



UNITED STATES BANKRUPTCY COURT
Eastern District of California

Honorable Christopher M. Klein
Bankruptcy Judge
Sacramento, California

November 12, 2025 at 1:30 p.m.

Unless otherwise ordered, all matters before the Honorable Christopher M. Klein shall be simultaneously: (1) **In Person**, at Sacramento Courtroom #35, (2) via **ZoomGov Video**, (3) via **ZoomGov Telephone**, and (4) via **CourtCall**.

You may choose any of these options unless otherwise ordered or stated below.

All parties who wish to appear at a hearing remotely must sign up by 4:00 p.m. **one business day** prior to the hearing. Information regarding how to sign up can be found on the **Remote Appearances** page of our website at <https://www.caeb.uscourts.gov/Calendar/CourtAppearances>. Each party who has signed up will receive a Zoom link or phone number, meeting I.D., and password via e-mail.

If the deadline to sign up has passed, parties who wish to appear remotely must contact the Courtroom Deputy for the Department holding the hearing.

Please also note the following:

- Parties in interest may connect to the video or audio feed free of charge and should select which method they will use to appear when signing up.
- Members of the public and the press appearing by ZoomGov may only listen in to the hearing using the zoom telephone number. Video appearances are not permitted.
- Members of the public and the press may not listen in to trials or evidentiary hearings, though they may appear in person in most instances.

To appear remotely for law and motion or status conference proceedings, you must comply with the following guidelines and procedures:

1. Review the [Pre-Hearing Dispositions](#) prior to appearing at the hearing.
2. Parties appearing via CourtCall are encouraged to review the [CourtCall Appearance Information](#).

If you are appearing by ZoomGov phone or video, please join at least 10 minutes prior to the start of the calendar and wait with your microphone muted until the matter is called.

Unauthorized Recording is Prohibited: Any recording of a court proceeding held by video or teleconference, including "screen shots" or other audio or visual copying of a hearing is prohibited. Violation may result in sanctions, including removal of court-issued medical credentials, denial of entry to future hearings, or any other sanctions deemed necessary by the court. For more information on photographing, recording, or broadcasting Judicial Proceedings, please refer to Local Rule 173(a) of the United States District Court for the Eastern District of California.

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1. [25-22837](#)-C-13 GERMAINE CARTER CONTINUED MOTION TO VALUE
[PGM](#)-1 Peter Macaluso COLLATERAL OF VW CREDIT, INC.
9-12-25 [[53](#)]

No Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 32 days' notice was provided. Dkt. 57.

The Motion to Value is xxxxx.

The Motion was continued from the prior hearing on October 14, 2025 to allow for Creditor to inspect the vehicle.

The debtor filed this Motion seeking to value the portion of VW Credit Inc.'s ("Creditor") claim secured by the debtor's property commonly known as 2022 Audi Q5 (the "Property").

The debtor has presented evidence that the replacement value of the Property at the time of filing was \$17,000.00. Declaration, Dckt. 55.

OPPOSITION

VW Credit, Inc. filed opposition on September 25, 2024. Dkt. 58. Creditor asserts the value of the vehicle is \$27,375.00.

DISCUSSION

The lien on the Vehicle's title secures a purchase-money loan incurred on January 22, 2022, which is more than 910 days prior to filing of the petition. 11 U.S.C. § 1325(a)(9) (hanging paragraph).

Federal Rule of Bankruptcy Procedure 9014(d) provides that testimony of witnesses with respect to disputed material factual issues shall be taken in the same manner as testimony in an adversary proceeding. Because there is a disputed material fact, the Matter must be set for evidentiary hearing.

Upon review of the record, the court finds the value of the Property is xxx. Therefore, Creditor's secured claim is determined to be \$xxx. 11 U.S.C. § 506(a).

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Value Collateral and Secured Claim filed by the debtor having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion pursuant to 11 U.S.C. § 506(a) is ~~xxxxxxx~~, and the claim of VW Credit, Inc. ("Creditor") secured by property commonly known as 2022 Audi Q5 (the "Property") is determined to be a secured claim in the amount of \$~~xxxx.xx~~, and the balance of the claim is a general unsecured claim to be paid through the confirmed bankruptcy plan.

2. [20-23539](#)-C-13 STEPHEN WILLIAMS
[LGT](#)-1 Mikalah Liviakis

MOTION TO DETERMINE FINAL CURE
AND MORTGAGE PAYMENT RULE
3002.1
10-10-25 [[46](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 28 days' notice. The Proof of Service shows that 34 days' notice was provided. Dkt. 50.

No opposition has been filed. Therefore, the court enters the defaults of the non-responding parties in interest, finds there are no disputed material factual issues, and determines the matter will be resolved without oral argument. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995); *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006).

The Motion for Determination of Final Cure of Payment is granted.

