

UNITED STATES BANKRUPTCY COURT  
Eastern District of California  
Honorable René Lastreto  
Hearing Date: Wednesday, May 18, 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. [15-11203](#)-B-7 TIMOTHY/KRISTI BURKHART MOTION FOR COMPENSATION FOR  
JES-3 JAMES E. SALVEN, ACCOUNTANT(S)  
JAMES SALVEN/MV 4-18-16 [[36](#)]  
PETER FEAR/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.**

2. [15-12712](#)-B-7 JASON/CRITEENE CROCKETT MOTION TO AVOID LIEN OF  
THA-1 CITIBANK (SOUTH DAKOTA), N.A.  
JASON CROCKETT/MV 4-20-16 [[19](#)]  
THOMAS ARMSTRONG/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.**

3. [15-14814](#)-B-7 GERANIMO/TERESA FACIO MOTION TO SELL  
JES-1 4-4-16 [[18](#)]  
JAMES SALVEN/MV  
MARK ZIMMERMAN/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.**

4. [15-13617](#)-B-7 JOSE/YOLANDA GUTIERREZ MOTION TO EMPLOY GUARANTEE REAL  
PFT-2 ESTATE AS BROKER(S)  
PETER FEAR/MV 4-18-16 [[30](#)]  
MARK ZIMMERMAN/Atty. for dbt.  
PETER FEAR/Atty. for mv.

**This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered. This matter was set for a hearing by the court. Based on the movant's response, it will be continued to May 25, 2016, at 9:30 a.m. No appearance is necessary.**

5. [15-14917](#)-B-7 MICHAEL/CLAUDIA GARZA  
LEK-1  
USAA FEDERAL SAVINGS BANK/MV  
MARK ZIMMERMAN/Atty. for dbt.  
LESLIE KLOTT/Atty. for mv.  
DISCHARGED

MOTION FOR RELIEF FROM  
AUTOMATIC STAY  
4-18-16 [[28](#)]

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be denied as moot as to the debtors because their discharge has been entered. The motion will be granted for cause shown as to the chapter 7 trustee. 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. If the notice and motion requested a waiver of Federal Rule 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. No appearance is necessary.

6. [14-10019](#)-B-7 ROY/LINDA SCOTT  
JES-1  
JAMES SALVEN/MV  
DAVID JENKINS/Atty. for dbt.

MOTION TO SELL  
4-8-16 [[48](#)]

This matter was set on 14 days' notice and written opposition is not required pursuant to Local Rule 9014-1(f)(2). If no one appears at the hearing to present an opposition, the court intends enter the defaults of respondents and grant the motion without oral argument subject to higher and better bids.

7. [16-11320](#)-B-7 FELIX/MARIA ZAMARIPA  
KH-1  
U.S. BANK NATIONAL  
ASSOCIATION/MV  
KEVIN HARRIS/Atty. for mv.

MOTION FOR RELIEF FROM  
AUTOMATIC STAY  
4-22-16 [[14](#)]

This matter was set on 14 days' notice and written opposition is not required pursuant to Local Rule 9014-1(f)(2). If no one appears at the hearing to present an opposition, the court intends enter the defaults of respondents and grant the motion without oral argument for cause shown.

The automatic stay will be 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.

8. [16-11226](#)-B-7 JOE HINOJOSA  
SCF-1  
VALLEY FIRST CREDIT UNION/MV  
MARK ZIMMERMAN/Atty. for dbt.  
STEPHEN FERLMANN/Atty. for mv.

MOTION FOR RELIEF FROM  
AUTOMATIC STAY  
4-29-16 [[13](#)]

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The debtor's 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. No appearance is necessary.

9. [11-61329](#)-B-7 SHERREY DEAVER  
JES-4  
JAMES SALVEN/MV  
PETER BUNTING/Atty. for dbt.

MOTION FOR COMPENSATION FOR  
JAMES E. SALVEN, ACCOUNTANT(S)  
4-18-16 [[133](#)]

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.

10. [16-10631](#)-B-7 MAGGIE HEBIESH-LOBUE  
TMT-1  
TRUDI MANFREDO/MV  
  
SCOTT MCDONALD/Atty. for dbt.  
TRUDI MANFREDO/Atty. for mv.

MOTION TO EXTEND DEADLINE TO  
FILE A COMPLAINT OBJECTING TO  
DISCHARGE OF THE DEBTOR  
4-20-16 [[9](#)]

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 deadline for the chapter 7 trustee or the U.S. Trustee to file any appropriate action under 11 U.S.C. §727 to deny the debtor's discharge is extended up to and including September 1, 2016. The chapter 7 trustee shall submit a proposed order. No appearance is necessary.

