

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA**

Honorable Fredrick E. Clement  
Fresno Federal Courthouse  
2500 Tulare Street, 5<sup>th</sup> Floor  
Courtroom 11, Department A  
Fresno, California

**PRE-HEARING DISPOSITIONS**

**DAY:** WEDNESDAY  
**DATE:** AUGUST 31, 2016  
**CALENDAR:** 10:00 A.M. CHAPTER 7 ADVERSARY PROCEEDINGS

**GENERAL DESIGNATIONS**

Each pre-hearing disposition is prefaced by the words "Final Ruling," "Tentative Ruling" or "No Tentative Ruling." Except as indicated below, matters designated "Final Ruling" will not be called and counsel need not appear at the hearing on such matters. Matters designated "Tentative Ruling" or "No Tentative Ruling" will be called.

**ORAL ARGUMENT**

For matters that are called, the court may determine in its discretion whether the resolution of such matter requires oral argument. See *Morrow v. Topping*, 437 F.2d 1155, 1156-57 (9th Cir. 1971); accord LBR 9014-1(h). When the court has published a tentative ruling for a matter that is called, the court shall not accept oral argument from any attorney appearing on such matter who is unfamiliar with such tentative ruling or its grounds.

**COURT'S ERRORS IN FINAL RULINGS**

If a party believes that a final ruling contains an error that would, if reflected in the order or judgment, warrant a motion under Federal Rule of Civil Procedure 60(a), as incorporated by Federal Rules of Bankruptcy Procedure 9024, then the party affected by such error shall, not later than 4:00 p.m. (PST) on the day before the hearing, inform the following persons by telephone that they wish the matter either to be called or dropped from calendar, as appropriate, notwithstanding the court's ruling: (1) all other parties directly affected by the motion; and (2) Kathy Torres, Judicial Assistant to the Honorable Fredrick E. Clement, at (559) 499-5860. Absent such a timely request, a matter designated "Final Ruling" will not be called.

1. [11-17165](#)-A-7 OAKHURST LODGE, INC., A CONTINUED MOTION TO DISMISS  
[15-1017](#) CALIFORNIA CORPORATION ADVERSARY PROCEEDING/NOTICE OF  
AJM-4 REMOVAL  
OAKHURST LODGE, INC. V. 5-17-16 [[176](#)]  
FIRST-CITIZENS BANK & TRUST  
AARON MALO/Atty. for mv.  
ORDER #242 CONTINUING TO  
10/13/16

**Final Ruling**

Pursuant to Order, ECF #242, the matter is continued to October 13, 2016, at 10:00 a.m.

2. [11-17165](#)-A-7 OAKHURST LODGE, INC., A CONTINUED MOTION TO STRIKE  
[15-1017](#) CALIFORNIA CORPORATION 5-17-16 [[179](#)]  
AJM-5  
OAKHURST LODGE, INC. V.  
FIRST-CITIZENS BANK & TRUST  
AARON MALO/Atty. for mv.  
ORDER #242 CONTINUING TO  
10/13/16

**Final Ruling**

Pursuant to Order, ECF #242, the matter is continued to October 13, 2016, at 10:00 a.m.

3. [11-17165](#)-A-7 OAKHURST LODGE, INC., A CONTINUED MOTION TO DISMISS  
[15-1017](#) CALIFORNIA CORPORATION CASE  
NLG-5 5-17-16 [[182](#)]  
OAKHURST LODGE, INC. V.  
FIRST-CITIZENS BANK & TRUST  
NICHOLE GLOWIN/Atty. for mv.  
ORDER #242 CONTINUING TO  
10/13/16

**Final Ruling**

Pursuant to Order, ECF #242, the matter is continued to October 13, 2016, at 10:00 a.m.

4. [11-17165](#)-A-7 OAKHURST LODGE, INC., A CONTINUED MOTION TO STRIKE  
[15-1017](#) CALIFORNIA CORPORATION 5-17-16 [[188](#)]  
NLG-6  
OAKHURST LODGE, INC. V.  
FIRST-CITIZENS BANK & TRUST  
NICHOLE GLOWIN/Atty. for mv.  
ORDER #242 CONTINUING TO  
10/13/16

**Final Ruling**

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