



**UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable René Lastreto II
Department B – Courtroom #13
Fresno, California**

Hearing Date: Wednesday, August 14, 2024

Unless otherwise ordered, all matters before the Honorable René Lastreto II, shall be simultaneously: (1) **In Person** at, Courtroom #13 (Fresno hearings only), (2) via **ZoomGov Video**, (3) via **ZoomGov Telephone**, and (4) via **CourtCall**. You may choose any of these options unless otherwise ordered or stated below.

All parties or their attorneys who wish to appear at a hearing remotely must sign up by **4:00 p.m. one business day** prior to the hearing. Information regarding how to sign up can be found on the **Remote Appearances** page of our website at <https://www.caeb.uscourts.gov/Calendar/RemoteAppearances>. Each party/attorney who has signed up will receive a Zoom link or phone number, meeting I.D., and password via e-mail.

If the deadline to sign up has passed, parties and their attorneys who wish to appear remotely must contact the Courtroom Deputy for the Department holding the hearing.

Please also note the following:

- Parties in interest and/or their attorneys may connect to the video or audio feed free of charge and should select which method they will use to appear when signing up.
- Members of the public and the press who wish to attend by ZoomGov may only listen in to the hearing using the Zoom telephone number. Video participation or observing are not permitted.
- Members of the public and the press may not listen in to trials or evidentiary hearings, though they may attend in person unless otherwise ordered.

To appear remotely for law and motion or status conference proceedings, you must comply with the following guidelines and procedures:

1. Review the [Pre-Hearing Dispositions](#) prior to appearing at the hearing.
2. Parties appearing via CourtCall are encouraged to review the [CourtCall Appearance Information](#). If you are appearing by ZoomGov phone or video, please join at least 10 minutes prior to the start of the calendar and wait with your microphone muted until the matter is called.

Unauthorized Recording is Prohibited: Any recording of a court proceeding held by video or teleconference, including "screen shots" or other audio or visual copying of a hearing is prohibited. Violation may result in sanctions, including removal of court-issued media credentials, denial of entry to future hearings, or any other sanctions deemed necessary by the court. For more information on photographing, recording, or broadcasting Judicial Proceedings, please refer to Local Rule 173(a) of the United States District Court for the Eastern District of California.

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.

Post-Publication Changes: 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 any possible updates.

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1. [23-10701](#)-B-13 **IN RE: DONALD/NANCY KRAFT**
[PBB-1](#)

MOTION TO MODIFY PLAN
7-8-2024 [\[32\]](#)

NANCY KRAFT/MV
PETER BUNTING/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.

Donald and Nancy Kraft (collectively "Debtors") move for an order confirming Debtors' *First Modified Chapter 13 Plan* dated July 8, 2024. Doc. #34. Debtors' current plan was dated April 6, 2023, and confirmed on October 10, 2023. Docs. #3, #17.

No party has timely objected.

This motion was set for hearing on 35 days' notice as required by Local Rule of Practice ("LBR") 3015-1(d)(1). The failure of any party in interest, including but not limited to creditors, the U.S. Trustee, and the case Trustee, 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). Therefore, the defaults of the above-mentioned parties in interest are entered. Upon default, factual allegations will be taken as true (except those relating to amounts of damages). *Televideo Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917 (9th Cir. 1987).

The motion requests that the confirmed plan be modified as follows:

1. The plan will be reduced from 60 months to 53 months with no change in the monthly plan payment.
2. The original plan listed Madera County Tax Collector ("Madera County") as a Class 2(A) secured creditor. Madera County will be replaced with Compu-Link Corporation ("Compu-Link") which will be paid \$3,154.74 as a Class 2(A) creditor at 10% interest with a monthly dividend of \$90.00
3. The plan is otherwise unchanged, with a dividend of 0% to general unsecured creditors.

Compare Docs. #3, #34.

Debtors aver that this modification is necessary because it appears that Compu-Link, the assignee for mortgage holder Carrington Mortgage Services, has advanced funds pursuant to the terms of a reverse mortgage to pay off the tax delinquency owed to Madera

County and now seeks reimbursement from Debtors. This is supported by a Declaration from Co-Debtor Donald Kraft (erroneously identified in the caption of the Declaration as Mark Anthony White) and an Exhibit in the form of correspondence from Compu-Link. See Docs. ##36 -37. Accordingly, the *Modified Plan* proposes to replace Madera County with Compu-Link as a Class 2(A) creditor, with the latter be paid \$3,154.74 at 10% with a monthly dividend of \$98.00.

