

UNITED STATES BANKRUPTCY COURT  
Eastern District of California  
Honorable W. Richard Lee  
Hearing Date: Thursday, August 28, 2014  
Place: Department B – Courtroom #12  
Fresno, California

**INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS**

1. The following rulings are tentative. The tentative ruling will not become the final ruling until the matter is called at the scheduled hearing. **Pre-disposed matters will generally be called, and the rulings placed on the record at the end of the calendar.** Any party who desires to be heard with regard to a pre-disposed matter may appear at the hearing. If the party wishes to contest the tentative ruling, he/she shall notify the opposing party/counsel of his/her intention to appear. **If no disposition is set forth below, the hearing will take place as scheduled.**

2. Submission of Orders:

Unless the tentative ruling expressly states that the court will prepare a civil minute order, then the tentative ruling will only appear in the minutes. If any party desires an order, then the appropriate form of order, which conforms to the tentative ruling, must be submitted to the court. When the debtor(s) discharge has been entered, proposed orders for relief from stay must reflect that the motion is denied as to the debtor(s) and granted only as to the trustee. Entry of discharge normally is indicated on the calendar.

3. Matters Resolved Without Opposition:

If the tentative ruling states that no opposition was filed, and the moving party is aware of any reason, such as a settlement, why a response may not have been filed, the moving party must advise Vicky McKinney, the Calendar Clerk, at (559) 499-5825 by 4:00 p.m. the day before the scheduled hearing.

4. Matters Resolved by Stipulation:

If the parties resolve a matter by stipulation after the tentative ruling has been posted, but **before the formal order is entered on the docket**, the **moving party** may appear at the hearing and advise the court of the settlement or withdraw the motion. Alternatively, the parties may submit a stipulation and order to modify the tentative ruling together with the proposed order resolving the matter.

5. Resubmittal of Denied Matters:

If the moving party decides to re-file a matter that is denied without prejudice for any reason set forth below, the moving party must file and serve a new set of pleadings with a new docket control number. It may not simply re-notice the original motion.

**THE COURT ENDEAVORS TO PUBLISH ITS PREDISPOSITIONS AS SOON AS POSSIBLE, HOWEVER CALENDAR PREPARATION IS ONGOING AND THESE PREDISPOSITIONS 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.**

**9:00 A.M.**

1. [14-10344](#)-B-12 ANTONIO/LUCIA PARREIRA  
WW-12  
  
RILEY WALTER/Atty. for dbt.  
  
MOTION FOR COMPENSATION BY THE  
LAW OFFICE OF WALTER & WILHELM  
LAW GROUP FOR RILEY C. WALTER,  
DEBTOR'S ATTORNEY(S) .  
8-6-14 [[261](#)]
2. [14-13949](#)-B-11 FAREED SAPHIEH  
PLF-2  
FAREED SAPHIEH/MV  
PETER FEAR/Atty. for dbt.  
  
CONTINUED MOTION TO USE CASH  
COLLATERAL  
8-6-14 [[4](#)]
3. [13-16954](#)-B-11 MADERA ROOFING, INC.  
  
ERIC FROMME/Atty. for dbt.  
  
CONTINUED STATUS CONFERENCE RE:  
VOLUNTARY PETITION  
10-25-13 [[1](#)]

**Based on the trustee's status report, and the court's review of the docket, it appears that a case management conference is not necessary at this time. Accordingly, this matter will be continued to October 9, 2014, at 9:00 a.m. The trustee shall file a status report if the plan and disclosure statement have not been filed by that time. The court will prepare a minute order. No appearance is necessary.**

4. [13-16954](#)-B-11 MADERA ROOFING, INC.  
BW-1  
R. WINDISCH/MV  
  
ERIC FROMME/Atty. for dbt.  
R. WINDISCH/Atty. for mv.  
  
