



**UNITED STATES BANKRUPTCY COURT**  
Eastern District of California

Honorable Christopher M. Klein  
Bankruptcy Judge  
Sacramento, California

**June 24, 2025 at 11:00 a.m.**

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Unless otherwise ordered, all matters before the Honorable Christopher M. Klein shall be simultaneously: (1) **In Person**, at Sacramento Courtroom #35, (2) via **ZoomGov Video**, (3) via **ZoomGov Telephone**, and (4) via **CourtCall**.

You may choose any of these options unless otherwise ordered or stated below.

All parties who wish to appear at a hearing remotely must sign up by 4:00 p.m. **one business day** prior to the hearing. Information regarding how to sign up can be found on the **Remote Appearances** page of our website at <https://www.caeb.uscourts.gov/Calendar/CourtAppearances>. Each party who has signed up will receive a Zoom link or phone number, meeting I.D., and password via e-mail.

If the deadline to sign up has passed, parties who wish to appear remotely must contact the Courtroom Deputy for the Department holding the hearing.

Please also note the following:

- Parties in interest may connect to the video or audio feed free of charge and should select which method they will use to appear when signing up.
- Members of the public and the press appearing by ZoomGov may only listen in to the hearing using the zoom telephone number. Video appearances are not permitted.
- Members of the public and the press may not listen in to trials or evidentiary hearings, though they may appear in person in most instances.

To appear remotely for law and motion or status conference proceedings, you must comply with the following guidelines and procedures:

1. Review the [Pre-Hearing Dispositions](#) prior to appearing at the hearing.
2. Parties appearing via CourtCall are encouraged to review the [CourtCall Appearance Information](#).

If you are appearing by ZoomGov phone or video, please join at least 10 minutes prior to the start of the calendar and wait with your microphone muted until the matter is called.

**Unauthorized Recording is Prohibited:** Any recording of a court proceeding held by video or teleconference, including "screen shots" or other audio or visual copying of a hearing is prohibited. Violation may result in sanctions, including removal of court-issued medical credentials, denial of entry to future hearings, or any other sanctions deemed necessary by the court. For more information on photographing, recording, or broadcasting Judicial Proceedings, please refer to Local Rule 173(a) of the United States District Court for the Eastern District of California.

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UNITED STATES BANKRUPTCY COURT  
Eastern District of California

Honorable Christopher M. Klein  
Bankruptcy Judge  
Sacramento, California

June 24, 2025 at 11:00 a.m.

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1. [25-21311](#)-C-13 SARA GORE CONTINUED OBJECTION TO  
[DPC](#)-1 Pro Se CONFIRMATION OF PLAN BY DAVID  
P. CUSICK  
5-7-25 [[16](#)]

**Tentative Ruling:**

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 20 days' notice was provided. Dkt. 19.

<b>The Objection to Confirmation of Plan is sustained.</b>
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The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor has failed to file all tax returns;
2. Debtor cannot make all plan payments; and
3. Debtor filed an inaccurate Schedule J.

Debtor filed an response stating that she has filed an amended Schedule J that shows she will now be able to make all the plan payments. Dkt. 23.

**DISCUSSION**

The debtor has not filed all required tax returns. 11 U.S.C. §§ 1308, 1325(a)(9). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

Notwithstanding whether the plan provides for the mortgage and car payment as the Trustee argues, the debtor has not carried her burden to show the plan is adequately funded. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

That being reason to deny confirmation, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the

Chapter 13 Trustee, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

**IT IS ORDERED** that the Objection is sustained.

2. [25-21843](#)-C-13 DONALD LEWIS  
[DPC](#)-1 Mikalah Liviakis

OBJECTION TO CONFIRMATION OF  
PLAN BY DAVID CUSICK  
6-4-25 [[13](#)]

**Tentative Ruling:**

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 20 days' notice was provided. Dkt. 16.

**The Objection to Confirmation of Plan is sustained.**

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor has failed to file his income tax returns since 2021.

**DISCUSSION**

The debtor has not filed all required tax returns. 11 U.S.C. §§ 1308, 1325(a)(9). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

**IT IS ORDERED** that the Objection is sustained.

3. [25-21770](#)-C-13 BRAD/KATEE LOMEN  
[DPC](#)-1 Richard Hall

OBJECTION TO CONFIRMATION OF  
PLAN BY DAVID P. CUSICK  
6-4-25 [[30](#)]

**Tentative Ruling:**

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 20 days' notice was provided. Dkt. 33.

**The Objection to Confirmation of Plan is sustained.**

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtors are delinquent in plan payments in the amount of \$3,267.67;
2. Debtor failed to list all income and expenses in their schedules
3. Debtor failed to provide proof of social security number;
4. Debtors' schedules do not show current employment information;
5. Debtors' Schedule J inaccurately includes the debtors' mortgage payment that is being paid through the plan; and
6. Debtors' petition does not include their middle names.

**DISCUSSION**

The debtor is \$3,267.67 delinquent in plan payments. Declaration, Dkt. 32. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. See 11 U.S.C. § 1325(a)(6).

The debtor has not provided evidence of any social security number. FED. R. BANKR. P. 4002(b)(1)(B). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor has not scheduled his current income and expenses. 11 U.S.C. § 521(a)(1)(B)(ii); That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

**IT IS ORDERED** that the Objection is sustained.

4. [25-21792](#)-C-13 MICHAEL/HEATHER  
[DPC](#)-1 SATTERFIELD  
Peter Macaluso

OBJECTION TO CONFIRMATION OF  
PLAN BY DAVID P. CUSICK  
6-4-25 [[17](#)]

**Tentative Ruling:**

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 20 days' notice was provided. Dkt. 20.

**The Objection to Confirmation of Plan is sustained.**

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtors are delinquent in plan payments in the amount of \$1,165.00;
2. The plan is not feasible;
3. The plan relies on a Motion to Value Collateral that has not been filed by the debtors;
4. Debtors have not provided copies of their income tax returns;
5. The Disclosure of Attorney Compensation does not match the amounts to be paid to attorney in the plan;
6. The petition does not reflect the debtors' current address; and
7. Debtors' schedules does not reflect debtor's new employment.

**DISCUSSION**

The debtor is \$1,165 delinquent in plan payments. Declaration, Dkt. 19. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. See 11 U.S.C. § 1325(a)(6).

The plan proposes valuing the secured claim of Patelco Credit Union. Before the court enters an order valuing that secured claim, the plan's feasibility is uncertain.

The debtor has not provided the trustee with all required tax returns. 11 U.S.C. § 521(e)(2)(A)(i); FED. R. BANKR. P. 4002(b)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor has not scheduled his current income and expenses. 11 U.S.C. § 521(a)(1)(B)(ii); That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).



That is reason to deny confirmation. Therefore, the Objection is sustained.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

**IT IS ORDERED** that the Objection is sustained.