

UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable W. Richard Lee
Hearing Date: Thursday, May 22, 2014
Place: Department B – 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.

9:00 A.M.

1. [13-10302](#)-B-11 GMC DAIRY FARMS LP
LRP-6
FARM CREDIT WEST, FLCA/MV

THOMAS GILLIS/Atty. for dbt.
RENE LASTRETO/Atty. for mv.

MOTION TO APPROVE DISCLOSURE
STATEMENT , MOTION TO APPROVE
FORM OF BALLOT , MOTION TO
APPROVE BALLOT TABULATION
PROCEDURES , MOTION TO FIX
RELATED DEADLINES AND
PROCEDURES
4-3-14 [[494](#)]
2. [14-10344](#)-B-12 ANTONIO/LUCIA PARREIRA

RILEY WALTER/Atty. for dbt.
RESPONSIVE PLEADING

CONTINUED STATUS CONFERENCE RE:
CHAPTER 12 VOLUNTARY PETITION
1-28-14 [[1](#)]

This matter will be continued to June 26, 2014, at 9:00 a.m., to be called with the rescheduled confirmation hearing. The court will prepare a minute order. No appearance is necessary.

3. [14-10344](#)-B-12 ANTONIO/LUCIA PARREIRA
HAR-1
WESTERN MILLING, LLC/MV
RILEY WALTER/Atty. for dbt.
HILTON RYDER/Atty. for mv.
WITHDRAWN

MOTION FOR ADMINISTRATIVE
EXPENSES
4-15-14 [[111](#)]

The motion has been withdrawn. No appearance is necessary.

4. [14-10344](#)-B-12 ANTONIO/LUCIA PARREIRA
WW-4
ANTONIO PARREIRA/MV
RILEY WALTER/Atty. for dbt.
RESPONSIVE PLEADING, ORDER
RESCHEDULING TO 6/26/14

MOTION TO CONFIRM CHAPTER 12
PLAN
4-3-14 [[71](#)]

This matter has been rescheduled to June 26, 2014, at 9:00 a.m., pursuant to an order dated May 8, 2014. No appearance is necessary.

5. [14-10344](#)-B-12 ANTONIO/LUCIA PARREIRA
WW-7
ANTONIO PARREIRA/MV
RILEY WALTER/Atty. for dbt.

MOTION TO REJECT LEASE OR
EXECUTORY CONTRACT
4-11-14 [[92](#)]

This matter will be continued to June 26, 2014, at 9:00 a.m., to be called with the continued motion to assume the dairy lease.

Prior to the continued hearing, the debtors shall file and serve supplemental briefing to clarify and support the relief they want from the court with regard to the Silage Agreement. In the motion the debtors request authorization to reject an executory contract, but then argue that the Silage Agreement is not an executory contract that can be assumed or rejected. Unless the status of the Silage Agreement as an executory contract is disputed, then the motion is merely seeking an advisory ruling.

If the debtors are seeking a determination that the Silage Agreement is not an inseparable part of the executory Dairy Lease, that relief is not requested in the motion and, if disputed, should properly be decided in the context of the pending motion to assume the Dairy Lease.

The court will prepare a minute order. No appearance is necessary.

6. [13-16954](#)-B-11 MADERA ROOFING, INC.

CONTINUED STATUS CONFERENCE RE:
VOLUNTARY PETITION
10-25-13 [[1](#)]

ERIC FROMME/Atty. for dbt.

This matter will be continued to June 26, 2014, at 9:00 a.m. The court just recently authorized the appointment of a chapter 11 trustee, however the record does not show that the trustee has been appointed. Either the chapter 11 trustee or the U.S. Trustee shall file a status report prior to the continued status conference. The court will prepare a minute order. No appearance is necessary.

