

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Robert S. Bardwil
Bankruptcy Judge
Sacramento, California

July 22, 2014 at 10:00 a.m.

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

1. Matters resolved without oral argument:

Unless otherwise stated, the court will prepare a civil minute order on each matter listed. If the moving party wants a more specific order, it should submit a proposed amended order to the court. In the event a party wishes to submit such an Order it needs to be titled "Amended Civil Minute Order.

If the moving party has received a response or is aware of any reason, such as a settlement, that a response may not have been filed, the moving party must contact Nancy Williams, the Courtroom Deputy, at (916) 930-4580 at least one hour prior to the scheduled hearing.

2. The court will not continue any short cause evidentiary hearings scheduled below.
3. If a matter is denied or overruled without prejudice, the moving party may file a new motion or objection to claim with a new docket control number. The moving party may not simply re-notice the original motion.
4. If no disposition is set forth below, the matter will be heard as scheduled.

| | | | |
|----|--------------------------------|------------------|---------------------------------|
| 1. | 14-22404 -D-13 | JOSE/VILMA ORTEZ | MOTION TO VALUE COLLATERAL OF |
| | MSM-1 | | WACHOVIA MORTGAGE/WORLD SAVINGS |
| | | | AND LOAN |
| | | | 6-20-14 [27] |

Final ruling:

The matter is resolved without oral argument. This is the debtors' motion to value the secured claim of Wachovia Mortgage/World Savings and Loan at \$0.00, pursuant to § 506(a) of the Bankruptcy Code. The creditor's claim is secured by a junior deed of trust on the debtors' residence and the amount owed on the senior encumbrance exceeds the value of the real property. No timely opposition has been filed and the relief requested in the motion is supported by the record. As such, the court will grant the motion and set the amount of Wachovia Mortgage/World Savings and Loan's secured claim at \$0.00 by minute order. No further relief will be afforded. No appearance is necessary.

2. [14-25008](#)-D-13 NHAT NGUYEN
JTN-1

MOTION TO VALUE COLLATERAL OF
OCWEN LOAN SERVICING, LLC
6-4-14 [[13](#)]

3. [14-25008](#)-D-13 NHAT NGUYEN
JTN-2

MOTION TO AVOID LIEN OF
FINANCIAL PACIFIC LEASING, LLC
6-4-14 [[19](#)]

Final ruling:

This is the debtor's motion to avoid a judicial lien held by Financial Pacific Leasing LLC (the "creditor"), which is not an FDIC-insured institution. The motion will be denied for three reasons. First, the moving party failed to serve the creditor in strict compliance with Fed. R. Bankr. P. 7004(b)(3), as required by Fed. R. Bankr. P. 9014(b). The moving party served the creditor by certified mail to the attention of an officer, a managing or general agent, or agent authorized by appointment or law to receive service of process, whereas the rule requires that service on a corporation, partnership, or other unincorporated association that is not an FDIC-insured institution be by first-class mail. See preamble to Fed. R. Bankr. P. 7004(b).

This distinction is important. For service on an FDIC-insured institution, the rule requires service by certified mail. See Fed. R. Bankr. P. 7004(h), whereas for a corporation, partnership, or other unincorporated association that is not an FDIC-insured institution, the rule requires service by first-class mail. See preamble to Fed. R. Bankr. P. 7004(b). If service on an entity that is not an FDIC-insured institution by certified mail were appropriate, the distinction in the manner of service, as between the two rules, would be superfluous.

Second, in the notice of hearing, the caption gives the location of the hearing as the Sacramento courthouse, but the text gives the location as the Modesto courthouse. Third, the moving parties give the street address of the subject property, but not the city and state in which it is located.

As a result of these service and notice defects, the motion will be denied by minute order. No appearance is necessary.

