

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Michael S. McManus
Bankruptcy Judge
Sacramento, California

August 19, 2015 at 9:30 a.m.

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1. 14-28600-A-7 RAYMOND/ROBERTA LICHTMAN STATUS CONFERENCE
14-2257 8-29-14 [1]
LICHTMAN V. AMERICAN EDUCATION SVCS.

Final Ruling: Due to the unavailability of the plaintiff and because the complaint is not at issue, the conference is continued to September 16, 2015 at 9:30 a.m.

2. 15-23402-A-7 DONNA PRESTON STATUS CONFERENCE
15-2112 6-3-15 [1]
PRESTON V. INTERNAL REVENUE SERVICE

Tentative Ruling: Appearances required.

It appears from the docket that the summons and complaint have been duly served on the defendant and that time for the defendant to respond has expired without a response being filed. Therefore, the plaintiff shall apply to the clerk for entry of a default within 14 days.

3. 15-20014-A-7 SAQIB ABBAS STATUS CONFERENCE
15-2124 6-11-15 [1]
PEGASUS INFOTECH INC. V. ABBAS

Tentative Ruling: Appearances required.

It appears from the docket that the summons and complaint have been duly served on the defendant and that time for the defendant to respond has expired without a response being filed. Therefore, the plaintiff shall apply to the clerk for entry of a default within 14 days.

4. 09-45026-A-13 WAYNE/TONI WALLACE STATUS CONFERENCE
15-2126 6-14-15 [1]
WALLACE ET AL V. OCWEN LOAN
SERVICING, L.L.C., ET AL

Final Ruling: Because the time to respond to the complaint has been extended to August 26, the status conference will be continued to September 16, 2015 at 9:30 a.m.

5. 13-34541-A-11 6056 SYCAMORE TERRACE STATUS CONFERENCE
14-2322 LLC 6-19-15 [46]
6056 SYCAMORE TERRACE, L.L.C. V.
HONARDOOST ET AL

Final Ruling: The status conference will be continued to September 8, 2015 at

August 19, 2015 at 9:30 a.m.

10:00 a.m. so that it will coincide with a hearing on a motion for a default judgment.

6. 15-22447-A-7 KAROL XIONG STATUS CONFERENCE
15-2109 6-2-15 [1]
THAO ET AL V. XIONG

Tentative Ruling: Appearances required.

It appears from the status report of the defendant that the plaintiffs have failed to meet conduct a status conference 21 days prior to the status conference in violation of the court's order of June 2. Further, it appears that the parties have not made their initial disclosures and they have failed to file a joint discovery plan, both within 14 days of a discovery conference.

Therefore, the parties shall meet no later than August 26 and confer regarding their initial disclosures, they shall make their initial disclosures no later than September 2, they shall file a joint discovery plan no later than September 2, and they shall reappear at a continued status conference on September 16, 2015 at 9:30 a.m. If they have not complied with the foregoing, appropriate sanctions will issue at the continued status conference.

7. 10-24351-A-13 ROBERT/MICHELLE REID CONTINUED STATUS CONFERENCE
12-2392 9-29-14 [84]
REID ET AL V. WELLS FARGO BANK, N.A. ET AL

Tentative Ruling: Appearances required. The court will set a trial date.

8. 15-20865-A-7 JOHN/MERRIE HOLMAN STATUS CONFERENCE
15-2123 6-10-15 [1]
U.S. TRUSTEE V. HOLMAN ET AL

Tentative Ruling: Appearances required.

The discovery plan filed on July 29, 2015 is approved.

The parties shall appear at a continued status conference on December 16, 2015 at 9:30 a.m. to obtain a trial date.

9. 15-21673-A-7 DEBBIE BECKMAN STATUS CONFERENCE
15-2100 5-22-15 [1]
BECKMAN V. BECKMAN

Tentative Ruling: Appearances required.

It appears from the docket that the summons and complaint have been duly served on the defendant and that time for the defendant to respond has expired without a response being filed. Therefore, the plaintiff shall apply to the clerk for entry of a default within 14 days.

10. 11-39091-A-13 ALBERT/SHEILA ORTA CONTINUED STATUS CONFERENCE
14-2309 11-12-14 [1]
ORTA ET AL V. GMAC MORTGAGE L.L.C.

Final Ruling: No appearances.

The complaint has been dismissed pursuant to the stipulation of the parties.

11. 13-28491-A-7 JAMES ENGLISH
15-2117
HUSTED V. FAQUIRYAN ET AL

STATUS CONFERENCE
6-5-15 [1]

Tentative Ruling: Appearances required.

At a minimum, the court determines that the subject matter of the complaint is a noncore proceeding over which it cannot enter a final judgment absent express consent of all parties. 28 U.S.C. § 157(c)(1). If it does not abstain, it will make a report and recommendation to the district court.

Given that the subject matter of the complaint has no basis in the bankruptcy code, the court is inclined to abstain pursuant to 28 U.S.C. § 1334(c)(1). The court will set a briefing schedule to permit the parties to address this issue.

The court notes from the docket that the defendants appear to have been duly served with the summons and the complaint but have failed to file timely responses. If they have not filed a response by August 26, the plaintiff shall file a request for entry of their defaults with the clerk. Despite entry of a default, the plaintiff shall meet the deadline set by the court to address abstention.