



**UNITED STATES BANKRUPTCY COURT  
Eastern District of California  
Honorable René Lastreto II  
Department B - 510 19th Street  
Bakersfield, California  
Hearing Date: Wednesday, July 3, 2024**

***At this time, when in-person hearings in Bakersfield will resume is to be determined. No persons are permitted to appear in court for the time being. All appearances of parties and attorneys shall be as instructed below.***

Unless otherwise ordered, all matters before the Honorable René Lastreto II shall be simultaneously: (1) via **ZoomGov Video**, (2) via **ZoomGov Telephone**, and (3) via **CourtCall**. You may choose any of these options unless otherwise ordered or stated below.

All parties or their attorneys 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/RemoteAppearances>. Each party/attorney 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 and their attorneys who wish to appear remotely must contact the Courtroom Deputy for the Department holding the hearing.

Please also note the following:

- Parties in interest and/or their attorneys 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 who wish to attend by ZoomGov may only listen in to the hearing using the Zoom telephone number. Video participation or observing are not permitted.
- Members of the public and the press may not listen in to trials or evidentiary hearings, though they may attend in person unless otherwise ordered.

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 media 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.

## INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

Each matter on this calendar will have one of three possible designations: No Ruling, Tentative Ruling, or Final Ruling. These instructions apply to those designations.

**No Ruling:** All parties will need to appear at the hearing unless otherwise ordered.

**Tentative Ruling:** If a matter has been designated as a tentative ruling it will be called, and all parties will need to appear at the hearing unless otherwise ordered. The court may continue the hearing on the matter, set a briefing schedule, or enter other orders appropriate for efficient and proper resolution of the matter. The original moving or objecting party shall give notice of the continued hearing date and the deadlines. The minutes of the hearing will be the court's findings and conclusions.

**Final Ruling:** Unless otherwise ordered, there will be no hearing on these matters. The final disposition of the matter is set forth in the ruling and it will appear in the minutes. The final ruling may or may not finally adjudicate the matter. If it is finally adjudicated, the minutes constitute the court's findings and conclusions.

**Orders:** Unless the court specifies in the tentative or final ruling that it will issue an order, the prevailing party shall lodge an order within 14 days of the final hearing on the matter.

**Post-Publication Changes:** The court endeavors to publish its rulings as soon as possible. However, calendar preparation is ongoing, and these rulings 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 any possible updates.

9:00 AM

1. [24-10403](#)-B-13     **IN RE: VICKI/ANGELA VALENTYN**  
[LGT-2](#)

OBJECTION TO DEBTOR'S CLAIM OF EXEMPTIONS  
5-21-2024    [\[30\]](#)

LILIAN TSANG/MV  
WILLIAM EDWARDS/ATTY. FOR DBT.

FINAL RULING:     There will be no hearing on this matter.

DISPOSITION:     Sustained.

ORDER:             The Objecting Party shall submit a proposed order in  
conformance with the ruling below.

Chapter 13 trustee Lilian G. Tsang ("Trustee") objects to Vicky and Angela Valentyn's ("Debtors") claimed exemption for their Household Goods and Furniture and Jewelry exemptions. Doc. #30. Debtors do not indicate any dollar amount for those items, instead providing for "100% of fair market value, up to any applicable statutory limit." *Id.* See Doc. #1. Trustee argues that "[u]ntil Debtors provide an exact value of the claimed exemptions, it is impossible to know whether the exemptions claimed fall within the non-extraordinary value dollar limitations specified" under the relevant code sections. Doc. #30.

This objection was set for hearing on 28 days' notice as required by Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of any party in interest, including but not limited to debtors, creditors, the U.S. Trustee, or any other party in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the sustaining of the objection. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See *Boone v. Burk (In re Eliapo)*, 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest except Debtor are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amounts of damages). *Televideo Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires that a plaintiff make a *prima facie* showing that they are entitled to the relief sought, which the objecting party has done here.

No party in interest has responded to the objection, and the defaults of all non-responding parties are entered.

Debtor did not file opposition to this objection and Debtor's default is entered. Therefore, Trustee's objection will be SUSTAINED.