4. [14-25008](#)-D-13 NHAT NGUYEN
JTN-3

MOTION TO AVOID LIEN OF
PORTFOLIO RECOVERY ASSOCIATES,
LLC
6-4-14 [[24](#)]

Final ruling:

This is the debtor's motion to avoid a judicial lien held by Portfolio Recovery Associates, LLC (the "creditor"), which is not an FDIC-insured institution. The motion will be denied for three reasons. First, the moving party failed to serve the creditor in strict compliance with Fed. R. Bankr. P. 7004(b)(3), as required by Fed. R. Bankr. P. 9014(b). The moving party served the creditor by certified mail to the attention of an officer, a managing or general agent, or agent authorized by appointment or law to receive service of process, whereas the rule requires that service on a corporation, partnership, or other unincorporated association that is not an FDIC-insured institution be by first-class mail. See preamble to Fed. R. Bankr. P. 7004(b).

This distinction is important. For service on an FDIC-insured institution, the rule requires service by certified mail. See Fed. R. Bankr. P. 7004(h), whereas for a corporation, partnership, or other unincorporated association that is not an FDIC-insured institution, the rule requires service by first-class mail. See preamble to Fed. R. Bankr. P. 7004(b). If service on an entity that is not an FDIC-insured institution by certified mail were appropriate, the distinction in the manner of service, as between the two rules, would be superfluous.

Second, in the notice of hearing, the caption gives the location of the hearing as the Sacramento courthouse, but the text gives the location as the Modesto courthouse. Third, the moving parties give the street address of the subject property, but not the city and state in which it is located.

As a result of these service and notice defects, the motion will be denied by minute order. No appearance is necessary.

5. [11-43909](#)-D-13 IRIS ABRAHAM
PK-3

MOTION TO MODIFY PLAN
5-29-14 [[129](#)]

Final ruling:

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

6. [09-42010](#)-D-13 MICHAEL/CECILIA RILEY AMENDED MOTION TO APPROVE LOAN
PGM-1 MODIFICATION
7-3-14 [[93](#)]

7. [14-26410](#)-D-13 ENEDINA CHAVEZ-WILLIAMS MOTION TO VALUE COLLATERAL OF
CLH-1 AND KENNETH WILLIAMS SPRINGLEAF FINANCIAL SERVICES,
INC.
6-23-14 [[8](#)]

Final ruling:

The matter is resolved without oral argument. This is the debtors' motion to value the secured claim of Springleaf Financial Services, Inc. at \$0.00, pursuant to § 506(a) of the Bankruptcy Code. The creditor's claim is secured by a junior deed of trust on the debtors' residence and the amount owed on the senior encumbrance exceeds the value of the real property. No timely opposition has been filed and the relief requested in the motion is supported by the record. As such, the court will grant the motion and set the amount of Springleaf Financial Services, Inc.'s secured claim at \$0.00 by minute order. No further relief will be afforded. No appearance is necessary.

8. [14-22215](#)-D-13 PAMELA MATHIS MOTION TO CONFIRM PLAN
MSM-3 6-6-14 [[45](#)]

Final ruling:

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

9. [14-21817](#)-D-13 RUSSELL STEWART MOTION TO CONFIRM PLAN
PGM-1 5-30-14 [[35](#)]

10. [11-34218](#)-D-13 DEBORAH/SAMUEL POWERS MOTION TO MODIFY PLAN
CLH-1 6-17-14 [[48](#)]

Final ruling:

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

11. [09-42629](#)-D-13 MATTHEW/SANDREA THOMAS MOTION TO MODIFY PLAN
JDP-1 6-16-14 [[72](#)]

Final ruling:

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

12. [14-24032](#)-D-13 RICHARD/SHON ELSON MOTION TO CONFIRM PLAN
RAC-1 6-12-14 [[15](#)]

13. [14-24032](#)-D-13 RICHARD/SHON ELSON
RDG-1

OBJECTION TO DEBTORS' CLAIM OF
EXEMPTIONS
6-13-14 [[22](#)]

Final ruling:

This is the trustee's objection to the debtors' claim of exemptions. On June 12, 2014, the debtors filed an amended Schedule C. As a result of the filing of the amended Schedule C, the trustee's objection is moot. The objection will be overruled as moot by minute order. No appearance is necessary.