CONTINUED MOTION FOR  
COMPENSATION BY THE LAW OFFICE  
OF BREMER WHYTE BROWN & O'MEARA  
FOR R. TODD WINDISCH, SPECIAL  
COUNSEL(S) .  
7-9-14 [[438](#)]

**This matter was fully noticed and set for a final hearing pursuant to a civil minute order dated August 7, 2014. No opposition was filed or raised at the preliminary hearing. Accordingly, the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.**

5. [13-16954](#)-B-11 MADERA ROOFING, INC.  
GC-2  
MICHAEL GABRIELSON/MV  
  
ERIC FROMME/Atty. for dbt.  
  
MOTION FOR COMPENSATION FOR  
GABRIELSON AND COMPANY,  
ACCOUNTANT(S) .  
8-6-14 [[513](#)]

6. [13-16954](#)-B-11 MADERA ROOFING, INC.  
WW-11  
MOTION FOR COMPENSATION BY THE  
LAW OFFICE OF WALTER AND  
WILHELM LAW GROUP FOR RILEY C.  
WALTER, TRUSTEE'S ATTORNEY(S).  
8-6-14 [[506](#)]

ERIC FROMME/Atty. for dbt.

7. [13-16954](#)-B-11 MADERA ROOFING, INC.  
WW-12  
JAMES LOWE/MV  
MOTION FOR COMPENSATION FOR  
JAMES S. LOWE, CHAPTER 11  
TRUSTEE(S).  
8-6-14 [[500](#)]

ERIC FROMME/Atty. for dbt.  
RILEY WALTER/Atty. for mv.

8. [13-13388](#)-B-11 GEORGE/MARILYN LANTING  
TCS-10  
GEORGE LANTING/MV  
CONTINUED MOTION TO EMPLOY  
SCHUIL & ASSOCIATES AS  
BROKER(S)  
7-3-14 [[260](#)]

NANCY KLEPAC/Atty. for dbt.

**This matter was fully noticed and set for a final hearing pursuant to a civil minute order dated July 25, 2014. The debtors filed a supplemental response to the U.S. Trustee's objection and the objection has been withdrawn. Based therein, the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.**

9. [12-17458](#)-B-11 SOUTH LAKES DAIRY FARM,  
KDG-32 A CALIFORNIA GENERAL  
SOUTH LAKES DAIRY FARM, A  
CALIFORNIA GENERAL  
JACOB EATON/Atty. for dbt.  
CONTINUED MOTION FOR FINAL  
DECREE AND ORDER CLOSING CASE  
7-30-14 [[523](#)]

**This motion has been withdrawn. No appearance is necessary.**

10. [14-13949](#)-B-11 FAREED SAPHIEH  
PLF-1  
FAREED SAPHIEH/MV  
PETER FEAR/Atty. for dbt.  
MOTION TO EXTEND AUTOMATIC STAY  
8-14-14 [[19](#)]

10:30 A.M.

1. [13-16155](#)-B-7      MICHAEL WEILERT AND      CONTINUED STATUS CONFERENCE RE:  
[13-1134](#)      GENEVIEVE DE MONTREMARE      COMPLAINT  
BRIAN L. GWARTZ AND CHERYL A.      12-9-13 [[1](#)]  
SKIGIN, CO-TRUSTEES V. WEILERT  
CHERYL SKIGIN/Atty. for pl.  
RESPONSIVE PLEADING

Based on the plaintiff's status report, it appears that a status conference is not necessary at this time. Accordingly, this matter will be continued to October 23, 2014, at 10:30 a.m. The plaintiffs shall file a status report with a statement of unresolved issues if the adversary proceeding is not settled in mediation. The court will prepare a minute order. No appearance is necessary.

2. [13-16155](#)-B-7      MICHAEL WEILERT AND      MOTION TO AMEND COMPLAINT  
[13-1134](#)      GENEVIEVE DE MONTREMARE CAS-3      7-20-14 [[35](#)]  
BRIAN L. GWARTZ AND CHERYL A.  
SKIGIN, CO-TRUSTEES V. WEILERT  
CHERYL SKIGIN/Atty. for mv.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondents' default will be entered and the motion will be granted without oral argument for cause shown. The amended complaint shall be filed and served within 14 days. The responsive pleading shall be filed and served within 21 days after service of the amended complaint. The court makes no findings regarding the timeliness of the newly-added claim for relief. The moving party shall submit a proposed order. No appearance is necessary.

