## UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Robert S. Bardwil Bankruptcy Judge Modesto, California

November 10, 2015 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. 15-90702-D-13	VIRGINIA ZEPEDA	CONTINUED OBJECTION TO
RDG-1		CONFIRMATION OF PLAN BY RUSSELL
		D. GREER
		9-4-15 [15]

Final ruling:

Objection withdrawn by moving party. Matter removed from calendar.

2. 13-90205-D-13 MATTHEW/JOSIELYNN CRUDO MOTION TO MODIFY PLAN PGM-10 10-2-15 [200]

Final ruling:

This matter is continued to November 17, 2015 at 10:00 a.m. (TO BE HEARD IN THE SACRAMENTO DIVISION.) No appearance is necessary on November 10, 2015.

3. 13-90011-D-13 PAULINE MORIN PGM-2

MOTION TO APPROVE LOAN MODIFICATION 10-13-15 [54]

#### 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 to approve loan modification is supported by the record. As such the court will grant the motion by minute order. No appearance is necessary.

4. 15-90011-D-13 JOHN CURRY MSN-1

MOTION TO MODIFY PLAN 9-29-15 [35]

## 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 attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

5. 15-90418-D-13 CHRISTOPHER/MARY DAVIS
MSN-1

MOTION TO AVOID LIEN OF CITIBANK, N.A. 9-23-15 [37]

## 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 debtors are entitled. As a result, the court will grant the debtors' motion to avoid the lien. Moving party is to submit an appropriate order. No appearance is necessary.

6. 15-90418-D-13 CHRISTOPHER/MARY DAVIS
MSN-2

MOTION TO AVOID LIEN OF CAPITAL ONE BANK (USA), N.A. 9-23-15 [42]

# 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 debtors are entitled. As a result, the court will grant the debtors' motion to avoid the lien. Moving party is to submit an appropriate order. No appearance is necessary.

7. 15-90339-D-13 MARIANNE MAGATHEN DCJ-1

MOTION TO CONFIRM PLAN 9-17-15 [36]

#### Final ruling:

This is the debtor's motion to confirm an amended chapter 13 plan. The motion will be denied because the plan provides for the secured claim of Shellpoint Mortgage, a claim in the amount of \$33,394, at \$0 whereas the debtor has failed to seek an order valuing the claim, as required by LBR 3015-1(j).

For this reason, the motion will be denied and the court need not reach the issue raised by Ditech Financial, LLC, at this time. The motion will be denied by minute order. No appearance is necessary.

8. 15-90248-D-13 JOHN DELAO AND MSN-1

ALEXANDRINA BARRERA

CONTINUED MOTION TO CONFIRM PLAN 8-18-15 [33]

9. 14-90160-D-13 ANTHONY SANCHEZ MSN-1

MOTION TO MODIFY PLAN 9-29-15 [29]

# 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 attached as Exhibit 2 to General Order 05-03. The order is to be signed by the Chapter 13 trustee approving its form prior to the order being submitted to the court.

10. 15-90675-D-13 RYAN BRITTAIN RDG-1

CONTINUED OBJECTION TO CONFIRMATION OF PLAN BY RUSSELL D. GREER 9-4-15 [13]

11. 15-90379-D-13 GWENDOLYN BYRD WFM-1

MOTION TO APPROVE LOAN MODIFICATION 10-6-15 [56]

12. 15-90397-D-13 DANIEL MITCHELL DCJ-1

MOTION TO CONFIRM PLAN 9-17-15 [48]

Final ruling:

This is the debtor's motion to confirm an amended chapter 13 plan. The motion will be denied because the plan provides for the secured claim of Schapiro-Thorn, a claim in the amount of \$233,333, at \$0 whereas the debtor has failed to seek an order valuing the claim, as required by LBR 3015-1(j).