14. [14-20533](#)-D-13 JACOB WINDING
[14-2128](#) JW-3
ALLSTATE INSURANCE COMPANY V.
WINDING

MOTION TO DISMISS ADVERSARY
PROCEEDING
6-4-14 [[7](#)]

Final ruling:

The court finds that a hearing will not be helpful and is not necessary. This is the motion of the defendant, Jacob Winding, to dismiss this adversary proceeding. The plaintiff, Allstate Insurance Company, has filed opposition. For the following reasons, the court will dismiss the adversary proceeding on its own motion.

By way of its complaint in this proceeding, the plaintiff seeks a monetary judgment against the defendant and a determination that the judgment is not dischargeable, pursuant to § 523(a)(2) and (a)(6) of the Bankruptcy Code. The gist of the defendant's motion to dismiss is that this court lacks jurisdiction to consider the matter because there is another case pending in the federal district court for this district involving the same facts. The plaintiff, on the other hand, argues that, because its complaint seeks a determination of nondischargeability, it falls within this court's core jurisdiction, and the pending district court action to determine liability does not strip this court of jurisdiction. The plaintiff asserts in a footnote that this adversary proceeding has been rendered moot by the dismissal of the defendant's underlying bankruptcy case, but the plaintiff nevertheless contends the defendant's motion to dismiss should be denied.

The plaintiff's footnote is correct. Because the defendant's bankruptcy case has been dismissed, he does not stand to receive a bankruptcy discharge from which the alleged debt to the plaintiff might be excepted. Thus, the plaintiff's claim for a determination of nondischargeability is moot. To the extent the plaintiff's complaint also seeks a determination of liability, in light of the dismissal of the defendant's bankruptcy case, this court has no jurisdiction to consider that aspect of the complaint either. Because the plaintiff's request for a determination of nondischargeability is moot and because this court lacks jurisdiction to consider the remaining relief requested in the complaint, the complaint will be dismissed by minute order.¹

No appearance is necessary.

¹ The court has been made aware of a letter the plaintiff's counsel sent to the judge in this case, copied to the defendant, asking for a telephone conference to clarify the impact on this adversary proceeding of the order dismissing the defendant's bankruptcy case, and is also aware that the parties have a dispute as to

whether the plaintiff was seeking a "private consultation" with the judge. The letter is on file in this proceeding as DN 12. The court did not consider the letter, as it sought relief that is properly sought by motion. The letter is not relevant to this decision, and the parties should not address it at the hearing.

15. [13-35436](#)-D-13 CHARLES/LARA GLIEBE MOTION TO CONFIRM PLAN
LRR-3 5-29-14 [[45](#)]

Final ruling:

The motion will be denied as moot. The debtors filed a third amended plan on June 26, 2014, making this motion moot. As a result the court will deny the motion without prejudice by minute order. No appearance is necessary.

16. [14-23843](#)-D-13 ELVIN/HURLENE BAKER MOTION TO CONFIRM PLAN
JCK-1 6-9-14 [[24](#)]

Final ruling:

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

17. [14-25359](#)-D-13 LILLIAN GLEASON MOTION TO VALUE COLLATERAL AND
TO AVOID LIEN OF HSBC MORTGAGE
SERVICES
6-20-14 [[21](#)]

Final ruling:

This is the debtor's motion to value collateral of HSBC Mortgage Services (the "creditor"), which is not an FDIC-insured institution. The motion will be denied for the following reasons. First, the moving papers do not contain a docket control number, as required by LBR 9014-1(c).

Second, the moving party failed to serve the creditor in strict compliance with Fed. R. Bankr. P. 7004(b)(3), as required by Fed. R. Bankr. P. 9014(b). The moving party served the creditor (1) by certified mail to the attention of a named officer; and (2) by certified mail addressed to C T Corporation System, without naming the creditor at all. Thus, as to the second method, service was made on C T Corporation

System rather than on the creditor to the attention of its agent for service of process, C T Corporation System. Further, both methods were insufficient because service was made by certified mail, whereas the rule requires that service on a corporation, partnership, or other unincorporated association that is not an FDIC-insured institution be by first-class mail. See preamble to Fed. R. Bankr. P. 7004(b).

