

UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable W. Richard Lee
Hearing Date: Thursday, July 9, 2015
Place: Department B – Courtroom #12
Fresno, 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.

1. [14-13546](#)-B-7 MARICELA ZEPEDA STATUS CONFERENCE RE: COMPLAINT
[15-1061](#) 5-12-15 [[1](#)]
HAWKINS V. ZEPEDA
RESPONSIVE PLEADING

This matter will be dropped from calendar to be reset, if necessary, after the court rules on the trustee's motion to dismiss. No appearance is necessary.

2. [14-13548](#)-B-7 ALEJANDRO MARTINEZ AND STATUS CONFERENCE RE: COMPLAINT
[15-1060](#) NICOMEDES MIRANDA 5-12-15 [[1](#)]
HAWKINS V. MARTINEZ ET AL
ROBERT HAWKINS/Atty. for pl.
RESPONSIVE PLEADING

10:00 A.M.

1. [01-10110](#)-B-7 PACESETTER INDUSTRIES, OBJECTION TO CLAIM OF AMARANT'S
TMT-3 INC. PROPANE SERVICE, CLAIM NUMBER
TRUDI MANFREDO/MV 158
5-14-15 [[330](#)]

HILTON RYDER/Atty. for dbt.
EZRA GOLDMAN/Atty. for mv.

The objection will be sustained. Claim #158 is deemed to be a timely filed non-priority general unsecured claim. The objecting party shall submit a proposed order consistent with this ruling. No appearance is necessary.

2. [15-12027](#)-B-7 RICHARD/ELIZABETH GOMEZ MOTION FOR RELIEF FROM
APN-1 AUTOMATIC STAY
SANTANDER CONSUMER USA INC./MV 6-4-15 [[9](#)]
SAMER SALHAB/Atty. for dbt.
AUSTIN NAGEL/Atty. for mv.

This motion for relief from stay was fully noticed in compliance with the Local Rules. The debtors' response, filed July 6, 2015, is untimely and non-responsive to the issue before the court-modification of the automatic stay. Accordingly, 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. [15-10938](#)-B-7 LARNA HARRIS OPPOSITION RE: TRUSTEE'S MOTION
PFT-1 TO DISMISS FOR FAILURE TO
APPEAR AT SEC. 341(A) MEETING
OF CREDITORS
5-28-15 [[12](#)]

LAYNE HAYDEN/Atty. for dbt.

4. 14-12439-B-7 JOHN DYER AND TERESA MOTION FOR RELIEF FROM
PD-1 HILL-DYER AUTOMATIC STAY
WELLS FARGO BANK, N.A./MV 5-29-15 [29]
JAMIE XIONG-VANG/Atty. for dbt.
JONATHAN CAHILL/Atty. for mv.
DISCHARGED

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be denied as moot as to the debtor(s) because their discharge has been entered. The motion will be granted for cause shown as to the chapter 7 trustee. 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. 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.

5. 10-19343-B-7 CESAR CHENG AND CELESTE MOTION TO AVOID LIEN OF
TCS-2 OSUNA-CHENG YELLOWBOOK SALES & DISTRIBUTION
CESAR CHENG/MV 6-23-15 [23]
TIMOTHY SPRINGER/Atty. for dbt.

The motion will be denied without prejudice. No appearance is necessary. The record does not establish that the motion was served on the named respondent in compliance with Federal Rule of Bankruptcy Procedure 7004(b)(1) (service on an individual), 7004(b)(3) (corporation, partnership or unincorporated association) or 7004(h) (FDIC Insured Depository Institution). *In re Villar*, 317 B.R. 88 (9th Cir. BAP 2004). Information regarding service on a corporation may be obtained from the California Secretary of State's Internet Website, see <http://kepler.sos.ca.gov/>. For a directory of FDIC Insured Institutions, see <http://www3.fdic.gov/idasp/main.asp>. Litigants are encouraged to attach a copy of their information source (web page, etc.) to the proof of service to assist the court in evaluating compliance with Rule 7004.