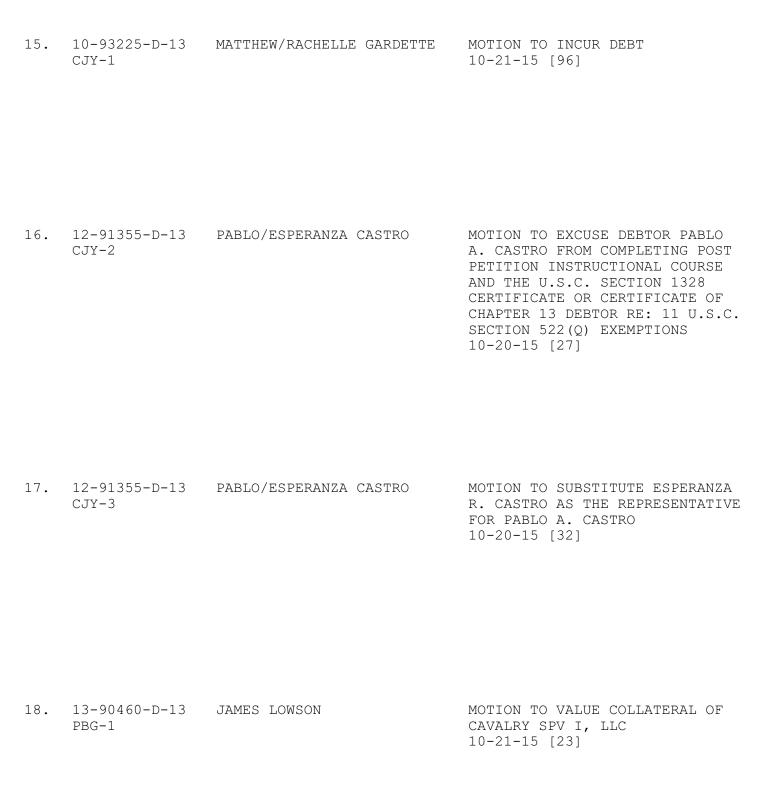
For this reason, the motion will be denied and the court need not reach the other issues raised by the trustee and Schapiro-Thorn at this time. The motion will be denied by minute order. No appearance is necessary.

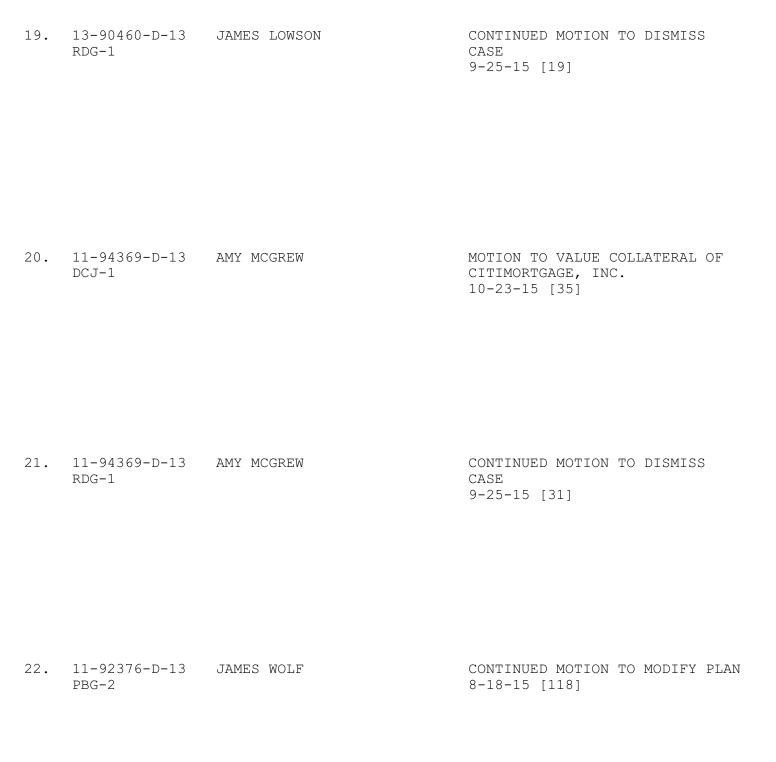
13. 10-91702-D-13 ROBIN/DENA CHAPIN JDP-9

MOTION TO VALUE COLLATERAL OF VERIPRO SOLUTIONS, INC. 10-16-15 [155]

14. 10-94409-D-13 MARCUS SHAHEN DCJ-2

MOTION TO VALUE COLLATERAL OF OCWEN LOAN SERVICING, LLC 10-23-15 [56]





23.	15-90379-D-13 RAW-2	GWENDOLYN BYRD	CONTINUED MOTION TO CONFIRM PLAN 8-27-15 [43]
24.	11-93492-D-13 MLP-11	KEVIN/BOBBIE YOUNG	CONTINUED MOTION TO MODIFY PLAN 9-4-15 [196]
25.	15-90995-D-13 MRL-1	ANA MEJIA	MOTION TO AVOID LIEN OF UNIFUND CCR, LLC 10-23-15 [10]
26.	10-92094-D-13 JDP-2	RICHARD/PATRICIA PORTER	MOTION TO VALUE COLLATERAL OF DITECH FINANCIAL, LLC 10-21-15 [72]

27. 15-90499-D-13 KENNETH/TRACIE THORNE RDW-1 CHEVRON FEDERAL CREDIT UNION VS.

CONTINUED MOTION FOR RELIEF FROM AUTOMATIC STAY AND/OR MOTION FOR ADEQUATE PROTECTION 8-10-15 [65]