

UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable Jennifer E. Niemann
Hearing Date: Thursday, August 11, 2022
Place: Department A - Courtroom #11
Fresno, California

Beginning the week of June 28, 2021, and in accordance with District Court General Order No. 631, the court resumed in-person courtroom proceedings in Fresno. Parties to a case may still appear by telephone, provided they comply with the court's telephonic appearance procedures, which can be found on the court's website.

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.

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 POSSIBLE UPDATES.

1. [20-10509](#)-A-13 **IN RE: EDDIE CALDWELL**
[MHM-2](#)

CONTINUED MOTION TO DISMISS CASE
5-13-2022 [[128](#)]

MICHAEL MEYER/MV
TIMOTHY SPRINGER/ATTY. FOR DBT.
RESPONSIVE PLEADING

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted in part, the case will be converted.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The court will issue an order after the hearing.

This motion was originally set for hearing on June 16, 2022, on 28 days' notice as required by Local Rule of Practice 9014-1(f)(1). The court permitted the debtor to file a late response to the motion. Order, Doc. #134. The matter will proceed as scheduled.

The chapter 13 trustee asks the court to dismiss this case for unreasonable delay by the debtor that is prejudicial to creditors (11 U.S.C. § 1307(c)(1)) and because debtor has failed to make all payments due under the plan (11 U.S.C. § 1307(c)(6)). The debtor, Eddie Caldwell ("Debtor"), is delinquent with plan payments in the amount of \$18,177.32. Doc. #128. Before this hearing, additional monthly plan payments in the amount of \$4,719.88 for May, June and July 2022 have also come due since this motion was filed. Id.

Debtor opposes the motion on the grounds that Debtor has had a very difficult time lately and will be filing a modified plan to address the plan delinquencies. Doc. #133. Debtor requests that the trustee's motion to dismiss be continued for 45 days to permit Debtor to do that. Id.

Based on Debtor's opposition, at the hearing held on June 16, 2022, the court continued the hearing on this motion to dismiss to August 11, 2022 at 9:30 a.m. to permit Debtor time to file, serve and set for hearing a motion to modify his plan. However, a review of the docket shows that Debtor has not filed and set for hearing a motion to modify a plan.

Under 11 U.S.C. § 1307(c), the court may convert or dismiss a case, whichever is in the best interests of creditors and the estate, for cause. "A debtor's unjustified failure to expeditiously accomplish any task required either to propose or to confirm a chapter 13 plan may constitute cause for dismissal under § 1307(c)(1)." Ellsworth v. Lifescape Med. Assocs., P.C. (In re Ellsworth), 455 B.R. 904, 915 (B.A.P. 9th Cir. 2011). There is "cause" for dismissal under 11 U.S.C. § 1307(c)(1) and (c)(6) because Debtor has failed to make all payments due under Debtor's confirmed plan and Debtor has failed to file and set for hearing a motion to modify Debtor's confirmed plan.

A review of Debtor's Schedules A/B and D shows that, as of right now, there is a liquidation amount of at least \$19,000 in non-exempt property. Doc. #1, 30. This liquidation amount is comprised of the value of Debtor's 2007 Porsche

Cayman as well as a boat and trailer. Based on the amount of non-exempt equity in Debtor's bankruptcy estate, the court finds that conversion rather than dismissal is in the best interests of creditors and the estate.

Accordingly, the motion will be GRANTED IN PART, and the case will be converted.

2. [22-10909](#)-A-13 **IN RE: JASON ATHERTON AND GENZZIA DOVIGI-ATHERTON**
[TCS-2](#)

MOTION TO VALUE COLLATERAL OF CARMAX BUSINESS SERVICES LLC
7-21-2022 [\[44\]](#)

GENZZIA DOVIGI-ATHERTON/MV
TIMOTHY SPRINGER/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.

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.

Jason Aaron Atherton and Genzzia Sabrina Dovigi-Atherton (collectively, "Debtors"), the debtors in this chapter 13 case, move the court for an order valuing the Debtors' 2012 Toyota Sienna ("Vehicle"), which is the collateral of CarMax Business Services LLC ("Creditor"). Doc. #44.