6. [12-60054](#)-B-7 DWIGHT/NELLIE LONG
RHT-18
ROBERT HAWKINS/MV
LAYNE HAYDEN/Atty. for dbt.
ROBERT HAWKINS/Atty. for mv. MOTION TO SELL FREE AND CLEAR
OF LIENS AND/OR MOTION TO PAY
6-11-15 [[231](#)]
7. [13-16155](#)-B-7 MICHAEL WEILERT AND
FLG-12 GENEVIEVE DE MONTREMARE
JAMES SALVEN/MV
RILEY WALTER/Atty. for dbt.
PETER FEAR/Atty. for mv. MOTION TO EMPLOY DANIEL B.
SPITZER AS SPECIAL COUNSEL
6-11-15 [[393](#)]
8. [13-16155](#)-B-7 MICHAEL WEILERT AND
FLG-13 GENEVIEVE DE MONTREMARE
JAMES SALVEN/MV
RILEY WALTER/Atty. for dbt.
PETER FEAR/Atty. for mv. MOTION TO COMPROMISE
CONTROVERSY/APPROVE SETTLEMENT
AGREEMENT WITH PENDRAGON TRUST
6-11-15 [[400](#)]
9. [13-16155](#)-B-7 MICHAEL WEILERT AND
FLG-14 GENEVIEVE DE MONTREMARE
JAMES SALVEN/MV
RILEY WALTER/Atty. for dbt.
PETER FEAR/Atty. for mv. MOTION TO APPROVE INTERIM
DISTRIBUTION
6-11-15 [[406](#)]
10. [13-16155](#)-B-7 MICHAEL WEILERT AND
FLG-15 GENEVIEVE DE MONTREMARE
RILEY WALTER/Atty. for dbt. MOTION FOR COMPENSATION BY THE
LAW OFFICE OF FEAR LAW GROUP,
P.C. FOR PETER L. FEAR,
TRUSTEES ATTORNEY(S)
6-11-15 [[411](#)]

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.

11. [15-11358](#)-B-7 EMMY PEARSON
HTP-1
CVI GROUP, LLC/MV
HANNO POWELL/Atty. for mv. MOTION FOR RELIEF FROM
AUTOMATIC STAY
6-25-15 [[16](#)]
12. [15-11460](#)-B-7 JAVIER/JOSEPHINE GALLARDO
JES-1
OPPOSITION RE: TRUSTEE'S MOTION
TO DISMISS FOR FAILURE TO
APPEAR AT SEC. 341(A) MEETING
OF CREDITORS
5-27-15 [[14](#)]

13. [13-16062](#)-B-7 MICHAEL WEILERT, M.D., OBJECTION TO CLAIM OF MICHAEL
CAS-2 INC. WEILERT, CLAIM NUMBER 5
BRIAN GWARTZ/MV 5-18-15 [[85](#)]
RILEY WALTER/Atty. for dbt.
CHERYL SKIGIN/Atty. for mv.

The objection will be sustained without oral argument. The record reflects that the objection is unopposed. The claim will be disallowed in full, or in part, on the grounds stated in the objection. The objecting party shall prepare the proposed order. No appearance is necessary.

14. [13-16062](#)-B-7 MICHAEL WEILERT, M.D., OBJECTION TO CLAIM OF MICHAEL
CAS-3 INC. WEILERT, CLAIM NUMBER 6
BRIAN GWARTZ/MV 5-18-15 [[89](#)]
RILEY WALTER/Atty. for dbt.
CHERYL SKIGIN/Atty. for mv.

The objection will be sustained without oral argument. The record reflects that the objection is unopposed. The claim will be disallowed in full, or in part, on the grounds stated in the objection. The objecting party shall prepare the proposed order. No appearance is necessary.

15. [13-16062](#)-B-7 MICHAEL WEILERT, M.D., MOTION TO COMPROMISE
RHT-2 INC. CONTROVERSY/APPROVE SETTLEMENT
ROBERT HAWKINS/MV AGREEMENT WITH PATHOLOGY
ASSOCIATES
6-4-15 [[95](#)]

RILEY WALTER/Atty. for dbt.
ROBERT HAWKINS/Atty. for mv.

