

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

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

PRE-HEARING DISPOSITIONS

DAY: TUESDAY
DATE: SEPTEMBER 17, 2019
CALENDAR: 9:00 A.M. CHAPTERS 11 AND 9 CASES

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. 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.

1. [19-25117](#)-A-11 IN RE: DONNA HEISCHOB

STATUS CONFERENCE RE: VOLUNTARY PETITION
8-14-2019 [[1](#)]

MIKALAH LIVIAKIS
RESPONSIVE PLEADING

[MRL-1] Debtor's Application to Employ Liviakis Law Firm, PC as Counsel for Debtor on a Flat Fee Basis filed 8/27/19 [Dckt 13]; set for hearing 9/10/19 at 9:00 a.m.

Status Report filed 8/27/19 [Dckt20]

The Status Conference is xxxxxxxxxxxxxxxxxxxxxx.

September 17, 2019 Status Conference

Debtor in Possession filed a Status Report on August 27, 2019. Dckt. 20. The income from the estate is generated from Debtor's employment in a dental office. Debtor generates substantial annual wage income.

2. [19-22025](#)-A-12 IN RE: JEFFREY DYER AND JAN WING-DYER

CONTINUED STATUS CONFERENCE RE: VOLUNTARY PETITION
4-1-2019 [[1](#)]

STEPHEN REYNOLDS

Continued from 7/31/19 by request of the Parties

Operating Report filed: 8/15/19

[RLC-3] Objection to Allowance of Claim Number 5 by Farm and Trade, Inc. filed 7/31/19 [Dckt68], set for hearing 9/10/19 at 11:00 a.m.

[RLC-4] Stipulation to Extend Time to File Opposition to Motion to Confirm Plan filed 8/30/19 [Dckt 89]; Order approving filed 9/2/19 [Dckt 91]

[RLC-1] Debtor's First Amended Chapter 12 Plan of Reorganization filed 9/10/19 [Dckt 95]; hearing set for 9/17/19 at 9:00 a.m.

[RLC-3] Stipulation to Continue Hearing on Objection to Claim of Farm and Trade, Inc. filed 9/11/19 [Dckt 104]; proposed continuing hearing from 9/10/19 to 10/1/19 at 9:00 a.m.

The Status Conference is xxxxxxxxxxxxxxxxxxxxxxxx.

September 17, 2019 Status Conference

At the Status Conference, xxxxxxxxxxxxxxxxxxxxxxxx

3. [19-22025](#)-A-12 **IN RE: JEFFREY DYER AND JAN WING-DYER**
[RLC-1](#)

CONTINUED MOTION TO CONFIRM CHAPTER 12 PLAN
5-8-2019 [\[20\]](#)

STEPHEN REYNOLDS
RESPONSIVE PLEADING

Tentative Ruling: Oral argument may be presented by the parties at the scheduled hearing, where the parties shall address the issues identified in this tentative ruling and such other issues as are necessary and appropriate to the court's resolution of the matter.

Local Rule 9014-1(f)(1) Motion-Hearing Required.

The hearing on the Motion to Confirm the Plan is continued to xxxxxx.

The parties have requested the confirmation hearing be continued.

At the hearing, xxxxxxxxxxxxxxxx.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm the Chapter 12 Plan filed by Name of Debtor ("Debtor") having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that Motion to Confirm is continued to
XXXXXXXXXX.

4. 19-25064-A-11 IN RE: SLIDEBELTS INC.

**STATUS CONFERENCE RE: VOLUNTARY PETITION
8-12-2019 [1]**

BRIAN ROTHSCHILD
DEBTOR DISMISSED: 08/30/2019

Set by order of the court filed 8/21/19 [Dckt56]

[BMR-8] Interim Order Authorizing Use of Cash Collateral, Granting Replacement Liens, and Approving DIP Budget filed 8/22/19 [Dckt57]

Application for Admission to Practice Pro Hac Vice [Michael R. Brown] filed 8/28/19 [Dckt 63]; Order granting filed 9/2/19 [Dckt 68]

Application for Admission to Practice Pro Hac Vice [Grace S. Pusavat] filed 8/28/19 [Dckt 64]; Order granting filed 9/2/19 [Dckt 70]

Order Dismissing Case for Failure to Timely File Document(s) filed 8/30/19 [Dckt 65]

[BMR-12] Emergency *Ex Parte* Motion of the Debtor to Vacate Order of Dismissal filed 9/2/19 [Dckt 75]; Order denying filed 9/3/19 [Dckt 76]

[BMR-13] Verified Emergency Motion of the Debtor to Vacate Order of Dismissal filed 9/4/19 [Dckt 79]; [BMR-14] Order Shortening Time set motion for hearing on **9/10/19**; Order Regarding Insufficient Service filed 9/5/19 [Dckt 89]

Status Report filed 9/5/19 [Dckt 93]

[BMR-7] Order granting Motion to Employ Brian M. Rothschild as counsel for the Debtor filed 9/10/19 [Dckt 99]

[BMR-5] Order granting Motion to Employ Advanced CFO as financial advisor filed 9/10/19 [Dckt 101]

The Status Conference is continued to XXXXXXXXXXXXXXXXXXXX

September 17, 2019 Status Conference

At the Status Conference **XXXXXXXXXXXXXXXXXXXX**

5. [11-17165](#)-A-11 IN RE: OAKHURST LODGE, INC., A CALIFORNIA CORPORATION

**CONTINUED STATUS CONFERENCE RE: VOLUNTARY PETITION
6-22-2011 [1](#)**

DONNA STANDARD

Continued from 8/14/19

Operating Reports filed: 9/10/19 [Mar]; 9/10/19 [Apr]

[DMS]54] Oakhurst Lodge, Inc.'s Motion for Distribution to Unsecured Creditors and Release of Funds Held in Trust with Objections filed 9/3/19 [Dckt 646], set for hearing 10/8/19 at 9:00 a.m.

Status Report filed 9/10/19 [Dckt 655]

The Status Conference is continued to **XXXXXXXXXXXXXXXXXXXX**

September 17, 2019 Status Conference

At the Status Conference, **XXXXXXXXXXXXXXXX**

ORDER TO SHOW CAUSE - FAILURE TO PAY FEES
8-26-2019 [\[23\]](#)

Tentative Ruling: Oral argument may be presented by the parties at the scheduled hearing, where the parties shall address the issues identified in this tentative ruling and such other issues as are necessary and appropriate to the court's resolution of the matter. If the court's tentative ruling becomes its final ruling, then the court will make the following findings of fact and conclusions of law:

The Order to Show Cause was served by the Clerk of the Court on Debtor and the Office of the U.S. Trustee as stated on the Certificate of Service on August 31, 2019. The court computes that 17 days' notice has been provided.

The Order To Show Cause was issued for failure to pay the filing fee installment of \$430.00 due August 21, 2019.

The Order to Show Cause is sustained, and the case is dismissed.

The court's docket reflects that the default in payment that is the subjection of the Order to Show Cause has not been cured. The following filing fees are delinquent and unpaid by Debtor: \$429.00.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Order to Show Cause having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Order to Show Cause is sustained, no other sanctions are issued pursuant thereto, and the case is dismissed.