

Eastern District of California

Honorable Thomas Holman
Bankruptcy Judge
Sacramento, California

October 22, 2014 at 9:30 A.M.

1. [14-20707](#)-B-7 JOSEPH LANGI CONTINUED STATUS CONFERENCE RE:
[14-2135](#) AMENDED COMPLAINT
 SPRINGLEAF FINANCIAL SERVICES, 5-30-14 [[6](#)]
 INC. V. LANGI

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., to allow the plaintiff time to seek entry of default judgment. If the adversary proceeding is not resolved by December 3, 2014, the plaintiff shall file a status report on or before December 3, 2014, which apprises the court of the status of the adversary proceeding. 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 court will issue a minute order.

2. [14-21607](#)-B-7 RENA WASHINGTON STATUS CONFERENCE RE: COMPLAINT
[14-2249](#) 8-25-14 [[1](#)]
 BELL V. WASHINGTON

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

The status conference is concluded. The court will issue a scheduling order based on the schedule set forth in the joint discovery plan filed October 10, 2014 (Dkt. 10).

3. [14-25725](#)-B-7 DAVID/KRISTIN VILLASENOR STATUS CONFERENCE RE: COMPLAINT
[14-2251](#) 8-27-14 [[1](#)]
SHEN ET AL V. VILLASENOR

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 status conference is continued because there is no evidence of compliance with the OTC on the court's docket.

The court will issue a minute order.

4. [09-21751](#)-B-13 KRISTINE BOWEN CONTINUED STATUS CONFERENCE RE:
[14-2057](#) AMENDED COMPLAINT
BOWEN V. FEUTZ ET AL 5-27-14 [[36](#)]

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., to allow the parties additional time to complete the terms of their settlement. If the adversary proceeding is not resolved by December 3, 2014, the plaintiff shall file a status report on or before December 3, 2014, which apprises the court of the status of the adversary proceeding. 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 court will issue a minute order.

5. [14-26651](#)-B-7 KENNETH WILKINSON
[14-2242](#)
WILKINSON V. INTERNAL REVENUE
SERVICE

STATUS CONFERENCE RE: COMPLAINT
8-20-14 [[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 January 7, 2015, at 9:30 a.m., to allow the plaintiff time to seek entry of the defendant's default and default judgment. If the adversary proceeding is not resolved by December 31, 2014, the plaintiff shall file a status report on or before December 31, 2014, which apprises the court of the status of the adversary proceeding. 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 court will issue a minute order.

6. [14-26651](#)-B-7 KENNETH WILKINSON
[14-2243](#)
WILKINSON V. STANISLAUS

STATUS CONFERENCE RE: COMPLAINT
8-20-14 [[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 January 7, 2015, at 9:30 a.m., to allow the plaintiff time to seek entry of the defendant's default and default judgment. If the adversary proceeding is not resolved by December 31, 2014, the plaintiff shall file a status report on or before December 31, 2014, which apprises the court of the status of the adversary proceeding. 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 court will issue a minute order.

7. [14-22553](#)-B-13 JEFFREY HAMILTON
[14-2156](#)
HAMILTON V. GENTNER ET AL

CONTINUED STATUS CONFERENCE RE:
NOTICE OF REMOVAL
6-10-14 [[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. By order signed October 21, 2014, the court remanded this adversary proceeding to Butte County Superior Court, case number 159610, pursuant to the stipulation of the parties.

8. [14-24356](#)-B-13 DAVID/HOLLY HARPER STATUS CONFERENCE RE: COMPLAINT
[14-2240](#) 8-18-14 [[1](#)]
HARPER ET AL V. AURORA SCHOOLS
CREDIT UNION

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 31, 2014, the plaintiff shall obtain a reissued summons. On or before October 31, 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 made on defendant Aurora Schools Federal Credit Union ("Aurora") by service on its chief executive officer via first class mail. However, Aurora is a depository institution that is federally insured through the National Credit Union Administration. Fed. R. Bankr. P. 7004(h) requires that service of a summons and complaint on a federally insured depository institution be made on an officer of the institution via certified mail. As there is no evidence that Aurora was served via certified mail, the status conference is concluded and the plaintiff is directed to obtain and serve a reissued summons.

The court will issue a minute order.

9. [14-20059](#)-B-7 ALFREDO HOLGUIN CONTINUED STATUS CONFERENCE RE:
[14-2165](#) COMPLAINT
BELL V. HOLGUIN 6-13-14 [[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. By order signed October 21, 2014, the court continued the status conference to November 19, 2014, at 9:30 a.m.

10. [14-22276](#)-B-7 SHAWNA EMERY
[14-2169](#)
BEARDMORE COMPANY, LLC V.
EMERY

CONTINUED STATUS CONFERENCE RE:
COMPLAINT
6-16-14 [[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 December 10, 2014, at 9:32 a.m., for resolution of the motion to dismiss (the "Motion") filed on October 20, 2014, and presently set for hearing on November 4, 2014.

The court notes that the Motion was set for hearing utilizing the procedures under LBR 9014-1(f)(2). That procedure cannot be used for a motion filed in an adversary proceeding. LBR 9014-1(f)(2)(A).

11. [10-52179](#)-B-13 TERRENCE HOPE
[14-2143](#)
HOPE V. BANK OF AMERICA, N.A.

CONTINUED STATUS CONFERENCE RE:
COMPLAINT
5-27-14 [[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. By order signed October 21, 2014, the court approved the stipulation of the parties for entry of judgment and also signed a judgment pursuant to the stipulation. The adversary proceeding is resolved.