2. [24-10967](#)-B-13     **IN RE: DOREEN MADDOX**  
[GTB-1](#)

MOTION TO VALUE COLLATERAL OF BRIDGECREST CREDIT CO LLC  
6-12-2024    [\[28\]](#)

DOREEN MADDOX/MV  
GEORGE BURKE/ATTY. FOR DBT.

TENTATIVE RULING:            This matter will proceed as scheduled.

DISPOSITION:                 Granted.

ORDER:                         The minutes of the hearing will be the court's findings and conclusions. The Moving Party will submit a proposed order after hearing.

Doreen Ruth Maddox ("Debtor") moves the court for an order valuing a 2017 Fiat 500c (the "Vehicle") at \$7,000.00. Doc. #28. The Declaration is somewhat confusing, as Debtor states that she purchased the Vehicle used for \$8,995.00 and put \$300.00 down, but that she also accepted \$12,042.09 from Bridgecrest Credit Co. LLC ("Bridgecrest") to cover "the price, sales tax, other fees and an extended warranty." *Id.* Bridgecrest's interest in the vehicle is a purchase money security interest. *Id.* Debtor avers that she drove the Vehicle for nearly four years, and it now has 50,000 miles on it. *Id.* She says the Vehicle is in good condition but needs maintenance work, and she values it at \$7,000.00. *Id.* See also Doc. #14 (Sched. A). Debtor has exempted the Vehicle for \$7,000.00 pursuant to C.C.P. § 703.140(b)(2). *Id.* (Sched. C). Debtor's Schedule D says that Bridgecrest has a total claim of \$8,606.93, but Bridgecrest's Proof of Claim states a claim for \$9,230.05. *Id.* (Sched. D); POC #12-1.

This motion was filed and served pursuant to Local Rule of Practice ("LBR") 9014-1(f)(2) and will proceed as scheduled. No party was required to submit written opposition prior to the hearing. Unless opposition is presented at the hearing, the court intends to enter the respondents' defaults and GRANT the motion. If opposition is presented at the hearing, the court will consider the opposition and whether further hearing is proper pursuant to LBR 9014-1(f)(2). The court will issue an order if a further hearing is necessary.

11 U.S.C. § 1325(a)(\*) (the hanging paragraph) states that 11 U.S.C. § 506 is not applicable to claims described in that paragraph if (1)

the creditor has a purchase money security interest securing the debt that is the subject of the claim, (2) the debt was incurred within 910 days preceding the filing of the petition, and (3) the collateral is a motor vehicle acquired for the personal use of the debtor.

11 U.S.C. § 506(a)(1) limits a secured creditor's claim "to the extent of the value of such creditor's interest in the estate's interest in such property . . . and is an unsecured claim to the extent that the value of such creditor's interest . . . is less than the amount of such allowed claim."

According to Debtor's Declaration and Debtor's Schedule D, the debt for the Vehicle was incurred on August 17, 2020. Doc. #30; Doc. #14 (*Sched. D*). This case was filed on April 17, 2024. Doc. #1. Bridgecrest's proof of claim does not state when the debt was incurred and is not accompanied by any evidence which contradicts Debtor's averments as to the date when she purchased the Vehicle. August 17, 2020, is more than 910 days preceding the petition filing date. Therefore, the elements of § 1325(a)(\*) are not met and § 506 is applicable.

Debtor declares Vehicle has a replacement value of \$7,000.00. Doc. #30. Debtor is competent to testify as to the value of the Vehicle. Given the absence of contrary evidence, the debtor's opinion of value may be conclusive. *Enewally v. Wash. Mut. Bank (In re Enewally)*, 368 F.3d 1165, 1173 (9th Cir. 2004). Accordingly, unless opposition is presented at the hearing, the court is inclined to GRANT this motion.

The proposed order shall specifically identify the collateral, and if applicable, the proof of claim to which it relates. The order will be effective upon confirmation of the chapter 13 plan.

