

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA**

Honorable Fredrick E. Clement
Fresno Federal Courthouse
2500 Tulare Street, 5th Floor
Courtroom 11, Department A
Fresno, California

PRE-HEARING DISPOSITIONS

DAY: WEDNESDAY
DATE: NOVEMBER 15, 2017
CALENDAR: 1:30 P.M. CHAPTER 11 AND 9 CASES

Each matter on this calendar will have one of three possible designations: No Ruling, Tentative Ruling, or Final Ruling. These instructions apply to those designations.

No Ruling: All parties will need to appear at the hearing unless otherwise ordered.

Tentative Ruling: If a matter has been designated as a tentative ruling it will be called. The court may continue the hearing on the matter, set a briefing schedule or enter other orders appropriate for efficient and proper resolution of the matter. The original moving or objecting party shall give notice of the continued hearing date and the deadlines. The minutes of the hearing will be the court's findings and conclusions.

Final Ruling: Unless otherwise ordered, there will be no hearing on these matters. The final disposition of the matter is set forth in the ruling and it will appear in the minutes. The final ruling may or may not finally adjudicate the matter. If it is finally adjudicated, the minutes constitute the court's findings and conclusions. If the parties stipulate to continue the hearing on the matter or agree to resolve the matter in a way inconsistent with the final ruling, then the court will consider vacating the final ruling only if the moving party notifies chambers before 4:00 pm at least one business day before the hearing date: Department A-Kathy Torres (559)499-5860; Department B-Jennifer Dauer (559)499-5870. If a party has grounds to contest a final ruling because of the court's error under FRCP 60 (a) (FRBP 9024) ["a clerical mistake (by the court) or a mistake arising from (the court's) oversight or omission"] the party shall notify chambers (contact information above) and any other party affected by the final ruling by 4:00 pm one business day before the hearing.

Orders: Unless the court specifies in the tentative or final ruling that it will issue an order, the prevailing party shall lodge an order within 14 days of the final hearing on the matter.

1. [17-13112](#)-A-11 PIONEER NURSERY, LLC
FW-1
PIONEER NURSERY, LLC/MV
PETER FEAR/Atty. for dbt. CONTINUED MOTION TO ASSUME
LEASE OR EXECUTORY CONTRACT
10-11-17 [[120](#)]

No Ruling

2. [15-12827](#)-A-11 BLUEGREENPISTA
ENTERPRISES, INC. CONTINUED STATUS CONFERENCE RE:
CHAPTER 11 VOLUNTARY PETITION
7-18-15 [[1](#)]

Final Ruling

The status conference is continued to December 12, 2017, at 1:30 p.m.
In the event that a motion to approve compromise is not noticed for
hearing on or before that date, not later than 7 days prior to the
continued hearing the trustee shall (and parties may) file a status
report.

3. [11-17165](#)-A-11 OAKHURST LODGE, INC., A
AJM-3 CALIFORNIA CORPORATION
FIRST-CITIZENS BANK & TRUST
COMPANY/MV
DONNA STANDARD/Atty. for dbt. MOTION TO ENFORCE SETTLEMENT IN
ORDER TO CONSUMMATE CONFIRMED
CHAPTER 11 PLAN
10-18-17 [[317](#)]
AARON MALO/Atty. for mv.

No Ruling

4. [17-12389](#)-A-11 DON ROSE OIL CO., INC.
WW-7
DON ROSE OIL CO., INC./MV CONTINUED MOTION FOR APPROVAL
OF STIPULATION AND AGREEMENT
FOR ADEQUATE PROTECTION AND
MODIFICATION OF THE AUTOMATIC
STAY
8-7-17 [[179](#)]
RILEY WALTER/Atty. for dbt.

No Ruling