Chapter 13 Trustee, Lilian Tsang, seeks and order confirming that the debtor has cured the mortgage default and made all post-petition mortgage payments required under the plan, pursuant to Fed. R. Bankr. P. 3002.1. The Trustee represents she has paid \$175,362.31 towards the ongoing mortgage and paid the full prepetition arrearage claim in the amount of \$49,479.52.

Pursuant to Federal Rule of Bankruptcy Procedure 3002.1(h), on motion of the debtor or trustee, after notice and hearing, the court shall determine whether a debtor has cured the default and paid all required post-petition amounts.

Here, Creditor has not filed a response to Debtors' Motion. Furthermore, a review of the Motion, declaration, and exhibits indicates that the debtor has made all payments under the plan for arrears to the Creditor. Therefore, the court finds that the Debtors have cured the mortgage default to Navy Federal Credit Union as required by the Chapter 13 Plan.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion for Determination of Final Cure of Payment pursuant to Federal Rule of Bankruptcy Procedure 3002.1(h) filed by Lilian Tsang, Chapter 13 Trustee, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is granted.

3. [23-24439](#)-C-13 SANDRA SANDERS
Tanisha Bostick

MOTION TO CONFIRM PLAN
10-6-25 [[107](#)]

Final Ruling: No appearance at the November 12, 2025 hearing is required.

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 38 days' notice was provided. Dkt. 110.

The Motion to Confirm is denied as moot.

On October 7, 2025, the debtor filed a new proposed plan. Filing a new plan is a de facto withdrawal of the pending plan. Therefore, the Motion to Confirm the Amended Plan is denied as moot, and the plan is not confirmed.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtor, Sandra Sanders, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is denied as moot, and the proposed Chapter 13 Plan is not confirmed.

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(1) procedure which requires 35 days' notice. The Proof of Service shows that 37 days' notice was provided. Dkt. 115.

The Motion to Confirm is denied.

The debtor filed this Motion seeking to confirm the Amended Chapter 13 Plan (Dkt. 119) filed on October 7, 2025.

The Chapter 13 Trustee filed an Opposition (Dkt. 121) on October 15, 2025, opposing confirmation on the following grounds:

1. The plan fails the liquidation test;
2. The plan is not feasible;
3. The plan does not provide for all of debtor's disposable income;
4. The debtor filed a Rights and Responsibilities Form from the Southern District of California and not the Form for the Eastern District of California; and
5. The debtor has not filed a credit counseling certificate.

DISCUSSION

The plan mathematically requires a payment of \$2,762.37 per month, which is greater than the proposed \$1,371.00 payment.

The debtor has not demonstrated the plan is feasible because the plan terms require a higher payment than what is proposed. That is reason to deny confirmation. 11 U.S.C. § 1325(a)(6).

The debtor has non-exempt assets from debtor's 2024 income taxes, which were not listed in debtor's schedules. That is cause to deny confirmation. 11 U.S.C. § 1325(a)(4).

The debtor's schedules show a monthly income of \$3,206.67, which is less than all of the debtor's payment advices show. That is reason to deny confirmation. 11 U.S.C. § 1325(b)(1).

Upon review of the record, the court finds the plan does not comply with 11 U.S.C. §§ 1322 and 1325(a). The Motion is denied, and the plan is not confirmed.

The court shall issue a minute order substantially in the following form

holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Confirm filed by the debtor, Sandra Lynn Sanders, having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is denied, and the plan is not confirmed.

5. [25-20881](#)-C-13 LATESHA WILLIAMS-FOREMAN MOTION TO INCUR DEBT O.S.T.
[PSB](#)-4 Pauldeep Bains 11-5-25 [[48](#)]

Tentative Ruling:

The Motion has been set on Local Rule 9014-1(f)(3) notice which requires an order shortening time. An order shortening time was entered on November 6, 2025. Dkt. 57.

The Motion to Incur Debt is granted.

Debtor, Latesha Williams-Foreman, filed this Motion seeking authority to incur debt to purchase a vehicle because she has decided to surrender her leased vehicle.

The proposed financing is in the principal amount of \$31,151.86, paid at 17.90% interest over a 72 month term. Monthly payments are proposed to be \$713.96.

The court finds that the proposed credit, based on the unique facts and circumstances of this case, is reasonable. There being no opposition from any party in interest and the terms being reasonable, the Motion is granted.

The court shall issue a minute order substantially in the following form holding that:

Findings of Fact and Conclusions of Law are stated in the Civil Minutes for the hearing.

The Motion to Incur Debt filed by Latesha Williams-Foreman having been presented to the court, and upon review of the pleadings, evidence, arguments of counsel, and good cause appearing,

IT IS ORDERED that the Motion is granted. The debtor's counsel shall prepare an appropriate order granting the Motion, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved submit the proposed order to the court.