3. [24-10967](#)-B-13     **IN RE: DOREEN MADDOX**  
[LGT-1](#)

OBJECTION TO CONFIRMATION OF PLAN BY LILIAN G. TSANG  
6-4-2024    [\[24\]](#)

LILIAN TSANG/MV  
GEORGE BURKE/ATTY. FOR DBT.

TENTATIVE RULING:            This matter will proceed as scheduled.

DISPOSITION:                    Sustained or overruled.

ORDER:                            The minutes of the hearing will be the court's  
findings and conclusions. The Objecting Party  
shall submit a proposed order after hearing.

Chapter 13 trustee Lilian G. Tsang ("Trustee") objects to  
confirmation of the *Chapter 13 Plan* filed by Doreen Maddox  
("Debtor") on April 30, 2024, on the following basis:

1. The plan is not feasible under 11 U.S.C. § 1325(a)(6).  
The plan provides for Bridgecrest Credit Co LLC  
("Bridgecrest") to be treated as a Class 2 creditor and  
paid the value of the collateral securing the claim, but  
no order on valuation has been entered yet.

Doc. #24. On June 12, 2024, Debtor filed a *Motion to Value Collateral* as to the Bridgecrest collateral. Doc. #29. That motion is set for hearing on July 3, 2024, and will be addressed in Item #2, above. See Doc. #29. The valuation motion was filed on more than 14 but less than 28 days' notice, and no party is required to submit written opposition, with any opposition to be presented at the hearing. *Id.* Accordingly, the court cannot issue a final ruling in the instant matter before ruling on the valuation motion.

As noted in Item #2, the court is inclined to grant the valuation motion in the absence of any opposition. If the court does so, the court will inquire of the Trustee whether this objection is resolved and SUSTAIN or OVERRULE the Objection as appropriate or else continue this matter to a future date.

4. [24-11093](#)-B-13     **IN RE: LUIS RODRIGUEZ**  
[LGT-1](#)

OBJECTION TO CONFIRMATION OF PLAN BY TRUSTEE LILIAN G. TSANG  
6-17-2024     [\[14\]](#)

ANH NGUYEN/ATTY. FOR DBT.

FINAL RULING:     There will be no hearing on this matter.

DISPOSITION:     Continued to August 7. 2024, at 9:00 a.m.

ORDER:     The court will issue an order.

Chapter 13 trustee Lilian G. Tsang ("Trustee") objects to confirmation of the *Chapter 13 Plan* filed by Luis Rodriguez ("Debtor") on April 30, 2024, on the following basis:

1. The plan is not feasible. [11 U.S.C. § 1322(d)]. The plan provides for a monthly payment of \$2,419.00, but Trustee calculates that the plan payment will need to be at least \$2,545.71 per month to complete within 60 months.
2. The plan does not provide for all of Debtor's projected disposable income to be applied to unsecured creditors under the plan. [11 U.S.C. § 1325(b)(1)(B)]. Debtor's plan proposes an 8% dividend to general unsecured creditors but based on Debtor's *Chapter 13 Statement of Current Monthly Income*, Debtor's available disposable income requires a 12.54% plan. This will further increase the required monthly payment to \$2,753.20.

Doc. #14.

This objection will be CONTINUED to **August 7. 2024, at 9:00 a.m.** Unless this case is voluntarily converted to chapter 7, dismissed, or the objection to confirmation is withdrawn, the Debtor shall file and serve a written response to the Objection not later than **14 days before the hearing**. The response shall specifically address each issue raised in the objection to confirmation, state whether the issue is disputed or undisputed, and include admissible evidence to support the Debtors' position. Any reply shall be served no later than **7 days before the hearing**.

If the Debtor elects to withdraw the 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 than **7 days before the hearing**. If the Debtor does not timely file a modified plan or a written response, this objection will be sustained on the grounds stated in the objection without further hearing.

10:00 AM

1. [23-11228](#)-B-7     **IN RE: BELLA VINEYARD AG SERVICES, INC.**  
[DMG-6](#)

MOTION FOR ADMINISTRATIVE EXPENSES  
5-29-2024    [\[56\]](#)

JEFFREY VETTER/MV  
LEONARD WELSH/ATTY. FOR DBT.  
D. GARDNER/ATTY. FOR MV.

