

UNITED STATES BANKRUPTCY COURT  
Eastern District of California  
Honorable W. Richard Lee  
Hearing Date: Thursday, June 4, 2015  
Place: U.S. Courthouse, 510 19<sup>th</sup> Street  
Bakersfield, 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.

9:00 A.M.

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| <p>1. <a href="#">13-16845</a>-B-7 KEYSTONE MINE MANAGEMENT<br/>KDG-5 II<br/>VINCENT GORSKI/MV</p> <p>PHILLIP GILLET/Atty. for dbt.<br/>LISA HOLDER/Atty. for mv.</p>                | <p>CONTINUED MOTION TO COMPROMISE<br/>CONTROVERSY/APPROVE SETTLEMENT<br/>AGREEMENT WITH BUSH MANAGEMENT<br/>COMPANY<br/>4-15-15 [<a href="#">399</a>]</p>  |
| <p>2. <a href="#">13-16845</a>-B-7 KEYSTONE MINE MANAGEMENT<br/>KDG-6 II<br/>VINCENT GORSKI/MV</p> <p>PHILLIP GILLET/Atty. for dbt.<br/>LISA HOLDER/Atty. for mv.</p>                | <p>CONTINUED MOTION TO ESTABLISH<br/>BIDDING PROCEDURES FOR KEYSTONE<br/>AND EIGHT OUNCE UNPATENTED<br/>MINING CLAIMS, MILL SITE CLAIMS<br/>AND EQUIPMENT AND/OR MOTION TO<br/>ESTABLISH PROCEDURES REGARDING<br/>WBW'S CREDIT BID<br/>4-15-15 [<a href="#">406</a>]</p> |
| <p>3. <a href="#">13-16845</a>-B-7 KEYSTONE MINE MANAGEMENT<br/><a href="#">15-1040</a> II<br/>KEYSTONE MINING COMPANY, LTD<br/>ET AL V. GORSKI<br/>MEIR WESTREICH/Atty. for pl.</p> | <p>STATUS CONFERENCE RE: COMPLAINT<br/>4-8-15 [<a href="#">1</a>]</p>  |
| <p>4. <a href="#">13-16845</a>-B-7 KEYSTONE MINE MANAGEMENT<br/><a href="#">15-1040</a> II<br/>KEYSTONE MINING COMPANY, LTD<br/>ET AL V. GORSKI</p>                                  | <p>ORDER TO SHOW CAUSE - FAILURE<br/>TO PAY FEES<br/>4-28-15 [<a href="#">11</a>]</p>  |
| <p>5. <a href="#">13-16845</a>-B-7 KEYSTONE MINE MANAGEMENT<br/><a href="#">15-1041</a> II<br/>BUSH MANAGEMENT COMPANY V.<br/>GORSKI ET AL<br/>JESS BRESSI/Atty. for pl.</p>         | <p>STATUS CONFERENCE RE: COMPLAINT<br/>4-8-15 [<a href="#">1</a>]</p>  |

This matter will be continued to July 2, 2015, at 9:00 a.m., to be called with the defendants' motion to dismiss. The court will prepare a minute order. No appearance is necessary.

6. [14-13358](#)-B-7 THOMAS BRILL  
[14-1126](#)  
RODRIGUEZ V. BRILL  
STEVEN SMITH/Atty. for pl.

CONTINUED STATUS CONFERENCE RE:  
AMENDED COMPLAINT  
5-28-15 [[67](#)]

7. [15-10462](#)-B-13 CAROLYN MINER  
[15-1022](#)  
U.S. TRUSTEE V. MINER  
ROBIN TUBESING/Atty. for pl.  
RESPONSIVE PLEADING

CONTINUED STATUS CONFERENCE RE:  
COMPLAINT  
2-27-15 [[1](#)]

**This matter will be dropped from calendar. The adversary proceeding will be resolved in the U.S. Trustee's unopposed motion for summary judgment below. No further proceedings are required.**

8. [15-10462](#)-B-13 CAROLYN MINER  
[15-1022](#) UST-1  
U.S. TRUSTEE V. MINER  
ROBIN TUBESING/Atty. for mv.

