

UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable W. Richard Lee
Hearing Date: Thursday, October 8, 2015
Place: Department C – Courtroom #12
Fresno, California

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

1. The following rulings are tentative. The tentative ruling will not become the final ruling until the matter is called at the scheduled hearing. **Pre-disposed matters will generally be called, and the rulings placed on the record at the end of the calendar.** Any party who desires to be heard with regard to a pre-disposed matter may appear at the hearing. If the party wishes to contest the tentative ruling, he/she shall notify the opposing party/counsel of his/her intention to appear. **If no disposition is set forth below, the hearing will take place as scheduled.**

2. Submission of Orders:

Unless the tentative ruling expressly states that the court will prepare a civil minute order, then the tentative ruling will only appear in the minutes. If any party desires an order, then the appropriate form of order, which conforms to the tentative ruling, must be submitted to the court. When the debtor(s) discharge has been entered, proposed orders for relief from stay must reflect that the motion is denied as to the debtor(s) and granted only as to the trustee. Entry of discharge normally is indicated on the calendar.

3. Matters Resolved Without Opposition:

If the tentative ruling states that no opposition was filed, and the moving party is aware of any reason, such as a settlement, why a response may not have been filed, the moving party must advise Vicky McKinney, the Calendar Clerk, at (559) 499-5825 by 4:00 p.m. the day before the scheduled hearing.

4. Matters Resolved by Stipulation:

If the parties resolve a matter by stipulation after the tentative ruling has been posted, but **before the formal order is entered on the docket**, the **moving party** may appear at the hearing and advise the court of the settlement or withdraw the motion. Alternatively, the parties may submit a stipulation and order to modify the tentative ruling together with the proposed order resolving the matter.

5. Resubmittal of Denied Matters:

If the moving party decides to re-file a matter that is denied without prejudice for any reason set forth below, the moving party must file and serve a new set of pleadings with a new docket control number. It may not simply re-notice the original motion.

THE COURT ENDEAVORS TO PUBLISH ITS PREDISPOSITIONS AS SOON AS POSSIBLE, HOWEVER CALENDAR PREPARATION IS ONGOING AND THESE PREDISPOSITIONS MAY BE REVISED OR UPDATED AT ANY TIME PRIOR TO 4:00 P.M. THE DAY BEFORE THE SCHEDULED HEARINGS. PLEASE CHECK AT THAT TIME FOR POSSIBLE UPDATES.

10:00 A.M.

- | | | |
|----|---|---|
| 1. | 14-16009 -A-7 CINDY MILLER
JRL-4
CINDY MILLER/MV
JERRY LOWE/Atty. for dbt. | MOTION TO AVOID LIEN OF PMGI,
LLC
9-2-15 [47] |
|----|---|---|

This matter will be continued to October 21, 2015, at 9:00 a.m., before Judge Clement in Dept. A for submission of additional evidence. The motion was filed without admissible supporting evidence, as required by Local Rule 9014-1(d)(7), regarding the value of the subject property and the amount, if any, of non-avoidable liens against it. The declaration of debtor's counsel is not based on personal knowledge and is not admissible as evidence of the property's value. The court will enter a civil minute order. No appearance is necessary.

1:30 P.M.

1. [13-14607](#)-A-13 GILBERT PEREZ
MHM-3
MICHAEL MEYER/MV
HENRY NUNEZ/Atty. for dbt.

MOTION TO DISMISS CASE
8-20-15 [[66](#)]

This matter will be rescheduled to October 22, 2015, at 9:00 a.m., before Judge Clement in Dept. A. The court will prepare a minute order. No appearance is necessary.

2. [15-12953](#)-A-13 CYNTHIA MARTINEZ
[15-1101](#)
U.S. TRUSTEE V. MARTINEZ
GREGORY POWELL/Atty. for pl.

STATUS CONFERENCE RE: COMPLAINT
8-12-15 [[1](#)]

This matter will be rescheduled to October 22, 2015, at 10:00 a.m., before Judge Clement in Dept. A. The court will prepare a minute order. No appearance is necessary.

3. [15-13058](#)-A-13 JUAN/VERONICA LOPEZ
TOG-1
JUAN LOPEZ/MV
THOMAS GILLIS/Atty. for dbt.

MOTION TO VALUE COLLATERAL OF
BANK OF AMERICA, N.A.
8-31-15 [[15](#)]

This matter will be rescheduled to October 22, 2015, at 9:00 a.m., before Judge Clement in Dept. A. The court will prepare a minute order. No appearance is necessary.

2:30 P.M.

1. [15-10161](#)-C-11 FRESNO COUNTY MOTION TO DISMISS CASE
UST-1 SPORTSMEN'S CLUB 9-2-15 [[47](#)]
TRACY DAVIS/MV
PETER FEAR/Atty. for dbt.
ROBIN TUBESING/Atty. for mv.
RESPONSIVE PLEADING

This matter will be rescheduled to October 15, 2015, at 1:30 p.m., before Judge Lee in courtroom 12. The court will prepare a minute order. No appearance is necessary.

2. [15-11079](#)-C-11 WEST COAST GROWERS, INC. MOTION FOR COMPENSATION BY THE
RAC-3 A CALIFORNIA CORPORATION LAW OFFICE OF BLAKELEY LLP FOR
RONALD A. CLIFFORD, CREDITORS
ATTORNEY(S)
9-10-15 [[513](#)]

HAGOP BEDOYAN/Atty. for dbt.

This matter will be continued to October 15, 2015, at 1:30 p.m., before Judge Lee in courtroom 12. The motion is not supported by a statement from the client as required by the Region 17 U.S. Trustee's Guidelines, ¶2.2.2. The court will prepare a minute order. No appearance is necessary.

3. [15-11080](#)-C-11 SALWASSER, INC. MOTION TO APPROVE STIPULATION
KFV-1 REGARDING LIEN ON FTB
CENTRAL VALLEY COMMUNITY WITHHOLDING RE: REAL PROPERTY
BANK/MV SALES PROCEEDS
9-9-15 [[116](#)]
PETER FEAR/Atty. for dbt.
KURT VOTE/Atty. for mv.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.