FINAL RULING:     There will be no hearing on this matter.

DISPOSITION:     Granted.

ORDER:             The Moving Party shall submit a proposed order in  
conformance with the ruling below.

Jeffrey M. Vetter ("Trustee"), Chapter 7 Trustee in the above-styled case, moves for authorization to pay certain administrative expenses owed by Bella Vineyard AG ("Debtor") prior to the final administration of this case. Doc. #56. Trustee declares that he has completed his administration of the Chapter 7 estate and that, during his administration of the estate, he filed necessary tax returns for the estate. Doc. #58. He now requests authorization to pay the taxes owed by the estate, which consists of \$848.00 owed to the California Franchise Tax Board ("the CFTB") for calendar year 2023 and \$800.00 owed to the CFTB for calendar year 2024. *Id.*

Trustee declares that the expenses incurred were necessary to maintain and administer property of the estate and that it is in the best interest of the estate to pay these expenses now prior to the close of case to avoid further cost and delay that could be detrimental to the estate and prejudicial to creditors. *Id.* Trustee further declares that there are sufficient estate funds on hand to pay these claims while still providing a distribution to general unsecured creditors and pay Trustee and all professional expenses to be sought later and/or concurrently with this motion. *Id.*

This motion was set for hearing on at least 28 days' notice prior to the hearing date pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of any party in interest, including but not limited to creditors, the debtor, the U.S. Trustee, or any other party in interest, to file written opposition at least 14 days prior to the hearing as required by LBR 9014-1(f)(1)(B) may be deemed a waiver of any opposition to the granting of the motion. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. *See Boone v. Burk (In re Eliapo)*,



468 F.3d 592 (9th Cir. 2006). In the absence of opposition, the matter may be resolved without oral argument. Upon default of non-moving parties, factual allegations will be taken as true (except those relating to the amount of damages). *Televideo Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a moving party make a prima facie showing that they are entitled to the relief sought, which the movant has done here.

No party in interest responded to this motion, and the defaults of all such parties will be entered.

11 U.S.C. § 503 allows an entity to file a request for payment of administrative expenses. After notice and a hearing, payment of certain administrative expenses shall be allowed, except where precluded under § 502(f). Here, Trustee seeks authorization to pay taxes assessed against the Debtor as administrative expenses pursuant to § 503(b)(1), which allows for administrative claims arising from "the actual, necessary costs and expenses of preserving the estate." 11 U.S.C. § 503(b)(1)(A). Furthermore, § 503(b)(1)(B) specifically contemplates allowing administrative expenses for the payment of taxes such as those assessed by the CFTB. 11 U.S.C. § 503(b)(1)(B).

After review of the included evidence, the court finds paying the outstanding taxes now rather than waiting until the case is closed and allowing interest to accrue represents actual, necessary costs and expenses of preserving the estate.

No opposition has been filed in response to the motion. Accordingly, this motion is GRANTED. Trustee is authorized to pay administrative expenses under 11 U.S.C. § 503(b)(1)(B) to the CFTB in the amount of **\$848.00** for calendar year 2023 and **\$800.00** for calendar year 2024.

2. [23-11228](#)-B-7      **IN RE: BELLA VINEYARD AG SERVICES, INC.**  
[DMG-7](#)

MOTION FOR COMPENSATION FOR D. MAX GARDNER, TRUSTEES  
ATTORNEY(S)  
6-7-2024    [\[70\]](#)

LEONARD WELSH/ATTY. FOR DBT.

TENTATIVE RULING:            This matter will proceed as scheduled.

DISPOSITION:                Granted.

ORDER:                        The minutes of the hearing will be the court's  
findings and conclusions. The Moving Party  
shall submit a proposed order after hearing.

D. Max Gardner ("Applicant"), attorney for Chapter 7 Trustee Jeffrey M. Vetter ("Trustee"), requests final compensation in the sum of **\$14,413.70** under 11 U.S.C. § 330. Doc. #70. This amount consists of **\$14,245.00** in fees and **\$168.70** in expenses from June 10, 2023, through June 6, 2024. *Id.*

The moving papers include a Consent/Statement by Trustee indicating that he has reviewed the fee application and has no opposition to the fee application. Doc. #73.