MOTION FOR SUMMARY JUDGMENT  
4-24-15 [[11](#)]

**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 in part and denied in part without oral argument for cause shown. There are no triable issues of material fact. The request to dismiss the case will be denied as moot. The court intends to dismiss the case for cause on the chapter 13 trustee's unopposed motion below. The motion for injunctive relief in the form of a two-year ban against refiling will be granted. The U.S. Trustee shall submit a proposed order and judgment. No appearance is necessary.**

9. [14-15870](#)-B-7 JOSE/MAGGIE PEREZ  
[15-1039](#)  
FIRST NATIONAL BANK OF OMAHA  
V. PEREZ  
JAMES MACLEOD/Atty. for pl.

STATUS CONFERENCE RE: COMPLAINT  
4-7-15 [[1](#)]

**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 90 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.**

10. [13-10692](#)-B-7 LUDOVICO PEREZ  
[14-1116](#)  
MAURICIO'S GRILL AND CANTINA,  
INC. V. PEREZ  
KERI BLAND/Atty. for pl.  
RESPONSIVE PLEADING

CONTINUED STATUS CONFERENCE RE:  
COMPLAINT  
9-30-14 [[1](#)]

**Based on the plaintiff's status report, this matter will be continued to July 2, 2015, at 9:00 a.m., for completion of discovery or a motion to compel. The plaintiff shall file a status report prior to the continued hearing. The court will prepare a minute order. No appearance is necessary.**

11. [14-10594](#)-B-7 LEOPOLDO/YESENIA VARGAS  
[14-1074](#)  
U.S. TRUSTEE V. VARGAS ET AL  
GREGORY POWELL/Atty. for pl.

CONTINUED STATUS CONFERENCE RE:  
COMPLAINT  
7-23-14 [[1](#)]

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

12. [14-10594](#)-B-7 LEOPOLDO/YESENIA VARGAS  
UST-1  
TRACY DAVIS/MV  
  
PHILLIP GILLET/Atty. for dbt.  
GREGORY POWELL/Atty. for mv.  
RESPONSIVE PLEADING

CONTINUED MOTION TO DISMISS  
CASE PURSUANT TO 11 U.S.C.  
SECTION 707(B)  
5-16-14 [[23](#)]

**The trustee's motion has been withdrawn. No appearance is necessary.**

10:00 A.M.

1.    [15-10139](#)-B-7     JOSE/MAIRA ZAVALA                   MOTION FOR RELIEF FROM  
          TJS-1   AUTOMATIC STAY  
          JPMORGAN CHASE BANK, N.A./MV                   4-16-15 [[13](#)]  
          ROBERT WILLIAMS/Atty. for dbt.  
          TIMOTHY SILVERMAN/Atty. for mv.  
          WITHDRAWN

**The motion for relief from the automatic stay was withdrawn by the moving party. No appearance is necessary.**

2.    [15-10347](#)-B-7     DAVID KNECHT                   MOTION FOR RELIEF FROM  
          PD-1   AUTOMATIC STAY  
          U.S. BANK NATIONAL                               4-16-15 [[16](#)]  
          ASSOCIATION/MV  
          VINCENT GORSKI/Atty. for dbt.  
          JONATHAN CAHILL/Atty. for mv.

**This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. 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 Cal. Civil Code § 2923.5 to the extent that it applies. If the notice and motion requested a waiver of Rule 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.**

3.    [15-10353](#)-B-7     JESSICA TARULA                   MOTION FOR RELIEF FROM  
          JCW-1   AUTOMATIC STAY  
          JPMORGAN CHASE BANK NATIONAL                   4-20-15 [[16](#)]  
          ASSOCIATION/MV  
          PHILLIP GILLET/Atty. for dbt.  
          JENNIFER WONG/Atty. for mv.

**The motion for relief from the automatic stay was withdrawn by the moving party. No appearance is necessary.**

4. [14-15872](#)-B-7 JUANA RODRIGUEZ  
DMG-1  
JUANA RODRIGUEZ/MV  
D. GARDNER/Atty. for dbt.