This distinction is important. For service on an FDIC-insured institution, the rule requires service by certified mail. See Fed. R. Bankr. P. 7004(h), whereas for a corporation, partnership, or other unincorporated association that is not an FDIC-insured institution, the rule requires service by first-class mail. See preamble to Fed. R. Bankr. P. 7004(b). If service on an entity that is not an FDIC-insured institution by certified mail were appropriate, the distinction in the manner of service, as between the two rules, would be superfluous.

Third, the moving papers give the location of the hearing as Courtroom 34, 6th Floor, but also as 501 I Street, Suite 3-2000. Finally, the notice of hearing does not comply with LBR 9014-1(f)(1)(B) because it states that any objection must be filed and served within 21 days of the mailing of the notice. Further, the notice also states that "if there is not a timely objection to the requested relief or appearance at a hearing, the Court may enter an order granting the relief by default" (Notice of Hearing, filed June 20, 2014, at 2:18-19, emphasis added), which suggests that a respondent may oppose the motion by either filing an objection or appearing at the hearing. Under this court's local rules, a motion is to be noticed pursuant to either LBR 9014-1(f)(1) or (f)(2), not some hybrid of the two. The appropriate cautionary language, which is prescribed by LBR 9014-1(d)(3), is not included in the notice of hearing of this motion.

As a result of these service and notice defects, the motion will be denied by minute order. No appearance is necessary.

18. [13-35763](#)-D-13 DANIEL CHAN
SJS-1

MOTION TO MODIFY PLAN
5-28-14 [[41](#)]

19. [14-24666](#)-D-13 JEFFREY/LESLEE COEN MOTION TO VALUE COLLATERAL OF
JAD-1 BANK OF AMERICA
6-3-14 [[20](#)]

Final ruling:

This motion has been resolved by stipulation which has been approved by the court by order dated July 1, 2014. The matter is removed from calendar.

20. [14-26570](#)-D-13 CATHERINE GRIFFIN MOTION TO EXTEND AUTOMATIC STAY
HWW-1 6-24-14 [[6](#)]

21. [10-34977](#)-D-13 MARIA FLORES MOTION TO MODIFY PLAN
TOG-10 5-27-14 [[150](#)]

Final ruling:

Motion withdrawn by moving party. Matter removed from calendar.

22. [14-21084](#)-D-13 PACO/CORINA GONZALES MOTION TO CONFIRM PLAN
CJY-2 6-6-14 [[43](#)]

Final ruling:

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

23. [14-22284](#)-D-13 ERIN POTTER
JM-2

MOTION TO CONFIRM PLAN
5-30-14 [[35](#)]

Final ruling:

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

24. [12-28185](#)-D-13 ANTOINETTA TREISS
BSH-3

MOTION TO CONFIRM PLAN
6-2-14 [[84](#)]

Final ruling:

This is the debtor's motion to confirm a chapter 13 plan. The motion will be denied for the following reasons. First, the moving party failed to serve all creditors, as required by Fed. R. Bankr. P. 2002(b). In particular, the moving party served Bank of America (the "Bank") at the address listed on her Schedule D for the Bank as holder of the first mortgage on her property, but not at the different address listed on her Schedule D for the Bank as holder of the second. The moving party also served the Bank through the attorney who has filed a request for special notice on behalf of the Bank in this case. However, it cannot be determined from the record whether the attorney requested special notice for the Bank as holder of the first or as holder of the second.

Second, the notice of hearing gives the hearing date as July 22, 2014 in the caption, but as July 15, 2014 in the text. The reference to July 15, 2014 appears immediately after the admonition that written opposition must be filed at least 14 days preceding the date of the hearing, and immediately before the caution that the failure to file timely written opposition may result in the motion being resolved without oral argument and the striking of untimely written opposition. In other words, the reference to July 15, 2014 is tied directly to the method for calculating the deadline to file opposition and to the caution for the consequences of failing to do so.

As a result of these service and notice defects, the motion will be denied by minute order. No appearance is necessary.