3. [08-17272](#)-B-13      AMBER SCHEXNAYDER      CONTINUED STATUS CONFERENCE RE:  
[14-1049](#)           COMPLAINT  
SCHEXNAYDER V. MORTGAGE      4-24-14 [[1](#)]  
ELECTRONIC REGISTRATION  
GABRIEL WADDELL/Atty. for pl.  
RESPONSIVE PLEADING

Based on the status report, it appears this adversary proceeding has been settled. The status conference will be dropped from calendar and may be reset by any party on 10 days' notice. No appearance is necessary. The clerk of the court may close the adversary proceeding without notice in 60 days unless the adversary proceeding has been concluded or set for a further status conference within that time. Either party may request an extension of this time up to 30 days by ex parte application for cause. After the adversary proceeding has been closed, the parties will have to file an application to reopen the adversary proceeding if further action is required. The court will issue a civil minute order.

1:30 P.M.

1. [14-12900](#)-B-13 MEILY YIP  
DRJ-3  
MEILY YIP/MV  
DAVID JENKINS/Atty. for dbt.

MOTION TO VALUE COLLATERAL OF  
GREEN TREE SERVICING, LLC  
7-17-14 [[27](#)]

This motion to value the collateral for a consensual lien against real property was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be granted for cause shown without oral argument. Based on the evidence offered in support of the motion, the respondent's junior priority mortgage claim is found to be wholly unsecured and may be treated as a general unsecured claim in the chapter 13 plan. The debtor(s) may proceed under state law to obtain a reconveyance of respondent's trust deed upon completion of the chapter 13 plan and entry of the discharge. *Unless the chapter 13 plan has been confirmed, then the order shall specifically state that it is not effective until confirmation of the plan.* The debtor(s) shall submit a proposed order consistent with this ruling. No appearance is necessary.

*This ruling is only binding on the named respondent in the moving papers and any successor who takes an interest in the property after service of the motion.*

2. [12-11511](#)-B-13 JUAN/HILDA GALLEGOS  
EAT-1  
ONEWEST BANK, N.A./MV  
STEVEN ALPERT/Atty. for dbt.  
MARISOL NAGATA/Atty. for mv.

MOTION FOR RELIEF FROM  
AUTOMATIC STAY  
7-18-14 [[107](#)]

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be granted without oral argument for cause shown. 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 proposed order shall specifically describe the property or action to which the order relates. If the motion involves a foreclosure of real property in California, then the order shall also provide that the bankruptcy proceeding has been finalized for purposes of Cal. Civil Code § 2923.5. If the notice and motion requested a waiver of Rule 4001(a)(3), that relief will be granted. *Unless the court expressly orders otherwise, the proposed order shall not include any other relief.* If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. § 506(b), or applicable nonbankruptcy law, must be separately noticed and separately briefed with appropriate legal authority and supporting documentation.

The motion for relief under §362(d)(4) is also granted. It appears from the evidence submitted and from the record that the debtors' bankruptcy case was used as part of a scheme to delay, hinder, or defraud creditors that involved both transfer of a portion of the subject real property and multiple bankruptcy filings affecting such real property. The proposed order must comply with §362(d)(4). No appearance is necessary.

3. [12-12412](#)-B-13 GREGRI/JESSICA DEGRANGE  
PLF-4  
GREGRI DEGRANGE/MV  
PETER FEAR/Atty. for dbt.

MOTION TO MODIFY PLAN  
7-9-14 [[68](#)]

The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The debtor(s) shall submit a proposed confirmation order for approval to the chapter 13 trustee. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed. No appearance is necessary.