MOTION TO AVOID LIEN OF  
RIVERWALK HOLDINGS, LTD  
4-28-15 [[16](#)]

**This matter will be continued to July 2, 2015, at 10:00 a.m. The debtor shall file supplemental evidence to show that the debtor possessed an interest in the Foxglove property to which the judgment lien could have attached at the time the judgment lien was first recorded in 1994. *Farrey v. Sanderfoot*, 111 S.Ct. 667. The abstract of judgment lodged with the motion suggests that the debtor resided at a different location. The motion and declaration state that the judgment was originally entered in 1994, and renewed, however the only copy of the abstract of judgment that was submitted shows that the judgment was entered in 2011 and recorded in 2012. Further, the exhibits attached to the declaration do not conform to the declaration. The court will prepare a minute order. No appearance is necessary.**

5. [15-10880](#)-B-7 SARA HARB  
RSW-1  
SARA HARB/MV  
ROBERT WILLIAMS/Atty. for dbt.

MOTION TO AVOID LIEN OF L.A.  
COMMERCIAL GROUP, INC.  
4-28-15 [[14](#)]

11:00 A.M.

1. [15-10313](#)-B-7 SERGIO MORALES AND ALMA LOPEZ REAFFIRMATION AGREEMENT WITH AMERICAN HONDA FINANCE CORPORATION  
5-5-15 [[19](#)]

FRANK SAMPLES/Atty. for dbt.

Approval of the reaffirmation agreement will be denied. The reaffirmation agreement is incomplete and does not meet the requirements of 11 U.S.C. § 524. Part D, "The Debtor's Statement in Support of Reaffirmation Agreement," is incomplete. It does not contain any financial information. The reaffirmation agreement is therefore not enforceable against the debtors and cannot be approved. *In re Lopez*, 274 B.R. 854, 861-62 (9th Cir. BAP 2002), *aff'd*, 345 F.3d 701 (9th Cir. CA 2003). The court will defer entry of the debtors' discharge for 14 days to give the debtors time to file a properly completed and endorsed reaffirmation agreement. No appearance is necessary.

2. [15-10949](#)-B-7 SANTOS URENA PRO SE REAFFIRMATION AGREEMENT WITH AMERICREDIT FINANCIAL SERVICES, INC.  
5-5-15 [[21](#)]

JOHN GARNER/Atty. for dbt.

The hearing will be dropped from calendar. The court is not approving or denying approval of the reaffirmation agreement. Debtor was represented by counsel when he 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). The reaffirmation agreement, in the absence of a declaration by debtor's counsel, does not meet the requirements of 11 U.S.C. § 524(c) and is not enforceable. The Debtor shall have 14 days to refile the reaffirmation agreement properly signed and endorsed by the attorney. No appearance is necessary at this hearing.

3. [15-10082](#)-B-7 DAVID/MICHELE EIGHMY PRO SE REAFFIRMATION AGREEMENT WITH ALASKA USA FEDERAL CREDIT UNION  
4-29-15 [[15](#)]

NEIL SCHWARTZ/Atty. for dbt.

This matter will be dropped from calendar. No appearance is necessary. This matter was automatically set for a hearing because the reaffirmation agreement does not affirmatively indicate that the debtors were represented by counsel in the negotiation of the agreement with the debtors' credit union. However, the reaffirmation agreement appears to have been signed by the debtors' attorney attesting to his representation of the debtors in this matter. Accordingly, the court is not required to hold a hearing and approve this agreement.

1:30 P.M.

1. [12-12302](#)-B-13 KENNETH HART  
MHM-4  
MICHAEL MEYER/MV  
STEVEN STANLEY/Atty. for dbt.

MOTION TO DISMISS CASE  
4-15-15 [[84](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows there is a material default in the plan payments that has not been cured. Accordingly, the debtor's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare a civil minute order. No appearance is necessary.

2. [11-11104](#)-B-13 BRENT/SHELLEY BROWN  
AKM-1  
STUART THOMAS. INC./MV  
PHILLIP GILLET/Atty. for dbt.  
ANDREW MURPHY/Atty. for mv.

MOTION FOR RELIEF FROM  
AUTOMATIC STAY  
4-14-15 [[62](#)]

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. 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 pursue recovery of insurance proceeds only. The proposed order shall specifically describe the property or action to which the order relates. If the notice and motion requested a waiver of Rule 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.

