

UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable René Lastreto II
Hearing Date: Wednesday, August 22, 2018
Place: Department B - Courtroom #13
Fresno, 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. 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.

9:30 AM

1. [18-12521](#)-B-7 **IN RE: JOHN/BEATRICE GARRETSON**

ORDER TO SHOW CAUSE - FAILURE TO PAY FEES
8-3-2018 [[24](#)]

ERIC ESCAMILLA
\$31.00 FILING FEE PAID

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

DISPOSITION: The OSC will be vacated.

ORDER: The court will issue an order.

The record shows that the filing fee was paid on August 8, 2018.

2. [18-12323](#)-B-7 **IN RE: CARLOS RAZO RUAN**
[PFT-1](#)

OPPOSITION RE: TRUSTEE'S MOTION TO DISMISS FOR FAILURE TO
APPEAR AT SEC. 341(A) MEETING OF CREDITORS
7-16-2018 [[22](#)]

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

DISPOSITION: Conditionally denied.

ORDER: The court will issue the order.

The chapter 7 trustee's motion to dismiss is CONDITIONALLY DENIED.

The debtors shall attend the meeting of creditors rescheduled for September 6, 2018 at 1:00 p.m. If the debtor fails to do so, the chapter 7 trustee may file a declaration with a proposed order and the case may be dismissed without a further hearing.

The time prescribed in Rules 1017(e)(1) and 4004(a) for the chapter 7 trustee and the U.S. Trustee to object to the debtors' discharge or file motions for abuse, other than presumed abuse, under § 707, is extended to 60 days after the conclusion of the meeting of creditors.

3. [18-12229](#)-B-7 **IN RE: MIGUEL NARANJO**
[PFT-1](#)

OPPOSITION RE: TRUSTEE'S MOTION TO DISMISS FOR FAILURE TO
APPEAR AT SEC. 341(A) MEETING OF CREDITORS
7-3-2018 [[9](#)]

NICHOLAS WAJDA

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

DISPOSITION: Conditionally denied.

ORDER: The court will issue the order.

The chapter 7 trustee's motion to dismiss is CONDITIONALLY DENIED.

The debtors shall attend the meeting of creditors rescheduled for September 6, 2018 at 12:00 p.m. If the debtor fails to do so, the chapter 7 trustee may file a declaration with a proposed order and the case may be dismissed without a further hearing.

The time prescribed in Rules 1017(e)(1) and 4004(a) for the chapter 7 trustee and the U.S. Trustee to object to the debtors' discharge or file motions for abuse, other than presumed abuse, under § 707, is extended to 60 days after the conclusion of the meeting of creditors.

4. [17-14233](#)-B-7 **IN RE: MAXWELL/MICHELLE ORENDORFF**
[JES-2](#)

MOTION TO SELL
7-24-2018 [[36](#)]

JAMES SALVEN/MV
HAGOP BEDOYAN

TENTATIVE RULING: This matter will proceed for higher and better bids only.

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 set for hearing on 28 days' notice as required by Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of the 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). 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

amount of damages). Televideo Systems, 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 is GRANTED. It appears that the sale of a Cortina bicycle is a reasonable exercise of the trustee's business judgment. The trustee shall submit a proposed order after the hearing.

5. 18-12337-B-7 **IN RE: GENESIS POOLS, INC.**
SW-2

MOTION FOR RELIEF FROM AUTOMATIC STAY
8-3-2018 [34]

ALLY BANK/MV
RILEY WALTER
ADAM BARASCH/ATTY. FOR MV.
RESPONSIVE PLEADING

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted unless opposed at the hearing.

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 for relief from stay was noticed pursuant to LBR 9014-1(f)(2) and written opposition was not required. The Debtor filed non-opposition to the motion on August 8, 2018. Doc. # 42. Unless opposition by the trustee is presented at the hearing, the court intends to enter the trustee's default and enter the following ruling granting the motion for relief from stay. 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.

The automatic stay is terminated as it applies to the movant's right to enforce its remedies against the subject property under applicable nonbankruptcy law. The record shows that cause exists to terminate the automatic stay.

The collateral is a 2012 GMC Sierra. Doc. #36. The collateral has a value of \$8,680.00 and debtor owes \$13,530.84. *Id.* The proposed order shall specifically describe the property or action to which the order relates.

