

**UNITED STATES BANKRUPTCY COURT**

Eastern District of California

Honorable Robert S. Bardwil  
Bankruptcy Judge  
Modesto, California

**October 8, 2019 atm 10:30 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 Lindsey Peratis, the Courtroom Deputy, at (916) 930-4473 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. [19-90600](#)-B-13 JANICE RATTEREE CONTINUED OBJECTION TO  
[RDG](#)-1 CONFIRMATION OF PLAN BY RUSSELL  
D. GREER  
8-26-19 [[19](#)]

**Final ruling:**

**Objection withdrawn by moving party. Matter removed from calendar.**

2. [18-90901](#)-B-13 GARY/COLEEN EDWARDS MOTION TO CONFIRM TERMINATION  
[DJD](#)-1 OR ABSENCE OF STAY  
9-24-19 [[85](#)]

**October 8, 2019 at 10:30 a.m.**

3. [19-90010](#)-B-13 SHALEAH WALKER MOTION TO CONFIRM PLAN  
[BSH](#)-4 8-27-19 [[58](#)]
4. [17-90013](#)-B-13 EDWARD/LINDA GABRIEL MOTION TO SELL  
[JAD](#)-4 9-9-19 [[86](#)]
5. [19-90723](#)-B-13 VINCENT/HEATHER PORTER MOTION FOR RELIEF FROM  
[MSK](#)-1 AUTOMATIC STAY  
8-23-19 [[11](#)]  
  
U.S. BANK NATIONAL  
ASSOCIATION VS.  
DEBTOR DISMISSED:  
08/27/2019  
JOINT DEBTOR DISMISSED:
6. [19-90129](#)-B-13 KENNETH/MISTY GONZALES MOTION TO CONFIRM PLAN  
[JAD](#)-2 8-15-19 [[41](#)]

**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.

7. [19-90644](#)-B-13 PATRICIA BRIMM  
[RDG](#)-1  
OBJECTION TO CONFIRMATION OF  
PLAN BY RUSSELL D. GREER  
9-10-19 [[22](#)]
8. [19-90546](#)-B-13 JEFFREY/CLARA PAPPAS  
[HWW](#)-3  
MOTION TO CONFIRM PLAN  
8-27-19 [[38](#)]
9. [19-90848](#)-B-13 BOUNYAKONE TANAKHONE  
[RKW](#)-1  
MOTION TO EXTEND AUTOMATIC STAY  
9-24-19 [[9](#)]
10. [16-90349](#)-B-13 WARREN/LYNETTE MCGHEE  
[JAD](#)-3  
MOTION TO INCUR DEBT  
9-18-19 [[45](#)]

11. [16-90349](#)-B-13 WARREN/LYNETTE MCGHEE  
[JAD](#)-4

MOTION TO BORROW  
9-18-19 [[50](#)]

12. [16-90349](#)-B-13 WARREN/LYNETTE MCGHEE  
[JAD](#)-5

MOTION TO BORROW  
9-18-19 [[55](#)]

13. [19-90755](#)-B-13 MICHAEL LAVELLE AND  
[MMS](#)-1 KIMBERLY ANGEL

MOTION TO VALUE COLLATERAL OF  
BANK OF AMERICA  
8-30-19 [[7](#)]

**Final ruling:**

**Motion withdrawn by moving party. Matter removed from calendar.**

14. [19-90755](#)-B-13 MICHAEL LAVELLE AND  
[MMS](#)-2 KIMBERLY ANGEL

MOTION TO VALUE COLLATERAL OF  
ALLY FINANCIAL  
8-30-19 [[11](#)]

**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.**

15. [19-90755](#)-B-13    MICHAEL LAVELLE AND    MOTION TO VALUE COLLATERAL OF  
[MMS](#)-3                    KIMBERLY ANGEL                    GULF HARBOUR INVESTMENTS  
CORPORATION  
9-11-19 [[20](#)]

**Final ruling:**

The matter is resolved without oral argument. This is the debtors' motion to value the secured claim of Gulf Harbour Investments Corporation at \$0.00, pursuant to § 506(a) of the Bankruptcy Code. The creditor's claim is secured by a junior deed of trust on the debtors' residence and the amount owed on the senior encumbrance exceeds the value of the real property. 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 set the amount of Gulf Harbour Investments Corporation's secured claim at \$0.00 by minute order. No further relief will be afforded. No appearance is necessary.

16. [19-90656](#)-B-13    JUAN LOPEZ AND OTILIA    OBJECTION TO CONFIRMATION OF  
[RDG](#)-1                    PICENO                    PLAN BY RUSSELL D. GREER  
9-10-19 [[23](#)]

17. [18-90169](#)-B-13    DANNY/BECKY CALDWELL    MOTION TO MODIFY PLAN  
[BSH](#)-2                                       8-15-19 [[73](#)]

18. [19-90374](#)-B-13    JOSE TORRES AND LAURA DE    MOTION TO CONFIRM PLAN  
[TOG](#)-4                    RIOS                    8-30-19 [[71](#)]

19. [19-90675](#)-B-13 JEANETTE PIMENTEL  
[RDG](#)-1

OBJECTION TO CONFIRMATION OF  
PLAN BY RUSSELL D GREER  
9-10-19 [[20](#)]

**Final ruling:**

As the debtor's motion to value the secured claim of Allied Financial was granted on September 17, 2019, the objection will be overruled as moot by minute order. No appearance is necessary.

20. [19-90578](#)-B-13 THOMAS/CECILIA MCCAULEY  
[BSH](#)-2

MOTION TO CONFIRM PLAN  
8-13-19 [[38](#)]

21. [19-90787](#)-B-13 JOSEPH/KELLY VEGA  
[RK](#)-1

MOTION TO AVOID LIEN OF  
SYNCHRONY BANK  
8-29-19 [[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. The court finds the judicial lien described in the motion impairs an exemption to which the debtor is entitled. As a result, the court will grant the debtor's motion to avoid the lien. Moving party is to submit an appropriate order, which order shall specifically identify the real property subject to the lien and specifically identify the lien to be avoided. No appearance is necessary.

22. [19-90496](#)-B-13 BRUCE/LESLIE DUDLEY  
[RDG](#)-2

CONTINUED MOTION TO DISMISS  
CASE  
9-3-19 [[25](#)]

23. [19-90599](#)-B-13 LINDA EXPOSE  
[RDG](#)-2

MOTION TO DEFER  
9-10-19 [[46](#)]

24. [19-90599](#)-B-13 LINDA EXPOSE  
[RDG](#)-4

MOTION TO VALUE COLLATERAL OF  
FAST AUTO TITLE LOAN  
9-6-19 [[40](#)]

25. [19-90599](#)-B-13 LINDA EXPOSE  
[RDG](#)-4

OBJECTION TO DEBTOR'S CLAIM OF  
EXEMPTIONS  
8-26-19 [[32](#)]