4. [11-10116](#)-B-13 GERARDO HERNANDEZ  
HDN-6  
GERARDO HERNANDEZ/MV  
HENRY NUNEZ/Atty. for dbt.

OBJECTION TO NOTICE OF MORTGAGE  
PAYMENT CHANGE  
7-11-14 [[88](#)]

5. [11-10116](#)-B-13 GERARDO HERNANDEZ  
HDN-7  
GERARDO HERNANDEZ/MV  
HENRY NUNEZ/Atty. for dbt.

MOTION TO MODIFY PLAN  
7-11-14 [[92](#)]

6. [11-16017](#)-B-13 ANTHONY DIMAGGIO  
PLF-5

MOTION FOR COMPENSATION BY THE  
LAW OFFICE OF FEAR LAW GROUP,  
P.C. FOR PETER L. FEAR,  
DEBTOR'S ATTORNEY(S).  
7-17-14 [[77](#)]

PETER FEAR/Atty. for dbt.

**This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.**

7. [14-12617](#)-B-13 CYNTHIA WILLIAMS  
MHM-1  
MICHAEL MEYER/MV

CONTINUED MOTION TO DISMISS  
CASE FOR UNREASONABLE DELAY  
THAT IS PREJUDICIAL TO  
CREDITORS AND/OR MOTION TO  
DISMISS CASE  
7-2-14 [[27](#)]

**This matter will be dropped from calendar without a disposition. The case was dismissed on August 26, 2014. No appearance is necessary.**

8. [11-13924](#)-B-13 JOSE AYALA MARTINEZ AND  
NEA-3 MARIA MARTINEZ DE AYALA  
JOSE AYALA MARTINEZ/MV

OBJECTION TO CLAIM OF SANTANDER  
CONSUMER USA INC., CLAIM NUMBER  
20  
7-25-14 [[87](#)]

NICHOLAS ANIOTZBEHERE/Atty. for dbt.

9. [14-12924](#)-B-13 ADRIAN MUNOZ  
GH-1  
ADRIAN MUNOZ/MV  
  
GARY HUSS/Atty. for dbt.

MOTION TO VALUE COLLATERAL OF  
FRESNO COUNTY FEDERAL CREDIT  
UNION  
7-9-14 [[15](#)]

This motion to value the collateral for a consensual lien against real property was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be granted for cause shown without oral argument. Based on the evidence offered in support of the motion, the respondent's junior priority mortgage claim is found to be wholly unsecured and may be treated as a general unsecured claim in the chapter 13 plan. The debtor(s) may proceed under state law to obtain a reconveyance of respondent's trust deed upon completion of the chapter 13 plan and entry of the discharge. *Unless the chapter 13 plan has been confirmed, then the order shall specifically state that it is not effective until confirmation of the plan.* The debtor(s) shall submit a proposed order consistent with this ruling. No appearance is necessary.

*This ruling is only binding on the named respondent in the moving papers and any successor who takes an interest in the property after service of the motion.*

10. [12-19330](#)-B-13 MOISES/DEANNA HERNANDEZ  
TCS-3  
MOISES HERNANDEZ/MV  
TIMOTHY SPRINGER/Atty. for dbt.

MOTION TO MODIFY PLAN  
7-11-14 [[58](#)]

The motion will be continued to September 11, 2014, at 1:30 p.m., for supplemental information. The debtors are proposing to materially modify the terms of a confirmed plan. Yet, there is nothing in the motion or the notice that clearly informs the court or the creditors what terms have been modified and why. The court cannot make a finding that the modified plan has been filed in good faith, or that it satisfies the elements for confirmation in 11 USC § 1329, without adequate disclosure of the proposed modifications and supporting evidence. No appearance is necessary.

11. [11-61532](#)-B-13 KEITH/GERALDINE CASH  
TCS-5  
KEITH CASH/MV  
NANCY KLEPAC/Atty. for dbt.

MOTION TO MODIFY PLAN  
7-16-14 [[53](#)]

The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The debtor(s) shall submit a proposed confirmation order for approval to the chapter 13 trustee. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed. No appearance is necessary.