The waiver of Federal Rule of Bankruptcy Procedure 4001(a)(3) will be granted. The moving papers show the collateral has been surrendered and is in movant's possession.

Unless the court expressly orders otherwise, the proposed order shall not include any other relief. If the proposed order includes

extraneous or procedurally incorrect relief that is only available in an adversary proceeding then the order will be rejected. See *In re Van Ness*, 399 B.R. 897 (Bankr. E.D. Cal. 2009).

6. [18-12937](#)-B-7 **IN RE: EVANGELINA CRUZ DE AMBRIZ**
[SW-1](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY
8-3-2018 [[14](#)]

ALLY BANK/MV
SCOTT LYONS
ADAM BARASCH/ATTY. FOR MV.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted unless opposed at the hearing.

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 for relief from stay was noticed pursuant to LBR 9014-1(f)(2) and written opposition was not required. Unless opposition is presented at the hearing, the court intends to enter the debtor's and the trustee's defaults and enter the following ruling granting the motion for relief from stay. 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.

The automatic stay is terminated as it applies to the movant's right to enforce its remedies against the subject property under applicable nonbankruptcy law. The record shows that cause exists to terminate the automatic stay.

The collateral is a 2017 Toyota Camry. Doc. #16. The collateral has a value of \$15,150.00 and debtor owes \$23,709.42. *Id.* The proposed order shall specifically describe the property or action to which the order relates.

The waiver of Federal Rule of Bankruptcy Procedure 4001(a)(3) will be granted. The moving papers show the collateral is a depreciating asset.

Unless the court expressly orders otherwise, the proposed order shall not include any other relief. If the proposed order includes extraneous or procedurally incorrect relief that is only available in an adversary proceeding then the order will be rejected. See *In re Van Ness*, 399 B.R. 897 (Bankr. E.D. Cal. 2009).

7. [18-13153](#)-B-7 **IN RE: LUIS BRAVO**
[EPE-1](#)

MOTION TO CONVERT CASE FROM CHAPTER 7 TO CHAPTER 13
8-7-2018 [[14](#)]

ERIC ESCAMILLA

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 will 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.

This motion is GRANTED.

11 U.S.C. § 706(a) allows a debtor to convert their Chapter 7 case to a Chapter 13 case at any time. This right has been conditioned under Marrama v. Citizens Bank of Mass., 549 U.S. 365 (2007), which held among other things that a Chapter 7 debtor cannot convert to Chapter 13 for pre-petition bad-faith conduct.

Based upon the evidence in front of the court, the court finds that the debtor has not engaged in any pre-petition bad faith conduct and unless the court hears otherwise at the hearing, this motion is GRANTED.

8. [18-11661](#)-B-7 **IN RE: JUSTIN/CHELSEA SHEPPARD**

ORDER TO SHOW CAUSE - FAILURE TO PAY FEES
8-2-2018 [[23](#)]

MARK ZIMMERMAN
\$31.00 FILING FEE PAID

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

DISPOSITION: The OSC will be vacated.

ORDER: The court will issue an order.

The record shows that the filing fee was paid on August 2, 2018.

9. [18-11968](#)-B-7 **IN RE: WILLIAM BARBOSA**
[AP-1](#)

MOTION TO APPROVE LOAN MODIFICATION
7-19-2018 [[29](#)]

MUFG UNION BANK, N.A./MV
ALEXANDER LEE/ATTY. FOR MV.

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 28 days' notice as required by Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of the 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 that a plaintiff make a prima facie showing that they are entitled to the relief sought, which the movant has done here.

This motion is GRANTED. Debtor is authorized, but not required to, enter into the loan modification with movant MUFG Union Bank, N.A. pursuant to the terms attached to this motion.

10. [17-13170](#)-B-7 **IN RE: CHRISTOPHER/BRITTANY HILL**
[TMT-3](#)

MOTION TO SELL
7-24-2018 [\[53\]](#)

TRUDI MANFREDO/MV
MARK ZIMMERMAN
TRUDI MANFREDO/ATTY. FOR MV.

TENTATIVE RULING: This matter will proceed for higher and better
bids only.

