

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

Honorable Fredrick E. Clement  
Sacramento Federal Courthouse  
501 I Street, 7<sup>th</sup> Floor  
Courtroom 28, Department A  
Sacramento, California

**DAY: TUESDAY**  
**DATE: SEPTEMBER 13, 2022**  
**CALENDAR: 1:30 P.M. ADVERSARY PROCEEDINGS**

**RULINGS**

Each matter on this calendar will have one of three possible designations: No Ruling, Tentative Ruling, or Final Ruling.

**"No Ruling"** means the likely disposition of the matter will not be disclosed in advance of the hearing. The matter will be called; parties wishing to be heard should rise and be heard.

**"Tentative Ruling"** means the likely disposition, and the reasons therefor, are set forth herein. The matter will be called. Aggrieved parties or parties for whom written opposition was not required should rise and be heard. Parties favored by the tentative ruling need not appear. Non-appearing parties are advised that the court may adopt a ruling other than that set forth herein without further hearing or notice.

**"Final Ruling"** means that the matter will be resolved in the manner, and for the reasons, indicated below. The matter will not be called; parties and/or counsel need not appear and will not be heard on the matter.

**CHANGES TO PREVIOUSLY PUBLISHED RULINGS**

On occasion, the court will change its intended ruling on some of the matters to be called and will republish its rulings. The parties and counsel are advised to recheck the posted rulings after 3:00 p.m. on the next business day prior to the hearing. Any such changed ruling will be preceded by the following bold face text: "**[Since posting its original rulings, the court has changed its intended ruling on this matter]**".

**ERRORS IN RULINGS**

Clerical errors of an insignificant nature, e.g., nomenclature ("2017 Honda Accord," rather than "2016 Honda Accord"), amounts, ("\$880," not "\$808"), may be corrected in (1) tentative rulings by appearance at the hearing; or (2) final rulings by appropriate ex parte application. Fed. R. Civ. P. 60(a) *incorporated by* Fed. R. Bankr. P. 9024. All other errors, including those occasioned by mistake, inadvertence, surprise, or excusable neglect, must be corrected by noticed motion. Fed. R. Bankr. P. 60(b), *incorporated by* Fed. R. Bankr. P. 9023.

1. [20-25614](#)-A-7     **IN RE: GREGORY SCHMIDT**  
[21-2018](#)

CONTINUED MOTION IN LIMINE PRECLUDING DEFENDANT OFFERING  
PREVIOUSLY UNDISCLOSED WRITTEN DOCUMENTS AT TRIAL  
8-17-2022    [[63](#)]

SPENCER T. MALYSIAK PROFIT  
SHARING PLAN ET AL V. SCHMIDT  
ERIK LARSON/ATTY. FOR MV.

**No Ruling**

2. [20-25614](#)-A-7     **IN RE: GREGORY SCHMIDT**  
[21-2018](#)     [FEC-3](#)

PRE-TRIAL CONFERENCE RE: COMPLAINT FOR DETERMINATION THAT  
DEBT OWED TO CREDITOR IS NONDISCHARGEABLE  
3-23-2021    [[1](#)]

SPENCER T. MALYSIAK PROFIT  
SHARING PLAN ET AL V. SCHMIDT  
ERIK LARSON/ATTY. FOR PL.

**No Ruling**

3. [20-23726](#)-A-11     **IN RE: AME ZION WESTERN EPISCOPAL DISTRICT**  
[21-2005](#)

PRE-TRIAL CONFERENCE RE: COMPLAINT FOR PRELIMINARY AND  
PERMANENT INJUNCTIVE RELIEF, DECLARATORY JUDGMENT, QUIET  
TITLE, RESCISSION, CONCEALMENT FRAUD AND UNJUST ENRICHMENT  
1-14-2021    [[1](#)]

AME ZION CHURCH OF PALO ALTO,  
INC. V. AME ZION WESTERN  
EDWARD JOHNSON/ATTY. FOR PL.

**Final Ruling**

The pretrial conference is continued to December 13, 2022, at 1:30 p.m. to allow the parties to complete the mediation before the Hon. Gregg W. Zive. Order, ECF No. 240. Not later than 14 days prior to pretrial conference the parties shall file a joint status report. Plaintiff's counsel shall be responsible for (1) soliciting comments from all parties/counsel with respect to the contents of the joint status report; (2) preparing the joint status report and obtaining the signature of all counsel/parties to that report; and (3) filing it with the court. A civil minute order will issue.

4. [20-23726](#)-A-11    **IN RE: AME ZION WESTERN EPISCOPAL DISTRICT**  
[22-2042](#)    [CAE-1](#)

STATUS CONFERENCE RE: COMPLAINT  
7-7-2022    [[1](#)]

STEWART CHAPEL AME ZION CHURCH  
OF REDWOOD CITY ET V. AME ZION  
HAGOP BEDOYAN/ATTY. FOR PL.

**No Ruling**

5. [22-20832](#)-A-7    **IN RE: DANIEL STEWART**  
[22-2046](#)    [CAE-1](#)

STATUS CONFERENCE RE: COMPLAINT  
7-14-2022    [[1](#)]

DECKER ET AL V. STEWART, JR.  
CHARLES HASTINGS/ATTY. FOR PL.  
RESPONSIVE PLEADING

**No Ruling**

6. [22-21067](#)-A-7    **IN RE: CHRISTOPHER CARTER**  
[22-2043](#)    [CAE-1](#)

STATUS CONFERENCE RE: COMPLAINT  
7-11-2022    [[1](#)]

DOE 1 ET AL V. CARTER  
LARRY BAUMBACH/ATTY. FOR PL.

**No Ruling**

7. [22-21067](#)-A-7    **IN RE: CHRISTOPHER CARTER**  
[22-2043](#)    [FEC-2](#)

ORDER TO SHOW CAUSE  
7-12-2022    [[9](#)]

DOE 1 ET AL V. CARTER  
7/14/22 FILING FEE PAID \$350

**No Ruling**

8. [22-20799](#)-A-7    **IN RE: MICHELLE HILLIS**  
[22-2041](#)    [CAE-1](#)

STATUS CONFERENCE RE: COMPLAINT  
7-7-2022    [[1](#)]

GRUNDLAND V. HILLIS  
MICHAEL FLUETSCH/ATTY. FOR PL.  
RESPONSIVE PLEADING

**No Ruling**

9. [20-23726](#)-A-11    **IN RE: AME ZION WESTERN EPISCOPAL DISTRICT**  
[21-2005](#)    [MB-2](#)

MOTION TO COMPEL  
8-30-2022    [[242](#)]

AME ZION CHURCH OF PALO ALTO,  
INC. V. AME ZION WESTERN  
EDWARD JOHNSON/ATTY. FOR MV.

**No Ruling**