



UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Christopher M. Klein
Bankruptcy Judge
Sacramento, California

September 22, 2026 at 11:00 a.m.

Unless otherwise ordered, all matters before the Honorable Christopher M. Klein shall be simultaneously: (1) **In Person**, at Sacramento Courtroom #35, (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 medical 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.

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Christopher M. Klein

Bankruptcy Judge

Sacramento, California

September 22, 2026 at 11:00 a.m.

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1. [26-24401](#)-C-13 STEVE SHIELDS AND CARA MOTION TO VALUE COLLATERAL OF
[RCW](#)-1 HARDY-SHIELDS NUVISION FEDERAL CREDIT UNION
Ryan C. Wood 8-21-26 [[12](#)]

Final Ruling: No appearance at the September 22, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 32 days' notice was provided. Dkt. 17.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Value is granted.

The debtor filed this Motion seeking to value the portion of Nuvision Federal Credit Union's ("Creditor") claim secured by the debtor's property commonly known as a 2015 Ford Edge (the "Property").

The debtor has presented evidence that the replacement value of the Property at the time of filing was \$8,580.00. Declaration, Dkt. 14.

The Chapter 13 Trustee filed non-opposition on September 4, 2026. Dkt. 18.

DISCUSSION

The lien on the Vehicle's title secures a purchase-money loan incurred on March 2022, which is more than 910 days prior to filing of the petition. 11 U.S.C. § 1325(a)(9) (hanging paragraph).

Upon review of the record, the court finds the value of the Property is \$8,580.00. There are no senior liens encumbering the Property. Therefore, Creditor's secured claim is determined to be \$8,580.00. 11 U.S.C. § 506(a).

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

September 22, 2026 at 11:00 a.m.

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

The Motion to Value Collateral and Secured Claim filed by the 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 the Motion pursuant to 11 U.S.C. § 506(a) is granted, and the claim of Nuvision Federal Credit Union's ("Creditor") secured by property commonly known as 2015 Ford Edge (the "Property") is determined to be a secured claim in the amount of \$8,580.00, and the balance of the claim is a general unsecured claim to be paid through the confirmed bankruptcy plan.

2. [26-24403](#)-C-13 TIMOTHY/EVANGELINA MOTION TO VALUE COLLATERAL OF
[PSB](#)-2 HERNANDEZ ONEMAIN FINANCIAL
Pauldeep Bains 8-12-26 [[13](#)]

Final Ruling: No appearance at the September 22, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 41 days' notice was provided. Dkt. 16.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Value is granted.

The debtor filed this Motion seeking to value the portion of OneMain Financial's ("Creditor") claim secured by the debtor's property commonly known as 2004 Ford F150 (the "Property").

The debtor has presented evidence that the replacement value of the Property at the time of filing was \$1,000.00. Declaration, Dkt. 15.

The Chapter 13 Trustee filed non-opposition on September 4, 2026. Dkt. 28.

DISCUSSION

Upon review of the record, the court finds the value of the Property is \$1,000.00. Therefore, Creditor's secured claim is determined to be \$1,000.00. 11 U.S.C. § 506(a).

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 Value Collateral and Secured Claim filed by the 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 the Motion pursuant to 11 U.S.C. § 506(a) is granted, and the claim of OneMain Financial ("Creditor") secured by property commonly known as 2004 Ford F150 (the "Property") is determined to be a secured claim in the amount of \$1,000.00, and the balance of the claim is a general unsecured claim to be paid through the confirmed bankruptcy plan.

3. [26-21605](#)-C-13 AARON-MATTHEW/LARINDA MOTION TO CONFIRM PLAN
FF-4 BARTON 8-13-26 [[47](#)]
Gary Fraley

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 40 days' notice was provided. Dkt. 52.

The Motion to Confirm is denied.

The debtors filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 49) filed on August 13, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 55) on September 4, 2026, opposing confirmation on the following grounds:

1. Plan is overextended;
2. Plan relies on a motion to value collateral that has not yet been filed; and
3. The attorney's fees are not defined in the plan.

DISCUSSION

Because claims are greater than scheduled, the plan will take 95 months to complete. That is reason to deny confirmation. 11 U.S.C. § 1322(d).

The plan proposes valuing the secured claim of Cleanrite, Inc. Before the court enters an order valuing that secured claim, the plan's feasibility is uncertain.

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

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 filed by the debtors, Aaron-Matthew Barton and Larinda Barton, 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 Motion is denied, and the plan is not confirmed.

4. [26-23608](#)-C-13 CHUNYU OU
[DPC](#)-1 Mohammad M. Mokarram

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY DAVID
P. CUSICK
8-18-26 [[15](#)]

Thru #5

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 21 days' notice was provided. Dkt. 18.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor has not included his business income in his gross monthly income.

DEBTOR'S OPPOSITION

The debtor filed an Opposition on August 28, 2026. Dkt. 24. Debtor asserts that he is in the process of winding down his business because it was no longer profitable.

DISCUSSION

The debtor has supplied insufficient information relating to the debtor's business to assist the Chapter 13 Trustee in determining the feasibility of the plan. Debtor has not explained the cessation of the business or its profitability to allow the Trustee to determine the extent the business provides additional monthly income.

That is reason to deny confirmation. Therefore, the Objection is sustained.

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 Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, 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 Objection is sustained.

5. [26-23608](#)-C-13 CHUNYU OU
[KMM](#)-1 Mohammad M. Mokarram

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY
WILMINGTON SAVINGS FUND
SOCIETY, FSB
8-20-26 [[19](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 19 days' notice was provided. Dkt. 22.

The Objection to Confirmation of Plan is sustained.

Creditor Wilmington Savings Fund Society, FSB ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan does not cure the default on Creditor's claim and fully provide for the claim.

DEBTOR'S OPPOSITION

Debtor filed an Opposition on September 2, 2026. Dkt. 27. Debtor asserts that the higher amount in Creditor's claim can still be paid through the proposed plan. Debtor has also indicated that he is willing to increase the interest rate on the claim to 8.5%.

DISCUSSION

The plan at Section 3.02 provides that Creditor's Proof of Claim, *and not the plan*, determines the amount and classification of a claim.

Notwithstanding whether the plan provides for the prepetition arrearage as Creditor argues, the debtor has not carried his burden to show the plan is adequately funded. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

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 Objection to the Chapter 13 Plan filed by Wilmington Savings Fund Society, FSB, 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 Objection is sustained.

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 22 days' notice was provided. Dkt. 13.

The Objection to Confirmation of Plan is sustained.

Creditor Deutsche Bank National Trust Company ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. Plan does not cure the prepetition arrearages; and
2. Plan is not feasible.

DISCUSSION

The plan at Section 3.02 provides that Creditor's Proof of Claim, *and not the plan*, determines the amount and classification of a claim.