Debtors' ability to pay under the Amended Plan is confirmed by Debtors' *Amended Schedule I & J*, which reflects a monthly net income of \$396.68. Doc. #30.

No party has objected, and so, this motion is GRANTED. The order shall include the docket control number of the motion, shall reference the plan by the date it was filed, and shall be approved as to form by Trustee.

2. [24-11607](#)-B-13 **IN RE: MARY TRUJILLO**
[LGT-1](#)

OBJECTION TO CONFIRMATION OF PLAN BY LILIAN G. TSANG
7-29-2024 [\[28\]](#)

LILIAN TSANG/MV
DAVID JOHNSTON/ATTY. FOR DBT.

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

DISPOSITION: Continued to September 18, 2024, at 9:30 a.m.

ORDER: The court will issue an order.

Chapter 13 trustee Lilian G. Tsang ("Trustee") objects to confirmation of the *Chapter 13 Plan* filed by Mary Trujillo ("Debtor") on June 24, 2024, on the following basis:

1. Trustee has not yet concluded the 341 Meeting of Creditors because Debtor failed to appear. Debtor also failed to timely provide valid identification, copies of her Social Security Card, her 2023 tax returns, and her Social Security statements. The continued meeting is set for August 20, 2024, after which Trustee may bring additional objections.

Doc. #28.

This objection will be CONTINUED to **September 18, 2024, at 9:30 a.m.** Unless this case is voluntarily converted to chapter 7, dismissed, or the objection to confirmation is withdrawn, the Debtor shall file and serve a written response to the Objection not later than **14 days before the hearing**. The response shall specifically address each issue raised in the objection to confirmation, state whether the issue is disputed or undisputed, and include admissible evidence to support the Debtors' position. Any reply shall be served no later than **7 days before the hearing**.

If the Debtor elects to withdraw the plan and file a modified plan in lieu of filing a response, then a confirmable, modified plan shall be filed, served, and set for hearing not later than **7 days before the hearing**. If the Debtor does not timely file a modified plan or a written response, this objection will be sustained on the grounds stated in the objection without further hearing.

3. [24-11319](#)-B-13 **IN RE: JAIME YBARRA AND LUZ RIVERA DE YBARRA**
[LGT-1](#)

CONTINUED OBJECTION TO CONFIRMATION OF PLAN BY LILIAN G.
TSANG
6-25-2024 [\[16\]](#)

LILIAN TSANG/MV
STEPHEN LABIAK/ATTY. FOR DBT.
RESPONSIVE PLEADING

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

DISPOSITION: Dismissed.

ORDER: The court will enter the order.

On August 9, 2024, the Trustee filed an ex parte motion to dismiss Trustee's objection to confirmation in the above-styled case. Doc. #34. The Trustee avers that all her objections to confirmation have been resolved. Accordingly, this motion is DISMISSED.

4. [24-11629](#)-B-13 **IN RE: GUSTAVO/LINDA LEAL**
[LGT-1](#)

OBJECTION TO CONFIRMATION OF PLAN BY LILIAN G. TSANG
7-19-2024 [\[14\]](#)

LILIAN TSANG/MV
JOEL WINTER/ATTY. FOR DBT.

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

DISPOSITION: Continued to September 18, 2024, at 9:30 a.m.

ORDER: The court will issue an order.

Chapter 13 trustee Lilian G. Tsang ("Trustee") objects to confirmation of the *Chapter 13 Plan* filed by Gustavo and Linda Leal (collectively "Debtors") on June 13, 2024, on the following basis:

1. Trustee has not yet concluded the 341 Meeting of Creditors because Debtor failed to appear. Debtor also failed to timely provide valid identification, copies of their Social Security Cards, their 2023 tax returns, and their pay advices. The continued meeting is set for August 6, 2024, after which Trustee may bring additional objections.

