to the court.

The court will enter a minute order.

6. [20-20354](#)-B-13 DOREEN PETER CONTINUED OBJECTION TO
[APN-1](#) Gabriel E. Liberman CONFIRMATION OF PLAN BY NISSAN
Thru #8 MOTOR ACCEPTANCE CORPORATION
2-27-20 [[14](#)]

Final Ruling

The objection was originally filed at least 14 days prior to the hearing on the motion to confirm a plan. See Local Bankruptcy Rules 3015-1(c)(4) & (d)(1) and 9014-1(f)(2). It was continued to be heard in conjunction with the motion to value collateral of Nissan Motor Acceptance Corporation. No written reply was filed to the objection.

The court has determined this matter may be decided on the papers. See General Order No. 612 at 2, ¶ 2 (E.D. Cal. March 18, 2020) (ordering all civil matters to be decided on the papers due to courthouse closure and national COVID-19 crisis); General Order No. 617 (E.D. Cal. April 17, 2020) at 2-3, ¶ 3 (extending General Order No. 612 through June 1, 2020). The court has also determined that oral argument will not assist in the decision-making process or resolution of the motion. See Local Bankr. R. 9014-1(h), 1001-1(f).

The court's decision is to overrule the objection and confirm the plan.

Feasibility depends on the granting of a motion to value collateral of Nissan Motor Acceptance Corporation. Debtor and Nissan Motor Acceptance Corporation entered into a stipulation valuing the subject vehicle and providing that the Debtor shall amend the Chapter 13 plan and accompanying schedules, as and if necessary, to ensure that they conform with the terms set forth in the stipulation.

The plan complies with 11 U.S.C. §§ 1322 and 1325(a). The objection is overruled and the plan filed January 22, 2020, is confirmed.

The objection is ORDERED OVERRULED for reasons stated in the ruling appended to the minutes.

IT IS FURTHER ORDERED that the plan is CONFIRMED and counsel for the Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and, if so approved, the Chapter 13 Trustee will submit the proposed order to the court.

The court will enter a minute order.

7. [20-20354](#)-B-13 DOREEN PETER CONTINUED OBJECTION TO
[DPC-1](#) Gabriel E. Liberman CONFIRMATION OF PLAN BY DAVID P
CUSICK
3-5-20 [[18](#)]

Final Ruling

The objection was originally filed at least 14 days prior to the hearing on the motion to confirm a plan. See Local Bankruptcy Rules 3015-1(c)(4) & (d)(1) and 9014-1(f)(2). It was continued to be heard in conjunction with the motion to value collateral of Nissan Motor Acceptance Corporation. No written reply was filed to the objection.

The court has determined this matter may be decided on the papers. See General Order No. 612 at 2, ¶ 2 (E.D. Cal. March 18, 2020) (ordering all civil matters to be decided on the papers due to courthouse closure and national COVID-19 crisis); General Order No. 617 (E.D. Cal. April 17, 2020) at 2-3, ¶ 3 (extending General Order No. 612 through June 1, 2020). The court has also determined that oral argument will not assist in the decision-making process or resolution of the motion. See Local Bankr. R. 9014-1(h), 1001-1(f).

The court's decision is to overrule the objection and confirm the plan.

Feasibility depends on the granting of a motion to value collateral of Nissan Motor Acceptance Corporation. Debtor and Nissan Motor Acceptance Corporation entered into a stipulation valuing the subject vehicle and providing that the Debtor shall amend the Chapter 13 plan and accompanying schedules, as and if necessary, to ensure that they conform with the terms set forth in the stipulation.

The plan complies with 11 U.S.C. §§ 1322 and 1325(a). The objection is overruled and the plan filed January 22, 2020, is confirmed.

The objection is ORDERED OVERRULED for reasons stated in the ruling appended to the minutes.

IT IS FURTHER ORDERED that the plan is CONFIRMED and counsel for the Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and, if so approved, the Chapter 13 Trustee will submit the proposed order to the court.

The court will enter a minute order.