This motion will be continued to July 23, 2015, at 10:00 a.m., for more information. The trustee is proposing to liquidate the debtor's interest in a general partnership. However, there is nothing in the motion or supporting evidence regarding the debtor's tax basis in the partnership or the tax consequences, if any, which might result from this transfer. There is nothing in the motion regarding lien claims against this property and whether any of this sale will actually benefit the unsecured creditors. Finally, the court requests more information regarding the "Allocation of Purchase Price" for tax purposes discussed in paragraph 4 of the proposed agreement. Without information to show that this transaction will substantially benefit the unsecured creditors, the court cannot determine if this is a prudent exercise of the trustee's duties under the bankruptcy code. No appearance is necessary.

16. [15-11163](#)-B-7 CHA THAO
PSJ-1
CHA THAO/MV
PAUL JAMES/Atty. for dbt.

MOTION TO AVOID LIEN OF CAVALRY
SPV I, LLC
6-15-15 [[15](#)]

The motion will be denied without prejudice. No appearance is necessary. The named respondent was not identified in the service list. Accordingly, the record does not establish that the motion was served on the named respondent in compliance with Federal Rule of Bankruptcy Procedure 7004(b)(1) (service on an individual), 7004(b)(3) (corporation, partnership or unincorporated association) or 7004(h) (FDIC Insured Depository Institution). *In re Villar*, 317 B.R. 88 (9th Cir. BAP 2004). Information regarding service on a corporation may be obtained from the California Secretary of State's Internet Website, see <http://kepler.sos.ca.gov/>. For a directory of FDIC Insured Institutions, see <http://www3.fdic.gov/idasp/main.asp>. Litigants are encouraged to attach a copy of their information source (web page, etc.) to the proof of service to assist the court in evaluating compliance with Rule 7004.

In addition, the notice period fails to comply with Local Bankruptcy Rule 9014-1(f)(2).

17. [15-11666](#)-B-7 ANGIE SERNA
UST-1
TRACY DAVIS/MV

ROBIN TUBESING/Atty. for mv.

MOTION FOR DENIAL OF DISCHARGE
OF DEBTOR UNDER 11 U.S.C.
SECTION 727(A)
6-4-15 [[19](#)]

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.

18. [10-60485](#)-B-7 JOSE/AUGUSTINA CANELO
RH-4
MITCHELL GOLUB/MV

JANINE ESQUIVEL/Atty. for dbt.
MITCHELL GOLUB/Atty. for mv.

MOTION FOR COMPENSATION FOR
MITCHELL S. GOLUB, SPECIAL
COUNSEL(S)
6-3-15 [[92](#)]

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.

19.	<u>14-13285</u> -B-7	JEFFREY/LINDSAY KERR	ORDER TO SHOW CAUSE REGARDING
	<u>14-1128</u>		DISMISSAL
	RIVER RAIL COMMUNITY FEDERAL		6-18-15 [<u>32</u>]
	CREDIT UNION V. KERR ET AL		

Based on the plaintiff's notice of non-opposition, this adversary proceeding will be dismissed for the reasons set forth in the Order to Show Cause. The court will enter a civil minute order. No appearance is necessary.

20.	<u>15-11092</u> -B-7	MARIO BORGARIN	MOTION FOR ENTRY OF DEFAULT
	<u>15-1037</u>	UST-1	JUDGMENT
	U.S. TRUSTEE V. BORGARIN		6-5-15 [<u>15</u>]
	ROBIN TUBESING/Atty. for mv.		

21.	<u>15-10998</u> -B-7	MARIA SERRANO	MOTION FOR RELIEF FROM
	JCW-1		AUTOMATIC STAY
	DEUTSCHE BANK NATIONAL TRUST		6-8-15 [<u>23</u>]
	COMPANY/MV		
	JENNIFER WONG/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 denied as moot as to the debtor(s) because their discharge has been entered. The motion will be granted for cause shown as to the chapter 7 trustee. 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. 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.

11:00 A.M.

