



UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Corrine Bielejeski
Bankruptcy Judge
Department D, Courtroom #33
Sacramento, CA

September 14, 2026 at 1:30 p.m.

Unless otherwise ordered, all matters before the Honorable Corrine Bielejeski shall be simultaneously: (1) **In Person** at Courtroom #33, 6th Floor, (2) via **ZoomGov Video**, (3) via **ZoomGov Telephone**, and (4) via **CourtCall**. You may choose any of these options unless otherwise ordered or stated below.

All parties who wish to appear at a hearing remotely must sign up **by 4:00 p.m. one business day** prior to the hearing. Information regarding how to sign up can be found on the **Remote Appearances** page of our website at <https://www.caeb.uscourts.gov/Calendar/CourtAppearances>. Each party who has signed up will receive a Zoom link or phone number, meeting I.D., and password via e-mail.

If the deadline to sign up has passed, parties who wish to appear remotely must contact the Courtroom Deputy for the Department holding the hearing.

Please also note the following:

- Parties in interest may connect to the video or audio feed free of charge and should select which method they will use to appear when signing up.
- Members of the public and the press appearing by ZoomGov may only listen in to the hearing using the zoom telephone number. Video appearances are not permitted.
- Members of the public and the press may not listen in to trials or evidentiary hearings, though they may appear in person in most instances.

To appear remotely for law and motion or status conference proceedings, you must comply with the following guidelines and procedures:

1. Review the [Pre-Hearing Dispositions](#) prior to appearing at the hearing.
2. Parties appearing via CourtCall are encouraged to review the [CourtCall Appearance Information](#).

If you are appearing by ZoomGov phone or video, please join at least 10 minutes prior to the start of the calendar and wait with your microphone muted until the matter is called.

Unauthorized Recording is Prohibited: Any recording of a court proceeding held by video or teleconference, including "screen shots" or other audio or visual copying of a hearing is prohibited. Violation may result in sanctions, including removal of court-issued media credentials, denial of entry to future hearings, or any other sanctions deemed necessary by the court. For more information on photographing, recording, or broadcasting Judicial Proceedings, please refer to Local Rule 173(a) of the United States District Court for the Eastern District of 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, and all parties will need to appear at the hearing unless otherwise ordered. 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.

Post-Publication Changes: 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 any possible updates.

MOTION TO SELL
8-17-2026 [\[28\]](#)

Tentative Ruling. Notice of Motion required opposition at least 14 days before hearing. No opposition was filed. This motion will be GRANTED, subject to overbid and the court's changes to paragraph 3 of the contract as stated below.

This motion was set for hearing on at least 28 days' notice pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1) and will proceed as scheduled for higher and better offers. The failure of creditors, 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 Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a moving party make a prima facie showing that they are entitled to the relief sought, which the movant has done here.

Loris L. Bakken ("Trustee"), the Chapter 7 trustee of the bankruptcy estate of Erika Marie Rodriguez and Hernandez Augustine Jr. ("Debtors"), moves the court pursuant to 11 U.S.C. §363 for an order authorizing the sale of the bankruptcy estate's interest in a 2016 Ford F-350 and a 2006 Dodge Durango (the "Vehicles") to Debtors for a net purchase price of \$11,782.00, with \$2,182.00 payable at or before the time of signing the agreement as a deposit. The remainder of \$9,600 is to be paid in twenty-four equal monthly installments of \$400.00, and the last payment being due on or before August 15, 2027, subject to overbid. Doc. #28.