8. [20-20354](#)-B-13 DOREEN PETER CONTINUED MOTION TO VALUE
[GEL](#)-1 Gabriel E. Liberman COLLATERAL OF NISSAN MOTOR
ACCEPTANCE CORPORATION
3-10-20 [[22](#)]

Final Ruling

No appearance at the May 12, 2020, hearing is required.

Debtor and creditor Nissan Motor Acceptance Corporation entered into a stipulation as to the value of a 2015 Nissan Versa. The stipulation also provides that the Debtor shall amend the Chapter 13 plan and accompanying schedules, as and if necessary, to ensure that they conform with the terms set forth in the stipulation. The order was entered on April 30, 2020. Dkt. 31. The motion to value is dismissed as moot.

The court will enter a minute order.

9. [18-23364](#)-B-13 BARRY RAASS
[SLH](#)-2 Seth L. Hanson

MOTION TO MODIFY PLAN
3-30-20 [[58](#)]

Final Ruling

The motion has been set for hearing on the 35-days' notice required by Local Bankruptcy Rule 3015-1(d)(2), 9014-1(f)(1), and Federal Rule of Bankruptcy Procedure 3015(g). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to permit the requested modification and confirm the modified plan.

11 U.S.C. § 1329 permits a debtor to modify a plan after confirmation. The Debtor has filed evidence in support of confirmation. No opposition to the motion was filed by the Chapter 13 Trustee or creditors. The modified plan complies with 11 U.S.C. §§ 1322, 1325(a), and 1329, and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the ruling appended to the minutes. Counsel for the Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved, the Chapter 13 Trustee will submit the proposed order to the court.

The court will enter a minute order.

10. [19-27188](#)-B-13 RAMON MIRANDA CONTINUED OBJECTION TO
[DPC-1](#) Bert M. Vega CONFIRMATION OF PLAN BY DAVID P
Thru #11 CUSICK
1-7-20 [[22](#)]

Final Ruling

The objection is overruled as moot based on the ruling at Item No. 11 (dkt. 31, DPC-2). No appearance at the May 12, 2020, hearing is required. The court will enter a minute order.

11. [19-27188](#)-B-13 RAMON MIRANDA CONTINUED MOTION TO DISMISS
[DPC-2](#) Bert M. Vega CASE
3-6-20 [[31](#)]

Final Ruling

The court has before it a motion to dismiss which the Chapter 13 Trustee ("Trustee") filed on March 6, 2020. Dkt. 31. The motion is not opposed.

As grounds for dismissal, the Trustee states that Debtor Ramon Miranda ("Debtor") failed to appear at the § 341 creditors' meeting on January 2, 2020, and January 30, 2020. Since the motion was filed the Debtor has also failed to appear at the § 341 creditors' meetings on March 12, 2020, and on May 7, 2020. As of the filing of the motion, the Debtor was also delinquent \$8,214.00 in plan payments and had made only one of three required plan payments.

The court has reviewed and takes judicial notice of the docket in this case. See Fed. R. Evid. 201(c). The court has determined this matter may be decided on the papers. See General Order No. 612 at 2, ¶ 2 (E.D. Cal. March 18, 2020) (ordering all civil matters to be decided on the papers due to courthouse closure and national COVID-19 crisis); General Order No. 617 (E.D. Cal. April 17, 2020) at 2-3, ¶ 3 (extending General Order No. 612 through June 1, 2020). The court has also determined that oral argument will not assist in the decision-making process or resolution of the motion. See Local Bankr. R. 9014-1(h), 1001-1(f).

The court's decision is to grant the motion and dismiss the case.

Discussion

There does not appear to have been any improvement in the status of this case between the time the motion to dismiss was filed over two months ago and the present. The Debtor has made no effort to properly prosecute this case and, as a result, the case has further deteriorated to the detriment of creditors. Moreover, the petition that commenced this case was filed on November 19, 2019, and the plan filed on December 3, 2020, has not been confirmed.