12. [12-16133](#)-B-13 JAMES/ANNETTE KROPP

NOTICE OF DEFAULT AND MOTION TO  
DISMISS CASE FOR FAILURE TO  
MAKE PLAN PAYMENTS  
6-11-14 [[81](#)]

ANDY WARSHAW/Atty. for dbt.  
RESPONSIVE PLEADING

The debtors' objection to the trustee's Notice of Default and Intent to Dismiss the case will be overruled without oral argument. The Notice of Default and Intent to Dismiss was served by mail to the debtors and their attorney on June 11, 2014. Pursuant to LBR 3015-1(g)(3), as set forth in the Notice of Default, the debtors were required to file and serve a modified plan that cures the default within 30 days of the mailing of the Notice of Default. The debtors did not request an extension of time to file their modified plan and the modified plan was untimely. No appearance is necessary.

13. [12-16133](#)-B-13 JAMES/ANNETTE KROPP

MOTION TO MODIFY PLAN  
7-18-14 [[86](#)]

ACW-5  
JAMES KROPP/MV  
ANDY WARSHAW/Atty. for dbt.

This motion will be dropped from calendar. The debtors have filed another modified plan and subsequently set a confirmation hearing for a later date. This plan is therefore deemed withdrawn.

In addition, the chapter 13 trustee has filed a Notice of Default and Intent to Dismiss the case. The debtors' opposition to that notice has been overruled. If the case is dismissed, then confirmation of the modified plan will be moot. No appearance is necessary.

14. [12-16133](#)-B-13 JAMES/ANNETTE KROPP

OBJECTION TO CLAIM OF THE  
GOLDEN 1 CREDIT UNION, CLAIM  
NUMBER 10  
7-18-14 [[93](#)]

ACW-6  
JAMES KROPP/MV

ANDY WARSHAW/Atty. for dbt.

This matter will be dropped from calendar. The chapter 13 trustee has filed a Notice of Default and Intent to Dismiss the case. The debtors' opposition to that notice has been overruled. If the case is dismissed, this claim objection will be moot.

15. [14-12634](#)-B-13 ALVARO PACHECO  
TOG-1  
ALVARO PACHECO/MV  
THOMAS GILLIS/Atty. for dbt.

MOTION TO VALUE COLLATERAL OF  
UNION BANK, N.A.  
7-28-14 [[21](#)]

Based on the respondent's opposition, this matter will be continued to October 9, 2014, at 1:30 p.m. This matter is now deemed to be a contested matter. Pursuant to FRBP 9014(c), the federal rules of discovery apply to contested matters. The debtor(s) shall make the subject property available for inspection on reasonable notice. The parties shall immediately commence formal discovery, exchange appraisals, meet and confer, set deposition dates if necessary, and be prepared for the court to set an early evidentiary hearing if the matter is not resolved by the continued hearing date. The court will prepare a civil minute order. No appearance is necessary.

16. [11-14739](#)-B-13 DIANE GARCIA  
PLG-2  
DIANE GARCIA/MV  
JOHN SARAI/Atty. for dbt.

MOTION TO MODIFY PLAN  
7-11-14 [[39](#)]

The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The debtor(s) shall submit a proposed confirmation order for approval to the chapter 13 trustee. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed. No appearance is necessary.

17. [13-15254](#)-B-13 JERAL RICHARDSON  
[14-1014](#)  
RICHARDSON V. RICHARDSON ET AL  
J. IRIGOYEN/Atty. for pl.  
RESPONSIVE PLEADING

STATUS CONFERENCE RE: COMPLAINT  
1-25-14 [[1](#)]

18. [13-15254](#)-B-13 JERAL RICHARDSON  
[14-1014](#)  
RICHARDSON V. RICHARDSON ET AL

ORDER TO SHOW CAUSE WHY  
ADVERSARY PROCEEDING SHOULD NOT  
BE DISMISSED FOR FAILURE TO  
PROSECUTE  
7-15-14 [[30](#)]

19. [13-16757](#)-B-13 DENISE ROMERO  
PBB-1  
DENISE ROMERO/MV  
PETER BUNTING/Atty. for dbt.