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 set for hearing on 28 days' notice as required by Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of the 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). 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 amount of damages). Televideo Systems, 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 is GRANTED. It appears that the sale of a Coolster 110cc Sportmax Kids ATV and miscellaneous tools is a reasonable exercise of the trustee's business judgment. Any prospective bidders for the assets must bring certified funds made out to "Trudi G. Manfredo, Chapter 7 trustee" to the hearing in the amount of \$1,250.00. It is nonrefundable if the bidder is the successful bidder and fails to perform. Prospective bidders must also bring documentary evidence of the ability to pay the amount of their bid. The bidding will start at \$1,350.00. The trustee shall submit a proposed order after the hearing.

11. [18-12371](#)-B-7 **IN RE: AMBER CASTRO**
[PFT-1](#)

OPPOSITION RE: TRUSTEE'S MOTION TO DISMISS FOR FAILURE TO
APPEAR AT SEC. 341(A) MEETING OF CREDITORS
7-16-2018 [[13](#)]

JOEL WINTER

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

DISPOSITION: Conditionally denied.

ORDER: The court will issue the order.

The chapter 7 trustee's motion to dismiss is CONDITIONALLY DENIED.

The debtors shall attend the meeting of creditors rescheduled for
September 6, 2018 at 1:00 p.m. If the debtor fails to do so, the
chapter 7 trustee may file a declaration with a proposed order and
the case may be dismissed without a further hearing.

The time prescribed in Rules 1017(e)(1) and 4004(a) for the chapter
7 trustee and the U.S. Trustee to object to the debtors' discharge
or file motions for abuse, other than presumed abuse, under § 707,
is extended to 60 days after the conclusion of the meeting of
creditors.

12. [17-13881](#)-B-7 **IN RE: MICHAEL/AMIRA MICHAEL**
[PWG-4](#)

MOTION TO SELL
8-10-2018 [[122](#)]

JEFFREY VETTER/MV
HAGOP BEDOYAN
PHILLIP GILLET/ATTY. FOR MV.
OST 8/10/18

TENTATIVE RULING: This matter will proceed for higher and better
bids only.

DISPOSITION: Granted.

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

This motion was filed and served pursuant to Local Rule of Practice
("LBR") 9014-1(f)(3) and an order shortening time 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.

This motion is GRANTED. It appears that the sale of the real property located at 9135 Jenna Kathryn Drive in Bakersfield, CA is a reasonable exercise of the trustee's business judgment. The 6% commission will be split 50/50 with Watson Realty and the buyer's broker. The trustee shall submit a proposed order after the hearing.

13. [18-12082](#)-B-7 **IN RE: MANUEL/MARY ORTEGA**
[PFT-1](#)

OPPOSITION RE: TRUSTEE'S MOTION TO DISMISS FOR FAILURE TO
APPEAR AT SEC. 341(A) MEETING OF CREDITORS
6-26-2018 [[15](#)]

THOMAS GILLIS

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

DISPOSITION: Conditionally denied.

ORDER: The court will issue the order.

The chapter 7 trustee's motion to dismiss is CONDITIONALLY DENIED.

The debtors shall attend the meeting of creditors rescheduled for September 6, 2018 at 11:00 a.m. If the debtors fail to do so, the chapter 7 trustee may file a declaration with a proposed order and the case may be dismissed without a further hearing.

The time prescribed in Rules 1017(e)(1) and 4004(a) for the chapter 7 trustee and the U.S. Trustee to object to the debtors' discharge or file motions for abuse, other than presumed abuse, under § 707, is extended to 60 days after the conclusion of the meeting of creditors.

14. [18-12098](#)-B-7 **IN RE: MANUEL CORTEZ**
[PFT-1](#)

OPPOSITION RE: TRUSTEE'S MOTION TO DISMISS FOR FAILURE TO
APPEAR AT SEC. 341(A) MEETING OF CREDITORS
7-3-2018 [[12](#)]

ROSALINA NUNEZ

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

DISPOSITION: Conditionally denied.

ORDER: The court will issue the order.

The chapter 7 trustee's motion to dismiss is CONDITIONALLY DENIED.