Notwithstanding whether the plan provides for the prepetition arrearage as Creditor argues, the debtor has not carried his burden to show the plan is adequately funded. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

The debtor has not demonstrated the plan is feasible because the plan terms require a higher payment than the debtor's net monthly income. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

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 Objection to the Chapter 13 Plan filed by Deutsche Bank National Trust Company, 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 Objection is sustained.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 49 days' notice was provided. Dkt. 38.

The Motion to Confirm is denied.

The debtor filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 36) filed on August 3, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 40) on September 2, 2026, opposing confirmation on the following grounds:

1. The plan is underfunded and will take longer than 60 months to complete.

DISCUSSION

The plan mathematically requires a payment of \$2,399.56 per month, which is greater than the proposed \$2,344.00 payment.

The debtor has not demonstrated the plan is feasible because the plan terms require a higher payment than what is proposed. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

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 filed by the debtor, Jason Stolz, 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 Motion is denied, and the plan is not confirmed.

8. [26-21217](#)-C-13 NAPOLEON/KRYSTLE APARICIO MOTION TO VALUE COLLATERAL OF
[MEV](#)-3 Marc Voisenat ONEMAIN FINANCIAL GROUP, LLC
8-31-26 [[60](#)]

Thru #9

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 22 days' notice was provided. Dkt. 63.

The Motion to Value is denied.

The debtor filed this Motion seeking to value the portion of OneMain Financial Group, LLC's ("Creditor") claim secured by the debtor's property commonly known as a 2019 Chevy Bolt (the "Property").

The debtor has presented evidence that the replacement value of the Property at the time of filing was \$11,650.00. Declaration, Dkt. 62.

DISCUSSION

The lien on the Vehicle's title secures a loan incurred on July 24, 2025, which is less than one year preceding the filing. 11 U.S.C. § 1325(a)(9) (hanging paragraph). Therefore, the motion must be denied.

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 Value Collateral and Secured Claim filed by the 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 the Motion pursuant to 11 U.S.C. § 506(a) is denied.

9. [26-21217](#)-C-13 NAPOLEON/KRYSTLE APARICIO MOTION TO VALUE COLLATERAL OF
[MEV](#)-4 Marc Voisenat QUANTUM3 GROUP LLC
8-31-26 [[64](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 22 days' notice was provided. Dkt. 67.

The Motion to Value is granted.

The debtor filed this Motion seeking to value the portion of Quantum3 Group LLC as agent for GoodLeap's ("Creditor") claim secured by the debtor's property commonly known as a residential solar photovoltaic system (the "Property").

The debtor has presented evidence that the replacement value of the Property at the time of filing was \$1,000.00. Declaration, Dkt. 66.

DISCUSSION

Upon review of the record, the court finds the value of the Property is \$1,000.00. Therefore, Creditor's secured claim is determined to be \$1,000.00. 11 U.S.C. § 506(a).

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 Value Collateral and Secured Claim filed by the 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 the Motion pursuant to 11 U.S.C. § 506(a) is granted, and the claim of Quantum3 Group LLC as agent for GoodLeap's ("Creditor") secured by property commonly known as a residential solar photovoltaic system (the "Property") is determined to be a secured claim in the amount of \$1,000.00, and the balance of the claim is a general unsecured claim to be paid through the confirmed bankruptcy plan.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 25 days' notice was provided. Dkt. 12.

The Motion to Extend the Automatic Stay is granted.

Peter Mendoza ("Debtor") seeks to have the provisions of the automatic stay provided by 11 U.S.C. § 362(a) extended beyond thirty days in this case. This is Debtor's second bankruptcy petition pending in the past year. Debtor's prior bankruptcy case was dismissed on August 13, 2026, after Debtor did not pay a filing fee with the court. Order, Bankr. E.D. Cal. No. 26-22835, Dkt. 88. Therefore, pursuant to 11 U.S.C. § 362(c)(3)(A), the provisions of the automatic stay end as to Debtor thirty days after filing of the petition.

Here, Debtor states that the instant case was filed in good faith and explains that the previous case was dismissed because as a pro se debtor he misunderstood the payment of the fees and chapter 13 plan payments. Debtor now has a experienced chapter 13 attorney and is confident in a new plan in this case.

Upon motion of a party in interest and after notice and hearing, the court may order the provisions extended beyond thirty days if the filing of the subsequent petition was filed in good faith. 11 U.S.C. § 362(c)(3)(B). As this court has noted in other cases, Congress expressly provides in 11 U.S.C. § 362(c)(3)(A) that the automatic stay **terminates as to Debtor**, and nothing more. In 11 U.S.C. § 362(c)(4), Congress expressly provides that the automatic stay **never goes into effect in the bankruptcy case** when the conditions of that section are met. Congress clearly knows the difference between a debtor, the bankruptcy estate (for which there are separate express provisions under 11 U.S.C. § 362(a) to protect property of the bankruptcy estate) and the bankruptcy case. While terminated as to Debtor, the plain language of 11 U.S.C. § 362(c)(3) is limited to the automatic stay as to only Debtor. The subsequently filed case is presumed to be filed in bad faith if one or more of Debtor's cases was pending within the year preceding filing of the instant case. *Id.* § 362(c)(3)(C)(i)(I). The presumption of bad faith may be rebutted by clear and convincing evidence. *Id.* § 362(c)(3)(C).

In determining if good faith exists, the court considers the totality of the circumstances. *In re Elliot-Cook*, 357 B.R. 811, 814 (Bankr. N.D. Cal. 2006); see also Laura B. Bartell, *Staying the Serial Filer - Interpreting the New Exploding Stay Provisions of § 362(c)(3) of the Bankruptcy Code*, 82 Am. Bankr. L.J. 201, 209-10 (2008). An important indicator of good faith is a realistic prospect of success in the second case, contrary to the failure of the first case. See, e.g., *In re Jackola*, No. 11-01278, 2011 Bankr. LEXIS 2443, at *6 (Bankr. D. Haw. June 22, 2011) (citing *In re Elliott-Cook*, 357 B.R. 811, 815-16 (Bankr. N.D. Cal. 2006)). Courts consider many factors—including those used to determine good faith

under §§ 1307(c) and 1325(a)—but the two basic issues to determine good faith under § 362(c) (3) are:

- A. Why was the previous plan filed?
- B. What has changed so that the present plan is likely to succeed?

In re Elliot-Cook, 357 B.R. at 814-15.

Debtor has sufficiently rebutted the presumption of bad faith under the facts of this case and the prior case for the court to extend the automatic stay.

The Motion is granted, and the automatic stay is extended for all purposes and parties, unless terminated by operation of law or further order of this court.