3. [14-15612](#)-B-13 PHILIP/SUSANNE ICARDO  
MHM-1  
MICHAEL MEYER/MV  
ROBERT WILLIAMS/Atty. for dbt.

MOTION TO DISMISS CASE  
4-24-15 [[44](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the debtors' default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare a civil minute order. No appearance is necessary.



4. [14-12417](#)-B-13 JOHN/MARGIE VALENZUELA MOTION TO DISMISS CASE  
MHM-4 4-8-15 [[68](#)]  
MICHAEL MEYER/MV  
ROBERT WILLIAMS/Atty. for dbt.

**The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows there is a material default in the plan payments that has not been cured. Accordingly, the debtor's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare a civil minute order. No appearance is necessary.**

5. [14-14826](#)-B-13 SOO LEE MOTION TO CONFIRM PLAN  
PK-1 4-23-15 [[75](#)]  
SOO LEE/MV  
PATRICK KAVANAGH/Atty. for dbt.  
RESPONSIVE PLEADING

6. [14-14826](#)-B-13 SOO LEE MOTION FOR RELIEF FROM  
WWK-1 AUTOMATIC STAY  
HANMI BANK/MV 4-22-15 [[64](#)]  
PATRICK KAVANAGH/Atty. for dbt.  
WILLIAM KIM/Atty. for mv.

7. [15-10928](#)-B-13 DAVID FOX CONTINUED MOTION TO VALUE  
DMG-1 COLLATERAL OF BANK OF AMERICA  
DAVID FOX/MV HOME LOANS  
3-30-15 [[15](#)]  
  
D. GARDNER/Atty. for dbt.  
RESPONSIVE PLEADING

8. [12-11229](#)-B-13 JOE/TINA GRANILLO MOTION TO DISMISS CASE  
MHM-1 4-7-15 [[73](#)]  
MICHAEL MEYER/MV  
PHILLIP GILLET/Atty. for dbt.

**The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows there is a material default in the plan payments that has not been cured. Accordingly, the debtor's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare a civil minute order. No appearance is necessary.**

9. [14-15931](#)-B-13 DAVID/ALENE SMITH  
BHT-1  
OCWEN LOAN SERVICING, LLC/MV

OBJECTION TO CONFIRMATION OF  
PLAN BY OCWEN LOAN SERVICING,  
LLC  
4-28-15 [[34](#)]

ROBERT WILLIAMS/Atty. for dbt.  
BRIAN TRAN/Atty. for mv.

**This matter will be dropped from calendar without disposition. The court intends to dismiss the case on the trustee's unopposed motion below. No appearance is necessary.**

10. [14-15931](#)-B-13 DAVID/ALENE SMITH  
MHM-1  
MICHAEL MEYER/MV  
ROBERT WILLIAMS/Atty. for dbt.

MOTION TO DISMISS CASE  
4-24-15 [[30](#)]

**The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the debtor's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare a civil minute order. No appearance is necessary.**

11. [15-10538](#)-B-13 DARIEA GARIBALDI  
MHM-1  
MICHAEL MEYER/MV  
ROBERT WILLIAMS/Atty. for dbt.  
RESPONSIVE PLEADING

MOTION TO DISMISS CASE  
4-15-15 [[27](#)]

**The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules. The debtor's response is not supported by admissible evidence and does not show that the issues have been cured. Accordingly, the motion will be granted without oral argument. The case will be dismissed for cause shown including unreasonable delay. The debtor has now been in bankruptcy almost four months and still has not filed a confirmable plan, or set a confirmation hearing date. The debtor did not appear at the May 7, 2015, §341 meeting of creditors. The court will prepare a civil minute order. No appearance is necessary.**

12. [15-10242](#)-B-13 JASON/MERI MATTHEUS  
PK-1  
  
PATRICK KAVANAGH/Atty. for dbt.
- MOTION FOR COMPENSATION FOR  
PATRICK KAVANAGH, DEBTORS  
ATTORNEY(S)  
4-30-15 [[30](#)]
13. [13-17646](#)-B-13 COLEEN JENKINS  
PD-1  
JPMORGAN CHASE BANK, NATIONAL  
ASSOCIATION/MV  
PHILLIP GILLET/Atty. for dbt.  
JOSEPHINE PIRANIO/Atty. for mv.
- MOTION TO APPROVE LOAN  
MODIFICATION  
5-5-15 [[52](#)]
14. [14-15646](#)-B-13 CRAIG/SAUNDRA PETTYJOHN  
MHM-2  
MICHAEL MEYER/MV  
PATRICK KAVANAGH/Atty. for dbt.  
DISMISSED 4/28/15
- MOTION TO DISMISS CASE  
4-14-15 [[54](#)]