The debtors shall attend the meeting of creditors rescheduled for September 6, 2018 at 12:00 p.m. If the debtor fails to do so, the chapter 7 trustee may file a declaration with a proposed order and the case may be dismissed without a further hearing.

The time prescribed in Rules 1017(e)(1) and 4004(a) for the chapter 7 trustee and the U.S. Trustee to object to the debtors' discharge or file motions for abuse, other than presumed abuse, under § 707, is extended to 60 days after the conclusion of the meeting of creditors.

11:00 AM

1. [18-11802](#)-B-7 **IN RE: OSCAR VALENZUELA BONILLA AND VICTORIA VALENZUELA**

PRO SE REAFFIRMATION AGREEMENT WITH AMERICAN HONDA FINANCE CORP.

8-1-2018 [[14](#)]

DONNY BRAND

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

DISPOSITION: Dropped.

ORDER: The court will issue an order.

Debtors' counsel will inform debtors that no appearance is necessary.

The court is not approving or denying approval of the reaffirmation agreement. Debtors were represented by counsel when they entered into the reaffirmation agreement. Pursuant to 11 U.S.C. §524(c)(3), if the debtor is represented by counsel, the agreement must be accompanied by an affidavit of the debtor's attorney attesting to the referenced items before the agreement will have legal effect. *In re Minardi*, 399 B.R. 841, 846 (Bankr. N.D. Ok, 2009) (emphasis in original). The reaffirmation agreement, in the absence of a declaration by debtors' counsel, does not meet the requirements of 11 U.S.C. §524(c) and is not enforceable.

The debtors shall have 14 days to refile the reaffirmation agreement properly signed and endorsed by the attorney.

2. [18-11802](#)-B-7 **IN RE: OSCAR VALENZUELA BONILLA AND VICTORIA VALENZUELA**

PRO SE REAFFIRMATION AGREEMENT WITH TWENTY-ONE-EIGHTY FIVE, LLC

8-1-2018 [[16](#)]

DONNY BRAND

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

DISPOSITION: Dropped.

ORDER: The court will issue an order.

Debtors' counsel will inform debtors that no appearance is necessary.

The court is not approving or denying approval of the reaffirmation agreement. Debtors were represented by counsel when they entered into the reaffirmation agreement. Pursuant to 11 U.S.C. §524(c)(3), if the debtor is represented by counsel, the agreement must be accompanied by an affidavit of the debtor's attorney attesting to the referenced items before the agreement will have legal effect. *In re Minardi*, 399 B.R. 841, 846 (Bankr. N.D. Ok, 2009) (emphasis in original). The reaffirmation agreement, in the absence of a declaration by debtors' counsel, does not meet the requirements of 11 U.S.C. §524(c) and is not enforceable.

The debtors shall have 14 days to refile the reaffirmation agreement properly signed and endorsed by the attorney.

3. [18-12753](#)-B-7 **IN RE: DONALD/PEARL MORGAN**

PRO SE REAFFIRMATION AGREEMENT WITH FORD MOTOR CREDIT
COMPANY
8-1-2018 [\[10\]](#)

NO RULING.

4. [18-11662](#)-B-7 **IN RE: DEMETRIUS/ASHLEY ESQUIVEL**

REAFFIRMATION AGREEMENT WITH U.S. BANK NATIONAL ASSOCIATION
7-23-2018 [\[20\]](#)

MARK ZIMMERMAN

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

DISPOSITION: Denied.

ORDER: The court will issue an order.

Debtors' counsel will inform debtors that no appearance is necessary.

Both the reaffirmation agreement and the bankruptcy schedules show that reaffirmation of this debt creates a presumption of undue hardship which has not been rebutted in the reaffirmation agreement. Although the debtor's attorney executed the agreement, the attorney could not affirm that, (a) the agreement was not a hardship and, (b) the debtor would be able to make the payments.

5. [18-12472](#)-B-7 **IN RE: NADINE BORRERO**

PRO SE REAFFIRMATION AGREEMENT WITH BALBOA THRIFT & LOAN
8-3-2018 [[20](#)]

NO RULING.

6. [18-12483](#)-B-7 **IN RE: ALFONSO MARTINEZ AND ANGELICA PELAEZ**

REAFFIRMATION AGREEMENT WITH REGIONAL ACCEPTANCE CORPORATION
7-27-2018 [[12](#)]

TIMOTHY SPRINGER

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

DISPOSITION: Denied.