11. [16-10733](#)-B-7 JESUS LOPEZ  
DJP-1  
EDUCATIONAL EMPLOYEES CREDIT  
UNION/MV  
PATRICIA CARRILLO/Atty. for dbt.  
DON POOL/Atty. for mv.

MOTION FOR RELIEF FROM  
AUTOMATIC STAY  
4-19-16 [[12](#)]

This matter was noticed pursuant to Local Rule 9014-1(f)(2) which does not require written opposition. If no one appears at the hearing to present an opposition, the court intends enter the respondent's default and grant the motion without oral argument for cause shown.

The automatic stay will be 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.

12. [16-10736](#)-B-7 MARISOL VALDEZ

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
4-12-16 [[17](#)]

This matter was set by the court pursuant to Local Rule 9014-1(f)(2) which does not require written opposition. If the required fee is not paid, or no one appears at the hearing to present an opposition, the court intends enter the respondent's default and grant the motion without oral argument for cause shown. The case will be dismissed non payment of fees.

13. [15-13337](#)-B-7 HAROUT GEZALYAN

HAROUT GEZALYAN/MV  
ADRIAN WILLIAMS/Atty. for dbt.

MOTION TO AVOID LIEN OF A-Z  
RESOURCES, LLC.  
4-13-16 [[29](#)]

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 motion was served on "A-Z Resources, LLC, Dave Reynolds, Agent, 10370 Hemet Street, Riverside, CA 92503." The Secretary of State's website does not show an agent for service of process for A-Z Resources, LLC, however the court may take judicial notice of matters of public record and it appears that the respondent has received actual notice of the motion.

"A-Z Resources, LLC," is not listed on the California Secretary of State's website with an agent for service of process. However, according to a 2011 press release issued by Dave Reynolds, president and CEO of A-Z Resources LLC, headquartered in Riverside, that entity changed its name and began doing business as Fleet Financing Resources.

<http://www.automotive-fleet.com/news/story/2011/08/a-z-resources-llc-become-s-fleet-financing-resources.aspx>. Fleet Financing Resources, LLC, lists Dave Reynolds as its agent for service of process. The moving party shall submit a proposed order. No appearance is necessary.

14. [15-13337](#)-B-7 HAROUT GEZALYAN

HAROUT GEZALYAN/MV  
ADRIAN WILLIAMS/Atty. for dbt.

MOTION TO AVOID LIEN OF WELLS  
FARGO BANK, N.A.  
4-13-16 [[33](#)]

The motion will be denied without prejudice. No appearance is necessary. The record does not establish that the motion was served on the named respondent in compliance with Federal Rule of Bankruptcy Procedure 7004(b)(1) (service on an individual), 7004(b)(3) (corporation, partnership or unincorporated association) or 7004(h) (FDIC Insured Depository Institution). *In re Villar*, 317 B.R. 88 (9th Cir. BAP 2004). The respondent, Wells Fargo Bank, N.A., is a federally insured depository Institution and therefore must be served through an officer by certified mail.

15. [15-12140](#)-B-7 JOSE IBANEZ  
PBB-2  
JOSE IBANEZ/MV  
PETER BUNTING/Atty. for dbt.

MOTION TO AVOID LIEN OF TD BANK  
GROUP  
4-12-16 [[22](#)]

The motion will be denied without prejudice. No appearance is necessary. The record does not establish that the motion was served on the successor of the original holder of the lien in compliance with Federal Rule of Bankruptcy Procedure 7004(h) (FDIC Insured Depository Institution). *In re Villar*, 317 B.R. 88 (9th Cir. BAP 2004).

The abstract of judgment shows Target National Bank as the lien holder and no evidence has been submitted that "TD Bank Group" is its successor in interest. The court may take judicial notice of matters of public record and it appears that Target National Bank was acquired by TD Bank USA, National Association, a federally insured depository institution.  
<http://www.bloomberg.com/research/stocks/private/snapshot.asp?privcapId=33350857>.

16. [13-11642](#)-B-7 MERCED MILLING COMPANY,  
RHT-1 LLC  
ROBERT HAWKINS/MV  
THOMAS ARMSTRONG/Atty. for dbt.  
ROBERT HAWKINS/Atty. for mv.

MOTION TO PAY ADMINISTRATIVE  
EXPENSES NUNC PRO TUNC  
4-1-16 [[155](#)]

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 trustee shall submit a proposed order. No appearance is necessary.