Pursuant to 11 U.S.C. §363(b)(1), the trustee, after notice and a hearing, may "use, sell, or lease, other than in the ordinary course of business, property of the estate." Proposed sales under §363(b) are reviewed to determine whether they are: (1) in the best interests of the estate resulting from a fair and reasonable price; (2) supported by a valid business judgment; and (3) proposed in good faith. *In re Alaska Fishing Adventure, LLC*, 594 B.R. 883, 887 (Bankr. D. Alaska 2018) (citing *240 N. Brand Partners, Ltd. v. Colony GFP Partners, L.P. (In re 240 N. Brand Partners, Ltd.)*, 200 B.R. 653, 659 (B.A.P. 9th Cir. 1996)). "In the context of sales of estate property under § 363, a bankruptcy court 'should determine only whether the trustee's judgment [is] reasonable and whether a sound business justification exists supporting the sale and its terms.'" *Alaska Fishing Adventure*, 594 B.R. at 889 (quoting 3 COLLIER ON BANKRUPTCY ¶ 363.02[4] (Richard Levin & Henry J. Sommer eds., 16th ed.)). "[T]he trustee's business judgment is to be given great judicial deference." *Id.* at 889-90 (quoting *In re Psychometric Sys., Inc.*, 367 B.R. 670, 674 (Bankr. D. Colo. 2007)).

Trustee believes that approval of the sale on the terms set forth in the motion is in the best interests of creditors and the estate. Doc. #30. Trustee's proposed sale to Debtors is made in consideration of the full and fair market value of the Vehicle. *Id.* Debtors offered to buy the Vehicles for the net purchase price of \$11,782.00, subject to overbid at the hearing. Doc. #28. Trustee further believes that the sale to the Debtors will avoid additional costs, including the cost of an auction, which trustee estimates to be "at least 20% of the value of the Vehicles." Doc. #30.

It appears that the sale of the estate's interest in the Vehicles is in the best interests of the estate, the Vehicles will be sold for a fair and reasonable price, and the sale is supported by a valid business judgment and proposed in good faith.

Taking into account the Debtors' exemptions, overbid shall begin as follows: (a) \$19,500 for the Ford; and (b) \$2,450 for the Durango. Overbidding shall continue in \$1,000 increments. Doc. #28.

The court notes that the parties appear to have entered into this agreement a year ago. Doc. #31. Payments were to begin in 2025. The motion and declaration are silent as to the current status of the payments. The Trustee or Trustee's Counsel should be prepared to discuss the status of the payments.

The parties' agreement is subject to court approval. In paragraph 3, Trustee requests that the contract payments be nonrefundable in the event of Debtors' failure to make payments, without providing a credit for the payments made. That will potentially allow the estate to be paid twice for the same nonexempt equity. The court will not approve that language. The parties are welcome to suggest alternate language at the hearing or the court is prepared to grant the motion, subject to overbid, with the sentence "In addition, if the Debtors do not timely pay the full Purchase Amount, Debtors forfeit all of the Debtors' rights under this Agreement and any amounts already delivered to Ms. Bakken shall be nonrefundable" stricken from the contract.

Accordingly, subject to overbid offers made at the hearing and the change to the above sentence, the court is inclined to GRANT Trustee's motion and authorize the sale of the estate's interest in the Vehicles to Debtors on the terms set forth in the motion.

2. [25-22392](#)-D-7 **IN RE: ELEAZAR NAVA**
[KMT-1](#)

MOTION TO EMPLOY GABRIEL P. HERRERA AS ATTORNEY(S)
8-17-2026 [\[19\]](#)

Final Ruling. Notice of Motion required opposition at least 14 days before hearing. No opposition was filed. This motion will be GRANTED without a hearing. No appearances required.

This motion was set for hearing on at least 28 days' notice pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1). The failure of creditors, 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 Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a moving party make a prima facie showing that they are entitled to the relief sought, which the movant has done here.

Loris L. Bakken ("Trustee"), the chapter 7 trustee, moves pursuant to 11 U.S.C. §§ 327, 328, and 330 for authorization to employ Kronick, Moskovitz, Tiedemann & Girard ("General Counsel") to serve as general bankruptcy counsel in this chapter 7 case. Doc. #19.

Section 327(a) of the Bankruptcy Code permits Trustee to employ, with court approval, professionals "that do not hold or represent an interest adverse to the estate, and that are disinterested persons, to represent or assist the trustee in carrying out the trustee's duties under this title." 11 U.S.C. §327(a).