Written opposition was not required and may be presented at the hearing. In the absence of opposition, this motion will be GRANTED.

This motion was filed and served pursuant to Local Rule of Practice ("LBR") 9014-1(f)(2) and Fed. R. Bankr. P. 2002(a)(6) and will proceed as scheduled. Unless opposition is presented at the hearing, the court intends to enter the respondents' defaults and grant the motion. If opposition is presented at the hearing, the court will consider the opposition and whether further hearing is proper pursuant to LBR 9014-1(f)(2). The court will issue an order if a further hearing is necessary.

The Order approving Applicant's retention as counsel for Trustee effective as of June 28, 2023, was entered on August 7, 2023. Doc. #22. This is Applicant's second and final fee application, his first application having been withdrawn prior to the court ruling upon it. Doc. #72; *See Docs. ##38,44.*

Applicant declares that all work for which he seeks compensation was performed by him. Doc. #72. Applicant provided **37.00** billable hours of legal services at \$385.00 per hour, totaling **\$14,245.00** in fees. Doc. #74. Applicant also seeks to recover **\$168.70** in postage expenses. *Id.* These combined fees and expenses total **\$14,413.70**.

11 U.S.C. § 330(a)(1)(A) & (B) permits approval of "reasonable compensation for actual necessary services rendered by . . . [a] professional person" and "reimbursement for actual, necessary expenses." In determining the amount of reasonable compensation to be awarded to a professional person, the court shall consider the nature, extent, and value of such services, considering all relevant factors, including those enumerated in subsections (a)(3)(A) through (E). § 330(a)(3).

Applicant's services here included, without limitation: case administration; claims administration and objections; fee/employment applications; and meetings of creditors. Docs. ##70,74. Applicant declares that his primary responsibility was overseeing the engagement of an appraisal company to act as auctioneer for the sale of estate assets. Doc. #72. Applicant also assisted Trustee in settling an account owed to Debtor, settling a secured claim asserted by Bank of America to free up additional state funds, and obtaining approval to pay administrative claim, all of which resulted in a distribution to general unsecured creditors and the general administration of the Chapter 7 case. *Id.*

The court is inclined to find these fees and expenses reasonable, actual, and necessary. Trustee has consented to payment of the proposed fees. Doc. #73.

Written opposition was not required and may be presented at the hearing. In the absence of opposition, the court is inclined to GRANT this motion. Applicant will be awarded **\$14,245.00** in fees as reasonable compensation for services rendered and **\$168.70** in reimbursement for actual, necessary expenses on a final basis pursuant to § 330. The chapter 7 trustee will be authorized to pay Applicant **\$14,413.70** out of estate funds for fees and expenses from June 10, 2023, through June 6, 2024.

3. [24-11250](#)-B-7     **IN RE: BEAR AG, LLC**  
[ZM-1](#)

MOTION TO REJECT LEASE OR EXECUTORY CONTRACT  
6-13-2024    [\[15\]](#)

CATALINA BARBER CORPORATION/MV  
LAUREN NAWORSKI/ATTY. FOR DBT.  
JACOB EATON/ATTY. FOR MV.

TENTATIVE RULING:            This matter will proceed as scheduled.

DISPOSITION:                Granted.

ORDER:                        The minutes of the hearing will be the court's findings and conclusions. The Moving Party will submit a proposed order after hearing.

Catalina Barber Corporation, a California corporation, landlord, and creditor in the above-styled Chapter 7 bankruptcy ("Catalina Barber") seeks an order approving the *Stipulation to Reject and Terminate Debtor's Interest in Unexpired Lease* ("the Stipulation, see Doc. #17) which was entered into between Catalina Barber; Jeffrey M. Vetter, the Chapter 7 Trustee ("Trustee"); and Bear AG, LLC, the debtor in this case ("Debtor"). Doc. #15. The motion further seeks approval of the Trustee's rejection of an unexpired lease concerning non-residential real property located at 3115 North Sillect Avenue, Bakersfield, California ("the Premises") entered by and among Catalina Barber and Debtor. *Id.*

Written opposition was not required and may be presented at the hearing. In the absence of opposition, the court is inclined to GRANT this motion. Though § 365 specifically provides the Trustee, not the lessor, can ask to court to assume or reject an unexpired lease, the facts here suggest the Trustee is agreeing that the lease should be rejected by signing the stipulation.