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 Extend the Automatic Stay filed by Peter Mendoza 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 Motion is granted, and the automatic stay is extended pursuant to 11 U.S.C. § 362(c) (3) (B) for all purposes and parties, unless terminated by operation of law or further order of this court.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 46 days' notice was provided. Dkt. 49.

The Motion to Modify is denied.

The debtors filed this Motion seeking to confirm the Modified Chapter 13 Plan (Dkt. 46) filed on August 7, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 50) on September 8, 2026, opposing confirmation on the following grounds:

1. Lump some payment amount is not specifiec; and
2. Debtors propose reclassifying a creditor from Class 7 to Class 4.

Debtors filed a response on September 15, 2026. Dkt. 53. Debtors agree with the two issues and agree to add additional language to the order confirming plan.

DISCUSSION

The debtor has supplied insufficient information relating to the lump sum payment in December 2026 to assist the Chapter 13 Trustee in determining the feasibility of the plan.

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322, 1325(a), and 1329. The Motion is denied, and the plan is not confirmed.

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 filed by the debtors, James and Amy McCarthy, 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 Motion is denied, and the plan is not confirmed.

12. [24-24725](#)-C-13 ANDRAMICA MCFADDEN
[RAS](#)-1 Peter G. Macaluso

MOTION FOR RELIEF FROM
AUTOMATIC STAY
8-14-26 [[33](#)]

SELENE FINANCE LP VS.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 39 days' notice was provided. Dkt. 38.

The Motion for Relief from the Automatic Stay is granted.

Selene Finance ("Movant") filed this Motion seeking relief from the automatic stay as to the debtor's real property commonly known as 1418 Ticonderoga Dr., Fairfield, California (the "Property").

Movant argues cause for relief from stay exists pursuant to 11 U.S.C. § 362(d)(1) because the debtor is delinquent six postpetition payments. Declaration, Dkt. 36.

DEBTOR'S OPPOSITION

Debtor filed an Opposition on September 8, 2026. Dkt. 39. Debtor asserts that she has been paying Fay Servicing directly as a class 4 claim outside of the plan and not the Movant. Additionally, debtor is seeking a loan modification and asserts the payments will be caught up before the hearing.

DISCUSSION

The Confirmed Chapter 13 Plan provides for Movant's claim as a Class 4. Plan, Dkt. 3; Order, Dkt. 14. The Confirmed Plan states the following with respect the automatic stay and Class 4 claims:

(a) Upon confirmation of the plan, the automatic stay of 11 U.S.C. § 362(a) and the co-debtor stay of 11 U.S.C. § 1301(a) are (1) terminated to allow the holder of a Class 3 secured claim to exercise its rights against its collateral; (2) modified to allow the holder of a Class 4 secured claim to exercise its rights against its collateral and any nondebtor in the event of a default under applicable law or contract; and (3) modified to allow the nondebtor party to an unexpired lease that is in default and rejected in section 4 of this plan to obtain possession of leased property, to dispose of it under applicable law, and to exercise its rights against any nondebtor.

Based on the plain language of the Plan, the automatic stay was already modified to allow Movant to enforce its rights with respect to the collateral. Therefore, the relief requested by the Motion is moot.

The court recognizes that creditors may need an order specifying the

continuing effect and modification of an automatic stay when state recording and filing law come into play, as well as for title insurance purposes.

The Ninth Circuit Court of Appeal has recognized the basic "discretion is the better part of valor" principle when it comes to the automatic stay. Seeking a separate order clearly specifying the scope of the relief granted in the Plan is not inappropriate.

The court grants the Motion, granting relief that under the terms of the confirmed Chapter 13 Plan, Dkt. 3, in this bankruptcy case, "all bankruptcy stays are modified to allow [Movant , and its agents and successors, as] the holder of a Class 4 secured claim to exercise its rights against its collateral and any nondebtor in the event of a default under applicable law or contract."

Request for Waiver of Fourteen-Day Stay of Enforcement

Federal Rule of Bankruptcy Procedure 4001(a)(3) stays an order granting a motion for relief from the automatic stay for fourteen days after the order is entered, unless the court orders otherwise. Movant requests that the court grant relief from the Rule as adopted by the United States Supreme Court.

Movant has not pleaded adequate facts and presented sufficient evidence to support the court waiving the fourteen-day stay of enforcement required under Federal Rule of Bankruptcy Procedure 4001(a)(3), and this part of the requested relief is not granted.

No other or additional relief is granted by the court.

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 for Relief from the Automatic Stay filed by Selene Finance ("Movant") 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 relief is granted pursuant to the Motion, the court confirming that "all bankruptcy stays are modified to allow [Movant , and its agents and successors, as] the holder of a Class 4 secured claim to exercise its rights against its collateral and any nondebtor in the event of a default under applicable law or contract." Confirmed Chapter 13 Plan, Dkt. 3; Order Confirming, Dkt. 14.

IT IS FURTHER ORDERED that the fourteen-day stay of enforcement provided in Federal Rule of Bankruptcy Procedure 4001(a)(3) is not waived for cause.

No other or additional relief is granted.

No Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 35 days' notice was provided. Dkt. 37.

The Motion to Modify is xxxxxxx

The debtor filed this Motion seeking to confirm the Modified Chapter 13 Plan (Dkt. 36) filed on August 18, 2026.

The Chapter 13 Trustee filed a response (Dkt. 40) on September 8, 2026, noting the following:

1. The plan does not assume the lease but now seeks to assume the lease and the creditor has not agreed in writing to the differing treatment in the modified plan.

The debtor filed a reply on September 14, 2026. Dkt. 43. Debtor asserts that the creditor has not opposed the plan.

DISCUSSION

At the hearing xxxxxxxxxx

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 filed by the debtor, Julieta Darbinyan, 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 Motion is xxxxxxx

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. A Proof of Service was not filed with the amended motion to confirm.

The Motion to Confirm is denied.

The debtor filed this Motion seeking to confirm the Second Amended Chapter 13 Plan (Dkt. 31) filed on August 18, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 36) on September 2, 2026, opposing confirmation on the following grounds:

1. Debtor is delinquent in plan payments;
2. The amended plan payment may be wrong; and
3. The attorney's fees do not comply with the Local Rules.

DISCUSSION

The debtor is \$3,739.37 delinquent in plan payments. Declaration, Dkt. 37. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. See 11 U.S.C. § 1325(a)(6).

Local Rule 2016-1(c)(4) instructs that debtor's counsel is entitled to 25% of the flat fee when the petition is filed, another 25% when the plan is confirmed, and the remaining 50% to be paid through the plan in equal monthly installments. The plan proposes payments that will total more than 50% over the first 6 months of the plan, this is reason to deny confirmation.

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

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 filed by the debtor, David Lee McWhite, 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 Motion is denied, and the plan is not confirmed.