OBJECTION TO CLAIM OF CAVALRY  
SPV I, LLC, CLAIM NUMBER 5  
7-8-14 [[26](#)]

The objection will be sustained without oral argument. The record reflects that the objection is unopposed. The claim will be disallowed on the grounds stated in the objection. The objecting party shall submit an order. No appearance is necessary.

20. [13-16757](#)-B-13 DENISE ROMERO  
PBB-2  
DENISE ROMERO/MV

OBJECTION TO CLAIM OF  
EDUCATIONAL EMPLOYEES CREDIT  
UNION, CLAIM NUMBER 4  
7-8-14 [[31](#)]

PETER BUNTING/Atty. for dbt.

**The objection will be sustained without oral argument. The record reflects that the objection is unopposed. The claim will be disallowed on the grounds stated in the objection. The objecting party shall submit an order. No appearance is necessary.**

21. [13-16757](#)-B-13 DENISE ROMERO  
PBB-3  
DENISE ROMERO/MV

OBJECTION TO CLAIM OF  
EDUCATIONAL EMPLOYEES CREDIT  
UNION, CLAIM NUMBER 3  
7-8-14 [[36](#)]

PETER BUNTING/Atty. for dbt.

**The objection will be sustained without oral argument. The record reflects that the objection is unopposed. The claim will be disallowed on the grounds stated in the objection. The objecting party shall submit an order. No appearance is necessary.**

22. [13-16757](#)-B-13 DENISE ROMERO  
PBB-4  
DENISE ROMERO/MV

OBJECTION TO CLAIM OF  
EDUCATIONAL EMPLOYEES CREDIT  
UNION, CLAIM NUMBER 2  
7-8-14 [[41](#)]

PETER BUNTING/Atty. for dbt.

**The objection will be sustained without oral argument. The record reflects that the objection is unopposed. The claim will be disallowed on the grounds stated in the objection. The objecting party shall submit an order. No appearance is necessary.**

23. [12-16958](#)-B-13 BENJAMIN BRUFFETT  
TCS-4  
BENJAMIN BRUFFETT/MV  
TIMOTHY SPRINGER/Atty. for dbt.

MOTION TO MODIFY PLAN  
7-11-14 [[45](#)]

**The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The debtor(s) shall submit a proposed confirmation order for approval to the chapter 13 trustee. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed. No appearance is necessary.**

24. [14-12766](#)-B-13 JUAN NIETO TREJO AND  
NEA-1 MARIA ALVAREZ NIETO  
JUAN NIETO TREJO/MV  
NICHOLAS ANIOTZBEHERE/Atty. for dbt.

MOTION TO VALUE COLLATERAL OF  
GREEN TREE SERVICING, LLC  
6-24-14 [[14](#)]

**This motion to value the collateral for a consensual lien against real property was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be granted for cause shown without oral argument. Based on the evidence offered in support of the motion, the respondent's junior priority mortgage claim is found to be wholly unsecured and may be treated as a general unsecured claim in the chapter 13 plan. The debtor(s) may proceed under state law to obtain a reconveyance of respondent's trust deed upon completion of the chapter 13 plan and entry of the discharge. *Unless the chapter 13 plan has been confirmed, then the order shall specifically state that it is not effective until confirmation of the plan.* The debtor(s) shall submit a proposed order consistent with this ruling. No appearance is necessary.**

***This ruling is only binding on the named respondent in the moving papers and any successor who takes an interest in the property after service of the motion.***

25. [14-13666](#)-B-13 JOE/ROWENA GARCIA  
PLF-1  
JOE GARCIA/MV  
PETER FEAR/Atty. for dbt.