**This matter will be dropped from calendar without a disposition. The case has already been dismissed. No appearance is necessary.**

15. [11-62148](#)-B-13 JOHN/TAMMY OLINGER  
MHM-2  
MICHAEL MEYER/MV  
ROBERT WILLIAMS/Atty. for dbt.  
WITHDRAWN
- MOTION TO DISMISS CASE  
4-7-15 [[44](#)]

**The trustee's motion has been withdrawn. No appearance is necessary.**

16. [14-14753](#)-B-13 CHARLES/MYLENE GABRIEL  
MHM-1  
MICHAEL MEYER/MV  
ROBERT WILLIAMS/Atty. for dbt.
- MOTION TO DISMISS CASE  
4-24-15 [[44](#)]

**The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the debtor's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare a civil minute order. No appearance is necessary.**

17. [11-17460](#)-B-13 TIMOTHY CASTO  
RSW-1  
TIMOTHY CASTO/MV  
ROBERT WILLIAMS/Atty. for dbt.
- MOTION TO MODIFY PLAN  
4-27-15 [[30](#)]

18. [15-10462](#)-B-13 CAROLYN MINER  
JCW-1  
JPMORGAN CHASE BANK, NATIONAL  
ASSOCIATION/MV

CONTINUED OBJECTION TO  
CONFIRMATION OF PLAN BY  
JPMORGAN CHASE BANK, NATIONAL  
ASSOCIATION  
4-20-15 [[47](#)]

JENNIFER WONG/Atty. for mv.

**This matter will be dropped from calendar. The court intends to dismiss this case on the trustee's unopposed motion below. No appearance is necessary.**

19. [15-10462](#)-B-13 CAROLYN MINER  
MHM-1  
MICHAEL MEYER/MV

CONTINUED MOTION TO DISMISS  
CASE  
4-16-15 [[43](#)]

**This matter was set for a final hearing pursuant to this court's civil minute order dated May 8, 2015. The debtor has failed to file a response. Accordingly, the debtor's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown, including unreasonable delay that is prejudicial to creditors. No appearance is necessary.**

20. [14-15764](#)-B-13 DANIEL/LEAH GARZA  
MHM-1  
MICHAEL MEYER/MV  
ROBERT WILLIAMS/Atty. for dbt.

MOTION TO DISMISS CASE  
4-9-15 [[39](#)]

**The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows there is a material default in the plan payments that has not been cured. Accordingly, the debtor's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare a civil minute order. No appearance is necessary.**

21. [14-15764](#)-B-13 DANIEL/LEAH GARZA  
MHM-2

OBJECTION TO CONFIRMATION OF  
PLAN BY TRUSTEE MICHAEL H.  
MEYER  
5-14-15 [[50](#)]

ROBERT WILLIAMS/Atty. for dbt.

**This matter will be dropped from calendar without disposition. The court intends to dismiss this case on the trustee's unopposed motion above. No appearance is necessary.**

22. [14-15764](#)-B-13 DANIEL/LEAH GARZA  
RDW-1  
CAM IX TRUST/MV  
ROBERT WILLIAMS/Atty. for dbt.  
REILLY WILKINSON/Atty. for mv.