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 27 days' notice was provided. Dkt. 20.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor has not provided current pay advices from all employers;
2. Debtor has not amended his Schedules I & J;
3. Attorney's fees are not consistent between the plan and the Disclosure of Compensation of Attorney for Debtor;
4. The plan does not specify a certain percentage to be paid to unsecured creditors; and
5. Debtor is delinquent in plan payments.

DISCUSSION

The debtor has not provided the trustee with all required pay advices. 11 U.S.C. § 521(a)(1)(B)(iv); FED. R. BANKR. P. 4002(b)(2)(A). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor has supplied insufficient information relating to the his new employment to assist the Chapter 13 Trustee in determining the feasibility of the plan.

The debtor has not made a payment and is \$800.00 delinquent in plan payments. Declaration, Dkt. 19. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. See 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

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 Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, 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 Objection is sustained.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. A Proof of Service, which was attached as an exhibit and is not in accordance with the Local Rules, shows that 42 days' notice was provided. Dkt. 48.

The Motion to Confirm is denied.

The debtor filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 48) filed on August 11, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 49) on August 26, 2026, opposing confirmation on the following grounds:

1. Plan proposes paying on \$311 per month when debtor has sufficient income to pay \$3,452.87;
2. The motion does not comply with the Local Rules;
3. The debtor's attorney's fees do not comply with the Local Rules; and
4. The additional provision may not be lawful.

DISCUSSION

Local Rule 9014-1(c)(3) requires the attorney for the moving party to use the attorney's, or law firm's, initials followed by a number, with a new number for each new motion. The Local Rule provides an example of how this should be done.

Local Rule 2016-1(c)(4) instructs that debtor's counsel is entitled to 25% of the flat fee when the petition is filed, another 25% when the plan is confirmed, and the remaining 50% to be paid through the plan in equal monthly installments. Debtor's counsel has been paid 100% of counsel's fees at the time of the filing of the petition, this is reason to deny confirmation.

The plan proposes a monthly payment of \$311, which is less than all of the debtor's disposable income. That is reason to deny confirmation. 11 U.S.C. § 1325(b)(1).

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

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 filed by the debtor, Robert Bray, 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 Motion is denied, and the plan is not confirmed.

17. [26-23960](#)-C-13 GOWAN MCLIN
[DPC](#)-1 Peter G. Macaluso

OBJECTION TO CONFIRMATION OF
PLAN BY DAVID P. CUSICK
8-25-26 [[33](#)]

Thru #18

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 28 days' notice was provided. Dkt. 36.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor did not appear at the Meeting of Creditors;
2. Debtor is delinquent in plan payments;
3. Plan relies on a Motion to Value that has not been filed;
4. Plan does not include any income tax refunds greater than \$2,000.00; and
5. Declarations from the partner and son attesting to the financial support to be provided have not been filed.

DISCUSSION

Debtor did not appear at the Meeting of Creditors held pursuant to 11 U.S.C. § 341. Appearance is mandatory. See 11 U.S.C. § 343. Attempting to confirm a plan while failing to appear and be questioned by the Chapter 13 Trustee and any creditors who appear represents a failure to cooperate. See 11 U.S.C. § 521(a)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor has not made a payment and is \$12,700.00 delinquent in plan payments. Declaration, Dkt. 35. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. See 11 U.S.C. § 1325(a)(6).

The plan proposes valuing the secured claim of Capital One Auto Finance. Before the court enters an order valuing that secured claim, the plan's feasibility is uncertain.

The plan does not propose to pay any tax refund amounts over \$2,000.00, which is less than all of the debtor's disposable income. That is reason to deny confirmation. 11 U.S.C. § 1325(b)(1).

That is reason to deny confirmation. Therefore, the Objection is sustained.

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 Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, 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 Objection is sustained.

18. [26-23960](#)-C-13 GOWAN MCLIN
[JCW](#)-1 Peter G. Macaluso

OBJECTION TO CONFIRMATION OF
PLAN BY CAPITAL ONE AUTO
FINANCE
8-21-26 [[25](#)]

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 32 days' notice was provided. Dkt. 28.

The Objection to Confirmation of Plan is sustained.

Creditor Capital One Auto Finance ("Creditor") opposes confirmation of the Chapter 13 plan on the basis that:

1. The Plan does not fully provide for Creditor's claim.

DISCUSSION

The plan at Section 3.02 provides that Creditor's Proof of Claim, *and not the plan*, determines the amount and classification of a claim.

Notwithstanding whether the plan provides for the full amount of the claim, the debtor has not carried his burden to show the plan is adequately funded. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

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 Objection to the Chapter 13 Plan filed by Capital One Auto Finance, 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 Objection is sustained.

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 28 days' notice was provided. Dkt. 15.

The Objection to Confirmation of Plan is overruled.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Not all tax returns have been filed; and
2. The attorney fee dividend could be higher than proposed.

DEBTOR'S OPPOSITION

The debtor filed an Opposition on September 8. Dkt. 16. Debtor has filed the tax return and anticipates the IRS will amend its proof of claim.

DISCUSSION

With the filing of the tax returns, it appears all of the Trustee's issues are resolved.

No other grounds for objection remaining, it appears the plan complies with 11 U.S.C. §§ 1322 and 1325(a). The Objection is overruled, and the plan is confirmed.

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 Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, 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 Objection is overruled, and the debtor's Chapter 13 Plan (Dkt. 3), is confirmed. Counsel for Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved, the Chapter 13 Trustee will submit the proposed order to the court.

20. [26-23661](#)-C-13 DAVID/DELORES
[SLH](#)-2 HICKENBOTTOM
Seth L. Hanson

MOTION TO CONFIRM PLAN
8-12-26 [[25](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 41 days' notice was provided. Dkt. 31.

The Motion to Confirm is denied.

The debtors filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 30) filed on August 12, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 33) on September 2, 2026, opposing confirmation on the following grounds:

1. Debtor is delinquent in plan payments.

Debtor filed a response (Dkt. 36) on September 14, 2026, asserting that debtors are current on plan payments after making a payment on September 7, 2026.

DISCUSSION

The debtor is \$340.00 delinquent in plan payments. Declaration, Dkt. 34. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. See 11 U.S.C. § 1325(a)(6).

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

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 filed by the debtors, David and Delores Hickenbottom, 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 Motion is denied, and the plan is not confirmed.

21. [26-24161](#)-C-13 MICHAEL MCDONALD
[SLH](#)-1 Seth L. Hanson

MOTION TO VALUE COLLATERAL OF
SERVICE FINANCE COMPANY, LLC
8-12-26 [[12](#)]

Final Ruling: No appearance at the September 22, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 41 days' notice was provided. Dkt. 16.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Value is granted.

The debtor filed this Motion seeking to value the portion of Service Finance Company, LLC's ("Creditor") claim secured by the debtor's property commonly known as HVAC Units (the "Property").