Trustee requires General Counsel's services to advise and represent Trustee in the bankruptcy case, such as assisting with negotiating the purchase price, preparing the sale agreement, preparing the motion to sell which is subject to overbidding, appearing at any hearing, and assisting with ensuring payments are made. Doc. #19. General Counsel has not received a retainer in this matter and Trustee proposes to pay General Counsel a flat fee of \$1,200. *Id.*

General Counsel has verified that it has no connection with the chapter 7 debtors, creditors, professionals, or any other party in interest. Decl. of Gabriel P. Herrera, Doc. #21. General Counsel represents Trustee in an unrelated chapter 7 bankruptcy case. *Id.* After review of the evidence, the court finds that General Counsel does not represent or hold an adverse interest to Trustee or to the estate. This motion was properly served and noticed, with opposition due at least 14 days prior to the hearing. That deadline has passed. As of September 9, 2026, no opposition has been filed.

Accordingly, this motion is GRANTED. The Moving Party shall submit a proposed order.

3. [25-22392](#)-D-7 **IN RE: ELEAZAR NAVA**
[KMT-2](#)

MOTION TO SELL
8-17-2026 [\[24\]](#)

Tentative Ruling. Notice of Motion required opposition at least 14 days before hearing. No opposition was filed. This motion will be GRANTED, subject to overbid as stated below. The minutes of the hearing will be the court's findings and conclusions. The Moving Party will submit a proposed order after the hearing.

This motion was set for hearing on at least 28 days' notice pursuant to Local Rule of Practice ("LBR") 9014-1(f)(1) and will proceed as scheduled for higher and better offers. No opposition was filed. The failure of creditors, 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 Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917 (9th Cir. 1987). Constitutional due process requires a moving party make a prima facie showing that they are entitled to the relief sought, which the movant has done here.

Loris L. Bakken ("Trustee"), the Chapter 7 trustee of the bankruptcy estate of Eleazar Nava ("Debtor"), moves the court pursuant to 11 U.S.C. §363 for an order authorizing the sale of the bankruptcy estate's interest in a 2016 Chevrolet Silverado to Debtors for "a net purchase price of \$3,022.00," subject to overbid. Doc. #24.

Pursuant to 11 U.S.C. §363(b)(1), the trustee, after notice and a hearing, may "use, sell, or lease, other than in the ordinary course of business, property of the estate." Proposed sales under §363(b) are reviewed to determine whether they are: (1) in the best interests of the estate resulting from a fair and reasonable price; (2) supported by a valid business judgment; and (3) proposed in good faith. *In re Alaska Fishing Adventure, LLC*, 594 B.R. 883, 887 (Bankr. D. Alaska 2018) (citing *240 N. Brand Partners, Ltd. v. Colony GFP Partners, L.P.* (In re *240 N. Brand Partners, Ltd.*), 200 B.R. 653, 659 (B.A.P. 9th Cir. 1996)). "In the context of sales of estate property under §363, a bankruptcy court 'should determine only whether the trustee's judgment [is] reasonable and whether a sound business justification exists supporting the sale and its terms.'" *Alaska Fishing Adventure*, 594 B.R. at 889 (quoting 3 COLLIER ON BANKRUPTCY ¶ 363.02[4] (Richard Levin & Henry J. Sommer eds., 16th ed.)).

Trustee believes that approval of the sale on the terms set forth in the motion is in the best interests of the estate and has a valid business justification. Doc. #26. Trustee's proposed sale to Debtor is made in consideration of the full and fair market value of the Vehicle. Doc. #24. Debtor offers to buy the Vehicle for the net purchase price of \$3,022.00, subject to overbid at the hearing. Doc. #24.

It appears that the sale of the estate's interest in the Vehicle is in the best interests of the estate, the Vehicle will be sold for a fair and reasonable price, and the sale is supported by a valid business judgment and proposed in good faith.

Overbidding for the 2016 Chevrolet Silverado shall begin at \$7,077.00, taking into account Debtor's exemptions. Overbidding shall continue in \$500 increments. Doc #24.

Accordingly, subject to overbid offers made at the hearing, the court is inclined to GRANT Trustee's motion and authorize the sale of the estate's interest in the Vehicle to Debtor on the terms set forth in the motion.