

**UNITED STATES BANKRUPTCY COURT**

Eastern District of California

Honorable Michael S. McManus

Bankruptcy Judge

Sacramento, California

**July 20, 2016 at 9:30 a.m.**

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1. 10-36619-A-7 DANIEL/ROBIN DORRIS STATUS CONFERENCE  
16-2099 5-24-16 [1]  
DORRIS ET AL V. WELLS FARGO HOME MTG.

**Final Ruling:** No appearances. This proceeding is not at issue. The docket indicates that a reissued summons and the complaint were served on July 13. Therefore, the court continues the status conference to September 21, 2016 at 9:30 AM. As soon as the defendant(s) appear, counsel for the plaintiff shall give notice of the status conference. The parties shall make their initial disclosures and file a joint discovery plan no later than September 14.

2. 15-27448-A-7 JOHN/SHAWNTA ODUM STATUS CONFERENCE  
16-2083 4-28-16 [1]  
B & H, INC. V. ODUM ET AL

**Tentative Ruling:** Appearances required. The complaint has been served and an answer has been filed. The parties, however, failed to file a discovery plan as ordered by the court. It also appears that the defendant has not made the defendant's initial disclosures. Therefore, the parties shall appear and explain this failure and the court will determine if any sanction is appropriate or required.

3. 15-27448-A-7 JOHN/SHAWNTA ODUM CONTINUED STATUS CONFERENCE  
16-2036 2-23-16 [1]  
RESIDENCE INN BY MARRIOTT, L.L.C.  
ET AL V. ODUM ET AL

**Tentative Ruling:** Appearances required. While a joint discovery plan was filed, it fails to set a timetable for the completion of discovery. It is not approved.

4. 16-22654-A-7 MARC LIM STATUS CONFERENCE  
16-2087 5-3-16 [1]  
SEQUOIA SALES, INC. V. LIM'S PRODUCE ET AL

**Tentative Ruling:** Appearances required. The parties shall be prepared to discuss whether the removed action is a core proceeding and whether or not the court should remand/abstain.

5. 10-30862-A-13 JAY/JOANNE ROBINSON STATUS CONFERENCE  
16-2100 5-24-16 [1]  
ROBINSON ET AL V. SNYDER ET AL

**Final Ruling:** No appearances. The clerk has entered the defendant's default and ordered the plaintiff to file a motion for a default judgment in accordance

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with the default order. The conference is concluded.

6. 12-24878-A-12 SILVIA LEPE STATUS CONFERENCE  
16-2084 5-2-16 [1]  
LEPE ET AL V. LEPE

**Tentative Ruling:** Appearances required.

It appears from the docket that the summons and complaint have not been served. The plaintiff shall explain why.

Second, the court will order stricken the fictitious defendants. Including fictitious defendants is not permitted by the federal rules.

Third, this chapter 7 case was dismissed on April 14, 2012. Why then is the court being asked to except a debt from a discharge that was not and will never be entered?

Fourth, to the extent the complaint alleges misconduct after the filing of this bankruptcy case, what is the court's subject matter jurisdiction? These claims belong in the state court.

Fifth, this court has already entered a judgment for the plaintiffs concerning the same controversy in Adv. Pro. No. 12-2307. Why is it necessary to grant the same relief again? And, to the extent different relief is requested, because it is based on the same events and occurrences, why isn't the such relief barred by the doctrine of claim preclusion.

7. 10-27982-A-13 OSOTONU/BETTY OSOTONU STATUS CONFERENCE  
16-2095 5-11-16 [1]  
OSOTONU, JR. ET AL V. BENEFICIAL/HSBC MTG.

**Final Ruling:** No appearances.

First, the court will order stricken the fictitious defendants. Including fictitious defendants is not permitted by the federal rules.

Second, the plaintiff shall file an application to take the default of the defendant(s) within 7 days.

8. 15-27612-A-7 ELENA MAZUR CONTINUED STATUS CONFERENCE  
15-2254 12-28-15 [1]  
FRANK'S QUALITY MEATS, INC. V. MAZUR

**Tentative Ruling:** Appearances required.

The joint discovery plan filed June 30 will be approved.

The parties shall appear at a continued status conference on January 18, 2017 at 9:30 AM for the assignment of a trial date.

9. 15-20014-A-7 SAQIB ABBAS CONTINUED STATUS CONFERENCE  
15-2124 6-11-15 [1]  
PEGASUS INFOTECH INC. V. ABBAS

**Tentative Ruling:** Appearances required for trial setting.

10. 15-21617-A-7 TIM/CARISSA ALDRICH CONTINUED STATUS CONFERENCE  
15-2106 5-29-15 [1]  
TRAVIS CREDIT UNION V. ALDRICH

**Tentative Ruling:** Appearances required. In light of the death of Mr. Aldrich and in consideration of the fact that the debtors were denied a discharge in Adv. Pro. 15-2116, the parties shall be prepared to discuss at the conference why this proceeding to except a debt from discharge should not be dismissed as moot.

11. 15-21617-A-7 TIM/CARISSA ALDRICH CONTINUED STATUS CONFERENCE  
15-2121 6-8-15 [1]  
WHEELS FINANCIAL GROUP, L.L.C. V. ALDRICH

**Tentative Ruling:** Appearances required. In light of the death of Mr. Aldrich and in consideration of the fact that the debtors were denied a discharge in Adv. Pro. 15-2116, the parties shall be prepared to discuss at the conference why this proceeding to except a debt from discharge should not be dismissed as moot.

12. 11-49749-A-13 KEVIN/MICHELLE BURKE CONTINUED STATUS CONFERENCE  
16-2080 4-19-16 [1]  
BURKE ET AL V. WELLS FARGO BANK, N.A.

**Tentative Ruling:** Appearances required. The complaint has been served and an answer has been filed. The parties, however, failed to file a discovery plan as ordered by the court. Therefore, the parties shall appear and explain this failure and the court will determine if any sanction is appropriate or required.

13. 15-25585-A-7 MATTHEW WATERS CONTINUED STATUS CONFERENCE  
15-2162 8-14-15 [1]  
FERLMANN V. MCCracken

**Tentative Ruling:** Appearances required for trial setting.