Doc. #14. On August 9, 2024, the Trustee supplemented her objection, raising the following additional objections:

2. While Debtors and Debtors' counsel have filed a Rights & Responsibilities statement indicating that attorneys' fees would be paid pursuant to LBR 2016-1(c) or Plan Section 3.05 and 3.06, no box has been checked in Section 3.05 and no dividend was provided for in Section 3.06. As no election was indicated, Debtor's counsel must file a motion for allowance of fees.
3. The Plan is not feasible. Schedule E/F states that there are no priority unsecured claims, but the plan provides for priority claims in the amount of \$12,612.51. Also, Debtor's Schedule D lists secured claims for two secured creditors not provided for in the plan.
4. The Plan provides for a 70% distribution to general unsecured creditors, but based on the Debtors' projected disposable income, the dividend should be 91%.
5. Debtors have failed to file a credit counseling certificate.

Doc. #18.

This objection will be CONTINUED to **September 18, 2024, at 9:30 a.m.** Unless this case is voluntarily converted to chapter 7, dismissed, or the objection to confirmation is withdrawn, the Debtors shall file and serve a written response to the Objection not later than **14 days before the hearing**. The response shall specifically address each issue raised in the objection to confirmation and its supplement, state whether the issue is disputed or undisputed, and include admissible evidence to support the Debtors' position. Any reply shall be served no later than **7 days before the hearing**.

If the Debtors elect to withdraw the plan and file a modified plan in lieu of filing a response, then a confirmable, modified plan shall be filed, served, and set for hearing not later than **7 days before the hearing**. If the Debtors do not timely file a modified plan or a written response, this objection will be sustained on the grounds stated in the objection without further hearing.

5. [24-10647](#)-B-13 **IN RE: JORGE/JOSEFINA ALVARADO**
[SLL-1](#)

CONTINUED MOTION TO CONFIRM PLAN
5-27-2024 [\[22\]](#)

JOSEFINA ALVARADO/MV
STEPHEN LABIAK/ATTY. FOR DBT.
RESPONSIVE PLEADING WITHDRAWN;

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.

Jorge and Josefina Alvarado ("Debtors") move for an order confirming the First Modified Chapter 13 Plan dated May 27, 2024. Docs. #22, #26. No plan has been confirmed thus far. The 60-month plan, as originally presented by Debtors, proposes the following terms:

1. Debtor's aggregate payment for months 1-60 will be \$2,547.68.
2. Outstanding Attorney's fees in the amount of \$12,000.00 to be paid through the plan.
3. Secured creditors to be sorted into appropriate Classes and paid as follows:
 - a. Specialized Loan Serv. (Class 1, 2nd Mortgage).
\$95,028.20 arrearage to be paid at \$1,583.80 per month.
Ongoing post-petition payment to be \$487.31 per month.
 - b. Wells Fargo Auto (Class 3, 2015 GMC Yukon). To be surrendered.
 - c. Specialized Loan Serv. (Class 4, 1st Mortgage). \$1630.00 to be paid directly by Debtors
4. A dividend of 0% to unsecured creditors.

Doc. #26. Chapter 13 Trustee, Lilian G. Tsang ("Trustee"), timely objected to confirmation of the plan for the following reason(s):

1. Debtors' plan is not feasible as proposed because the plan proposes to pay \$2,486.94 per month in distributions to secured creditors and for attorney's fees. With Trustee compensation and expenses, this figure rises to \$2,748.00 per month. However, the plan proposes to pay only \$2,547.68 per month.
6. Trustee estimates that Debtors have \$2,825.00 in non-exempt assets available for distribution to unsecured creditors, which is sufficient to support a 2.7% dividend. The plan, however, proposes a 0% dividend and therefore fails the liquidation test. Also, Trustee has received a copy of Debtors 2023 federal and state tax returns which indicate total refunds of \$2,605.00, whereas Debtors' Schedule A/B listed a refund of \$500.00. Trustee avers that she cannot determine if the plan meets the liquidation test until Schedule A/B is amended.

Doc. #34. On July 8, 2024, Debtors filed an Amended Schedule A/B which properly listed the tax refunds (Doc. #37), but they did not otherwise respond to the Objection, and the court continued this matter to August 14, 2024. Doc. #390.

On July 29, 2024, Debtors filed a supplemental Response stating that Debtors would be willing to stipulate to a monthly payment of \$2,651.12 effective month 1, with an attorney's fee dividend of \$200 per month and a total distribution of \$6,739.00 to general unsecureds. Doc. #42. On July 30, 2024, Trustee withdrew the Objection to Confirmation provided that the aforementioned changes are incorporated into the Confirmation Order. Doc. #46.