17. [16-11046](#)-B-7 JEREMY/BRITNI SELLERS  
  
SCOTT LYONS/Atty. for dbt.  
ORDER TO PAY IN INSTALLMENTS  
FILED 4/22/16, FIRST  
INSTALLMENT DUE 5/23/16

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
4-19-16 [[16](#)]

The OSC will be vacated. The record shows that an order approving payment of the filing fee has been entered. No appearance is necessary.



18. [12-15547](#)-B-7 DONNA/EVERETT DAVIS  
GH-1  
EVERETT DAVIS/MV  
GARY HUSS/Atty. for dbt.

MOTION FOR OMNIBUS RELIEF UPON  
DEATH OF DEBTOR  
3-28-16 [[169](#)]

**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. Pursuant to FRBP 7025 made applicable to this matter pursuant to FRBP 9014, Dina Marie White will be substituted as the proper party for Donna Marie Davis, deceased. The moving party shall submit a proposed order. No appearance is necessary.**

19. [12-15547](#)-B-7 DONNA/EVERETT DAVIS  
GH-2  
EVERETT DAVIS/MV  
GARY HUSS/Atty. for dbt.  
RESPONSIVE PLEADING

MOTION TO AVOID LIEN OF GLENIS  
GAMBRELL  
3-28-16 [[173](#)]

**The hearing on this motion will proceed as a scheduling conference and is now deemed to be a contested matter. Pursuant to Federal Rules of Bankruptcy Procedure 9014(c), the federal rules of discovery apply to contested matters. The parties shall immediately commence formal discovery, meet and confer, set deposition dates if necessary, and be prepared for the court to set an early evidentiary hearing.**

20. [12-15547](#)-B-7 DONNA/EVERETT DAVIS  
GH-2  
EVERETT DAVIS/MV  
GARY HUSS/Atty. for dbt.  
RESPONSIVE PLEADING

MOTION TO AVOID LIEN OF GLENIS  
GAMBRELL  
3-28-16 [[179](#)]

**The hearing on this motion will proceed as a scheduling conference and is now deemed to be a contested matter. Pursuant to Federal Rules of Bankruptcy Procedure 9014(c), the federal rules of discovery apply to contested matters. The parties shall immediately commence formal discovery, meet and confer, set deposition dates if necessary, and be prepared for the court to set an early evidentiary hearing.**

21. [12-15547](#)-B-7 DONNA/EVERETT DAVIS  
RH-7  
JAMES SALVEN/MV

CONTINUED STATUS CONFERENCE RE:  
OBJECTION TO DEBTOR'S CLAIM OF  
EXEMPTIONS  
2-9-16 [[149](#)]

GARY HUSS/Atty. for dbt.  
ROBERT HAWKINS/Atty. for mv.  
RESPONSIVE PLEADING

**The hearing on this objection will proceed as a scheduling conference and is deemed to be a contested matter. Pursuant to Federal Rules of Bankruptcy Procedure 9014(c), the federal rules of discovery apply to contested matters. The parties shall immediately commence formal discovery, meet and confer, set deposition dates if necessary, and be prepared for the court to set an early evidentiary hearing.**

22. [12-15547](#)-B-7 DONNA/EVERETT DAVIS  
RH-7  
JAMES SALVEN/MV

CONTINUED STATUS CONFERENCE RE:  
OBJECTION TO DEBTOR'S CLAIM OF  
EXEMPTIONS  
2-9-16 [[152](#)]

GARY HUSS/Atty. for dbt.  
ROBERT HAWKINS/Atty. for mv.  
RESPONSIVE PLEADING

**The hearing on this objection will proceed as a scheduling conference and is deemed to be a contested matter. Pursuant to Federal Rules of Bankruptcy Procedure 9014(c), the federal rules of discovery apply to contested matters. The parties shall immediately commence formal discovery, meet and confer, set deposition dates if necessary, and be prepared for the court to set an early evidentiary hearing.**

23. [15-12549](#)-B-7 LAURA CEBALLOS  
PPR-1  
U.S. BANK NATIONAL  
ASSOCIATION/MV  
SCOTT LYONS/Atty. for dbt.  
MELISSA VERMILLION/Atty. for mv.  
DISCHARGED

MOTION FOR RELIEF FROM  
AUTOMATIC STAY  
4-6-16 [[19](#)]

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be denied as moot as to the debtor(s) because their discharge has been entered. The motion will be granted for cause shown as to the chapter 7 trustee. 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. If the notice and motion requested a waiver of Federal Rule 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. No appearance is necessary.