The debtor has presented evidence that the replacement value of the Property at the time of filing was \$6,500.00. Declaration, Dkt. 14.

The Chapter 13 Trustee filed non-opposition on September 4, 2026. Dkt. 17.

DISCUSSION

Upon review of the record, the court finds the value of the Property is \$6,500.00. Therefore, Creditor's secured claim is determined to be \$6,500.00. 11 U.S.C. § 506(a).

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 Value Collateral and Secured Claim filed by the 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 the Motion pursuant to 11 U.S.C. § 506(a) is granted, and the claim of Service Finance Company, LLC ("Creditor") secured by property commonly known as HVAC Units (the "Property") is determined to be a secured claim in the amount of \$6,500.00, and the balance of the claim is a general unsecured claim to be paid through the confirmed bankruptcy plan.

Tentative Ruling:

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 27 days' notice was provided. Dkt. 23.

The Objection to Confirmation of Plan is sustained.

The Chapter 13 Trustee, David Cusick ("Trustee"), opposes confirmation of the Chapter 13 plan on the basis that:

1. Debtor did not appear at the Meeting of Creditors;
2. Plan is incomplete;
3. Debtor has not provided a photo identification or proof of Social Security number;
4. Debtor has not provided copies of tax returns or pay advices;
5. Plan does not include all of debtor's disposable income;
6. Debtor inaccurately filed the Schedule J;
7. Plan misclassifies the secured claim of Santander Consumer USA;
8. Plan fails the liquidation test; and
9. Debtor is delinquent in plan payments.

DISCUSSION

Debtor did not appear at the Meeting of Creditors held pursuant to 11 U.S.C. § 341. Appearance is mandatory. See 11 U.S.C. § 343. Attempting to confirm a plan while failing to appear and be questioned by the Chapter 13 Trustee and any creditors who appear represents a failure to cooperate. See 11 U.S.C. § 521(a)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor has not provided the trustee with all required pay advices. 11 U.S.C. § 521(a)(1)(B)(iv); FED. R. BANKR. P. 4002(b)(2)(A). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor has not provided the trustee with all required tax returns. 11 U.S.C. § 521(e)(2)(A)(i); FED. R. BANKR. P. 4002(b)(3). That is cause to deny confirmation. 11 U.S.C. § 1325(a)(1).

The debtor has non-exempt assets totaling \$21,776.50. The plan provides for a zero percent dividend to unsecured claims, which is less than

the percent dividend necessary to meet the liquidation test. That is cause to deny confirmation. 11 U.S.C. § 1325(a)(4).

The plan proposes a monthly payment of 374.50, which is less than all of the debtor's disposable income. That is reason to deny confirmation. 11 U.S.C. § 1325(b)(1).

The debtor has not made a payment and is \$374.50 delinquent in plan payments. Declaration, Dkt. 22. Delinquency indicates that the plan is not feasible and is reason to deny confirmation. See 11 U.S.C. § 1325(a)(6).

That is reason to deny confirmation. Therefore, the Objection is sustained.

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 Objection to the Chapter 13 Plan filed by the Chapter 13 Trustee, David Cusick, 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 Objection is sustained.

Final Ruling: No appearance at the September 22, 2026 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 46 days' notice was provided. Dkt. 20.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion to Confirm is granted.

The debtors filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 16) filed on August 6, 2026.

The Chapter 13 trustee filed a non-opposition on September 2, 2026. Dkt. 22.

Upon review of the record, the court finds the plan complies with 11 U.S.C. §§ 1322 and 1325(a). The Motion is granted, and the plan is confirmed.

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 filed by the debtors, Shane and Sherrey Lawson, 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 Motion is granted, the Amended Chapter 13 Plan (Dkt. 16) meets the requirements of 11 U.S.C. §§ 1322 and 1325(a), and the plan is confirmed. Counsel for Debtor shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved, the Chapter 13 Trustee will submit the proposed order to the court.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 40 days' notice was provided. Dkt. 52.

The Motion to Confirm is denied.

The debtor filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 36) filed on July 29, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 73) on September 8, 2026, opposing confirmation on the following grounds:

1. Debtor has insufficient disposable income to make the plan payments;
2. The motion does not comply with the Local Rules;
3. Plan fails the liquidation test; and
4. Plan does not provide for a duration.

DISCUSSION

The debtor has not demonstrated the plan is feasible because debtor's disposable income is not enough to make the plan payment. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

Debtor has not provided competent admissible evidence demonstrating the plan is confirmable.

The debtor has non-exempt assets totaling \$3,000.00. The plan provides for a zero percent dividend to unsecured claims, which is less than the percent dividend necessary to meet the liquidation test. That is cause to deny confirmation. 11 U.S.C. § 1325(a)(4).

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

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 filed by the debtor, Tiffany Pelton, 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 Motion is denied, and the plan is not confirmed.

25. [26-22984](#)-C-13 ALICE REDDY
[KMM](#)-1 Peter G. Macaluso

OBJECTION TO CONFIRMATION OF
PLAN BY PRESTIGE FINANCIAL
SERVICES
8-19-26 [[38](#)]

Final Ruling: No appearance at the September 22, 2026 hearing is required.

The Objection has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 34 days' notice was provided. Dkt. 41.

Upon review of the Motion and supporting pleadings, and the files in this case, the court has determined that oral argument will not be of assistance in ruling on the Motion.

The Objection to Confirmation of Plan is overruled as moot.

Creditor Prestige Financial Services filed this Objection to Confirmation on August 19, 2026. Thereafter, the Trustee's Objection to Confirmation was sustained, making this Objection moot. Dkts. 45, 46.

Therefore, the Objection is overruled.

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 Objection to the Chapter 13 Plan filed by the Prestige Financial Services, 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 Objection is overruled as moot.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 35 days' notice was provided. Dkt. 50.

The Motion to Confirm is denied.

The debtor filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 49) filed on August 18, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 53) on September 4, 2026, opposing confirmation on the following grounds:

1. Debtor is paid ahead under the amended plan;
2. Plan does not specify an interest rate for class 1 claims for arrears;
3. Plan payments are not enough to pay claims;
4. Debtor cannot afford the plan payments; and
5. Debtor's attorney's fees to not comply with the Local Rules.

DISCUSSION

The plan mathematically requires a payment of \$5,942.14 per month, which is greater than the proposed \$5,67.55 and \$5,767.55 payments in the first 7 months.

The debtor has not demonstrated the plan is feasible because the plan terms require a higher payment than what is proposed. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

The plan proposes a monthly payment of \$7,126 beginning in month 7, which is more than the debtor's disposable income. That is reason to deny confirmation. 11 U.S.C. § 1325(b)(1).

