

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Robert S. Bardwil  
Bankruptcy Judge  
Sacramento, California

September 26, 2017 at 10:00 a.m.

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INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

1. Matters resolved without oral argument:

Unless otherwise stated, the court will prepare a civil minute order on each matter listed. If the moving party wants a more specific order, it should submit a proposed amended order to the court. In the event a party wishes to submit such an Order it needs to be titled 'Amended Civil Minute Order.'

If the moving party has received a response or is aware of any reason, such as a settlement, that a response may not have been filed, the moving party must contact Nancy Williams, the Courtroom Deputy, at (916) 930-4580 at least one hour prior to the scheduled hearing.

2. The court will not continue any short cause evidentiary hearings scheduled below.

3. If a matter is denied or overruled without prejudice, the moving party may file a new motion or objection to claim with a new docket control number. The moving party may not simply re-notice the original motion.

4. If no disposition is set forth below, the matter will be heard as scheduled.

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1.	17-21803-D-13	WILLIAM/MAGDALENA MERCER	MOTION TO CONFIRM PLAN
	JCK-2		8-18-17 [52]

Final ruling:

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is referenced in LBR 3015-1(e). The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

2. 17-24903-D-13 JAMES/KELLY GUERRERO  
RFW-1

MOTION TO VALUE COLLATERAL OF  
HYUNDAI MOTOR FINANCE  
8-18-17 [12]

**Final ruling:**

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant the motion and, for purposes of this motion only, sets the creditor's secured claim in the amount set forth in the motion. Moving party is to submit an order which provides that the creditor's secured claim is in the amount set forth in the motion. No further relief is being afforded. No appearance is necessary.

3. 17-24412-D-13 JEANINE DAVIS  
RDG-3

OBJECTION TO DEBTOR'S CLAIM OF  
EXEMPTIONS  
8-21-17 [22]

**Final ruling:**

This is the trustee's objection to the debtor's claims of exemptions. On September 15, 2017, the debtor filed an amended Schedule C. As a result of the filing of the amended Schedule C, the objection is moot. The objection will be overruled as moot by minute order. No appearance is necessary.

4. 16-26221-D-13 GREGORY GROSS AND RETTA  
JCK-3 GIRLEY-GROSS

CONTINUED MOTION TO SUBSTITUTE  
GREGORY L. GROSS AS THE  
REPRESENTATIVE FOR RETTA  
GIRLEY-GROSS AND/OR MOTION TO  
EXCUSE DEBTOR FROM COMPLETING  
11 U.S.C. 1328 CERTIFICATE OR  
CERTIFICATE OF CHAPTER 13  
DEBTOR RE: 11 U.S.C. 522 (Q)  
EXEMPTIONS  
7-19-17 [43]

**Final ruling:**

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the Motion to Substitute Gregory L. Gross as the Representative for Retta Girley-Gross and to Excuse Debtor From Completing 11 U.S.C. § 1328 Certificate or Certificate of Chapter 13 Debtor re 11 U.S.C. § 522(q) Exemptions (the "motion") is supported by the record. As such the court will grant the motion. Moving party is to submit an appropriate order. No appearance is necessary.

5. 16-26221-D-13 GREGORY GROSS AND RETTA  
JCK-3 GIRLEY-GROSS

MOTION TO SUBSTITUTE GREGORY L.  
GROSS AS THE REPRESENTATIVE FOR  
RETTA GIRLEY-GROSS AND/OR  
MOTION TO EXCUSE CO DEBTOR FROM  
COMPLETING U.S.C. 1328  
CERTIFICATE AND U.S.C. 522  
CERTIFICATE  
8-15-17 [50]

**Final ruling:**

This is a duplicate of item no. 4. Matter removed from calendar.

