

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Robert S. Bardwil  
Bankruptcy Judge  
Modesto, California

August 4, 2015 at 10:00 a.m.

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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.

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1.	15-90002-D-13	KHALIL RAZZAQUI	MOTION TO MODIFY PLAN
	PLG-2		6-9-15 [48]

2.	15-90117-D-13	MAXIMILIANO OCHOA AND	MOTION TO CONFIRM PLAN
	TOG-2	GABRIELA TORRES	6-13-15 [23]

**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.

3. 15-90620-D-13 MICKEY SOSONGKHAM  
ADR-1  
HENRY CHAMAKI VS.

MOTION FOR RELIEF FROM  
AUTOMATIC STAY AND/OR MOTION  
FOR ADEQUATE PROTECTION  
7-2-15 [11]

**Final ruling:**

**This case was dismissed on July 13, 2015. As a result the motion will be denied by minute order as moot. No appearance is necessary.**

4. 12-90928-D-13 KATHRYN BYERS  
GDS-2  
RICHARD PALOMA VS.

MOTION FOR RELIEF FROM  
AUTOMATIC STAY  
6-19-15 [65]

5. 14-90738-D-13 SALVADOR LOPEZ  
RAS-1

OBJECTION TO CLAIM OF OFFICE OF  
THE ATTORNEY GENERAL (TEXAS),  
CLAIM NUMBER 10  
6-24-15 [21]

6. 15-90651-D-13 JAMES/DEANNA STROUP  
CLH-1

MOTION TO VALUE COLLATERAL OF  
ONE MAIN FINANCIAL  
7-3-15 [8]

**Final ruling:**

**This is the debtors' motion to value collateral of One Main Financial; namely, a motor vehicle. The motion will be denied for the following reasons: (1) the notice of hearing states that the hearing will be held in Sacramento whereas this is a calendar for Modesto cases; nothing in the other moving papers indicates the hearing is to be held in Modesto; and (2) there is nothing in the moving papers or the debtors' schedules from which the court can determine when the debt was incurred or whether the debt is secured by a purchase money security interest. Thus, the court cannot determine whether the claim falls within the scope of the "hanging paragraph" of § 1325(a). Where required on Schedule B to indicate the date the debt was incurred, the debtors failed to do so. The creditor has not filed a proof of claim, so the court cannot obtain the relevant information from a proof of claim.**

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

7. 12-91453-D-13 JAMES/LORI GIER MOTION TO VALUE COLLATERAL OF  
JDP-1 BANK OF AMERICA, N.A.  
7-9-15 [34]

8. 15-90457-D-13 ANTHONY/TONYA BENTULAN OBJECTION TO CONFIRMATION OF  
RDG-1 PLAN BY RUSSELL D. GREER  
7-6-15 [18]

9. 14-91662-D-13 RAUL/ANA VELA MOTION TO CONFIRM PLAN  
SDM-6 6-18-15 [87]

**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.

10. 12-92368-D-13 KAREN/ROBERT WALTERS MOTION TO MODIFY PLAN  
JAD-2 6-22-15 [29]

**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. 15-90074-D-13 MICHAEL BUTLER AND MOTION TO CONFIRM PLAN  
EWG-2 KATHLEEN PATE 6-22-15 [42]

**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. 15-90378-D-13 WALTER/CECILIA FERREIRA MOTION TO CONFIRM PLAN  
JCK-4 6-12-15 [49]

**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.

13. 15-90079-D-13 TIMOTHY LEHMAN AND MOTION TO CONFIRM PLAN  
JDP-1 EARLENE RANDALL 6-12-15 [27]

**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.

14. 15-90485-D-13 JESSE GARCIA OBJECTION TO CONFIRMATION OF  
RDG-1 PLAN BY RUSSELL D. GREER  
7-6-15 [17]

15.	10-90991-D-13 JDP-1	JASON/AMANDA MILLARD	MOTION TO VALUE COLLATERAL OF CITIBANK, N.A. 7-16-15 [83]
16.	11-93492-D-13 MLP-10	KEVIN/BOBBIE YOUNG	CONTINUED MOTION TO MODIFY PLAN 5-30-15 [164]
17.	15-90499-D-13	KENNETH/TRACIE THORNE	AMENDED OBJECTION TO CONFIRMATION OF PLAN BY CHEVRON FEDERAL CREDIT UNION 7-9-15 [60]
18.	15-90499-D-13 RDG-1	KENNETH/TRACIE THORNE	OBJECTION TO CONFIRMATION OF PLAN BY RUSSELL D. GREER 7-6-15 [43]

19. 10-91726-D-13 SALVADOR/YOLANDA CASTELLANOS MOTION TO VALUE COLLATERAL OF HSBC MORTGAGE SERVICES, INC. 7-14-15 [65]  
JDP-1
20. 15-90630-D-13 RANDY RAMIREZ CONTINUED MOTION FOR RELIEF FROM AUTOMATIC STAY AND/OR MOTION FOR ADEQUATE PROTECTION 6-30-15 [9]  
RTD-1  
PREMIER COMMUNITY CREDIT UNION VS.
21. 15-90630-D-13 RANDY RAMIREZ CONTINUED MOTION FOR CONTEMPT 7-6-15 [21]  
EWG-1
22. 11-92744-D-13 JOSE/CORA PEREZ CONTINUED MOTION TO MODIFY PLAN 3-11-15 [115]  
BSH-5

23.	15-90248-D-13 BF-5	JOHN DELAO AND ALEXANDRINA BARRERA	CONTINUED OBJECTION TO CONFIRMATION OF PLAN BY BANK OF AMERICA, N.A. 5-6-15 [20]
24.	13-92052-D-13 MRP-4	RALPH KLAUSER	CONTINUED MOTION TO MODIFY PLAN 5-29-15 [75]
25.	10-90968-D-13 JDP-1	IGNACIO/MARIA CHAVEZ	MOTION TO VALUE COLLATERAL OF WELLS FARGO BANK, N.A. 7-14-15 [83]
26.	10-90968-D-13 JDP-2	IGNACIO/MARIA CHAVEZ	MOTION TO VALUE COLLATERAL OF WELLS FARGO BANK, N.A. 7-14-15 [87]

27. 15-90388-D-13 JOSEPH SHAW AND MARY CONTINUED OBJECTION TO  
RDG-1 INDERBITZIN-SHAW CONFIRMATION OF PLAN BY RUSSELL  
D. GREER  
6-12-15 [18]
28. 10-90993-D-13 CHARLES/SHANNAN HARRIS MOTION TO VALUE COLLATERAL OF  
JDP-1 WELLS FARGO BANK, N.A.  
7-21-15 [63]