MOTION TO VALUE COLLATERAL OF  
JPMORGAN CHASE BANK, N.A.  
7-28-14 [[10](#)]

**Based on the trustee's opposition and the debtors' reply, this matter will be dropped from calendar to be renoticed and set for hearing with confirmation of the modified plan. No appearance is necessary.**

26. [10-10969](#)-B-13 JEFFERY/MONIQUE DOWNS  
TCS-7  
JEFFERY DOWNS/MV  
TIMOTHY SPRINGER/Atty. for dbt.

MOTION TO SELL  
7-21-14 [[76](#)]

**This motion is premature and will be denied without prejudice. The chapter 13 debtors do not need court authority to employ a broker and list property for sale. There is no pending sale for the court to approve, or to which a party in interest may object. No appearance is necessary.**

27. [12-10472](#)-B-13 RONALD WILSON  
  
MARK ZIMMERMAN/Atty. for dbt.  
\$25.00 FILING FEE PAID  
7/29/14,

ORDER TO SHOW CAUSE - FAILURE  
TO TENDER FEE FOR FILING  
TRANSFER OF CLAIM  
7-29-14 [[48](#)]

**The record shows that the required fee has been paid in full. The OSC will be dropped from calendar. No appearance is necessary.**

28. [13-16574](#)-B-13 JUVENTINO/OLIVIA VERDIN MOTION TO MODIFY PLAN  
TCS-1 7-12-14 [[29](#)]  
JUVENTINO VERDIN/MV  
TIMOTHY SPRINGER/Atty. for dbt.
29. [14-11975](#)-B-13 MICHAEL TAYLOR MOTION TO CONFIRM PLAN  
GH-2 7-9-14 [[28](#)]  
MICHAEL TAYLOR/MV  
GARY HUSS/Atty. for dbt.
30. [11-17380](#)-B-13 ROBERT/DANA ALLEN CONTINUED MOTION TO AVOID LIEN  
JDR-1 OF WELLS FARGO BANK N.A.  
ROBERT ALLEN/MV 7-10-14 [[33](#)]  
JEFFREY ROWE/Atty. for dbt.

**This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. Based on the evidence presented, the judicial lien identified in the motion held by Wells Fargo Bank, N.A., against the property located at 1969 Belcher Ave., Merced, CA, APN#057-170-004, will be reduced to \$11,250 based on the amount of non-exempt equity in the property at the commencement of this case. The moving party shall submit a proposed order. No appearance is necessary.**

31. [14-11380](#)-B-13 SERGIO CARDENAS AND SAYRA MOTION TO VALUE COLLATERAL OF  
TOG-5 CHITAY U.S. BANK, N.A.  
SERGIO CARDENAS/MV 7-28-14 [[45](#)]  
THOMAS GILLIS/Atty. for dbt.

**This motion to value the collateral for a consensual lien against real property was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be granted for cause shown without oral argument. Based on the evidence offered in support of the motion, the respondent's junior priority mortgage claim is found to be wholly unsecured and may be treated as a general unsecured claim in the chapter 13 plan. The debtor(s) may proceed under state law to obtain a reconveyance of respondent's trust deed upon completion of the chapter 13 plan and entry of the discharge. *Unless the chapter 13 plan has been confirmed, then the order shall specifically state that it is not effective until confirmation of the plan.* The debtor(s) shall submit a proposed order consistent with this ruling. No appearance is necessary.**

***This ruling is only binding on the named respondent in the moving papers and any successor who takes an interest in the property after service of the motion.***

32. [13-16981](#)-B-7 SILVIA PADILLA MOTION TO DISMISS CASE  
GGL-2 7-17-14 [[77](#)]  
SILVIA PADILLA/MV  
GEORGE LOGAN/Atty. for dbt.  
CONVERTED TO CH. 7 ON 8/7/14

**The motion has been withdrawn. No appearance is necessary.**

33. [11-13686](#)-B-13 RANDY/AMATISTA RIVERA MOTION TO MODIFY PLAN  
THA-4 7-14-14 [[52](#)]  
RANDY RIVERA/MV  
THOMAS ARMSTRONG/Atty. for dbt.