Local Rule 2016-1(c)(4) instructs that debtor's counsel is entitled to 25% of the flat fee when the petition is filed, another 25% when the plan is confirmed, and the remaining 50% to be paid through the plan in equal monthly installments. Debtor's counsel has been paid 100% of counsel's fees at the time of the filing of the petition, this is reason to deny confirmation.

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

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 filed by the debtor, Linna Tep, 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 Motion is denied, and the plan is not confirmed.

27. [26-20789](#)-C-13 WILLIE WATSON
[HLG](#)-1 Peter Macalsuo

CONTINUED MOTION FOR RELIEF
FROM AUTOMATIC STAY
6-2-26 [[73](#)]

EMMA LAVERNE WILLIAMS,
JESSICA WILLIAMS VS.

No Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 42 days' notice was provided. Dkt. 76.

The Motion for Relief from the Automatic Stay is xxxxxx.

The motion was continued from the prior hearing because Movant's counsel did not appear at the hearing.

Jessica and Emma Williams ("Movant") filed this Motion seeking relief from the automatic stay as to the debtor's property without specifying address or description of the property.

Movant argues cause for relief from stay exists pursuant to 11 U.S.C. § 362(d)(1) because this is debtor's fourth petition, which was filed in bad faith in order to stop a foreclosure on his property.

DEBTOR'S OPPOSITION

Debtor filed an Opposition on June 30, 2026. Dkt. 87. Debtor asserts that the judgment against him was based on actions of his son. And, the previous cases were filed by Attorney George Jones who was authorized to file the case by Willie Watson.

Debtor's counsel contends that debtor could satisfy the judgment with a reverse mortgage or deed of trust that conveys the property upon his death.

TRUSTEE'S RESPONSE

The Chapter 13 Trustee filed a response asserting that it is not in the best interests of the debtor or estate to grant this motion at this time. The Trustee contends that the debtor should be given an opportunity to object to the claims filed and confirm a plan.

DISCUSSION

As an initial matter, the court notes that this is Movant's fourth out of five motions that have used the same docket control number. Local Rule 9014-1(c)(3) requires the attorney for the moving party to use the attorney's, or law firm's, initials followed by a number, with a new number for each new motion. The Local Rule provides an example of how this should be done.

Additionally, Movant's papers references Exhibits A-J, but a review

of the docket does not show that any Exhibits were filed with this motion.

At the hearing

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 for Relief from the Automatic Stay filed by Jessica and Emma Williams("Movant") 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 automatic stay provisions of 11 U.S.C. § 362(a) are ~~xxxxxxx~~

Final Ruling: No appearance at the September 22, 2026 hearing is required.

The Motion has been set on Local Rule 3007-1(b)(1) procedure which requires 44 days' notice. The Proof of Service shows that 56 days' notice was provided. Dkt. 102.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Objection to Proof of Claim is sustained, and the claim is disallowed in its entirety.

Debtor objects to Amended Proof of Claim No. 3-2 filed by Alternative Wealth Builders, Inc. on May 13, 2026, in the amount of \$381,000.00. Debtor asserts that the claim does not include any proof of security substantiating the secured claim, nor is there any proof demonstrating the claim has been perfected.

Additionally, the claim states that the claim is for fraud by creditors Jessica Williams/Erma Williams, who are not the debtor.

Section 502(a) provides that a claim supported by a Proof of Claim is allowed unless a party in interest objects. Once an objection has been filed, the court may determine the amount of the claim after a noticed hearing. 11 U.S.C. § 502(b). It is settled law in the Ninth Circuit that the party objecting to a proof of claim has the burden of presenting substantial evidence to overcome the prima facie validity of a proof of claim, and the evidence must be of probative force equal to that of the creditor's proof of claim. Wright v. Holm (In re Holm), 931 F.2d 620, 623 (9th Cir. 1991); see also United Student Funds, Inc. v. Wylie (In re Wylie), 349 B.R. 204, 210 (B.A.P. 9th Cir. 2006). Substantial evidence means such relevant evidence as a reasonable mind might accept as adequate to support a conclusion, and requires financial information and factual arguments. In re Austin, 583 B.R. 480, 483 (B.A.P. 8th Cir. 2018). Notwithstanding the prima facie validity of a proof of claim, the ultimate burden of persuasion is always on the claimant. In re Holm, 931 F.2d at p. 623.

Once a party has objected to a proof of claim, the creditor asserting the claim may not withdraw the claim except on order of the court. Fed. R. Bankr. P. 3006.

Based on the evidence before the court, the court finds the creditor's claim has not been properly supported by competent admissible evidence. The Proof of Claim is not entitled to prima facie validity. The Objection to the Proof of Claim is sustained, and the claim is disallowed in

its entirety.

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 Objection to Claim filed in this case by the Debtor, Willie Watson, Sr., 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 Objection to Proof of Claim Number 3-2 of Alternative Wealth Builders, Inc. is sustained, and the claim is disallowed in its entirety.

29. [26-24293](#)-C-13 CHRISTOPHER SUMMERS
[FWP](#)-1 Pro Se

MOTION FOR RELIEF FROM
AUTOMATIC STAY
8-14-26 [[14](#)]

MARGARET BECK VS.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 39 days' notice was provided. Dkt. 20.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion for Relief from the Automatic Stay is granted.

Margaret Beck, trustee of the ABS Retirement Plan as to an Undivided 78.95%, and SC Profit Sharing as to an Undivided 21.05% ("Movant") filed this Motion seeking relief from the automatic stay as to the debtor's real property commonly known as 5200 Fenton Way, Roseville, California (the "Property").

Movant argues cause for relief from stay exists pursuant to 11 U.S.C. § 362(d)(1) because the Property is uninsured, which required the Movant to purchase insurance. Declaration, Dkt. 16. Movant also argues cause exists pursuant to 11 U.S.C. § 362(d)(2) because the total debt secured by the Property, \$653,674.07, exceeds the value of the Property, which is \$652,000.00. *Id.*

Movant also argues cause exists pursuant to 11 U.S.C. § 362(d)(4) because the filing of the petition was part of a scheme to delay, hinder, or defraud creditors that involved a transfer of an interest in the Property without consent of the secured creditor or court approval and multiple bankruptcy filings affecting the Property.

There have been four prior bankruptcy cases filed by Michelle Lynn Summers that affect the Property. Case No. 24-23572 filed on August 13, 2024, dismissed on September 4, 2024. Case No. 24-24156 filed on September 17, 2024, dismissed on December 4, 2024. Case No. 26-22565 filed on May 4, 2026, dismissed on June 2, 2026. Case No. 26-23270 filed on June 5, 2026, dismissed on June 23, 2026.

On July 29, 2026, a grant deed was executed and recorded that transferred the property to Michelle Summers and her son Christopher Summers.

The Chapter 13 Trustee filed non-opposition on September 8, 2026. Dkt. 31.

