

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Robert S. Bardwil
Bankruptcy Judge
Modesto, California

May 29, 2018 at 10:00 a.m.

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

1. Matters resolved without oral argument:

Unless otherwise stated, the court will prepare a civil minute order on each matter listed. If the moving party wants a more specific order, it should submit a proposed amended order to the court. In the event a party wishes to submit such an Order it needs to be titled 'Amended Civil Minute Order.'

If the moving party has received a response or is aware of any reason, such as a settlement, that a response may not have been filed, the moving party must contact Nancy Williams, the Courtroom Deputy, at (916) 930-4580 at least one hour prior to the scheduled hearing.

2. The court will not continue any short cause evidentiary hearings scheduled below.

3. If a matter is denied or overruled without prejudice, the moving party may file a new motion or objection to claim with a new docket control number. The moving party may not simply re-notice the original motion.

4. If no disposition is set forth below, the matter will be heard as scheduled.

1.	17-90400-D-13	JAMELIA ROBINSON	MOTION TO MODIFY PLAN
	PLG-2		4-7-18 [42]

2.	17-90812-D-13	PAMELA LOOPER	MOTION TO CONFIRM PLAN
	PGM-2		4-2-18 [60]

Tentative ruling:

This is the debtor's motion to confirm an amended chapter 13 plan. The motion will be denied because the moving party failed to serve secured creditor PRA Receivables Management, LLC, which acquired the claim by transfer from Wilshire Consumer Credit on January 22, 2018 (see DN 35) and whose name and address appear on

the court's claims register, at all. Instead, the moving party served Wilshire Consumer Credit.

As a result of this service defect, the motion will be denied by minute order. Alternatively, the court will continue the hearing to allow the debtor to address this service defect. The court will hear the matter.

3. 18-90014-D-13 DUY/VANNA TRAN CONTINUED MOTION TO CONFIRM
HWW-2 PLAN
3-19-18 [39]

4. 18-90014-D-13 DUY/VANNA TRAN AMENDED MOTION TO VALUE
HWW-3 COLLATERAL OF CAPITAL ONE AUTO
FINANCE
5-1-18 [96]

Final ruling:

This motion has been resolved by stipulation of the parties, which has been approved by the court by order filed May 16, 2018. The matter is removed from calendar.

5. 18-90329-D-13 DANIEL/ANITA ALMANZA MOTION TO EXTEND AUTOMATIC STAY
RKW-1 5-4-18 [10]

6. 18-90154-D-13 EDWARD/KAREN WICKMAN OBJECTION TO CONFIRMATION OF
RDG-1 PLAN BY RUSSELL D. GREER
4-30-18 [23]

Final ruling:

The debtors filed an amended plan on May 20, 2018. As a result the court will overrule this objection by minute order as moot. No appearance is necessary.

7. 18-90163-D-13 MARK/SHANNON CIMOLI OBJECTION TO CONFIRMATION OF
RDG-1 PLAN BY RUSSELL D. GREER
4-30-18 [17]
8. 18-90164-D-13 JAMES BEEHLER OBJECTION TO CONFIRMATION OF
PLAN BY BAYVIEW LOAN SERVICING,
LLC
5-2-18 [22]
9. 18-90164-D-13 JAMES BEEHLER OBJECTION TO CONFIRMATION OF
RDG-1 PLAN BY RUSSELL D. GREER
4-30-18 [17]
10. 17-90869-D-13 KAY PARKER MOTION TO CONFIRM PLAN
WW-2 4-16-18 [79]

Final ruling:

This is the debtor's motion to confirm an amended chapter 13 plan. The motion will be denied because the debtor failed to serve all creditors, as required by Fed. R. Bankr. P. 2002(b). The moving party filed her schedules of creditors two weeks into the case, and when she did so, she failed to amend her master address list. Thus, when she utilized the PACER matrix for service of this motion, she failed to serve the Stanislaus County Tax Collector, listed on her Schedule D as holding claims against five different real properties totaling more than \$16,000.

As a result of this service defect, the motion will be denied by minute order. No appearance is necessary.

11.	17-90585-D-13 DCJ-3	JOHN/FELICE CIZMICH	MOTION TO CONFIRM PLAN 4-16-18 [49]
12.	18-90087-D-13 TOG-1	APOLONIO YANEZ	MOTION TO CONFIRM PLAN 4-11-18 [22]
13.	18-90295-D-13 TOG-1	THOMAS GILLIS	MOTION TO VALUE COLLATERAL OF WELLS FARGO DEALER SERVICES 4-25-18 [8]
14.	18-90233-D-13 MC-2	ARTHUR/PAULINE CHAVES	MOTION TO VALUE COLLATERAL OF SANTANDER CONSUMER USA, INC. 5-14-18 [29]