1. [15-12172](#)-B-7 JOSE RODRIGUEZ AND NANCY
 TAPIA PRO SE REAFFIRMATION AGREEMENT
 WITH MERCED SCHOOL EMPLOYEES
 FCU
 6-22-15 [[16](#)]

2. [15-11973](#)-B-7 EDUARDO DIAZ AND VERONICA
 DE DIAZ PRO SE REAFFIRMATION AGREEMENT
 WITH CAPITAL ONE AUTO FINANCE
 6-17-15 [[9](#)]

3. [15-11686](#)-B-7 ALEJANDRO/ELIZABETH
 VASQUEZ PRO SE REAFFIRMATION AGREEMENT
 WITH FINANCE AND THRIFT COMPANY
 6-23-15 [[13](#)]

4. [15-11687](#)-B-7 FLOR VALLE PRO SE REAFFIRMATION AGREEMENT
 WITH WELLS FARGO DEALER
 SERVICES
 6-10-15 [[16](#)]

5. [15-11890](#)-B-7 JENNIFER HULBERT PRO SE REAFFIRMATION AGREEMENT
 WITH FAMILIES AND SCHOOLS
 TOGETHER FCU
 6-18-15 [[16](#)]

MARK ZIMMERMAN/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 she 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.

1:30 P.M.

1. [14-14603](#)-B-13 PAUL/DONNA PARANO MOTION TO DISMISS CASE
MHM-1 5-20-15 [[25](#)]
MICHAEL MEYER/MV
TIMOTHY SPRINGER/Atty. for dbt.
WITHDRAWN

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

2. [13-17720](#)-B-13 SHAWN CABLE MOTION TO DISMISS CASE
MHM-1 5-19-15 [[57](#)]
MICHAEL MEYER/MV
SCOTT LYONS/Atty. for dbt.
MICHAEL MEYER/Atty. for mv.

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The respondent's default will be entered. The record shows there is a material default in the terms of the confirmed plan 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.

3. [14-13120](#)-B-13 IDA TISCARENO MOTION TO DISMISS CASE
MHM-3 5-19-15 [[51](#)]
MICHAEL MEYER/MV
NANCY KLEPAC/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 respondent's default will be entered. The record shows there is a material default in the terms of the confirmed plan 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.

4. [14-10221](#)-B-13 EDWARD/PATRICIA THOMAS MOTION TO DISMISS CASE
MHM-3 5-19-15 [[35](#)]
MICHAEL MEYER/MV
JAMES MILLER/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 respondent's default will be entered. The record shows there is a material default in the terms of the confirmed plan 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.

5. [15-11627](#)-B-13 TOMASA HUSTED MOTION TO DISMISS CASE
 MHM-1 6-19-15 [[26](#)]
 MICHAEL MEYER/MV
 DISMISSED

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

6. [12-13631](#)-B-13 KEVIN ROSE MOTION TO MODIFY PLAN
 SAH-2 5-28-15 [[42](#)]
 KEVIN ROSE/MV
 SUSAN HEMB/Atty. for dbt.

The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The debtor(s) 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.

7. [15-11734](#)-B-13 GEORGE SOUSA MOTION TO DISMISS CASE
 MHM-1 6-19-15 [[21](#)]
 MICHAEL MEYER/MV
 DISMISSED

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

8. [12-13538](#)-B-13 TYRONE PARKS AND LISA MOTION TO DISMISS CASE
 MHM-4 STAR-PARKS 5-20-15 [[88](#)]
 MICHAEL MEYER/MV
 GARY HUSS/Atty. for dbt.
 WITHDRAWN

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

9. [11-63239](#)-B-13 THOMAS/KRISTAN ADAMS MOTION TO DISMISS CASE
 MHM-3 5-19-15 [[66](#)]
 MICHAEL MEYER/MV
 GEOFFREY ADALIAN/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 respondent's default will be entered. The record shows there is a material default in the terms of the confirmed plan 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.

10. [10-60541](#)-B-13 SYLVIA PLASENCIA
MHM-2
MICHAEL MEYER/MV
PETER BUNTING/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
5-18-15 [[97](#)]

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

11. [11-61443](#)-B-13 DALTON ELAM
MHM-3
MICHAEL MEYER/MV
STEVEN ALPERT/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
5-20-15 [[114](#)]

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

12. [15-12453](#)-B-13 JOHN/KAREN LYSTAD
DRJ-2
JOHN LYSTAD/MV
DAVID JENKINS/Atty. for dbt.

