

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Robert S. Bardwil
Bankruptcy Judge
Modesto, California

September 2, 2014 at 10:00 a.m.

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

1. Matters resolved without oral argument:

Unless otherwise stated, the court will prepare a civil minute order on each matter listed. If the moving party wants a more specific order, it should submit a proposed amended order to the court. In the event a party wishes to submit such an Order it needs to be titled "Amended Civil Minute Order."

If the moving party has received a response or is aware of any reason, such as a settlement, that a response may not have been filed, the moving party must contact Nancy Williams, the Courtroom Deputy, at (916) 930-4580 at least one hour prior to the scheduled hearing.

2. The court will not continue any short cause evidentiary hearings scheduled below.

3. If a matter is denied or overruled without prejudice, the moving party may file a new motion or objection to claim with a new docket control number. The moving party may not simply re-notice the original motion.

4. If no disposition is set forth below, the matter will be heard as scheduled.

1.	14-90009-D-13	ROBERT/JOOLET ALVAGI	MOTION FOR RELIEF FROM
	PPR-1		AUTOMATIC STAY
	U.S. BANK, N.A. VS.		7-31-14 [26]

2.	11-91310-D-13	ERIC/REBECCA BURKE	MOTION TO MODIFY PLAN
	CJY-2		7-18-14 [86]

Final ruling:

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

3. 09-93921-D-13 SHAWN/DEBRA BAUCOM
RLB-7

MOTION TO MODIFY PLAN
7-28-14 [109]

Final ruling:

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

4. 11-94222-D-13 SHELLEY SHAHEN
DCJ-3

CONTINUED MOTION TO MODIFY PLAN
6-24-14 [66]

5. 14-90722-D-13 MICHAEL/JANEEN OWEN
BP-2

MOTION TO CONFIRM PLAN
7-22-14 [33]

6. 14-90822-D-13 BRENDA GONZALEZ
TOG-1

MOTION TO VALUE COLLATERAL OF
REAL TIME RESOLUTIONS, INC.
7-28-14 [15]

Final ruling:

The matter is resolved without oral argument. This is the debtor's motion to value the secured claim of Real Time Solutions, Inc. at \$0.00, pursuant to § 506(a) of the Bankruptcy Code. The creditor's claim is secured by a junior deed of trust on the debtor's residence and the amount owed on the senior encumbrance exceeds the value of the real property. No timely opposition has been filed and the relief requested in the motion is supported by the record. As such, the court will grant the motion and set the amount of Real Time Solutions, Inc.'s secured claim at \$0.00 by minute order. No further relief will be afforded. No appearance is necessary.

7. 10-92427-D-13 FRED THIEMAN AND BRENDA MOTION TO INCUR DEBT
RLB-4 VOWELL-THIEMAN 7-24-14 [71]

Final ruling:

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion to purchase vehicle is supported by the record. As such the court will grant the motion to purchase vehicle by minute order. No appearance is necessary.

8. 14-90730-D-13 STUART KURLAND CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY VFC
PARTNERS 10, LLC, AND MOTION TO
DISMISS CASE
7-16-14 [20]

9. 14-90335-D-13 JULIA HALE MOTION TO CONFIRM PLAN
PLG-1 7-11-14 [28]

Final ruling:

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

10. 14-90740-D-13 ALEJANDRO MORALES MOTION TO CONFIRM PLAN
JAD-2 7-15-14 [35]

Final ruling:

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

11. 14-90341-D-13 FELIPE VELASCO AND ALMA MOTION TO CONFIRM PLAN
TOG-6 CARRENO 7-11-14 [56]

12. 14-90845-D-13 NORA AMBRIZ AND ALEJANDRO MOTION TO VALUE COLLATERAL OF
SAC-1 ORDONEZ WELLS FARGO BANK, N.A. AND/OR
MOTION FOR MODIFICATION OF
RIGHTS OF LIENHOLDER WELLS
FARGO BANK, N.A.
8-4-14 [26]

Final ruling:

The hearing on this motion is continued to September 30, 2014 at 10:00 a.m. per the stipulated order entered on August 26, 2014. No appearance is necessary on September 2, 2014.

13. 14-90845-D-13 NORA AMBRIZ AND ALEJANDRO MOTION TO VALUE COLLATERAL OF
SAC-2 ORDONEZ WELLS FARGO, N.A.
8-4-14 [31]

Final ruling:

The matter is resolved without oral argument. This is the debtor's motion to value the secured claim of Wells Fargo, N.A. at \$75,050, pursuant to § 506(a) of the Bankruptcy Code. The creditor's claim is secured by a deed of trust on real property that is not the debtor's residence. No timely opposition has been filed and the valuation requested in the motion is supported by the record. As such the court will grant the motion and set the amount of Wells Fargo, N.A.'s secured claim at \$75,050 for the purpose of plan confirmation. The moving party is to submit an order which sets the creditor's secured claim at \$75,050. No further relief will be afforded. No appearance is necessary.