24. [15-14052](#)-B-7 FELIX GARCIA AND ELOISA  
TOG-5 REYES  
FELIX GARCIA/MV  
THOMAS GILLIS/Atty. for dbt.

MOTION TO AVOID LIEN OF  
FIRESIDE BANK  
4-6-16 [[33](#)]

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 and based on well-pled facts. The moving party shall submit a proposed order. No appearance is necessary.

25. [16-10755](#)-B-7 LUSHAN HAYGOOD  
APN-1  
SANTANDER CONSUMER USA INC./MV  
TIMOTHY SPRINGER/Atty. for dbt.  
AUSTIN NAGEL/Atty. for mv.  
RESPONSIVE PLEADING

MOTION FOR RELIEF FROM  
AUTOMATIC STAY  
3-31-16 [[11](#)]

This motion for relief from stay was fully noticed in compliance with the Local Rules and the debtor filed a notice of non-opposition. Accordingly, 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. No appearance is necessary.

26. [16-10766](#)-B-7 CHRIS/TERESA LANFORD  
PPR-1  
NASA FEDERAL CREDIT UNION/MV

MOTION FOR RELIEF FROM  
AUTOMATIC STAY AND/OR MOTION  
FOR ADEQUATE PROTECTION  
4-15-16 [[16](#)]

MARK ZIMMERMAN/Atty. for dbt.  
BONNI MANTOVANI/Atty. for mv.

**This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The debtor(s) 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. No appearance is necessary.**

27. [16-10167](#)-B-7 LAWRENCE/THERESA MCMEEN  
RHT-2  
ROBERT HAWKINS/MV

MOTION OPPOSING AUTOMATIC  
ABANDONMENT OF VEHICLE FROM THE  
BANKRUPTCY ESTATE  
4-1-16 [[26](#)]

JEFF REICH/Atty. for dbt.  
ROBERT HAWKINS/Atty. for mv.

**This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondents' default will be entered and the motion will be granted without oral argument for cause shown. The 2005 Toyota Toyhauler will not be abandoned from the estate. The trustee shall submit a proposed order. No appearance is necessary.**

28. [16-10167](#)-B-7 LAWRENCE/THERESA MCMEEN  
RHT-3  
ROBERT HAWKINS/MV  
JEFF REICH/Atty. for dbt.  
ROBERT HAWKINS/Atty. for mv.

OBJECTION TO DEBTOR'S CLAIM OF  
EXEMPTIONS  
4-19-16 [[33](#)]

**This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondents' default will be entered and the objection will be sustained, as to the 2007 Yamaha Rhino, without oral argument for cause shown. The trustee shall submit a proposed order. No appearance is necessary.**

29. [15-14369](#)-B-7 GUSTAVO MOJARRO AND MAYRA MOTION TO SELL  
JES-1 HERNANDEZ 4-19-16 [[34](#)]  
JAMES SALVEN/MV

**This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondents' default will be entered and the motion will be granted without oral argument for cause shown. The trustee shall submit a proposed order. No appearance is necessary.**

30. [16-10679](#)-B-7 GENERATION HOMES, INC. MOTION FOR RELIEF FROM  
AJR-1 AUTOMATIC STAY  
JOSE RIVAS/MV 4-19-16 [[6](#)]  
HILTON RYDER/Atty. for dbt.  
ANTHONY ROTHMAN/Atty. for mv.  
RESPONSIVE PLEADING

**The motion will be continued to June 15, 2016 at 9:30 a.m. The form of the proof of service does not comply with Local Bankruptcy Rule 9014-1(e)(3). The court will prepare a minute order. No appearance is necessary.**

31. [16-10679](#)-B-7 GENERATION HOMES, INC. MOTION FOR RELIEF FROM  
AJR-2 AUTOMATIC STAY  
CASE HAYWOOD/MV 4-19-16 [[10](#)]  
HILTON RYDER/Atty. for dbt.  
ANTHONY ROTHMAN/Atty. for mv.  
RESPONSIVE PLEADING

**The motion will be continued to June 15, 2016 at 9:30 a.m. The form of the proof of service does not comply with Local Bankruptcy Rule 9014-1(e)(3). The court will prepare a minute order. No appearance is necessary.**

32. [15-11880](#)-B-7 SIMCHA JOHNSON MOTION TO SELL  
JES-1 4-14-16 [[17](#)]  
JAMES SALVEN/MV  
SCOTT LYONS/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 trustee shall submit a proposed order. No appearance is necessary.**

33. [15-14584](#)-B-7 ROBERT/PAMELA FENTON  
TMT-1  
TRUDI MANFREDO/MV

MOTION TO EMPLOY GOULD AUCTION  
& APPRAISAL COMPANY AS  
AUCTIONEER, AUTHORIZING SALE OF  
PROPERTY AT PUBLIC AUCTION AND  
AUTHORIZING PAYMENT OF  
AUCTIONEER FEES AND EXPENSES  
4-15-16 [[20](#)]

GEORGE LOGAN/Atty. for dbt.  
TRUDI MANFREDO/Atty. for mv.

