

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

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

PRE-HEARING DISPOSITIONS

DAY: WEDNESDAY
DATE: SEPTEMBER 21, 2016
CALENDAR: 10:00 CHAPTERS 13 AND 12 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. [12-14304](#)-A-12 JOSE/MARIA MENDONCA
[16-1070](#)
ALBERTO ET AL V. MERCED COUNTY
TAX COLLECTOR
GABRIEL WADDELL/Atty. for pl.
ANSWER
- RESCHEDULED STATUS CONFERENCE
RE: COMPLAINT
6-24-16 [[1](#)]

No tentative ruling.

2. [15-14924](#)-A-13 PATRICIA CARLSON
HAR-1
HERBERT A. CARLSON TRUST/MV
DAVID JENKINS/Atty. for dbt.
HILTON RYDER/Atty. for mv.
DISMISSED, ORDER ECF NO. 70
- CONTINUED STATUS CONFERENCE RE:
MOTION TO DISMISS CASE
2-2-16 [[15](#)]

Final Ruling

The case dismissed, the status conference is concluded.

3. [15-14924](#)-A-13 PATRICIA CARLSON
[16-1041](#)
CARLSON ET AL V. CARLSON
HILTON RYDER/Atty. for pl.
DISMISSED ORDER, ECF NO. 27
- CONTINUED STATUS CONFERENCE RE:
COMPLAINT
4-8-16 [[1](#)]

Final Ruling

The adversary proceeding dismissed, the status conference is concluded.

4. [15-14924](#)-A-13 PATRICIA CARLSON
[16-1041](#) DRJ-1
CARLSON ET AL V. CARLSON
- CONTINUED MOTION TO DISMISS
ADVERSARY PROCEEDING/NOTICE OF
REMOVAL
5-8-16 [[9](#)]
- DAVID JENKINS/Atty. for mv.
DISMISSED ORDER, ECF NO. 27

Final Ruling

The adversary proceeding dismissed, the motion to dismiss is dropped as moot.

5. [16-11025](#)-A-13 TIM/CHERIE WILKINS STATUS CONFERENCE RE: COMPLAINT
[16-1075](#) 7-11-16 [[1](#)]
MADONNA PLAZA SRT, LP V.
WILKINS ET AL
ALEJANDRO GUTIERREZ/Atty. for pl.
ANSWER

No tentative ruling.

6. [10-60549](#)-A-13 ROBERT/SANDRA FREEDENBURG CONTINUED STATUS CONFERENCE RE:
[16-1068](#) COMPLAINT
FREEDENBURG ET AL V. GREEN 6-20-16 [[1](#)]
TREE SERVICING, LLC ET AL
GABRIEL WADDELL/Atty. for pl.
ANSWER

Final Ruling

At the suggestion of the parties, the status conference is continued to January 11, 2017, at 10:00 a.m. If a dismissal or judgment is not in the file, not later than 14 days before the continued status conference the parties shall file a joint status report.

7. [11-14278](#)-A-12 MANUEL/MARY BARCELOS CONTINUED STATUS CONFERENCE RE:
[16-1057](#) COMPLAINT
BARCELOS V. THE UNITED STATES 5-27-16 [[1](#)]
OF AMERICA, FOR ACTIONS TAKEN
RILEY WALTER/Atty. for pl.
STIPULATION, ECF NO. 16

Final Ruling

At the suggestion of the parties, the status conference is continued to November 10, 2016, at 10:00 a.m. Not later than 14 days before the continued status conference, the parties shall file a joint status report.