MOTION TO EXTEND AUTOMATIC STAY
6-25-15 [[8](#)]

13. [15-11954](#)-B-13 HERIBERTO AVILA

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
6-18-15 [[18](#)]

14. [13-12057](#)-B-13 KEITH/RACHELLE CONYERS
MHM-2
MICHAEL MEYER/MV
BENJAMIN SHEIN/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
5-19-15 [[37](#)]

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

15. [12-16958](#)-B-13 BENJAMIN BRUFFETT
MHM-2
MICHAEL MEYER/MV
TIMOTHY SPRINGER/Atty. for dbt.

MOTION TO DISMISS CASE
5-19-15 [[60](#)]

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

16. [15-10660](#)-B-13 STEVEN/BRANDI AVALOS
MHM-1
ERIC ESCAMILLA/Atty. for dbt.
DISMISSED

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY TRUSTEE
MICHAEL H. MEYER
5-15-15 [[44](#)]

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

17. [15-11860](#)-B-13 WILLIAM MELLO
LRP-1
MANPREET RAI/MV
DAVID JOHNSTON/Atty. for dbt.
MICHAEL GOMEZ/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
6-25-15 [[26](#)]

18. [15-11361](#)-B-13 EUGENIO HERNANDEZ
MHM-1
MICHAEL MEYER/MV
STEPHEN LABIAK/Atty. for dbt.

MOTION TO DISMISS CASE
6-1-15 [[22](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The respondent's default will be entered. The debtor failed to appear for the meeting of creditors required by 11 U.S.C. §341. 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.

19. [14-14163](#)-B-13 MANUEL/RISSY MONTOYA
MHM-2
MICHAEL MEYER/MV
ADRIAN WILLIAMS/Atty. for dbt.

MOTION TO DISMISS CASE
5-19-15 [[79](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The respondent's default will be entered. The record shows there is a material default in the terms of the confirmed plan 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.

20. [14-15968](#)-B-13 BRADLEY JAURIQUE
MHM-2
MICHAEL MEYER/MV
NANCY KLEPAC/Atty. for dbt.

MOTION TO DISMISS CASE
6-16-15 [[41](#)]

21. [14-15968](#)-B-13 BRADLEY JAURIQUE
TCS-1
BRADLEY JAURIQUE/MV
NANCY KLEPAC/Atty. for dbt.
RESPONSIVE PLEADING
CONTINUED MOTION TO CONFIRM
PLAN
5-19-15 [[30](#)]

22. [14-13571](#)-B-13 LEONARD/ROSELINE DUVAL
MHM-1
MICHAEL MEYER/MV
CHELSEA RYAN/Atty. for dbt.
WITHDRAWN
MOTION TO DISMISS CASE
5-19-15 [[59](#)]

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

23. [15-11172](#)-B-13 FELIPE/AURORA ALVARADO
BN-1
THE GOLDEN 1 CREDIT UNION/MV
THOMAS GILLIS/Atty. for dbt.
VALERIE PEO/Atty. for mv.
ORDER APPROVING STIPULATION
CONTINUED MOTION FOR RELIEF
FROM AUTOMATIC STAY
5-14-15 [[17](#)]

Pursuant to a stipulation of the parties, and order dated June 24, 2015, this matter has been settled and the motion withdrawn. No appearance is necessary. The hearing will be dropped from calendar.

24. [15-11172](#)-B-13 FELIPE/AURORA ALVARADO
TOG-1
FELIPE ALVARADO/MV
THOMAS GILLIS/Atty. for dbt.
ORDER APPROVING STIPULATION
CONTINUED MOTION TO VALUE
COLLATERAL OF GOLDEN 1 CREDIT
UNION
5-28-15 [[29](#)]

This matter has been resolved by a stipulation of the parties and order dated June 24, 2015. The hearing will be dropped from calendar. No appearance is necessary.