In the meantime, the Debtor has enjoyed the benefits his bankruptcy case have provided --the automatic stay included--without satisfying corresponding obligations as a Chapter 13 debtor. The Debtor's conduct constitutes unreasonable delay prejudicial to creditors. It also amounts to a failure to appear in proper prosecution of the case. Cause exists to dismiss under 11 U.S.C. §§ 1307(c)(1) and 109(g)(1).¹ Therefore, the Trustee's motion is granted and for the reasons stated this case is ordered dismissed.

The motion is ORDERED GRANTED for reasons stated in the ruling appended to the minutes.

¹Since the plan that was filed but has never been confirmed provides for 0% to unsecured creditors, dismissal rather than conversion is in the best interest of creditors and the estate.

The court will enter a minute order.

12. [12-32391](#)-B-13 ROBERT/STEPHANIE TYLER
[PSB-3](#) Pauldeep Bains

MOTION TO AVOID LIEN OF
CITIBANK, N.A.
4-10-20 [[42](#)]

Final Ruling

The Debtors filed a motion to avoid lien of Citibank, N.A. While Citibank, N.A. was served with the motion, the notice violates Fed. R. Bankr. P. 7004(h), which requires service on insured depository institutions to be made "by certified mail addressed to an officer of the institution[.]" Fed. R. Bankr. P. 7004(h). The proof of service accompanying the motion indicates that the notice was not addressed solely to an officer but instead to "An Officer, Managing Officer, or General Agent." Dkt. 47. This does not satisfy Rule 7004(h).

Service on Citibank, N.A. in the manner above fails to comply with Bankruptcy Rule 7004(h). Bankruptcy Rule 7004(h) requires service solely to the attention of an officer of an insured depository institution. Nothing in Bankruptcy Rule 7004(h) or its legislative history suggests that Congress intended the term "officer" to include anything other than an officer of the respondent creditor. See *Hamlett v. Amsouth Bank (In re Hamlett)*, 322 F.3d 342, 345-46 (4th Cir. 2003) (examining the legislative history of Rule 7004(h), comparing it to Rule 7004(b) (3), and concluding that the term "officer" in Rule 7004(h) does not include other posts with the respondent creditor).

This court has previously dismissed matters without prejudice as non-compliant with Bankruptcy Rule 7004(h) where service was not solely to the attention of an officer of an insured depository institution. See *In re Chaney*, No. 16-24101 (Bankr. E.D. Cal. 2016) (Dkts. 24, 26). Other judges in this district have as well. See *In re Easley*, No. 16-27435 (Bankr. E.D. Cal. 2016) (McManus, J.) (Dkts. 62, 64). This court has also continued matters where service was not solely to an officer of an insured depository institution and provided the moving party with an opportunity to re-serve in compliance with Bankruptcy Rule 7004(h). See *In re Petty*, No. 12-24999 (E.D. Cal. 2012). In this case, the court will continue the matter.

Therefore, it is ordered that in lieu of a dismissal without prejudice, the hearing on the Debtors' motion to avoid lien of Citibank, N.A., dkt. 42, which is currently set for May 12, 2020, at 1:00 p.m. is **continued to June 2, 2020, at 1:00 p.m.** The Debtors shall re-serve Citibank, N.A. in the manner required by Bankruptcy Rule 7004(h) to the attention of an officer of the respective institution (and only to an officer of the institution) and by certified mail so that the motion may be heard consistent with Local Bankr. R. 9014-1(f) (2).

The court will enter a minute order.

13. [18-21824](#)-B-13 MICHAEL ZENDER
[TJW](#)-2 Timothy J. Walsh

MOTION TO CONFIRM SALE OF REAL
PROPERTY O.S.T.
5-6-20 [[53](#)]

Final Ruling

The motion has been set for hearing on the notice required by Local Bankruptcy Rule 9014-1(f) (3). This matter relates to Debtor's motion for order to confirm sale of real property filed April 6, 2020, dkt. 42, and denied without prejudice by the court. Dkts. 51, 57.

Debtor and the Chapter 13 Trustee have now entered into a stipulation providing for the terms and sale of real property located at 174 Baxter Street, Vallejo, California. The motion is granted.

The motion is ORDERED GRANTED for reasons stated in the ruling appended to the minutes.

The court will enter a minute order.