DISCUSSION

Upon review of the record, the court finds cause for relief from stay exists pursuant to 11 U.S.C. § 362(d)(1) and pursuant to 11 U.S.C. § 362(d)(2).

The court also finds cause exists pursuant to 11 U.S.C. § 362(d)(4) because the filing of the petition was part of a scheme to delay, hinder, or defraud creditors that involved a transfer of an interest in the Property without consent of the secured creditor or court approval and multiple bankruptcy filings affecting the Property.

Language vacating stay

Based on the foregoing, the Motion is granted. The court shall issue an order terminating and vacating the automatic stay to allow Movant, and its agents, representatives and successors, and all other creditors having lien rights against the Property, to repossess, dispose of, or sell the asset pursuant to applicable nonbankruptcy law and their contractual rights, and for any purchaser, or successor to a purchaser, to obtain possession of the asset.

Request for Waiver of Fourteen-Day Stay of Enforcement

Federal Rule of Bankruptcy Procedure 4001(a)(3) stays an order granting a motion for relief from the automatic stay for fourteen days after the order is entered, unless the court orders otherwise. Movant requests that the court grant relief from the Rule as adopted by the United States Supreme Court.

Movant has pleaded adequate facts and presented sufficient evidence to support the court waiving the fourteen-day stay of enforcement required under Federal Rule of Bankruptcy Procedure 4001(a)(3), and this part of the requested relief is granted.

No other or additional relief is granted by the court.

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 for Relief from the Automatic Stay filed by Margaret Beck, trustee of the ABS Retirement Plan as to an Undivided 78.95%, and SC Profit Sharing as to an Undivided 21.05% ("Movant") 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 automatic stay provisions of 11 U.S.C. § 362(a) are vacated to allow Movant, its agents, representatives, and successors, and trustee under the trust deed, and any other beneficiary or trustee, and their respective agents and successors under any trust deed that is recorded against the real property commonly known as 5200

September 22, 2026 at 11:00 a.m.

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Fenton Way, Roseville, California, ("Property") to secure an obligation to exercise any and all rights arising under the promissory note, trust deed, and applicable nonbankruptcy law to conduct a nonjudicial foreclosure sale and for the purchaser at any such sale to obtain possession of the Property.

IT IS FURTHER ORDERED that the above relief is also granted pursuant to 11 U.S.C. § 362(d)(4), the court having found that the filing of the petition was part of a scheme to delay, hinder, or defraud creditors that involved a transfer of an interest in the Property without consent of the secured creditor or court approval and multiple bankruptcy filings affecting the Property. If recorded in compliance with applicable State laws governing notices of interests or liens in real property, this order shall be binding in any other case under this title purporting to affect the Property filed not later than 2 years after the date of the entry of this Order.

IT IS FURTHER ORDERED that the fourteen-day stay of enforcement provided in Federal Rule of Bankruptcy Procedure 4001(a)(3) is waived for cause.

No other or additional relief is granted.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 40 days' notice was provided. Dkt. 25.

The Motion to Modify is denied.

The debtors filed this Motion seeking to confirm the Modified Chapter 13 Plan (Dkt. 17) filed on August 10, 2026.

The Chapter 13 Trustee filed an Opposition (Dkt. 26) on September 2, 2026, opposing confirmation on the following grounds:

1. Debtor is paid ahead under the proposed plan;
2. Amended Schedule I does not include bonus income without an explanation; and
3. The percentage dividend to unsecured claims may be understated.

Debtors' filed a response on September 17, 2026. Dkt. 30. Debtors believe the issues can be resolved in the order confirming plan by adding language that addresses the issues.

DISCUSSION

The debtor has not explained the absence of the bonus income to assist the Chapter 13 Trustee in determining the feasibility of the plan.

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322, 1325(a), and 1329. The Motion is denied, and the plan is not confirmed.

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 Modify Plan filed by the debtors, Brittany and Mark Gonzales, 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 Motion is denied, and the plan is not confirmed.

31. [26-22695](#)-C-13 TERRY SY
Peter G. Macaluso

MOTION FOR RELIEF FROM
AUTOMATIC STAY
8-21-26 [[25](#)]

401K ARTA RE, ET AL VS.

No Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 32 days' notice was provided. Dkt. 27.

The Motion for Relief from the Automatic Stay is ~~xxxxxx~~.

401K ARTA RE as undivided 50% interest AND Trisha Raymus and Michael Davis as wife and husband as community property with right of survivorship as undivided 50% interest AS tenants in common("Movant") filed this Motion seeking relief from the automatic stay as to the debtor's real property commonly known as 5617 Mariolyn Court, Elk Grove, California (the "Property").

Movant argues cause for relief from stay exists pursuant to 11 U.S.C. § 362(d)(1) because the Movants acquired the rights to the Property at a foreclosure sale prior to the filing of the case. Movants assert they were not provided notice of the bankruptcy and recorded the Trustee's Deed Upon Sale on June 16, 2026.

DEBTOR'S OPPOSITION

Debtor filed an Opposition on September 8, 2026. Dkt. 32. Debtor asserts that motion does not contain a docket control number and was filed with hearsay evidence and no certified documents.

Additionally, debtor represents the automatic stay was not vacated prior to the recording of the Trustee's Deed Upon Sale on June 15, 2026, and the motion does not identify if the sale was to an individual or a corporation.

TRUSTEE'S RESPONSE

The Chapter 13 Trustee filed a response representing that no payments have been received by the Trustee, the Movants are not provided for in the plan because they were not the original mortgage creditor listed in Class 1 of the plan. Movants have not filed a proof of claim, and a declaration was not provided with the motion.

DISCUSSION

At the hearing

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 for Relief from the Automatic Stay filed by 401K ARTA RE as undivided 50% interest AND Trisha Raymus and Michael Davis as wife and husband as community property with right of survivorship as undivided 50% interest AS tenants in common ("Movant") 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 motion for relief from automatic stay provisions of 11 U.S.C. § 362(a) is **xxxxxxxxxx**

No Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(2) notice which requires 14 days' notice. The Proof of Service shows that 36 days' notice was provided. Dkt. 49.

The Motion to Withdraw as Counsel is xxxxxxx

Carl Gustafson of Lincoln Law LLP filed this Motion seeking authority to withdrawal as debtors' counsel because the debtors are separated and anticipating a divorce that will create an irreconcilable conflict of interest.

DISCUSSION

District Court Rule 182(d) governs the withdrawal of counsel. Local Bankr. R. 1001-1(C). The District Court Rule prohibits the withdrawal of counsel leaving a party in propria persona unless by motion noticed upon the client and all other parties who have appeared in the case. E.D. CAL. LOCAL R. 182(d). The attorney must provide an affidavit stating the current or last known address or addresses of the client and efforts made to notify the client of the motion to withdraw. Id. Leave to withdraw may be granted subject to such appropriate conditions as the Court deems fit. Id.