11 U.S.C. § 1325(a) (*) (the hanging paragraph) permits the debtor to value a motor vehicle acquired for the personal use of the debtor at its current value, as opposed to the amount due on the loan, if the loan was a purchase money security interest secured by the property and the debt was not incurred within the 910-day period preceding the date of filing. 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." Section 506(a)(2) of the Bankruptcy Code states that the value of personal property securing an allowed claim shall be determined based on the replacement value of such property as of the petition filing date. "Replacement value" where the personal property is "acquired for personal, family, or household purposes" means "the price a retail merchant would charge for property of that kind considering the age and condition of the property at the time value is determined." 11 U.S.C. § 506(a)(2).

Debtors assert the Vehicle was purchased more than 910 days before the filing of this case. Decl. of Debtor, Doc. #47. Debtors state the value of the Vehicle for purposes of 11 U.S.C. §§ 506 and 1322(b) is \$8,765.00. Doc. #44; Debtor's Decl., Doc. #47. Debtors are competent to testify as to the value of the

Vehicle. While Creditor filed a proof of claim on June 1, 2022, which valued the Vehicle at \$12,700, Creditor also filed a declaration on June 6, 2022, which valued the Vehicle at \$8,720.00 based on the J.D. Power Used Car Guides. Claim 2; Decl. of Maureen Tully ¶ 7, Doc. #20. Based on the evidence before the court, the court determines that the value of the Vehicle for purposes of 11 U.S.C. §§ 506 and 1322(b) is \$8,765.00.

The motion is GRANTED. Creditor's secured claim will be fixed at \$8,765.00. 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. [19-10020](#)-A-13 **IN RE: DANIEL DOWELL AND MELISSA ROCHA DOWELL**
[MHM-1](#)

MOTION TO DISMISS CASE
7-14-2022 [[26](#)]

MICHAEL MEYER/MV
PETER BUNTING/ATTY. FOR DBT.
RESPONSIVE PLEADING

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

DISPOSITION: Continued to September 1, 2022, at 9:30 a.m.

ORDER: The court will issue an order.

The trustee's motion to dismiss will be continued to September 1, 2022, at 9:30 a.m., to be heard with the debtors' motion to confirm plan.

4. [22-10826](#)-A-13 **IN RE: CHRISTOPHER RENNA**
[MHM-1](#)

OBJECTION TO CONFIRMATION OF PLAN BY TRUSTEE MICHAEL H. MEYER
7-18-2022 [[28](#)]

TIMOTHY SPRINGER/ATTY. FOR DBT.
RESPONSIVE PLEADING

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Sustained.

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

This objection was filed and served pursuant to Local Rule of Practice 3015-1(c)(4) and will proceed as scheduled. While not required, the debtor filed written opposition on August 4, 2022. Doc. #33. After considering the objection and response, the court intends to sustain the objection.

Christopher Andrew Renna ("Debtor") filed his chapter 13 plan ("Plan") on May 17, 2022. Doc. #3. Michael Meyer, chapter 13 trustee ("Trustee"), objects

to confirmation of the Plan on the grounds that, based on the proofs of claim filed in this case, the Plan will take 157.61 months to complete. Tr.'s Obj., Doc. #28. This calculation results in large part from the proof of claim filed by creditor Richard Lima ("Creditor") on June 17, 2002, in the amount of \$140,087.96. Claim 4.

While not required, Debtor filed a written response to Trustee's objection on August 4, 2022. Doc. #33. Debtor asserts that Creditor's alleged claim is based on a criminal court agreement that does not determine civil liability. Id. However, a review of the attachment to Creditor's proof of claim shows that the Creditor's proof of claim is based on a civil lawsuit filed by Creditor in state court, and not on any criminal court agreement. Claim 4.

Federal Rule of Bankruptcy Procedure 3001(f) provides that "[a] proof of claim executed and filed in accordance with these rules shall constitute prima facie evidence of the validity and amount of the claim." 11 U.S.C. § 502(a) states that a claim or interest, evidenced by a proof of claim filed under section 501, is deemed allowed unless a party in interest objects. Debtor has not filed an objection to Creditor's proof of claim.