This motion was set for hearing on 35 days' notice as required by Local Rule of Practice ("LBR") 3015-1(d)(1). The failure of any party in interest other than the chapter 13 trustee to file written opposition at least 14 days prior to the original 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). Therefore, the defaults of all parties in interest other than the Chapter 13 trustee are entered. As the Chapter 13 trustee has withdrawn her Objection subject to incorporation of the changes alluded to in the previous paragraph into the Confirmation order, the matter will be resolved without oral argument. Upon default, factual allegations will be taken as true (except those relating to amounts of damages). *Televideo Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires that a plaintiff make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here.

This motion will be GRANTED. The confirmation order shall include the docket control number of the motion and reference the plan by the date it was filed. The confirmation order shall also incorporate the modified plan provisions as described above.

6. [19-12554](#)-B-13 **IN RE: RAFAELA GARZA THOMAS**
[SL-3](#)

OBJECTION TO CLAIM OF UNIFUND CCR, LLC, CLAIM NUMBER 4-1
6-27-2024 [\[70\]](#)

RAFAELA GARZA THOMAS/MV
SCOTT LYONS/ATTY. FOR DBT.

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

DISPOSITION: Overruled.

ORDER: The court will issue the order.

Rafaela Garza Thomas ("Debtor") objects to Proof of Claim ("POC") #4-1. filed by Unifund CCR, LLC ("Creditor") on July 11, 2019, in the sum of \$2,155.58 and seeks that it be disallowed in its entirety on the grounds that it is duplicated by POC #9-2. Doc. #70.

This objection will be overruled without prejudice for failure to comply with Federal Rule 7004(b)(3). Creditor is a corporation. Service on corporations is governed by Rule 7004(b)(3) and can be accomplished by mailing a copy of the pleadings to the attention of an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process, and if required by statute, by also mailing a copy to the defendant.

Here, two different proofs of claim are implicated, both involving the same creditor but using different addresses. With regard to POC #4-1, the Certificate of Service reflects that Debtor served Creditor via first class mail at the address listed on the proof of claim. (Unifund CCR, LLC, c/o Winn Law Group APC, 110 E. Wilshire Ave #212, Fullerton [sic], CA 92832-0000). Doc. #74. While the proof of service is addressed to a law firm which was listed on the proof of claim and presumably represents Creditor, it was not addressed to the attention of any particular individual. *Id.*

With regard to POC 9-2, the Certificate of Service reflects that Debtor served Creditor via first class mail at the address listed on that proof of claim (Unifund CCR, LLC, 6681 Country Club Dr., Golden Valley, MN 55427-6681). *Id.* It too was not addressed to the attention of any particular individual. *Id.*

Accordingly, this objection will be OVERRULED for failure to comply with Rule 7004(b)(3).

7. [24-11358](#)-B-13 **IN RE: MARIA NAVARRO CHAVEZ**
[HDN-1](#)

NOTICE OF RESCHEDULED HEARING RE: MOTION FOR COMPENSATION
FOR HENRY D. NUNEZ, DEBTORS ATTORNEY(S)
7-30-2024 [\[23\]](#)

HENRY NUNEZ/ATTY. FOR DBT.
DISMISSED 06/07/2024

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

DISPOSITION: Denied without prejudice.

ORDER: The court will issue an order.

Henry D. Nunez ("Nunez"), former counsel for Maria Navarro Chavez ("Debtor"), moves for an order approving attorneys' fees for legal services he provided to Debtor in the above-styled case prior to its dismissal. Doc. #23. However, a review of the Certificate of Service which accompanies the pleadings does not reflect that he served the Debtor. Doc. #30. Accordingly, the court finds that service was defective and that this motion will be DENIED WITHOUT PREJUDICE.

8. [24-10860](#)-B-13 **IN RE: JESUS MONTES-DENIZ**
[LGT-1](#)

CONTINUED OBJECTION TO CONFIRMATION OF PLAN BY TRUSTEE
LILIAN G. TSANG
6-18-2024 [\[14\]](#)

JOEL WINTER/ATTY. FOR DBT.

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

DISPOSITION: Withdrawn.

No order is required.

