

UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Fredrick E. Clement
Bankruptcy Judge

2500 Tulare Street
Department A, Courtroom 11
Fresno, California

MONDAY

JUNE 8, 2015

10:00 A.M. CHAPTER 7 ADVERSARY PROCEEDINGS

PRE-HEARING DISPOSITIONS

GENERAL DESIGNATIONS

Each pre-hearing disposition is prefaced by the words "Final Ruling," "Tentative Ruling" or "No Tentative Ruling." Except as indicated below, matters designated "Final Ruling" will not be called and counsel need not appear at the hearing on such matters. Matters designated "Tentative Ruling" or "No Tentative Ruling" will be called.

MATTERS RESOLVED BEFORE HEARING

If the court has issued a final ruling on a matter and the parties directly affected by a matter have resolved the matter by stipulation or withdrawal of the motion before the hearing, then the moving party shall, not later than 4:00 p.m. (PST) on the day before the hearing, inform the following persons by telephone that they wish the matter to be dropped from calendar notwithstanding the court's ruling: (1) all other parties directly affected by the motion; and (2) Kathy Torres, Judicial Assistant to the Honorable Fredrick E. Clement, at (559) 499-5860.

ERRORS IN FINAL RULINGS

If a party believes that a final ruling contains an error that would, if reflected in the order or judgment, warrant a motion under Federal Rule of Civil Procedure 52(b), 59(e) or 60, as incorporated by Federal Rules of Bankruptcy Procedure, 7052, 9023 and 9024, then the party affected by such error shall, not later than 4:00 p.m. (PST) on the day before the hearing, inform the following persons by telephone that they wish the matter either to be called or dropped from calendar, as appropriate, notwithstanding the court's ruling: (1) all other parties directly affected by the motion; and (2) Kathy Torres, Judicial Assistant to the Honorable Fredrick E. Clement, at (559) 499-5860. Absent such a timely request, a matter designated "Final Ruling" will not be called.

1. [11-62509](#)-A-7 SHAVER LAKEWOODS CONTINUED STATUS CONFERENCE RE:
[14-1076](#) DEVELOPMENT INC. COMPLAINT
PARKER V. GAINES 7-28-14 [[1](#)]
LISA HOLDER/Atty. for pl.
CONTINUED TO 6/17/15, ECF
NO. 49

Final Ruling

At the request of the parties, this matter is continued to June 17, 2015, at 10:00 a.m. in Fresno.

2. [15-10157](#)-A-7 LAWRENCE PARKER RESCHEDULED STATUS CONFERENCE
[15-1011](#) RE: AMENDED COMPLAINT
U.S. TRUSTEE V. PARKER 1-29-15 [[7](#)]
GREGORY POWELL/Atty. for pl.

No tentative ruling.

3. [12-16876](#)-A-7 WILLIAM VANDER POEL CONTINUED MOTION FOR SANCTIONS
WW-11 FOR VIOLATION OF THE DISCHARGE
WILLIAM VANDER POEL/MV INJUNCTION
8-19-14 [[231](#)]
RILEY WALTER/Atty. for dbt.

Final Ruling

The adversary proceeding dismissed, the motion is dropped as moot.

4. [12-16876](#)-A-7 WILLIAM VANDER POEL CONTINUED MOTION TO SET MATTER
[14-1007](#) MM-1 FOR FURTHER PROCEEDINGS
VANDER POEL, SR. V. MEDINA 2-3-15 [[131](#)]
STAN MALLISON/Atty. for mv.
DISMISSED: 05/06/2015
CLOSED

Final Ruling

The adversary proceeding dismissed, the motion is dropped as moot.

5. [12-16876](#)-A-7 WILLIAM VANDER POEL CONTINUED AMENDED COMPLAINT
 [14-1033](#) 9-12-14 [[89](#)]
VANDER POEL, SR. V. MEDINA ET
AL
MICHAEL FLETCHER/Atty. for pl.
DISMISSED: 05/06/2015
CLOSED

Final Ruling

The adversary proceeding dismissed, the matter is dropped as moot.

6. [14-12994](#)-A-7 ABDELBASET AWAWDEH MOTION TO DISMISS CAUSE(S) OF
 [14-1081](#) RR-1 ACTION FROM COMPLAINT
TRAVELERS EXPRESS COMPANY, 4-28-15 [[24](#)]
INC., NOW KNOWN AS MONE V.
ROBERT RENTTO/Atty. for mv.

Final Ruling

Motion: Dismiss Causes of Action under 11 U.S.C. § 727(a)(3),(5)

Notice: LBR 9014-1(f)(1); written opposition required

Disposition: Granted

Order: Prepared by moving party

Unopposed motions are subject to the rules of default. Fed. R. Civ. P. 55, *incorporated by* Fed. R. Bankr. P. 7055, 9014(c). Written opposition to this motion was required not less than 14 days before the hearing on this motion. LBR 9014-1(f)(1)(B). None has been filed. The default of the responding party is entered. The court considers the record, accepting well-pleaded facts as true. *TeleVideo Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917-18 (9th Cir. 1987).

Plaintiff Travelers seeks to dismiss its causes of action under 11 U.S.C. § 727(a)(3),(5). Such causes of action may only be dismissed after notice to the trustee, United States Trustee and such other persons as the court directs. Here, proper notice has been given and no party in interest has objected. The motion will be granted.