25. [12-28185](#)-D-13 ANTOINETTA TREISS
HCS-5

MOTION FOR COMPENSATION BY THE
LAW OFFICE OF
HERUM/CRABTREE/SUNTAG FOR DANA
A. SUNTAG, TRUSTEE'S
ATTORNEY(S)
6-13-14 [[95](#)]

26. [10-35186](#)-D-13 CONNIE CARRIER
DN-6

MOTION TO MODIFY PLAN
6-13-14 [[89](#)]

Tentative ruling:

This is the debtor's motion to confirm a modified chapter 13 plan. The trustee has filed opposition on the ground that the plan provides for the debtor's May 2014 plan payment to be forgiven, whereas the plan is not feasible without that payment. The debtor will need to address that issue, as well as an additional concern of the court.

The Internal Revenue Service (the "IRS") filed a proof of claim in this case almost four years ago, for \$10,659.85 secured and \$1,105.29 priority. So far as the court can determine, the claim has not been amended or withdrawn, and the debtor has not objected to the claim. The debtor's confirmed plan provides for the IRS's claim in the exact amounts and classifications asserted by the IRS. The order confirming the plan states, "The Internal Revenue Service shall have a Class 2 claim for \$10,659.85 paid [sic] the 3% interest." Order Modifying Plan, filed April 10, 2013, at ¶ 2.

The proposed modified plan provides for the IRS's priority claim, \$1,105.29. The plan continues to provide for the IRS's secured claim in the amount of \$10,659.85, but splits the claim into two classes, providing for \$2,492.77 in Class 2 and \$8,167.50 in Class 3. The motion states that "[a]s to the secured claim of Internal Revenue Service said claim shall be a class 2 claim for the amount already paid by the trustee and a class 3 claim for the balance." Motion to Modify Plan, filed June 13, 2014, at ¶ 4. The plan does not describe the collateral, as required by the form of the plan, instead stating only "Tax Lien." The phrase "tax lien" describes only the nature of the lien, not the collateral. There is no indication in the plan or the moving papers what collateral is being surrendered to the IRS and what collateral is being retained by the debtor. Nor do the moving papers offer any basis for the proposition that the confirmed plan, which provides for the full amount of the IRS's secured claim in Class 2, and the confirmation order, which states that the IRS shall have a Class 2 claim for \$10,659.85, are not binding on the debtor.

The court notes that when this case was filed, the debtor had equity in three vehicles sufficient to cover the entire secured claim of the IRS. The debtor's first confirmed plan provided for a priority claim for the IRS in the amount of \$7,000, and no secured claim, despite the fact that the IRS had filed its proof of claim before the plan was filed. The debtor modified her plan over two years later to provide for the IRS's secured claim - it was that plan that was confirmed by the

April 10, 2013 confirmation order. Thus, for over four years, the debtor has kept the IRS at bay while the vehicles that had equity at the time of filing have depreciated significantly. Now, the debtor would like to surrender a portion of the IRS's collateral (without identifying it), at a time when the collateral to be surrendered, if any, likely has little value. It appears more likely the debtor intends to surrender nothing, and simply wishes to discharge \$10,659 in taxes, interest, and penalties (almost all of which is a priority debt, as well as secured) by paying only \$2,492.

The court concludes, first, that the plan and the moving papers, because they do not identify the collateral to be retained and the collateral to be surrendered, are not sufficient to give the IRS notice of the treatment of its claim, or to allow the plan to be enforced. Second, the court is unable to conclude that the debtor has met her burden of demonstrating that the plan has been proposed in good faith. Further, it appears the proposal to split the secured claim improperly overlooks the binding nature of the confirmed plan and the confirmation order, under § 1327(a). Finally, the plan violates § 1322(a)(2) because almost all of the IRS's secured claim, much more than the \$2,492 that has already been paid on the claim, is also a priority claim.