MOTION FOR RELIEF FROM  
AUTOMATIC STAY  
5-4-15 [[43](#)]

**This matter will be dropped from calendar without disposition. The court intends to dismiss this case on the trustee's unopposed motion above. No appearance is necessary.**

23. [11-17266](#)-B-13 ALBERT/BARBARA CHANCELLOR  
PK-5  
ALBERT CHANCELLOR/MV  
MOTION FOR ORDER WAIVING  
REQUIREMENT OF JOINT DEBTOR  
BARBARA CHANCELLOR'S COMPLETION  
OF 1328 CERTIFICATE AND/OR  
MOTION FOR ENTRY OF DISCHARGE  
5-6-15 [[76](#)]

PATRICK KAVANAGH/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.**

24. [14-15467](#)-B-13 STEVEN WILLIAMS  
RSW-1  
STEVEN WILLIAMS/MV  
ROBERT WILLIAMS/Atty. for dbt.  
MOTION TO VALUE COLLATERAL OF  
JPMORGAN CHASE BANK, N.A.  
4-28-15 [[33](#)]

25. [15-11067](#)-B-13 FREDERICK/HAYLEY JAMES  
MHM-1  
ROBERT WILLIAMS/Atty. for dbt.  
OBJECTION TO CONFIRMATION OF  
PLAN BY TRUSTEE MICHAEL H.  
MEYER  
5-14-15 [[16](#)]

**This objection to confirmation was noticed as a preliminary hearing. The objection will be continued and set for a final hearing on July 2, 2015, at 1:30 p.m. Unless this case is voluntarily converted to chapter 7 or dismissed or the objection has been withdrawn, the debtors shall file and serve a written response not later June 18, 2015. The response shall specifically address each issue raised in the objection, state whether the issue is disputed or undisputed, and include admissible evidence to support the debtors' position. If the debtors elect to withdraw this plan and file a modified plan in lieu of filing a response, then a confirmable modified plan shall be filed, served, and set for hearing, not later June 25, 2015. If the debtors do not timely file a modified plan or a written response, the objection will be sustained on the grounds stated and confirmation will be denied without a further hearing. The court will prepare a civil minute order.**

26. [14-14872](#)-B-13 ANTHONY LEONIS  
MHM-1  
MICHAEL MEYER/MV  
SUSAN SALEHI/Atty. for dbt.  
MOTION TO DISMISS CASE  
4-9-15 [[42](#)]

**The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows there is a material default in the plan payments that has not been cured. Accordingly, the debtor's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare a civil minute order. No appearance is necessary.**

27. [15-10076](#)-B-13 ESTEBAN ZAVALA  
RDW-1  
CAM VII TRUST/MV  
  
PATRICK KAVANAGH/Atty. for dbt.  
REILLY WILKINSON/Atty. for mv.  
RESPONSIVE PLEADING  
  
CONTINUED OBJECTION TO  
CONFIRMATION OF PLAN BY CAM VII  
TRUST  
4-27-15 [[64](#)]
28. [14-15877](#)-B-13 DANIEL/LINDA MONTES  
RSW-2  
DANIEL MONTES/MV  
ROBERT WILLIAMS/Atty. for dbt.  
  
MOTION TO VALUE COLLATERAL OF  
U.S. BANK NATIONAL ASSOCIATION  
5-19-15 [[27](#)]
29. [15-10677](#)-B-13 JOHN KING  
MHM-1  
MICHAEL MEYER/MV  
ROBERT WILLIAMS/Atty. for dbt.  
  
MOTION TO DISMISS CASE  
4-15-15 [[24](#)]
- The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules. The debtor's response is not supported by admissible evidence and does not show that the issues have been cured. The motion will be granted without oral argument. The case will be dismissed for cause shown including unreasonable delay. The debtor has been in bankruptcy more than three months and still has not filed a confirmable plan or set a confirmation hearing. The court will prepare a civil minute order. No appearance is necessary.**
30. [14-11878](#)-B-13 HOLLY DAVENPORT  
RSW-1  
HOLLY DAVENPORT/MV  
ROBERT WILLIAMS/Atty. for dbt.  
  
MOTION TO MODIFY PLAN  
4-16-15 [[34](#)]
31. [15-10678](#)-B-13 THOMAS MUNOZ  
BHT-1  
U.S. BANK NATIONAL  
ASSOCIATION/MV  
ROBERT WILLIAMS/Atty. for dbt.  
BRIAN TRAN/Atty. for mv.  
  