Withdrawal is only proper if the client's interest will not be unduly prejudiced or delayed. The court may consider the following factors to determine if withdrawal is appropriate: (1) the reasons why the withdrawal is sought; (2) the prejudice withdrawal may cause to other litigants; (3) the harm withdrawal might cause to the administration of justice; and (4) the degree to which withdrawal will delay the resolution of the case. Williams v. Troehler, No. 1:08cv01523 OWW GSA, 2010 U.S. Dist. LEXIS 69757 (E.D. Cal. June 23, 2010). FN.1.

FN.1. While the decision in Williams v. Troehler is a District Court case and concerns Eastern District Court Local Rule 182(d), the language in 182(d) is identical to Local Bankruptcy Rule 2017-1.

It is unethical for an attorney to abandon a client or withdraw at a critical point and thereby prejudice the client's case. Ramirez v. Sturdevant, 26 Cal. Rptr. 2d 554 (Cal. Ct. App. 1994). An attorney is prohibited from withdrawing until appropriate steps have been taken to avoid reasonably foreseeable prejudice to the rights of the client. Id. at 559.

The District Court Rules incorporate the relevant provisions of the Rules of Professional Conduct of the State Bar of California ("Rules of Professional Conduct"). E.D. CAL. LOCAL R. 180(e).

Termination of the attorney-client relationship under the Rules of Professional Conduct is governed by Rule 3-700. Counsel may not seek to withdraw from employment until Counsel takes steps reasonably foreseeable to

avoid prejudice to the rights of the client. CAL. R. PROF'L CONDUCT 3-700(A)(2). The Rules of Professional Conduct establish two categories for withdrawal of Counsel: either Mandatory Withdrawal or Permissive Withdrawal.

Mandatory Withdrawal is limited to situations where Counsel (1) knows or should know that the client's behavior is taken without probable cause and for the purpose of harassing or maliciously injuring any person and (2) knows or should know that continued employment will result in violation of the Rules of Professional Conduct or the California State Bar Act. CAL. R. PROF'L CONDUCT 3-700(B).

Permissive withdrawal is limited to certain situations, including the one relevant for this Motion:

(b) Except as stated in paragraph (c), a lawyer may withdraw from representing a client if:

(9) a continuation of the representation is likely to result in a violation of these rules or the State Bar Act.

CAL. R. PROF'L CONDUCT 1.16(b)(9).

As a ground for the Motion to Withdraw as Attorney, Movant states that Debtors are seeking a divorce that creates a conflict of interest. Declaration, Dkt. 46.

At the hearing

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 Withdraw as Counsel filed by Carl Gustafson 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 Motion is ~~xxxxxx~~.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(3) notice which requires an order shortening time. The motion has been set on 11 days notice. Dkt. 102.

The Motion to Impose the Automatic Stay is denied.

Debtor Tiffany Hamilton filed this Motion seeking to impose the automatic stay of 11 U.S.C. § 362(a). This previously vacated the automatic stay when it granted LJ Investment Properties LLC/Avante Apartment Homes' ("Creditor") motion for relief. Dkt. 88.

The court considers this motion as motion for reconsideration.

Debtor seeks to impose the automatic stay on the basis that she has now filed a chapter 13 plan that provides adequate protection to Creditor.

The court issued its Order vacating the stay after determining that the debtor did not have an ownership interest in or a right to maintain possession of the property.

APPLICABLE LAW

Federal Rule of Civil Procedure Rule 60(b), as made applicable by Federal Rule of Bankruptcy Procedure 9024, governs the reconsideration of a judgment or order. Grounds for relief from a final judgment, order, or other proceeding are limited to:

- (1) mistake, inadvertence, surprise, or excusable neglect;
- (2) newly discovered evidence that, with reasonable diligence, could not have been discovered in time to move for a new trial under Rule 59(b);
- (3) fraud (whether previously called intrinsic or extrinsic), misrepresentation, or misconduct by an opposing party;
- (4) the judgment is void;
- (5) the judgment has been satisfied, released, or discharged; it is based on an earlier judgment that has been reversed or vacated; or applying it prospectively is no longer equitable; or
- (6) any other reason that justifies relief.

FED. R. CIV. P. 60(b). A Rule 60(b) motion may not be used as a substitute

for a timely appeal. *Latham v. Wells Fargo Bank, N.A.*, 987 F.2d 1199, 1203 (5th Cir. 1993). The court uses equitable principles when applying Rule 60(b). See 11 CHARLES ALAN WRIGHT ET AL., FEDERAL PRACTICE AND PROCEDURE § 2857 (3d ed. 1998). The so-called catch-all provision, Federal Rule of Civil Procedure 60(b)(6), is "a grand reservoir of equitable power to do justice in a particular case." *Uni-Rty Corp. V. Guangdong Bldg., Inc.*, 571 F. App'x 62, 65 (2d Cir. 2014) (citation omitted). While the other enumerated provisions of Rule 60(b) and Rule 60(b)(6) are mutually exclusive, relief under Rule 60(b)(6) may be granted in extraordinary circumstances. *Liljeberg v. Health Servs. Acquisition Corp.*, 486 U.S. 847, 863 & n.11 (1988).

A condition of granting relief under Rule 60(b) is that the requesting party show that there is a meritorious claim or defense. This does not require a showing that the moving party will or is likely to prevail in the underlying action. Rather, the party seeking the relief must allege enough facts that, if taken as true, allow the court to determine if it appears that such defense or claim could be meritorious. 12 JAMES WM. MOORE ET AL., MOORE'S FEDERAL PRACTICE ¶¶ 60.24[1]-[2] (3d ed. 2010); see also *Falk v. Allen*, 739 F.2d 461, 463 (9th Cir. 1984).

Additionally, when reviewing a motion under Rule 60(b), courts consider three factors: "(1) whether the plaintiff will be prejudiced, (2) whether the defendant has a meritorious defense, and (3) whether culpable conduct of the defendant led to the default." *Falk*, 739 F.2d at 463 (citations omitted).

Another consideration is the importance of finality of judgments. The standard for determining whether a Rule 60(b)(1) motion is filed within a reasonable time is a case-by-case analysis. The analysis considers "the interest in finality, the reason for delay, the practical ability of the litigant to learn earlier of the grounds relied upon, and prejudice to other parties." *Gravatt v. Paul Revere Life Ins. Co.*, 101 F. App'x 194, 196 (9th Cir. 2004) (citations omitted); *Sallie Mae Servicing, LP v. Williams (In re Williams)*, 287 B.R. 787, 793 (B.A.P. 9th Cir. 2002) (citation omitted).

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 reconsider and reimpose the automatic stay filed by Tiffany Hamilton 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 Motion is denied.