

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Thomas C. Holman
Bankruptcy Judge
Sacramento, California

October 8, 2014 at 9:30 A.M.

1.	14-24824 -B-7	JOHN/JEANNETTE NOTMAN	STATUS CONFERENCE RE: COMPLAINT
	14-2230		8-7-14 [1]
	PENSION BENEFIT GUARANTY		
	CORPORATION V. NOTMAN		

Disposition Without Oral Argument: Oral argument will not aid the court in rendering a decision on this matter.

The status conference is concluded. On or before October 17, 2014, the plaintiff shall obtain a reissued summons. On or before October 17, 2014, the plaintiff shall serve the reissued summons, the complaint and the Order to Confer on Initial Disclosures and Setting Deadlines (the "OTC") (Dkt. 5) on the defendants in accordance with Fed. R. Bankr. P. 7004. This adversary proceeding will next appear on the court's calendar on the date set for a status conference in the reissued summons. Failure to comply with the orders herein may result in the imposition of sanctions under Fed. R. Bankr. P. 7016, incorporating Fed. R. Civ. P. 16(f). Such sanctions may include any of the sanctions listed in F.R.Civ.P. 37(b)(2)(A)(ii)-(vii), including dismissal of the action for plaintiff's failure to comply.

The plaintiff's certificate of service of the summons and complaint (Dkt. 6) shows that service was effected on August 28, 2014, 21 days after issuance of the summons. The summons was stale at the time it was served because it was not served within 14 days of its issuance. Fed. R. Bankr. P. 7004(e). Therefore, the status conference is continued to allow the plaintiff to obtain a reissued summons and to properly serve it, the complaint and the OTC.

The court will issue a minute order.

2.	11-25431 -B-13	TIFFANY PEREZ	STATUS CONFERENCE RE: COMPLAINT
	14-2229		8-6-14 [1]
	PEREZ V. U.S. BANK NATIONAL		
	ASSOCIATION ET AL		

Disposition Without Oral Argument: Oral argument will not aid the court in rendering a decision on this matter.

The status conference is continued to December 10, 2014, at 9:30 a.m. If the adversary proceeding is not resolved by November 10, 2014, the

parties shall comply with the court's Order to Confer on Initial Disclosures and Setting Deadlines (Dkt. 5) (the "OTC") as if the date of the continued status conference was the status conference date set in the original summons (Dkt. 3), including, inter alia, development of a joint proposed discovery plan. Failure to comply with the orders herein or with the OTC may result in the imposition of sanctions under Fed. R. Bankr. P. 7016, incorporating Fed. R. Civ. P. 16(f). Such sanctions may include any of the sanctions listed in F.R.Civ.P. 37(b)(2)(A)(ii)-(vii), including dismissal of the action for plaintiff's failure to comply or the striking of defendant's answer and the entry of defendant's default for defendant's failure to comply.

The court will issue a minute order.

3. [09-37037](#)-B-13 GENE CARSON CONTINUED STATUS CONFERENCE RE:
[14-2151](#) COMPLAINT
CARSON V. ONE WEST BANK 6-6-14 [[1](#)]

Disposition Without Oral Argument: Oral argument will not aid the court in rendering a decision on this matter.

The status conference is removed from the calendar. The adversary proceeding was dismissed pursuant to Fed. R. Bankr. P. 7041(a)(1)(A)(ii) by stipulation of the parties filed September 22, 2014 (Dkt. 18).

4. [14-23437](#)-B-7 JASON MACK CONTINUED STATUS CONFERENCE RE:
[14-2195](#) COMPLAINT
TAN ET AL V. MACK 7-3-14 [[1](#)]

Disposition Without Oral Argument: Oral argument will not aid the court in rendering a decision on this matter.

The status conference is continued to November 19, 2014, at 9:30 a.m. If the adversary proceeding is not resolved by October 21, 2014, the parties shall comply with the court's Order to Confer on Initial Disclosures and Setting Deadlines (Dkt. 5) (the "OTC") as if the date of the continued status conference was the status conference date set in the original summons (Dkt. 3), including, inter alia, development of a joint proposed discovery plan. Failure to comply with the orders herein or with the OTC may result in the imposition of sanctions under Fed. R. Bankr. P. 7016, incorporating Fed. R. Civ. P. 16(f). Such sanctions may include any of the sanctions listed in F.R.Civ.P. 37(b)(2)(A)(ii)-(vii), including dismissal of the action for plaintiff's failure to comply or the striking of defendant's answer and the entry of defendant's default for defendant's failure to comply.

The court will issue a minute order.

5. [09-35241](#)-B-13 ANTHONY/LILIA DICUS
[14-2127](#)
DICUS ET AL V. ONEWEST BANK,
FSB ET AL

CONTINUED STATUS CONFERENCE RE:
AMENDED COMPLAINT
5-19-14 [[11](#)]

Disposition Without Oral Argument: Oral argument will not aid the court in rendering a decision on this matter.

The status conference is continued to January 21, 2015, at 9:30 a.m. If the adversary proceeding is not resolved by December 23, 2014, the parties shall comply with the court's Order to Confer on Initial Disclosures and Setting Deadlines (Dkt. 4) (the "OTC") as if the date of the continued status conference was the status conference date set in the original summons (Dkt. 2), including, inter alia, development of a joint proposed discovery plan. Failure to comply with the orders herein or with the OTC may result in the imposition of sanctions under Fed. R. Bankr. P. 7016, incorporating Fed. R. Civ. P. 16(f). Such sanctions may include any of the sanctions listed in F.R.Civ.P. 37(b)(2)(A)(ii)-(vii), including dismissal of the action for plaintiff's failure to comply or the striking of defendant's answer and the entry of defendant's default for defendant's failure to comply.

The court will issue a minute order.

6. [13-30690](#)-B-11 WILLIAM PRIOR
[13-2288](#)
PRIOR V. TRI COUNTIES BANK ET
AL

CONTINUED STATUS CONFERENCE RE:
NOTICE OF REMOVAL
8-27-13 [[1](#)]

Disposition Without Oral Argument: Oral argument will not aid the court in rendering a decision on this matter.

The status conference is continued November 19, 2014, at 9:30 a.m., for the resolution of pending motions deemed resubmitted after supplemental briefing on September 6, 2014, and pending motions continued to November 4, 2014.

The court will issue a minute order.