

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Robert S. Bardwil
Bankruptcy Judge
Modesto, California

November 8, 2016 at 10:00 a.m.

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.

1.	16-90811-D-13	DENNIS WEATHERS AND	MOTION TO VALUE COLLATERAL OF
	TOG-1	MIREYA FUENTES	SPRINGLEAF FINANCIAL SERVICES
			9-30-16 [17]

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.

2. 16-90811-D-13 DENNIS WEATHERS AND MOTION TO VALUE COLLATERAL OF
TOG-2 MIREYA FUENTES SPRINGLEAF FINANCIAL SERVICES
9-30-16 [22]

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. 16-90120-D-13 DONNA FUHRER MOTION TO CONFIRM PLAN
SJS-4 9-15-16 [55]

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.

4. 14-90722-D-13 MICHAEL/JANEEN OWEN MOTION TO MODIFY PLAN
BP-6 9-22-16 [81]

5. 14-90624-D-13 GREGORY/JULIE RICHIE MOTION FOR RELIEF FROM
NLG-1 AUTOMATIC STAY
SETERUS, INC. VS. 9-30-16 [35]

Final ruling:

This matter is resolved without oral argument. This is Seterus, Inc.'s motion for relief from automatic stay. The court records indicate that no timely opposition has been filed. The motion along with the supporting pleadings demonstrate that there is no equity in the subject property and the creditor's interest in the property is not adequately protected. Accordingly, the court finds there is cause for granting relief from stay. The court will grant relief from stay by minute order. There will be no further relief afforded. No appearance is necessary.

6. 16-90327-D-13 FREDERICK/MARY JOHNSTON MOTION TO CONFIRM PLAN
PBG-1 9-26-16 [49]
JOINT DEBTOR DISMISSED:
07/27/2016
7. 16-90732-D-13 MARCELLA WITT OBJECTION TO CONFIRMATION OF
RDG-2 PLAN BY RUSSELL D. GREER
10-7-16 [21]
8. 16-90935-D-13 ANTONIO LOA AND CHRISTY MOTION TO EXTEND AUTOMATIC STAY
SJS-1 RAMIREZ 10-13-16 [8]
- Final ruling:**
- Motion withdrawn by moving party as it is a duplicative filing. Matter removed from calendar.**
9. 16-90935-D-13 ANTONIO LOA AND CHRISTY MOTION TO EXTEND AUTOMATIC STAY
SJS-1 RAMIREZ 10-13-16 [14]

10.	16-90935-D-13	ANTONIO LOA AND CHRISTY	MOTION TO VALUE COLLATERAL OF
	SJS-2	RAMIREZ	PREFERRED CREDIT, INC.
			10-14-16 [20]

11.	16-90737-D-13	BRADFORD/WENDY SUMMERS	OBJECTION TO CONFIRMATION OF
	RDG-3		PLAN BY RUSSELL D. GREER
			10-7-16 [27]

Final ruling:

This case was dismissed on October 25, 2016. As a result the objection will be overruled by minute order as moot. No appearance is necessary.

12.	16-90740-D-13	JUAN/WENDY GARCIA	OBJECTION TO CONFIRMATION OF
	RDG-1		PLAN BY RUSSELL D. GREER
			10-7-16 [18]

13.	16-90749-D-13	ALEXANDER/JOANNE CAPOUS	OBJECTION TO CONFIRMATION OF
	RDG-1		PLAN BY RUSSELL D. GREER
			10-7-16 [26]

14. 13-91750-D-13 CHRISTY BENAFIELD
SL-4

MOTION TO MODIFY PLAN
9-6-16 [69]

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.

15. 12-91853-D-13 KENNETH/LORI FALKENSTROM
PGM-2

OBJECTION TO CLAIM OF NATIONAL
CREDIT UNION ADMINISTRATION
BOARD, CLAIM NUMBER 10 AND/OR
MOTION FOR COMPENSATION FOR
PETER G. MACALUSO, DEBTORS'
ATTORNEY
9-22-16 [43]

Final ruling:

This is the debtors' objection to the claim of National Credit Union Administration Board as the liquidation agent for Cal State 9 FCU, Claim No. 10 on the court's claims register. The objection will be overruled for the following reasons: (1) the proof of service purports to evidence service of an objection to the claim of Real Time Resolutions, Inc., Claim Number 2, rather than service of this objection; and (2) although the moving parties served the claimant at the address on its proof of claim, they failed to also serve it at the different address listed in the schedules, as required by LBR 3007-1(c).

As a result of these service defects, the objection will be overruled by minute order. No appearance is necessary.

16. 16-90755-D-13 DOUGLAS WATKINS
RDG-2

OBJECTION TO CONFIRMATION OF
PLAN BY RUSSELL D. GREER
10-7-16 [34]

17. 16-90758-D-13 SUZAN CHILDERS
RDG-1

OBJECTION TO CONFIRMATION OF
PLAN BY RUSSELL D. GREER
10-7-16 [18]

18. 13-91271-D-13 GEORGE ESPOSITO
CJY-3

MOTION TO MODIFY PLAN
9-19-16 [57]

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.

19. 16-90771-D-13 REBECCA ANDERSON
RDG-1

OBJECTION TO CONFIRMATION OF
PLAN BY RUSSELL D. GREER
10-7-16 [12]

20. 14-91185-D-13 DAVID/ESPERANZA HARRIS
DCJ-2

MOTION TO MODIFY PLAN
9-27-16 [45]

21. 16-90685-D-13 VICTOR MENDOZA
RDG-2

OBJECTION TO DEBTOR'S CLAIM OF
EXEMPTIONS
9-26-16 [36]

Final ruling:

This case was dismissed on September 28, 2016. As a result the objection will be overruled by minute order as moot. No appearance is necessary.

22. 14-90791-D-13 SCOTT/LYNNETTE DUNCAN
PBG-2

MOTION TO MODIFY PLAN
9-20-16 [58]

23. 16-90700-D-13 SAMANTHA FITZGERALD
RDG-1

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY RUSSELL
D. GREER
9-26-16 [13]

24. 16-90219-D-13 SHARON HAMILTON
DCJ-1

CONTINUED MOTION TO CONFIRM
PLAN
9-13-16 [49]