ORDER: The court will issue an order.

Counsel shall inform his clients that no appearance is necessary at this hearing.

Debtors were represented by counsel when they entered into the reaffirmation agreement. Pursuant to 11 U.S.C. § 524(c)(3), "if the debtor is represented by counsel, the agreement *must* be accompanied by an affidavit of the debtor's attorney' attesting to the referenced items before the agreement will have legal effect." *In re Minardi*, 399 B.R. 841, 846 (Bankr. N.D. Ok. 2009) (emphasis in original). In this case, the debtors' attorney affirmatively represented that the agreement established a presumption of undue hardship and that his opinion the debtors were not able to make the required payments. Therefore, the agreement does not meet the requirements of 11 U.S.C. § 524(c) and is not enforceable.

7. [18-12290](#)-B-7 **IN RE: RUBEN CARDONA AND JACQUELINE ROSAS**

PRO SE REAFFIRMATION AGREEMENT WITH JPMORGAN CHASE BANK,
N.A.
7-31-2018 [[25](#)]

NO RULING.

11:30 AM

1. [17-10236](#)-B-13 **IN RE: PAUL/KATHLEEN LANGSTON**
[17-1044](#)

FINDINGS OF FACT AND CONCLUSIONS OF LAW RE: AMENDED
COMPLAINT
7-3-2017 [[17](#)]

LANGSTON ET AL V. INTERNAL
REVENUE SERVICE
GABRIEL WADDELL/ATTY. FOR PL.

NO RULING.

1:30 PM

1. [16-11605](#)-B-7 **IN RE: CAROLYN CHARLTON**
[16-1078](#)

CONTINUED PRE-TRIAL CONFERENCE RE: AMENDED COMPLAINT
2-16-2017 [[25](#)]

CHARLTON V. CHARLTON
NANETTE BEAUMONT/ATTY. FOR PL.
STIPULATED JUDGMENT/CLOSED

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

DISPOSITION: Dropped from calendar.

NO ORDER REQUIRED: A stipulated judgment has already been
entered. Doc. #135.

2. [17-14678](#)-B-7 **IN RE: SEAN MOONEY**
[18-1037](#)

STATUS CONFERENCE RE: COMPLAINT
6-27-2018 [[1](#)]

FEAR V. MOONEY
TRUDI MANFREDO/ATTY. FOR PL.

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

DISPOSITION: Continued to October 24, 2018 at 1:30 p.m.

ORDER: The court will issue an order.

The parties have stipulated to extending the date when defendant must file a responsive pleading to August 27, 2017. Doc. #12. Therefore, this status conference will be continued to October 24, 2018 at 1:30 p.m. The parties shall conduct a Federal Rule of Civil Procedure 26(f) conference, make initial disclosures under Fed. R. Civ. P. 26(a) and propose a discovery plan before the continued status conference. Joint or unilateral status reports shall be filed and served on or before October 17, 2018.

3. [17-13797](#)-B-9 **IN RE: TULARE LOCAL HEALTHCARE DISTRICT**
[18-1018](#)

STATUS CONFERENCE RE: THIRD-PARTY COMPLAINT
6-21-2018 [[14](#)]

MAXIM HEALTHCARE SERVICES,
INC. V. HEALTHCARE
CYNTHIA LARSEN/ATTY. FOR PL.
RESPONSIVE PLEADING

NO RULING.

The court has reviewed the proposed discovery plan. At the hearing, the parties should be prepared to affirmatively state whether they consent to this court entering a final judgment in this matter.

4. [17-13797](#)-B-9 **IN RE: TULARE LOCAL HEALTHCARE DISTRICT**
[18-1018](#)

CONTINUED STATUS CONFERENCE RE: NOTICE OF REMOVAL
4-25-2018 [[1](#)]

MAXIM HEALTHCARE SERVICES,
INC. V. HEALTHCARE
UNKNOWN TIME OF FILING/ATTY. FOR PL.

NO RULING.

The court has reviewed the proposed discovery plan. At the hearing, the parties should be prepared to affirmatively state whether they consent to this court entering a final judgment in this matter.