While Debtor contends in his reply that Debtor alleges that Creditor's claim should be valued at \$-0-, until an objection to Creditor's claim is filed, Creditor's claim is deemed allowed as filed for purposes of determining the amount needed to be paid under Debtor's Plan.

Accordingly, the objection will be SUSTAINED.

5. [19-14729](#)-A-13 **IN RE: JASON/JODI ANDERSON**
[FW-3](#)

MOTION FOR COMPENSATION BY THE LAW OFFICE OF FEAR WADDELL, P.C.
FOR GABRIEL J. WADDELL, DEBTORS ATTORNEY(S)
7-7-2022 [\[76\]](#)

GABRIEL WADDELL/ATTY. FOR DBT.

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.

This motion was set for hearing on at least 28 days' notice pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of 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 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). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to 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.

Fear Waddell, P.C. ("Movant"), counsel for Jason John Anderson and Jodi Noel Anderson (collectively, "Debtors"), the debtors in this chapter 13 case, requests interim allowance of compensation in the amount of \$4,899.50 and reimbursement for expenses in the amount of \$345.50 for services rendered from September 1, 2020 through May 31, 2022. Doc. #76. Debtors' confirmed plan provides, in addition to \$2,690.00 paid prior to filing the case, for \$12,000.00 in attorney's fees to be paid through the plan. Am. Plan, Doc. ##67, 72. One prior fee application has been approved authorizing interim compensation in the amount of \$1,991.00 and reimbursement of expenses in the amount of \$351.40. Doc. #38. Debtors consent to the amount requested in Movant's application. Ex. E, Doc. #78.

Section 330(a) of the Bankruptcy Code authorizes "reasonable compensation for actual, necessary services rendered" and "reimbursement for actual, necessary expenses" to a debtor's attorney in a chapter 13 case. 11 U.S.C. § 330(a)(1), (4)(B). The court may allow reasonable compensation to the chapter 13 debtor's attorney for representing interests of the debtor in connection with the bankruptcy case. 11 U.S.C. § 330(a)(4). In determining the amount of reasonable compensation, the court shall consider the nature, extent, and value of such services, taking into account all relevant factors. 11 U.S.C. § 330(a)(3). Here, Movant demonstrates services rendered relating to: (1) reviewing documents regarding the proof of claim filed by Ascendium Education Solutions, Inc.; (2) corresponding with trustee regarding plan payments; (3) preparing documents regarding first and second modified plans; (4) reviewing and analyzing documents regarding payments on multiple notices of default; (5) preparing the prior fee application; and (6) general case administration. Exs. A-C, Doc. #78. The court finds that the compensation and reimbursement sought are reasonable, actual, and necessary, and the court will approve the motion.

This motion is GRANTED. The court allows on an interim basis compensation in the amount of \$4,899.50 and reimbursement for expenses in the amount of \$351.40 to be paid in a manner consistent with the terms of the confirmed plan.

6. [19-12243](#)-A-13 **IN RE: VALERIE JACQUES**
[JDR-6](#)

MOTION TO MODIFY PLAN
7-6-2022 [[104](#)]

VALERIE JACQUES/MV
JEFFREY ROWE/ATTY. FOR DBT.
RESPONSIVE PLEADING

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.

This motion was set for hearing on at least 35 days' notice as required by Local Rule of Practice 3015-1(d)(2). The chapter 13 trustee timely opposed this motion on the basis that updated schedules I and J had not been filed with the motion to modify the plan. Doc. #112. On August 3, 2022, the debtor filed amended schedules I and J. Doc. #114. The chapter 13 trustee withdrew his opposition on August 5, 2022. Doc. #118. The failure of 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 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). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to 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.

This motion is GRANTED. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed.