This motion was filed and served pursuant to Local Rule of Practice ("LBR") 9014-1(f)(2) and will proceed as scheduled. Unless opposition is presented at the hearing, the court intends to enter the respondents' defaults and grant the motion. If opposition is presented at the hearing, the court will consider the opposition and whether further hearing is proper pursuant to LBR 9014-1(f)(2). The court will issue an order if a further hearing is necessary.

Debtor filed chapter 7 bankruptcy on May 8, 2024. Doc. #1. Trustee was appointed on an interim basis that same day and became permanent trustee at the first § 341(a) meeting of creditors on June 7, 2024. Doc. #4; *Docket generally*. The instant motion is accompanied by Declarations from Trustee and from Stephen Ekegren, CFO for Catalina Barber; the Stipulation itself; and the commercial lease agreement

between Debtor and Catalina Barber as an Exhibit. See Doc. #15 et seq.

The moving papers indicate that Debtor and Catalina Barber entered into a commercial real estate lease prepetition, that Debtor defaulted prepetition, and that, absent rejection, the lease remains in effect. *Id.* In particular, the Trustee declares that he used his business judgment to determine that the lease should be rejected because (a) the few assets of the estate located at the Premises are to be removed before the hearing date, (b) the Premises are not necessary for the administrative of the Chapter 7 estate; and (c) it is in the best interest of the estate to avoid incurring administrative rent for the Premises. Doc. #18.

11 U.S.C. § 365(a) allows a trustee to assume or reject an executory contract or unexpired lease of the debtor. 11 U.S.C. § 365(a).

In evaluating a decision to reject an executory contract or unexpired lease in the Ninth Circuit, "the bankruptcy court should presume that the [Trustee] acted prudently, on an informed basis, in good faith, and in the honest belief that the action taken was in the best interests of the bankruptcy estate." *Agarwal v. Pomona Valley Med. Group, Inc. (In re Pomona Valley Med. Group, Inc.)*, 476 F.3d 665, 670 (9th Cir. 2007) (citations omitted).

Here, rejection of the lease appears to be a reasonable exercise of Trustee's business judgment because Debtor has vacated the Premises and has or will remove all estate assets from the Premises, because the lease is not necessary for the administration of the Chapter 7 estate, and because it is in the interest of the estate to avoid incurring unnecessary administrative rent for the Premises. Further, the date of this hearing is two months before this lease would be "deemed rejected," thereby saving assets of the estate. § 365 (d) (4).

In the absence of opposition at the hearing, the court is inclined to GRANT this motion and approve the Stipulation.

4. [24-11368](#)-B-7     **IN RE: ANTONIO/DIANA CRUZ**

ORDER TO SHOW CAUSE - FAILURE TO PAY FEES  
6-4-2024    [\[15\]](#)

JULIE MORADI-LOPES/ATTY. FOR DBT.

FINAL RULING:     There will be no hearing on this matter.

DISPOSITION:     The OSC will be vacated.

ORDER:             The court will issue an order.

The record shows that the \$338.00 filing fee was paid on June 24 and 28, 2024. Accordingly, this order to show cause will be VACATED.

11:00 AM

1. [17-11028](#)-B-11    **IN RE: PACE DIVERSIFIED CORPORATION**  
[18-1006](#)    [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT  
2-5-2018    [[1](#)]

PACE DIVERSIFIED CORPORATION  
ET AL V. MACPHERSON OIL  
T. BELDEN/ATTY. FOR PL.

FINAL RULING:        There will be no hearing in this matter.

DISPOSITION:        Concluded and dropped from the calendar.

No order is required.

On June 20, 2024, the parties in this adversary filed a Stipulation dismissing the adversary proceeding. Doc. #328. Accordingly, this Status Conference is hereby CONCLUDED and DROPPED from the calendar.