7. [13-13388](#)-B-11 GEORGE/MARILYN LANTING
LRP-6
FARM CREDIT WEST, PCA/MV

MOTION FOR ORDER APPROVING THE
DISCLOSURE STATEMENT , MOTION
FOR ORDER APPROVING FORM OF
BALLOT , MOTION FOR ORDER
APPROVING BALLOT TABULATION
PROCEDURES , MOTION FOR ORDER
FIXING RELATED DEADLINES AND
PROCEDURES
4-3-14 [[196](#)]

NANCY KLEPAC/Atty. for dbt.
RENE LASTRETO/Atty. for mv.

8. [13-13388](#)-B-11 GEORGE/MARILYN LANTING
UST-1
TRACY DAVIS/MV

CONTINUED MOTION TO DISMISS
CASE FOR UNREASONABLE DELAY
THAT IS PREJUDICIAL TO
CREDITORS AND/OR MOTION TO
DISMISS CASE
3-13-14 [[174](#)]

NANCY KLEPAC/Atty. for dbt.
ROBIN TUBESING/Atty. for mv.

10:30 A.M.

1. [13-16705](#)-B-7 JOHN ARANJO CONTINUED STATUS CONFERENCE RE:
[14-1029](#) COMPLAINT
ARANJO, SR. V. GE CAPITAL 3-3-14 [[1](#)]
RETAIL BANK ET AL
PETER BUNTING/Atty. for pl.
2. [14-11011](#)-B-7 DAVID SANCHEZ AND ANDREA STATUS CONFERENCE RE: COMPLAINT
[14-1034](#) ORTEGA 3-18-14 [[1](#)]
SANCHEZ V. GCFS, INC
TIMOTHY SPRINGER/Atty. for pl.

It appears the defendant(s) default has been entered. The status conference will be dropped from calendar and may be reset by any party on 10 days' notice. No appearance is necessary. The clerk of the court may close the adversary proceeding without notice in 60 days unless the adversary proceeding has been concluded or set for a further status conference within that time. Either party may request an extension of this time up to 30 days by ex parte application for cause. After the adversary proceeding has been closed, the parties will have to file an application to reopen the adversary proceeding if further action is required. The court will issue a civil minute order.

3. [13-15027](#)-B-7 JAVIER MALDONADO AND STATUS CONFERENCE RE: COMPLAINT
[13-1120](#) ESMERALDA TREVINO 10-29-13 [[1](#)]
VASQUEZ V. MALDONADO ET AL
EDWARD RAMIREZ/Atty. for pl.
CLOSED

This matter will be dropped from calendar without a disposition. The adversary proceeding has already been dismissed and is closed. No appearance is necessary.

4. [14-10752](#)-B-7 ELEAZAR MEDINA AND ANGIE STATUS CONFERENCE RE: COMPLAINT
[14-1037](#) GUZMAN 3-21-14 [[1](#)]
LEON V. MEDINA ET AL
EVA LEON/Atty. for pl.
CLOSED

This matter will be dropped from calendar without a disposition. The adversary proceeding has already been dismissed on the plaintiff's request and is closed. No appearance is necessary.

5. [12-60054](#)-B-7 DWIGHT/NELLIE LONG CONTINUED STATUS CONFERENCE RE:
[13-1038](#) AMENDED COMPLAINT
GROSS MORTGAGE CORPORATION V. 9-17-13 [[45](#)]
LONG
HANNO POWELL/Atty. for pl.

This matter will be dropped from calendar without a disposition. The adversary proceeding has already been dismissed by stipulation of the parties. No appearance is necessary.

6. [12-10097](#)-B-7 ARMANDO TOPETE
[14-1013](#)
SALVEN V. TOPETE ET AL
THOMAS ARMSTRONG/Atty. for pl.
RESPONSIVE PLEADING

CONTINUED STATUS CONFERENCE RE:
COMPLAINT
1-22-14 [[1](#)]

**Based on the stipulation of the parties, this matter has been continued to
June 26, 2014, at 9:00 a.m. No appearance is necessary**