**The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The debtor(s) shall submit a proposed confirmation order for approval to the chapter 13 trustee. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed. No appearance is necessary.**

34. [12-19887](#)-B-13 CHARLIE/CHARLOTTE MONROE MOTION TO MODIFY PLAN  
JDR-2 7-11-14 [[40](#)]  
CHARLIE MONROE/MV  
JEFFREY ROWE/Atty. for dbt.

**The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The debtor(s) shall submit a proposed confirmation order for approval to the chapter 13 trustee. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed. No appearance is necessary.**

35. [11-12691](#)-B-13 JAYSON/JAMIEDAWN MOTION TO MODIFY PLAN  
JMA-4 DANDURAND 7-10-14 [[42](#)]  
JAYSON DANDURAND/MV  
JOSEPH ARNOLD/Atty. for dbt.

**The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The debtor(s) shall submit a proposed confirmation order for approval to the chapter 13 trustee. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed. No appearance is necessary.**

36. [10-19193](#)-B-13 ENRIQUE/SUSANA MEDINA CONTINUED ORDER TO SHOW CAUSE  
WHY ATTORNEY SHOULD NOT BE  
SANCTIONED  
7-11-14 [[55](#)]  
  
THOMAS GILLIS/Atty. for dbt.  
RESPONSIVE PLEADING
37. [10-19193](#)-B-13 ENRIQUE/SUSANA MEDINA MOTION TO RECONSIDER  
TOG-13 7-19-14 [[57](#)]  
ENRIQUE MEDINA/MV  
THOMAS GILLIS/Atty. for dbt.
38. [12-10696](#)-B-13 STEPHEN/VICTORIA BELIAEFF MOTION FOR RELIEF FROM  
NLG-1 AUTOMATIC STAY  
DEUTSCHE BANK NATIONAL TRUST  
COMPANY/MV 7-30-14 [[79](#)]  
SUSAN HEMB/Atty. for dbt.  
JOSEPHINE PIRANIO/Atty. for mv.
39. [11-16697](#)-B-13 RONALD/DONNA HOFFART MOTION FOR COMPENSATION BY THE  
ACW-8 LAW OFFICE OF FINANCIAL RELIEF  
LAW CENTER FOR ANDY C. WARSHAW,  
DEBTOR'S ATTORNEY(S).  
7-16-14 [[158](#)]  
  
ANDY WARSHAW/Atty. for dbt.

**This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.**

40. [11-13924](#)-B-13 JOSE AYALA MARTINEZ AND CONTINUED MOTION TO DISMISS  
MHM-1 MARIA MARTINEZ DE AYALA CASE FOR UNREASONABLE DELAY  
MICHAEL MEYER/MV THAT IS PREJUDICIAL TO  
CREDITORS AND/OR MOTION TO  
DISMISS CASE  
7-15-14 [[83](#)]  
  
NICHOLAS ANIOTZBEHERE/Atty. for dbt.  
RESPONSIVE PLEADING

**2:00 P.M.**

1. [14-12924](#)-B-13 ADRIAN MUNOZ  
MHM-1

OBJECTION TO CONFIRMATION OF  
PLAN BY TRUSTEE MICHAEL H.  
MEYER  
8-11-14 [[30](#)]

GARY HUSS/Atty. for dbt.

2. [14-13039](#)-B-13 JENNIFER HATFIELD  
MHM-1

OBJECTION TO CONFIRMATION OF  
PLAN BY TRUSTEE MICHAEL H.  
MEYER  
7-29-14 [[17](#)]

MARK ZIMMERMAN/Atty. for dbt.

**The trustee's objection has been withdrawn. No appearance is necessary.**

3. [14-12872](#)-B-13 JOE MOYA  
MHM-1

OBJECTION TO CONFIRMATION OF  
PLAN BY TRUSTEE MICHAEL H.  
MEYER  
8-11-14 [[26](#)]

JERRY LOWE/Atty. for dbt.