On August 7, 2024, the Trustee withdrew this Objection to confirmation subject to the addition of language in the confirmation order setting the plan payment at \$2,120.27 per month in months 1 through 60. Doc. #25. Accordingly, this Objection is WITHDRAWN.

9. [24-11261](#)-B-13 **IN RE: ERICA HERRERA**
[LGT-2](#)

CONTINUED OBJECTION TO CONFIRMATION OF PLAN BY TRUSTEE
LILIAN G. TSANG
6-17-2024 [\[18\]](#)

JOEL WINTER/ATTY. FOR DBT.
WITHDRAWN

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

DISPOSITION: Withdrawn.

No order is required.

On July 25, 2024, the Trustee withdrew her Objection to Confirmation in this matter. Accordingly, the Objection is WITHDRAWN.

10. [23-12478](#)-B-13 **IN RE: ZACARE BURRIS AND AMY RABAGO-BURRIS**
[SLL-3](#)

MOTION TO MODIFY PLAN
7-1-2024 [\[81\]](#)

AMY RABAGO-BURRIS/MV
STEPHEN LABIAK/ATTY. FOR DBT.
RESPONSIVE PLEADING

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

DISPOSITION: Continued to September 18, 2024, at 9:30 a.m.

ORDER: The court will issue an order.

Zacare Burris and Amy Rabago-Burris (collectively "Debtors") move for an order confirming the *Third Modified Chapter 13 Plan* dated July 1, 2024. Doc. #85. The current plan was filed on February 1, 2024, and confirmed on March 25, 2024. Docs. #43, #71.

Chapter 13 trustee Lilian G. Tsang ("Trustee") timely objected to confirmation of the modified plan on the following basis:

1. The plan proposes to pay 77.59% to general unsecured claims totaling approximately \$34,556.40, but a review of filed claims indicate general unsecured claims of \$64,428.78.
2. The plan proposes to pay the balance of prepetition arrears in the amount of \$4,042.77 a dividend of \$70.92 in months 8 through 60, for a total of \$3,758.76. The arrearage must increase to \$76.27 in months 8 through 60 for feasibility.
3. Debtors have failed to file the attachment to their Amended Schedule I which outlines Debtors' business income and expenses.
4. The proposed plan does not address the Debtors' delinquency of \$10,812.00 under the terms of their confirmed plan and does not bring the case current.

Doc. #87. On August 8, 2024, Debtors filed a Response proposing:

1. Whatever the total amount of unsecured nonpriority debt is to be provided for in the plan, the confirmation order shall provide that no less than \$26,896.88 (an amount equal to the 77.69% of the previously estimated \$34,556.40 provided for in the plan). In other words, Debtors propose to pay the same amount to general unsecureds with only the percentage distribution changing as appropriate.
2. Debtors agree to the Trustee's requirement that the prepetition arrearage be increased to \$75.27 in months 8 through 60.
3. Debtors filed an Amended Schedule I & J on August 8, 2024, which appears to outline Debtors' business income and expenses.
4. The Debtors argue that the modified plan if approved will cure the current delinquency objected to by Trustee. However, the court notes a serious ambiguity in the Response: In different

sections, the Debtors say that general unsecured creditors will receive either no less than \$26,896.88 or no less than \$34,556.40. From the context, the court believes this was a drafting error by Debtors' counsel, but the court cannot say conclusively from the Response how much Debtors propose to pay to unsecured creditors.

In light of this apparent ambiguity in the Response, this objection will be CONTINUED to **September 18, 2024, at 9:30 a.m.** Unless this case is voluntarily converted to chapter 7, dismissed, or the objection to confirmation is withdrawn, the Debtors shall file and serve a written supplemental response to the Objection not later than **14 days before the hearing** which will clarify the ambiguities alluded to above. The response shall specifically address each issue raised in the objection to confirmation, state whether the issue is disputed or undisputed, and include admissible evidence to support the Debtors' position. Any reply shall be served no later than **7 days before the hearing**.

If the Debtors elect to withdraw the plan and file a modified plan in lieu of filing a response, then a confirmable, modified plan shall be filed, served, and set for hearing not later than **7 days before the hearing**. If the Debtors do not timely file a modified plan or a written response, this objection will be sustained on the grounds stated in the objection without further hearing.

11. [23-12585](#)-B-13 **IN RE: RONALD BARHAM**
[JDD-3](#)

CONTINUED MOTION TO CONFIRM PLAN
6-6-2024 [\[65\]](#)

RONALD BARHAM/MV
JONATHAN DOAN/ATTY. FOR DBT.