**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 trustee shall submit a proposed order providing that no commission will be paid to the auctioneer if the personal property is not sold for an amount sufficient to satisfy any liens and to pay the debtors' exemption. The expenses of the auctioneer may be allowed as an administrative expense in that case. No appearance is necessary.**

34. [15-14686](#)-B-7 CLOVIS CRANE, INC.  
APN-1  
BMW FINANCIAL SERVICES NA,  
LLC/MV  
BENNY BARCO/Atty. for dbt.  
AUSTIN NAGEL/Atty. for mv.

MOTION FOR RELIEF FROM  
AUTOMATIC STAY  
4-5-16 [[12](#)]

**This motion for relief from the automatic stay will be denied as moot. This motion relates to a lease of personal property. This case was filed November 30, 2015. The lease was not assumed by the chapter 7 trustee within 60 days, the time prescribed in 11 U.S.C. §365(d)(1). Pursuant to §365 (p)(1), the leased property is no longer property of the estate and the automatic stay under § 362(a) has already terminated by operation of law. Movant may submit an order denying the motion and confirming that the automatic stay has already terminated on the grounds set forth above. No attorney fees will be awarded in relation to this motion. No appearance is necessary.**

35. [14-14593](#)-B-7 WAYNE HEAD  
TGM-2  
PETER FEAR/MV

MOTION OBJECTING TO THE COURT'S  
INTENT TO DISMISS CASE FOR  
FAILURE TO FILE DOCUMENTS  
4-8-16 [[64](#)]

DAVID JENKINS/Atty. for dbt.  
PETER FEAR/Atty. for mv.

**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 case will not be closed and will remain pending until further order of the court. The trustee shall submit a proposed order. No appearance is necessary.**

36. [15-14995](#)-B-7 HIPOLITO MARIANO  
PSB-1  
DORINA GILMORE/MV  
RILEY WALTER/Atty. for dbt.  
RENE SAMPLE/Atty. for mv.

RESCHEDULED HEARING RE: MOTION  
FOR RELIEF FROM AUTOMATIC STAY  
2-8-16 [[22](#)]

The motion will be denied without prejudice. Based on the movants' application to continue the hearing, movants shall file and serve an amended motion for relief from stay that has been set on this court's self-set calendar. If an Order Shortening Time is necessary, movants shall submit the necessary pleadings. In lieu of an amended motion, movants may file a stipulation for stay relief signed by the debtor and by the trustee and an order with the stipulation attached. No appearance is necessary.

37. [16-10695](#)-B-7 JENNIFER IBARRA  
AP-1  
PNC BANK, NATIONAL  
ASSOCIATION/MV  
JONATHAN CAHILL/Atty. for mv.

MOTION FOR RELIEF FROM  
AUTOMATIC STAY  
4-7-16 [[25](#)]

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The debtor's 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.

In addition, relief under 11 U.S.C. §362(d)(4) is also granted. It appears from the evidence submitted and from the record that the debtor's 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. The proposed order must comply with 362(d)(4). No appearance is necessary. No appearance is necessary.



11:00 A.M.

1. [16-10425](#)-B-7 JUAN LOPEZ AND REYNA CRUZ REAFFIRMATION AGREEMENT WITH  
HYUNDAI CAPITAL AMERICA  
4-21-16 [[15](#)]

THOMAS GILLIS/Atty. for dbt.

The hearing will be dropped from calendar. Debtors were represented by counsel when they entered into the reaffirmation agreement. Pursuant to 11 U.S.C. §524(c)(3), "if the debtor is represented by counsel, the agreement must be accompanied by an affidavit of the debtor's attorney' attesting to the referenced items before the agreement will have legal effect." *In re Minardi*, 399 B.R. 841, 846 (Bankr. N.D. Ok, 2009) (emphasis in original). In this case, the debtors attorney affirmatively represented that he could not recommend the reaffirmation agreement. Therefore, the agreement does not meet the requirements of 11 U.S.C. §524(c) and is not enforceable. No appearance is necessary at this hearing.