25. [14-15876](#)-B-13 SCOTT NAGEL
TJS-1
PENNYMAC LOAN SERVICES, LLC/MV
SCOTT SAGARIA/Atty. for dbt.
TIMOTHY SILVERMAN/Atty. for mv.
MOTION FOR RELIEF FROM
AUTOMATIC STAY
5-29-15 [[38](#)]

This motion for relief from the automatic stay will be denied as moot. The secured claim relating to this collateral is provided for in Class 4 of the debtor's confirmed chapter 13 plan. Upon confirmation of the chapter 13 plan, the automatic stay was modified for this claim to permit enforcement of the creditor's remedies with regard to the collateral in the event of a default under applicable law. No attorney's fees will be awarded in relation to this motion. No appearance is necessary.

26. [12-19279](#)-B-13 JOHNNY/JUANITA SOTO MOTION TO DISMISS CASE
MHM-2 5-19-15 [[52](#)]
MICHAEL MEYER/MV
JOSEPH ARNOLD/Atty. for dbt.
WITHDRAWN

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

27. [12-16981](#)-B-13 ROSS/LYNDY RICE MOTION TO INCUR DEBT
PBB-4 6-24-15 [[64](#)]
ROSS RICE/MV
PETER BUNTING/Atty. for dbt.

28. [10-60687](#)-B-13 ETHAN/CYNTHIA BARE MOTION TO DISMISS CASE
MHM-2 5-18-15 [[54](#)]
MICHAEL MEYER/MV
JAMES MILLER/Atty. for dbt.
WITHDRAWN

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

29. [14-15795](#)-B-13 JAKE KACHADOORIAN MOTION TO DISMISS CASE
MHM-1 5-20-15 [[18](#)]
MICHAEL MEYER/MV
PETER BUNTING/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 respondent's default will be entered. The record shows there is a material default in the terms of the confirmed plan 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.

30. [13-15896](#)-B-13 KAREN SHARPE MOTION TO DISMISS CASE
MHM-2 5-19-15 [[37](#)]
MICHAEL MEYER/MV
BENJAMIN SHEIN/Atty. for dbt.
WITHDRAWN

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

2:30 P.M.

1. [13-10302](#)-B-11 GMC DAIRY FARMS LP
TLC-14
GMC DAIRY FARMS LP/MV
CHRISTIAN JINKERSON/Atty. for dbt.
ORDER 6/30/15
- MOTION FOR FINAL DECREE AND
ORDER CLOSING CASE
6-10-15 [[766](#)]

This matter has been rescheduled to August 20, 2015, at 2:30 p.m., pursuant to an order dated June 24, 2015. No appearance is necessary.

2. [15-10402](#)-B-11 THE DOWNTOWN CHURCH

PETER FEAR/Atty. for dbt.
- CONTINUED STATUS CONFERENCE RE:
VOLUNTARY PETITION
2-5-15 [[1](#)]

Based on the debtor's status conference report filed on June 23, 2015, the court intends to dismiss this case. If any party wishes to appear and be heard in opposition to dismissal then they shall notify the debtor's counsel, the U.S. Trustee, and the court, and file a statement setting forth the basis for their opposition not later than July 8, 2015. Otherwise, the court will enter a civil minute order. No appearance is necessary.

3. [15-11079](#)-B-11 WEST COAST GROWERS, INC.
KDG-5 A CALIFORNIA CORPORATION
WEST COAST GROWERS, INC. A
CALIFORNIA CORPORATION/MV
 - CONTINUED MOTION FOR ORDER
AUTHORIZING
DEBTOR-IN-POSSESSION TO MAKE
FIRST INTERIM DISTRIBUTION TO
2014 GROWERS
4-23-15 [[117](#)]
- HAGOP BEDOYAN/Atty. for dbt.
RESPONSIVE PLEADING
4. [15-11079](#)-B-11 WEST COAST GROWERS, INC.
KDG-7 A CALIFORNIA CORPORATION
WEST COAST GROWERS, INC. A
CALIFORNIA CORPORATION/MV
HAGOP BEDOYAN/Atty. for dbt.
 - MOTION TO PAY
6-17-15 [[286](#)]