7. [22-10758](#)-A-13 **IN RE: NELLA MILAM**
[MHM-1](#)

CONTINUED MOTION TO DISMISS CASE
6-3-2022 [[14](#)]

MICHAEL MEYER/MV
TIMOTHY SPRINGER/ATTY. FOR DBT.
WITHDRAWN

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

DISPOSITION: Dropped from calendar.

NO ORDER REQUIRED.

Movant withdrew the motion on July 26, 2022. Doc. #28.

8. [17-11375](#)-A-13 **IN RE: POLLY RISENHOOVER**
[MHM-1](#)

MOTION TO DISMISS CASE
7-7-2022 [[51](#)]

MICHAEL MEYER/MV
STEVEN ALPERT/ATTY. FOR DBT.
RESPONSIVE PLEADING
WITHDRAWN

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

DISPOSITION: Dropped from calendar.

NO ORDER REQUIRED.

Movant withdrew the motion on August 1, 2022. Doc. #59.

MOTION TO DISMISS CASE
7-14-2022 [76]

MICHAEL MEYER/MV
GABRIEL WADDELL/ATTY. FOR DBT.

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

DISPOSITION: Granted.

ORDER: The court will issue an order.

Unless the trustee's motion is withdrawn before the hearing, the motion will be granted without oral argument for cause shown.

This motion was set for hearing on 28 days' notice as required by Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of 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). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amount of damages). Televideo Systems, Inc. v. Heidenthal, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a movant make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

Here, the chapter 13 trustee asks the court to dismiss this case under 11 U.S.C. § 1307(c)(6) and (c)(8) for material default by the debtor. Doc. #76. Debtor did not oppose the motion. Specifically, Trustee asks the court to dismiss this case for:

- (1) Material default by the debtor with respect to a term of a confirmed plan. [11 U.S.C. §1307(c)(6)]
- (2) Termination of a confirmed plan by reason of the occurrence of a condition specified in the plan other than completion of payments under the plan. [11 U.S.C. §1307(c)(8)]
- (3) Debtor's chapter 13 petition was filed on May 15, 2017.
- (4) Debtor's plan term was for 60 months. Month 60 was May 2022.
- (5) As of July 14, 2022, the total claims filed herein require an aggregate payment of \$167,130.94. To date, Debtor has only paid \$135,785.95 into the plan. Therefore, the remaining claims, plus Trustee compensation, that need to be paid pursuant to the plan, total \$31,344.99.
- (6) The majority of claims filed are comprised of secured debts. Specifically, the Plan provided that secured creditor US Bank Trust

National Association had Class 1 pre-petition arrears of \$30,000.00. However, the creditor filed a claim in the amount of \$59,348.50.

Under 11 U.S.C. § 1307(c), the court may convert or dismiss a case, whichever is in the best interests of creditors and the estate, for "cause". "A debtor's unjustified failure to expeditiously accomplish any task required either to propose or to confirm a chapter 13 plan may constitute cause for dismissal under § 1307(c)(1)." Ellsworth v. Lifescape Med. Assocs., P.C. (In re Ellsworth), 455 B.R. 904, 915 (B.A.P. 9th Cir. 2011). There is "cause" for dismissal under 11 U.S.C. § 1307(c)(6) and (c)(8) for material default by the debtor.

A review of Debtor's Schedules A/B and D shows that Debtor's real and personal property is encumbered. Debtor claims a homestead exemption in the real property. While there is a liquidation amount in this case, there are no priority claims filed and the unsecured claims have been satisfied in full. Therefore, the Trustee believes that dismissal rather than conversion is in the best interest of the estate.

Accordingly, the motion will be GRANTED. The case will be dismissed.

10. [22-10777](#)-A-13 **IN RE: STEVENS/CONSTANCE RYAN**
[MHM-3](#)

CHAPTER 13 TRUSTEE'S FORBEARANCE STATUS CONFERENCE
8-4-2022 [[50](#)]

TIMOTHY SPRINGER/ATTY. FOR DBT.

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

DISPOSITION: Dropped from calendar without prejudice.

ORDER: The court will issue an order.