The court will hear the matter.

| | | | |
|-----|--------------------------------|-----------------------|-------------------------------|
| 27. | 13-34186 -D-13 | JEREMY/KAREE HARRISON | MOTION TO MODIFY PLAN |
| | SJS-2 | | 6-9-14 [45] |

Final ruling:

This is the debtors' motion to confirm a modified chapter 13 plan. The motion will be denied because the moving parties failed to serve all creditors, as required by Fed. R. Bankr. P. 2002(b). When the moving parties filed this case, they omitted from their master address list Claudia Cameron, who is listed on their Schedule F on account of a personal loan for \$8,000. Thus, when the moving parties used the PACER matrix for service of this motion, they failed to serve that creditor. The rules do not provide for a debtor to pick and choose which creditors to list on the master address list or which creditors to serve with motions to modify a plan. Instead, they require all creditors to be listed on the master address list (Fed. R. Bankr. P. 1007(b)) and all creditors to be served with motions to modify plans. Fed. R. Bankr. P. 2002(b). Further, the moving parties failed to serve the U.S. Dept. of Education at its address on the Roster of Governmental Agencies, as required by LBR 2002-1(b).

As a result of these service defects, the motion will be denied by minute order. No appearance is necessary.

28. [11-20490](#)-D-13 ROBERT/GINA DAVIS
DMR-2

MOTION TO MODIFY PLAN
5-30-14 [[106](#)]

Final ruling:

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

29. [13-21792](#)-D-13 TERRY/JACQUELINE THOMAS
CJY-4

MOTION TO MODIFY PLAN
6-11-14 [[66](#)]

Final ruling:

The relief requested in the motion is supported by the record, the trustee having withdrawn his opposition, and no other timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

30. [11-28193](#)-D-13 DONALD/DARLENE MEYER
JCK-6

MOTION TO MODIFY PLAN
6-13-14 [[82](#)]

Final ruling:

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

31. [14-24904](#)-D-13 ABEL TAPIA AND ROSA ROSAS OBJECTION TO CONFIRMATION OF
BHT-1 PLAN BY U.S. BANK, N.A.
6-30-14 [[25](#)]
32. [14-25008](#)-D-13 NHAT NGUYEN OBJECTION TO CONFIRMATION OF
RDG-2 PLAN BY RUSSELL D. GREER
6-27-14 [[38](#)]
33. [14-25008](#)-D-13 NHAT NGUYEN OBJECTION TO CONFIRMATION OF
BHT-1 PLAN BY U.S. BANK, N.A.
7-1-14 [[43](#)]
34. [14-25017](#)-D-13 JAMES VAUGHN OBJECTION TO CONFIRMATION OF
BAP-1 PLAN BY JPMORGAN CHASE BANK,
N.A.
6-30-14 [[71](#)]

35. [14-25017](#)-D-13 JAMES VAUGHN OBJECTION TO CONFIRMATION OF
RDG-2 PLAN BY RUSSELL D. GREER
6-27-14 [[68](#)]
36. [14-25017](#)-D-13 JAMES VAUGHN MOTION BY TIFFANY R. NORMAN TO
TRN-5 WITHDRAW AS ATTORNEY
6-27-14 [[57](#)]
37. [14-26159](#)-D-13 ELIZABETH MIDDLEKAUFF CONTINUED MOTION TO EXTEND
MG-1 AUTOMATIC STAY
6-17-14 [[10](#)]
38. [13-31768](#)-D-13 MARIBEL/RAMON AGUILAR MOTION FOR RELIEF FROM
SW-1 AUTOMATIC STAY
A-L FINANCIAL CORPORATION 7-1-14 [[88](#)]
VS.

39. [10-33270](#)-D-13 OSCAR/ANITA CATBAGAN MOTION TO INCUR DEBT
CA-3 7-8-14 [[51](#)]
40. [14-25073](#)-D-13 JOSE HERNANDEZ OBJECTION TO CONFIRMATION OF
RDG-2 PLAN BY RUSSELL D. GREER
6-27-14 [[25](#)]
41. [14-24774](#)-D-13 BRIGIDA PALARUAN OBJECTION TO CONFIRMATION OF
RDG-2 PLAN BY RUSSELL D. GREER
6-27-14 [[34](#)]
42. [10-35186](#)-D-13 CONNIE CARRIER MOTION TO VALUE COLLATERAL OF
DN-7 INTERNAL REVENUE SERVICE
7-8-14 [[98](#)]

43. [13-32499](#)-D-13 TERRI WRIGHT-MCDANIEL CONTINUED MOTION TO MODIFY PLAN
SJS-1 6-3-14 [[66](#)]