NO RULING.

Ronald Barham ("Debtor") moves for an order confirming the *Fourth Modified Chapter 13 Plan* dated May 31, 2024. Docs. #51, #64. No plan has been confirmed so far. Chapter 13 trustee Lilian G. Tsang ("Trustee") timely objected to confirmation of the plan for the following reason(s):

1. The plan calls for payments for more than five years. Trustee calculates that the monthly payment will need to increase to \$8,324.00 for months 7-60 in order for the plan to be feasible. Debtor's Schedule J does not support such an increase.
2. Debtor has failed to file his 2021-2022 federal taxes. He has also failed to file his 2021-2022 California Franchise Tax returns.

Doc. #69.

The court continued this objection to August 14, at 9:30 a.m. Doc. #73. Debtor was directed to file and serve a written response to the objection not later than fourteen (14) days before the continued hearing date, or file a confirmable, modified plan in lieu of a response not later than seven (7) days before the continued hearing date, or the objection would be sustained on the grounds stated in the objection without further hearing. *Id.*

On July 29, 2024, Debtor filed a Declaration stating his counsel had submitted the outstanding tax returns to the Trustee; that his amended Schedule J now reflects disposable income of \$8,416.00 per month, which is sufficient to fund the plan; and that it is the belief of Debtor's counsel that all outstanding issues which are impediments to confirmation have been resolved.

If the Trustee does not withdraw the Objection, this matter will proceed as scheduled so that the Trustee may state on the record whether the Debtor has resolved all Objections or not, after which the court may GRANT the motion to confirm, DENY it, or CONTINUE the hearing to a future to give Debtor an opportunity to address Trustee's remaining concerns.

1. [20-10809](#)-B-11 **IN RE: STEPHEN SLOAN**
[21-1039](#)

CONTINUED STATUS CONFERENCE RE: FIRST AMENDED COMPLAINT
10-27-2022 [\[58\]](#)

SANDTON CREDIT SOLUTIONS
MASTER FUND IV, LP V. SLOAN ET
KURT VOTE/ATTY. FOR PL.

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

DISPOSITION: Continued until October 23, 2024, at 11:00 am.

ORDER: The court will issue the order.

The court has reviewed Plaintiff's (Doc. #141) and Defendant William Brett Sloan as Trustee's (Doc. #143) status reports. Given the issue of the enforceability of the settlement agreement is yet undetermined, the court will continue the status conference to a date after the likely hearing on a motion to be filed under Rule 9019.

This continued status conference date may be changed by further court order.

2. [21-10523](#)-B-7 **IN RE: ZARINA ROSENFELD**
[23-1018](#) [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT
2-17-2023 [\[1\]](#)

EDMONDS V. ROSENFELD ET AL
PETER SAUER/ATTY. FOR PL.

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

DISPOSITION: Concluded and dropped from the calendar.

ORDER: The court will enter the order.

On August 9, 2024, the parties to this adversary proceeding filed a stipulation of dismissal pursuant to Fed. R. Civ. Proc. 41(a)(1)(A)(ii). Accordingly, this status conference is concluded and will be dropped from the calendar.

3. [23-12426](#)-B-7 **IN RE: RAUL FERNANDEZ-MARTINEZ**
[24-1016](#) [CAE-1](#)

STATUS CONFERENCE RE: COMPLAINT
6-19-2024 [[1](#)]

FEAR V. FERNANDEZ-MARTINEZ,
JR.
GABRIEL WADDELL/ATTY. FOR PL.

NO RULING.

4. [23-12794](#)-B-7 **IN RE: TRAVIS DAVIS**
[24-1002](#) [CAE-1](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT
3-1-2024 [[1](#)]

DAVIS V. UNITED STATES
DEPARTMENT OF EDUCATION
JEFFREY ROWE/ATTY. FOR PL.

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

DISPOSITION: Concluded and dropped from calendar.

No order is required.

On May 15, 2024, the court entered an order approving the stipulation of the parties that granted judgment in favor of Travis Davis. Doc. #25. All remaining claims were dismissed with prejudice. *Id.* Accordingly, this Status Conference is CONCLUDED, and this matter will be DROPPED from the calendar.