14. 11-93948-D-13 ARNOLD/DARLENE OLIVAREZ MOTION TO MODIFY PLAN
CJY-4 7-29-14 [60]

Final ruling:

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

15. 14-90856-D-13 MATTHEW HAGERTY
DCJ-2

MOTION TO CONFIRM PLAN
7-14-14 [22]

16. 11-90266-D-13 JOHNNY/TAMARA MATTHEWS
DCJ-3

MOTION TO CONFIRM PLAN
7-14-14 [299]

Final ruling:

This is the debtors' motion to confirm a chapter 13 plan. The motion will be denied for the following reasons: (1) the moving parties failed to serve Kaiser Permanente and Sutter Gould Medical Foundation, listed on their Schedule F; thus, they failed to serve all creditors, as required by Fed. R. Bankr. P. 2002(b); and (2) the plan provides for the secured claim of U.S. Bank for America's Servicing Company at less than the full amount of the claim, whereas the debtors have failed to obtain an order valuing the collateral securing the claim, as required by LBR 3015-1(j). For the reasons stated, the motion will be denied by minute order, and the court need not reach the issues raised by the trustee and U.S. Bank at this time. The motion will be denied by minute order. No appearance is necessary.

17. 12-92669-D-13 KEVIN/DENISE HARDER
JCK-3

CONTINUED MOTION TO MODIFY PLAN
6-26-14 [58]

18. 14-90372-D-13 HOMER/HELEN MALDONADO
ALF-2

MOTION TO CONFIRM PLAN
6-24-14 [31]

Final ruling:

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

19.	14-90572-D-13	DOUGLAS/DEBORAH TOBIN RDG-2	OBJECTION TO DEBTORS' CLAIM OF EXEMPTIONS 7-18-14 [37]
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20.	12-92273-D-13	DEBBIE DEAN DEF-7	MOTION TO MODIFY PLAN 7-7-14 [98]
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21.	14-90477-D-13	BONI CORDOVA-GRIMALDI SJS-3	MOTION TO VALUE COLLATERAL OF JPMORGAN CHASE BANK, N.A. 7-25-14 [44]
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Final ruling:

This is the debtor's motion to value the collateral of JPMorgan Chase Bank, N.A. The motion has been resolved by stipulation of the parties filed August 13, 2014, approved by order dated August 14, 2014. This matter will be removed from calendar. No appearance is necessary.

22.	14-90479-D-13	HOMERO/MIDESSLAVA CJY-2	MOTION TO CONFIRM PLAN 7-18-14 [47]
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Final ruling:

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

23. 13-92182-D-13 MARK/CINDY HARLAN MOTION TO CONFIRM PLAN
SJS-2 7-15-14 [70]

Final ruling:

This case was dismissed on July 14, 2014. As a result the motion will be denied by minute order as moot. No appearance is necessary.

24. 11-92083-D-13 JOHN/RITA PADILLA MOTION TO MODIFY PLAN
CJY-2 7-29-14 [35]

Final ruling:

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

25. 12-90383-D-13 KIJANA BLACK MOTION FOR RELIEF FROM
JHW-1 AUTOMATIC STAY
AMERICREDIT FINANCIAL 8-1-14 [25]
SERVICES, INC. VS.

26. 14-90891-D-13 FRED/MEIKA QUILANTANG MOTION FOR RELIEF FROM
ALP-1 AUTOMATIC STAY
U.S. BANK, N.A. VS. 7-29-14 [13]

CASE DISMISSED 6/30/14

27. 12-90997-D-13 EDWARD/SHERRY GOMEZ
CJY-5

MOTION TO MODIFY PLAN
7-18-14 [55]

Final ruling:

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

28. 14-90902-D-13 RICHARD AZIZ
RDG-2

OBJECTION TO CONFIRMATION OF
PLAN BY RUSSELL D. GREER
8-11-14 [19]

29. 14-90915-D-13 MERCEDITA TALAROC
RDG-1

OBJECTION TO CONFIRMATION OF
PLAN BY RUSSELL D. GREER
8-12-14 [13]

30. 14-90896-D-13 ANTONIO LEPE
RDG-1

OBJECTION TO CONFIRMATION OF
PLAN BY RUSSELL D. GREER
8-12-14 [24]