On August 2, 2022, Federal Home Loan Mortgage Corporation as Trustee for Seasoned Credit Risk Transfer Trust, Series 2017-1, its assignees and/or successor, by and through its servicing agent Select Portfolio Servicing, Inc. ("Creditor") filed a Notice of Debtor's Request for Forbearance Due of the Covid-19 Pandemic ("Notice"). Through the Notice, Creditor extended the forbearance on the debtors' mortgage payments due for February 1, 2022 through July 1, 2022.

Pursuant to General Order 20-03, Michael Meyer, chapter 13 trustee ("Trustee"), set this forbearance status conference because on July 29, 2022, Trustee's office issued a check to Creditor in the amount of \$3,425.08 for the mortgage payments due for June 2022 and July 2022. Doc. #50. However, Trustee did not serve notice of the forbearance status conference on counsel for Creditor that filed the Notice. Doc. #52. Because counsel for Creditor did not receive notice of this forbearance status conference, the hearing on this forbearance status conference is dropped from calendar without prejudice.

11:00 AM

1. [21-12014](#)-A-7 **IN RE: YADWINDER SINGH**
[22-1002](#) [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: AMENDED COMPLAINT
1-7-2022 [6]

SALVEN V. SINGH ET AL
ANTHONY JOHNSTON/ATTY. FOR PL.
DISMISSED 7/27/22

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

DISPOSITION: Dropped as moot.

NO ORDER REQUIRED.

This adversary proceeding was dismissed on July 27, 2022. Doc. #23.

2. [19-11628](#)-A-12 **IN RE: MIKAL JONES**
[19-1081](#) [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT
6-28-2019 [1]

DILDAY ET AL V. JONES
RILEY WALTER/ATTY. FOR PL.
RESPONSIVE PLEADING

NO RULING.

3. [20-10945](#)-A-12 **IN RE: AJITPAL SINGH AND JATINDERJEET SIHOTA**
[20-1041](#) [CAE-1](#)

CONTINUED PRE-TRIAL CONFERENCE RE: COMPLAINT
6-26-2020 [1]

SIHOTA ET AL V. SINGH ET AL
PETER SAUER/ATTY. FOR PL.
RESPONSIVE PLEADING

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

DISPOSITION: Continued to September 29, 2022, at 11:00 a.m.

ORDER: The court will issue an order.

Pursuant to the joint status conference statement filed on August 1, 2022 (Doc. #100), the status conference will be continued to September 29, 2022, at 11:00 a.m. The parties shall file either joint or unilateral status report(s) not later than September 22, 2022.

4. [20-10569](#)-A-12 **IN RE: BHAJAN SINGH AND BALVINDER KAUR**
[20-1042](#) [CAE-1](#)

CONTINUED PRE-TRIAL CONFERENCE RE: COMPLAINT
6-26-2020 [[1](#)]

SIHOTA ET AL V. SINGH ET AL
LENDEN WEBB/ATTY. FOR PL.
RESPONSIVE PLEADING

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

DISPOSITION: Continued to September 29, 2022, at 11:00 a.m.

ORDER: The court will issue an order.

Pursuant to the joint status conference statement filed on August 1, 2022 (Doc. #103), the status conference will be continued to September 29, 2022, at 11:00 a.m. The parties shall file either joint or unilateral status report(s) not later than September 22, 2022.

5. [22-10074](#)-A-7 **IN RE: MANJINDER SINGH**
[22-1012](#) [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT
4-26-2022 [[1](#)]

BMO HARRIS BANK N.A. V. SINGH
JENNIFER CRASTZ/ATTY. FOR PL.

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

DISPOSITION: Dropped as moot.

NO ORDER REQUIRED.

A default judgment was entered in this adversary proceeding on July 14, 2022 (Doc. #32), and the adversary is now closed.

6. [17-12389](#)-A-7 **IN RE: DON ROSE OIL CO., INC.**
[17-1086](#) [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: AMENDED COMPLAINT
9-5-2018 [[131](#)]

KODIAK MINING & MINERALS II LLC ET AL V. DON ROSE OIL CO., INC.
VONN CHRISTENSON/ATTY. FOR PL.
RESPONSIVE PLEADING

NO RULING.