6.	15-20823-D-13	MARINA GALINDO	MOTION TO MODIFY PLAN
	JCK-4		8-10-17 [58]

7.	16-26623-D-13	LEZLI STOWERS	MOTION TO CONFIRM PLAN
	STO-3		8-8-17 [88]

**Final ruling:**

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is referenced in LBR 3015-1(e). The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

8.	16-25832-D-13	TIMOTHY HOSKER AND	MOTION TO MODIFY PLAN
	MJD-2	CRYSTAL HOSKER-STARR	8-15-17 [48]

9.	17-21439-D-13	LOTTIE PHILLIPS	MOTION TO MODIFY PLAN
	TLA-1		8-15-17 [21]

10. 14-31444-D-13 ANA/JOHN GONSALES  
TLC-2

MOTION TO MODIFY PLAN  
8-17-17 [31]

**Final ruling:**

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is referenced in LBR 3015-1(e). The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

11. 17-25544-D-13 MANUEL/LIZA SABIO  
JCK-1

MOTION TO VALUE COLLATERAL OF  
CAPITAL ONE AUTO FINANCE  
8-24-17 [8]

**Final ruling:**

The matter is resolved without oral argument. The court's records indicate that no timely opposition has been filed and the relief requested in the motion is supported by the record. As such the court will grant the motion and, for purposes of this motion only, sets the creditor's secured claim in the amount set forth in the motion. Moving party is to submit an order which provides that the creditor's secured claim is in the amount set forth in the motion. No further relief is being afforded. No appearance is necessary.

12. 12-39155-D-13 THOMAS GARCIA  
JCK-4

MOTION TO MODIFY PLAN  
8-11-17 [59]

**Final ruling:**

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is referenced in LBR 3015-1(e). The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

13. 16-28163-D-13 KAREN KHAN  
JCK-1

OBJECTION TO CLAIM OF ADF OF  
CALIFORNIA, LLC/APPLIED DATA  
FINANCE, LLC, CLAIM NUMBER 10  
8-10-17 [37]

**Final ruling:**

Objection withdrawn by moving party. Matter removed from calendar.

14. 16-28163-D-13 KAREN KHAN  
JCK-2

OBJECTION TO CLAIM OF AMERIMARK  
C/O CREDITORS BANKRUPTCY  
SERVICE, CLAIM NUMBER 4  
8-10-17 [41]

**Final ruling:**

**The matter is resolved without oral argument. The court's record indicates that no timely opposition/response to the objection has been filed and the objection is supported by the record. Accordingly, the court will issue a minute order sustaining the debtor's objection to claim. No appearance is necessary.**

15. 16-28163-D-13 KAREN KHAN  
JCK-3

OBJECTION TO CLAIM OF AVANT,  
INC., CLAIM NUMBER 7  
8-10-17 [45]

16. 16-26469-D-13 LONEY/MARY TURPIN  
TAG-9

CONTINUED MOTION TO CONFIRM  
PLAN  
6-21-17 [115]

17. 17-21469-D-13 AMY EVANS  
RS-2

CONTINUED MOTION TO CONFIRM  
PLAN  
7-16-17 [55]

18. 13-36179-D-13 ROMEO/JENNY HERNANDEZ AMENDED MOTION TO MODIFY PLAN  
JCK-5 8-21-17 [81]

19. 14-21386-D-13 ROSIA/LINDA EALY MOTION TO SELL  
JAD-2 8-30-17 [91]

20. 15-25997-D-13 AL GREEN MOTION TO MODIFY PLAN  
JWS-1 8-9-17 [74]

**Final ruling:**

The relief requested in the motion is supported by the record and no timely opposition to the motion has been filed. Accordingly, the court will grant the motion by minute order and no appearance is necessary. The moving party is to lodge an order confirming the plan, amended plan, or modification to plan, and shall use the form of order which is referenced in LBR 3015-1(e). The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

21. 17-25224-D-13 RAUL/GUADALUPE LUGO OBJECTION TO CONFIRMATION OF  
PPR-1 PLAN BY CREDITOR CARRINGTON  
MORTGAGE SERVICES, LLC  
9-5-17 [20]

**Final ruling:**

This is the objection of Carrington Mortgage Services, LLC to confirmation of the debtors' proposed chapter 13 plan. The objection was noticed for hearing prematurely. According to the Notice of Chapter 13 Bankruptcy Case, objections to confirmation were to be set for hearing on October 24, 2017, at 10:00 a.m. Accordingly, the hearing will be continued to that date and time. No appearance is necessary on September 26, 2017.

22. 15-23544-D-13 FRANCISCO MORA  
OAG-1

CONTINUED MOTION TO MODIFY PLAN  
8-1-17 [52]