2. [23-12838](#)-B-7    **IN RE: TONY/ELIZABETH GOWER**  
[24-1007](#)    [CAE-1](#)

STATUS CONFERENCE RE: COMPLAINT  
4-18-2024    [[1](#)]

KAPITUS SERVICING, INC. V. GOWER  
BRIAN HARVEY/ATTY. FOR PL.  
RESPONSIVE PLEADING

**After posting the original pre-hearing dispositions, the court has supplemented its intended ruling on this matter.**

FINAL RULING:        There will be no hearing in this matter.

DISPOSITION:        Continued to September 4, 2024, at 11:00 a.m.

ORDER:                The court will prepare the order.

On June 21, 2024, the parties in this adversary filed a *Joint Status Report* in which they requested an additional sixty (60) days in which to continue settlement talks. Accordingly, this matter is hereby CONTINUED to **September 4, 2024, at 11:00 a.m.** Debtor shall file and serve a status report on or before August 21, 2024.

3. [23-11445](#)-B-7     **IN RE: SADEGH SALMASSI**  
[23-1044](#)     [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT  
10-17-2023    [[1](#)]

BLUE CROSS OF CALIFORNIA ET AL  
V. SALMASSI  
CHRISTOPHER RIVAS/ATTY. FOR PL.

FINAL RULING:     There will be no hearing in this matter.

DISPOSITION:     Concluded and dropped from the calendar.

ORDER:             The court will prepare the order.

On May 16, 2024, the court entered an order granting summary judgment in this adversary. Doc. #32. Accordingly, this status conference is CONCLUDED and DROPPED from the calendar.

4. [23-11175](#)-B-7     **IN RE: JASWINDER SINGH**  
[23-1047](#)     [CAE-1](#)

STATUS CONFERENCE RE: AMENDED COMPLAINT  
5-3-2024    [[24](#)]

VETTER V. SINGH ET AL  
D. GARDNER/ATTY. FOR PL.  
RESPONSIVE PLEADING

NO RULING.

5. [23-11175](#)-B-7     **IN RE: JASWINDER SINGH**  
[DMG-1](#)

CONTINUED OBJECTION TO DEBTOR'S CLAIM OF EXEMPTIONS  
9-5-2023    [[38](#)]

JEFFREY VETTER/MV  
VINCENT GORSKI/ATTY. FOR DBT.  
D. GARDNER/ATTY. FOR MV.

NO RULING.



11:30 AM

1. [24-11006](#)-B-7      **IN RE: RAFAEL/LETICIA SANTIBANEZ**

REAFFIRMATION AGREEMENT WITH GLOBAL LENDING SERVICES LLC  
5-23-2024    [\[17\]](#)

SCOTT LYONS/ATTY. FOR DBT.

FINAL RULING:      There will be no hearing on this matter.

DISPOSITION:      Denied.

ORDER:              The court will issue an order.

Debtor's counsel will inform debtor that no appearance is necessary.

A Reaffirmation Agreement between Rafael and Leticia Santibanez ("Debtors") and Global Lending Services LLC for a 2019 Jeep Cherokee ("Vehicle") was filed on May 23, 2024. Doc. #17.

11 U.S.C. § 524(c)(6)(A)(ii) states "An agreement between a holder of a claim and the debtor, the consideration for which, in whole or in part, is based on a debt that is dischargeable in a case under this title is enforceable only to any extent enforceable under applicable non-bankruptcy law, whether or not discharge of such debt is waived, only if the court approves such agreement as in the best interest of the debtor."

Here, the Vehicle is valued by Debtors at \$20,510.00. The amount being reaffirmed by Debtors is \$25,469.60 with a 26.95% interest rate. Debtors have negative equity of \$4,959.60 with approximately 60 months (five years) remaining on the loan and only \$12.39 remaining in the budget every month according to the Debtors' schedules.

The court finds no evidence that this Reaffirmation Agreement is in the best interest of the Debtor. Accordingly, approval of the Reaffirmation Agreement between Debtors and Ally Bank will be DENIED.