OBJECTION TO CONFIRMATION OF  
PLAN BY U.S. BANK NATIONAL  
ASSOCIATION  
5-6-15 [[28](#)]

**This objection to confirmation was noticed as a preliminary hearing. The objection will be continued and set for a final hearing on July 2, 2015, at 1:30 p.m. Unless this case is voluntarily converted to chapter 7 or dismissed or the objection has been withdrawn, the debtor shall file and serve a written response not later June 18, 2015. The response shall specifically address each issue raised in the objection, state whether the issue is disputed or undisputed, and include admissible evidence to support the debtors' position. If the debtor elects to withdraw this plan and file a modified plan in lieu of filing a response, then a confirmable modified plan shall be filed, served, and set for hearing, not later June 25, 2015. If the debtor does not timely file a modified plan or a written response, the objection will be sustained on the grounds stated and confirmation will be denied without a further hearing. The court will prepare a civil minute order.**

32. [15-10678](#)-B-13 THOMAS MUNOZ  
MHM-1

OBJECTION TO CONFIRMATION OF  
PLAN BY TRUSTEE MICHAEL H.  
MEYER  
5-14-15 [[32](#)]

ROBERT WILLIAMS/Atty. for dbt.  
RESPONSIVE PLEADING

This objection to confirmation was noticed as a preliminary hearing. The objection will be continued and set for a final hearing on July 2, 2015, at 1:30 p.m., with the final hearing on the bank's objection. Unless this case is voluntarily converted to chapter 7 or dismissed or the objection has been withdrawn, the debtor shall file and serve any supplemental response not later June 18, 2015. The response shall specifically address each issue raised in the objection, state whether the issue is disputed or undisputed, and include admissible evidence to support the debtors' position. If the debtor elects to withdraw this plan and file a modified plan in lieu of filing a response, then a confirmable modified plan shall be filed, served, and set for hearing, not later June 25, 2015. If the debtor does not timely file a modified plan or a written response, the objection will be sustained on the grounds stated and confirmation will be denied without a further hearing. The court will prepare a civil minute order.

33. [15-10678](#)-B-13 THOMAS MUNOZ  
RSW-1  
THOMAS MUNOZ/MV  
ROBERT WILLIAMS/Atty. for dbt.  
RESPONSIVE PLEADING

MOTION TO VALUE COLLATERAL OF  
OCWEN LOAN SERVICING, LLC  
4-27-15 [[23](#)]

Based on the respondent's opposition, this matter will be continued to July 2, 2015, at 1:30 p.m. This matter is now deemed to be a contested matter. Pursuant to FRBP 9014(c), the federal rules of discovery apply to contested matters. The debtor shall make the subject property available for inspection on reasonable notice. The parties shall immediately commence formal discovery, exchange appraisals, meet and confer, set deposition dates if necessary, and be prepared for the court to set an early evidentiary hearing if the matter is not resolved by the continued hearing date. The court will prepare a civil minute order. No appearance is necessary.

34. [10-10680](#)-B-13 BERTHA HERNANDEZ  
MHM-2  
MICHAEL MEYER/MV  
WILLIAM EDWARDS/Atty. for dbt.

MOTION TO DISMISS CASE  
4-7-15 [[60](#)]

The motion will be denied as moot. The trustee's motion to dismiss the case was based on a default in plan payments in the amount of \$31.16. Subsequently, on May 8, 2015, the trustee filed the notice to debtor of completed plan payments. No appearance is necessary.



35. [11-19880](#)-B-13 KENNETH/LUZ JOHNSON  
RSW-4  
KENNETH JOHNSON/MV  
ROBERT WILLIAMS/Atty. for dbt.  
RESPONSIVE PLEADING

MOTION TO MODIFY PLAN  
4-23-15 [[80](#)]

36. [13-16480](#)-B-13 MICHAEL/CATHERINE WHORF  
RSW-2  
MICHAEL WHORF/MV  
ROBERT WILLIAMS/Atty. for dbt.  
RESPONSIVE PLEADING

CONTINUED MOTION TO MODIFY PLAN  
3-26-15 [[38](#)]

**The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules. The trustee's opposition has been withdrawn and the motion will be granted without oral argument for cause shown. The debtors shall submit a proposed confirmation order for approval to the chapter 13 trustee. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed. No appearance is necessary.**