2. [16-10539](#)-B-7 ERLINDA/AARON LOPEZ PRO SE REAFFIRMATION AGREEMENT  
WITH AMERICAN HONDA FINANCE  
CORP.  
4-27-16 [[14](#)]

3. [16-10656](#)-B-7 KAREN ACORD PRO SE REAFFIRMATION AGREEMENT  
WITH NATIONWIDE WEST LLC  
4-13-16 [[19](#)]

4. [16-10657](#)-B-7 VANESSA PEREZ REAFFIRMATION AGREEMENT WITH  
AMERICAN AUTO FINANCING  
4-4-16 [16]

MARCUS TORIGIAN/Atty. for dbt.

This matter will be dropped from calendar. No appearance is necessary. The debtor was represented by counsel during the course of negotiation of the reaffirmation agreement. The agreement is signed by the debtor's attorney. The agreement does not appear to create an undue hardship and does not require a hearing.

5. [16-11064](#)-B-7 RAUL MONTES PRO SE REAFFIRMATION AGREEMENT  
WITH FRESNO COUNTY FEDERAL  
CREDIT UNION  
4-25-16 [[11](#)]

1:30 P.M.

1. [15-12702](#)-B-7 MARTIN STEBBEN  
[16-1044](#)  
FEAR V. CITI/CITIBANK SOUTH  
DAKOTA, N.A.

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
4-29-16 [[9](#)]

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

2. [15-12702](#)-B-7 MARTIN STEBBEN  
[16-1045](#)  
FEAR V. CHASE FREEDOM

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
4-29-16 [[9](#)]

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

3. [15-12702](#)-B-7 MARTIN STEBBEN  
[16-1046](#)  
FEAR V. AMERICAN EXPRESS

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
4-29-16 [[9](#)]

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

4. [15-11120](#)-B-7 NANCY ANGWIN  
[15-1080](#) USA-1  
UNITED STATES V. ANGWIN  
JEFFREY LODGE/Atty. for mv.  
RESPONSIVE PLEADING

MOTION TO RECONSIDER  
4-19-16 [[42](#)]

**This motion will be denied as moot. It appears that this matter has been resolved by stipulation of the parties and order of the court entered May 12, 2016. No appearance is necessary.**

5. [15-14034](#)-B-13 MICHAEL/LUCIA LOPEZ  
[15-1133](#)  
U.S. TRUSTEE V. LOPEZ ET AL  
TERRI DIDION/Atty. for pl.  
RESPONSIVE PLEADING

CONTINUED STATUS CONFERENCE RE:  
COMPLAINT  
10-29-15 [[1](#)]

**Based on the U.S. Trustee's status report, this status conference will be continued to July 20, 2016, at 1:30 p.m. The U.S. Trustee shall file and serve a status report by July 13, 2016. No appearance is necessary.**

6. [15-13337](#)-B-7 HAROUT GEZALYAN  
[15-1131](#)  
BANDA V. GEZALYAN  
MARIA BANDA/Atty. for pl.

STATUS CONFERENCE RE: COMPLAINT  
10-27-15 [[1](#)]

**This status conference will be dropped. A new status conference date, June 22, 2016, has been set by the reissued summons. No appearance is necessary.**

7. [15-10362](#)-B-7 RDD RACEWAY HOBBIES INC.  
[16-1047](#)  
FEAR V. KABBAGE

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
4-29-16 [[9](#)]

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

8. [15-14470](#)-B-7 RAUL/RAQUEL REYES  
[16-1029](#)  
FEAR V. REYES  
TRUDI MANFREDO/Atty. for pl.

STATUS CONFERENCE RE: COMPLAINT  
3-7-16 [[1](#)]

**This matter will be dropped from calendar. It appears from the record that the defendant's default has been entered. No appearance is necessary.**

9. [15-14288](#)-B-13 GEORGE/JULIETTE ROBERTS  
[16-1030](#)  
ROBERTS ET AL V. MORENO  
ENTERPRISES, INC.  
DAVID JENKINS/Atty. for pl.

STATUS CONFERENCE RE: COMPLAINT  
3-13-16 [[1](#)]

**Based on the stipulation of the parties and the order entered April 6, 2016, approving BDRP, the status conference will be continued to July 27, 2016, at 1:30 p.m. The parties shall file a joint status conference statement by July 22, 2016. No appearance is necessary.**