

UNITED STATES BANKRUPTCY COURT  
Eastern District of California  
Honorable W. Richard Lee  
Hearing Date: Tuesday, May 17, 2016  
Place: Department C – Courtroom #12  
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.

1:30 P.M.

1. [15-10705](#)-C-11 CHARLOTTE SALWASSER CONTINUED STATUS CONFERENCE RE:  
[15-1113](#) AMENDED COMPLAINT  
 5T FARMS ET AL V. SALWASSER 1-4-16 [[23](#)]  
 RILEY WALTER/Atty. for pl.

Based on the court's review of the record, this status conference will be dropped from calendar. Pursuant to an order dated March 8, 2016, the defendant's default will be entered. The clerk may close this adversary proceeding if the plaintiff has not filed a motion for entry of a default judgment or otherwise concluded this adversary proceeding within 60 days unless the parties stipulate to an extension up to 30 days. The court will enter a civil minute order. No appearance is necessary.

2. [15-10705](#)-C-11 CHARLOTTE SALWASSER ORDER TO SHOW CAUSE REGARDING  
DISMISSAL OF CASE  
4-28-16 [[968](#)]  
  
D. GARDNER/Atty. for dbt.  
RESPONSIVE PLEADING

Based on the court's review of the responses to this Order to Show Cause, the proposed chapter 11 plan, and the number of unresolved issues which are tied to the George Salwasser bankruptcy case, the court intends to transfer this case to the Honorable Christopher Klein who is currently overseeing the George Salwasser case. The case will be transferred immediately upon conclusion of this hearing and approval of the other matters on this calendar. Any pending or unresolved matters in this case should be renoticed and set for a hearing before Judge Klein in Department C, Courtroom 35, Sacramento. No appearance is necessary with regard to the Order to Show Cause.

3. [15-10705](#)-C-11 CHARLOTTE SALWASSER MOTION FOR COMPENSATION FOR D.  
DMG-34 MAX GARDNER, DEBTORS  
ATTORNEY(S)  
4-20-16 [[958](#)]  
D. GARDNER/Atty. for dbt.

4. [15-10705](#)-C-11 CHARLOTTE SALWASSER  
JES-5  
JAMES SALVEN/MV

MOTION FOR COMPENSATION FOR  
JAMES E. SALVEN, OTHER  
PROFESSIONAL(S)  
3-8-16 [[893](#)]

D. GARDNER/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. The moving party shall submit a proposed order. No appearance is necessary.**

5. [15-10705](#)-C-11 CHARLOTTE SALWASSER  
SAS-5  
SHERYL STRAIN/MV  
D. GARDNER/Atty. for dbt.  
RESPONSIVE PLEADING

MOTION FOR COMPENSATION FOR  
SHERYL A. STRAIN, ACCOUNTANT(S)  
4-18-16 [[948](#)]

**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.**

6. [15-10705](#)-C-11 CHARLOTTE SALWASSER  
WJH-6  
CENTRAL VALLEY COMMUNITY  
BANK/MV  
D. GARDNER/Atty. for dbt.  
KURT VOTE/Atty. for mv.

CONTINUED MOTION TO APPROVE  
STIPULATION TO APPROVE PAST AND  
FUTURE SALES OF REAL PROPERTY  
3-4-16 [[886](#)]

**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.**

7. [13-14530](#)-C-7 KATHERYN JONES  
DRJ-4

MOTION FOR COMPENSATION BY THE  
LAW OFFICE OF DAVID R. JENKINS  
FOR DAVID R. JENKINS, TRUSTEES  
ATTORNEY(S)  
4-1-16 [[258](#)]

**This motion will be continued to June 14, 2016, at 1:30 p.m., for supplemental evidence. The applicant was employed to serve as the chapter 7 trustee's attorney. The trustee has not yet filed his final report and request for compensation. Based on the evidence presented in support of the motion, the court cannot tell if the applicant's services are concluded and cannot evaluate the necessity, reasonableness, and benefit of the applicant's services. No appearance is necessary.**

8. [14-10344](#)-C-12 ANTONIO/LUCIA PARREIRA MOTION TO BORROW  
WWB-18 4-28-16 [[333](#)]  
ANTONIO PARREIRA/MV  
RILEY WALTER/Atty. for dbt.
9. [15-10161](#)-C-11 FRESNO COUNTY RESCHEDULED CONFIRMATION  
FLG-3 SPORTSMEN'S CLUB HEARING RE: CHAPTER 11 PLAN  
10-28-15 [[80](#)]  
PETER FEAR/Atty. for dbt.  
RESPONSIVE PLEADING
10. [15-11079](#)-C-7 WEST COAST GROWERS, INC. NOTICE OF INTENT TO DISMISS  
[15-1081](#) A CALIFORNIA CORPORATION WWB-1CASE/PROCEEDING  
5T FARMS ET AL V. WEST COAST 3-21-16 [[24](#)]  
GROWERS, INC. ET AL

**Based on the court's review of the record, this Notice of Intent will be withdrawn and the hearing will be dropped from calendar. No appearance is necessary.**

11. 15-12630-A-7 THEODORE/NAOMI FOSTER PRE-TRIAL CONFERENCE RE:  
15-1117 COMPLAINT  
FIRST NATIONAL BANK OF OMAHA 10-1-15 [1]  
V. FOSTER  
DONALD DUNNING/Atty. for pl.