37. [13-14581](#)-B-13 FLORIANO/IMELDA RAMA  
MHM-2  
MICHAEL MEYER/MV  
ROBERT WILLIAMS/Atty. for dbt.  
WITHDRAWN

MOTION TO DISMISS CASE  
4-7-15 [[33](#)]

**The trustee's motion has been withdrawn. No appearance is necessary.**

38. [12-18682](#)-B-13 EDGAR/DELIA ALCALA  
MHM-4  
MICHAEL MEYER/MV  
ROBERT WILLIAMS/Atty. for dbt.  
RESPONSIVE PLEADING

MOTION TO DISMISS CASE  
4-8-15 [[103](#)]

**The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules. The debtors' responsive pleading is not supported by admissible evidence. The record shows there is a material default in the plan payments that has not been cured. Accordingly, the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare a civil minute order. No appearance is necessary.**

39. [14-14683](#)-B-13 SHERLYN BULL  
PK-1

CONTINUED AMENDED MOTION FOR  
COMPENSATION FOR PATRICK  
KAVANAGH, DEBTORS ATTORNEY(S)  
5-12-15 [[58](#)]

PATRICK KAVANAGH/Atty. for dbt.

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

40. [15-10184](#)-B-13 PIERRE ROSADO  
MHM-1  
MICHAEL MEYER/MV  
STEVEN ALPERT/Atty. for dbt.  
WITHDRAWN

MOTION TO DISMISS CASE  
4-24-15 [[22](#)]

**The trustee's motion has been withdrawn. No appearance is necessary.**

41. [10-19988](#)-B-13 RONNIE/ALICIA WILEY  
MHM-3  
MICHAEL MEYER/MV  
ROBERT WILLIAMS/Atty. for dbt.  
WITHDRAWN

MOTION TO DISMISS CASE  
4-7-15 [[67](#)]

**The trustee's motion has been withdrawn. No appearance is necessary.**

42. [12-18488](#)-B-13 RONALD/BARBARA PIERCE  
MHM-2  
MICHAEL MEYER/MV  
ROBERT WILLIAMS/Atty. for dbt.  
WITHDRAWN

MOTION TO DISMISS CASE  
4-7-15 [[41](#)]

**The trustee's motion has been withdrawn. No appearance is necessary.**

43. [14-15394](#)-B-13 JOSE SANCHEZ  
MHM-1  
MICHAEL MEYER/MV  
NEIL SCHWARTZ/Atty. for dbt.  
RESPONSIVE PLEADING

MOTION TO DISMISS CASE  
4-23-15 [[22](#)]

**The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules. The debtor filed a non-opposition to the motion. Accordingly, the motion will be granted without oral argument. The case will be dismissed for cause shown on the grounds stated in the motion. The court will prepare a civil minute order. No appearance is necessary.**

44. [14-15496](#)-B-13 NADER HADDAD  
MHM-1  
MICHAEL MEYER/MV  
PATRICK KAVANAGH/Atty. for dbt.

MOTION TO DISMISS CASE  
4-9-15 [[51](#)]

**The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows there is a material default in the plan payments that has not been cured. Accordingly, the debtor's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare a civil minute order. No appearance is necessary.**

45. [14-15496](#)-B-13 NADER HADDAD  
[15-1021](#)  
HADDAD V. CARRIAGE HOMES ET AL  
PATRICK KAVANAGH/Atty. for pl.

CONTINUED STATUS CONFERENCE RE:  
AMENDED COMPLAINT  
5-4-15 [[7](#)]

**This matter will be dropped from calendar. The court intends to dismiss the adversary proceeding without prejudice. The main case will be dismissed on the trustee's unopposed motion above. Once the main case is dismissed the court will not have jurisdiction to adjudicate the issues raised in the adversary proceeding. No appearance is necessary.**

46. [14-14098](#)-B-13 DONNA MACNEIL  
MHM-1  
MICHAEL MEYER/MV  
STEVEN ALPERT/Atty. for dbt.  
RESPONSIVE PLEADING

MOTION TO DISMISS CASE  
4-8-15 [[66](#)]

**The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules. The record shows there is a material default in the plan payments and the debtor's response is not supported by evidence that the default has been cured. Accordingly, the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare a civil minute order. No appearance is necessary.**