

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Thomas C. Holman
Bankruptcy Judge
Sacramento, California

November 19, 2014 at 9:30 A.M.

1. [10-35624](#)-B-13 ERIK/RENEE SUNDQUIST STATUS CONFERENCE RE: COMPLAINT
[14-2278](#) 9-23-14 [[1](#)]
SUNDQUIST ET AL V. RECONTRUST
COMPANY, N.A. ET AL

Tentative Ruling: None.

2. [11-31127](#)-B-13 SANDRA VENTIMIGLIA STATUS CONFERENCE RE: COMPLAINT
[14-2274](#) 9-17-14 [[1](#)]
VENTIMIGLIA V. WELLS FARGO
BANK, N.A.
ADV. CASE DISMISSED 10/20/14

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. The adversary proceeding was dismissed pursuant to a notice of dismissal filed by the plaintiff on October 20, 2014 (Dkt. 8).

3. [14-23437](#)-B-7 JASON MACK CONTINUED STATUS CONFERENCE RE:
[14-2195](#) COMPLAINT
TAN ET AL V. MACK 7-3-14 [[1](#)]

Tentative Ruling: The adversary proceeding is dismissed pursuant to Fed. R. Civ. P. 16(f).

The adversary proceeding is dismissed based on the plaintiffs' failure to comply with the court's order entered October 9, 2014 (Dkt. 34), continuing the status conference and directing the parties to comply with the the court's Order to Confer on Initial Disclosures and Setting Deadlines (Dkt. 5) (the "OTC") if the adversary proceeding was not resolved by October 21, 2014. As of November 17, 2014, there is no evidence on the court's docket of compliance with the OTC.

The court will issue a minute order.

4. [14-21946](#)-B-7 DESIREE LEWIS CONTINUED STATUS CONFERENCE RE:
[14-2126](#) COMPLAINT
BROWN ET AL V. LEWIS 5-9-14 [[1](#)]

Tentative Ruling: The adversary proceeding is dismissed pursuant to Fed. R. Civ. P. 16(f).

The adversary proceeding is dismissed based on the plaintiffs' failure to comply with the court's order entered September 25, 2014 (Dkt. 16), continuing the status conference and directing the parties to comply with the court's Order to Confer on Initial Disclosures and Setting Deadlines (Dkt. 5) (the "OTC") if the adversary proceeding was not resolved by October 21, 2014. As of November 17, 2014, there is no evidence on the court's docket of compliance with the OTC, including no evidence of the filing of a discovery plan or service of initial disclosures required by Fed. R. Civ. P. 26(a).

The court will issue a minute order.

5. [07-29855](#)-B-13 GWENDOLYN/HORACE SIMPSON CONTINUED STATUS CONFERENCE RE:
[14-2213](#) COMPLAINT
SIMPSON ET AL V. CHASE BANK, 7-22-14 [[1](#)]
N.A. ET AL

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 21, 2015, at 9:30 a.m. If the adversary proceeding is not resolved by December 23, 2014, the parties appearing in the adversary proceeding 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). 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, if any is filed, and the entry of defendant's default for defendant's failure to comply.

The court will issue a minute order.

6. [14-24356](#)-B-13 DAVID/HOLLY HARPER
[14-2240](#)
HARPER ET AL V. AURORA SCHOOLS
CREDIT UNION

STATUS CONFERENCE RE: COMPLAINT
8-18-14 [[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 February 18, 2015, at 1:30 p.m. If the adversary proceeding is not resolved by January 20, 2015, the parties appearing in the adversary proceeding 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, if any is filed, and the entry of defendant's default for defendant's failure to comply.

The court previously concluded the status conference and directed the plaintiffs to obtain a reissued summons and to serve the reissued summons and complaint on the defendant. The plaintiffs did so timely. As the reissued summons and complaint were served on the defendant on October 31, 2014, the defendant has until December 1, 2014, to file a response or answer to the complaint. The adversary proceeding is continued to allow the defendant to file an answer or other response to the complaint, or for the plaintiffs to proceed with default proceedings in the event that the defendant does not file a response or answer.

The court will issue a minute order.

7. [14-20059](#)-B-7 ALFREDO HOLGUIN
[14-2165](#)
BELL V. HOLGUIN

CONTINUED STATUS CONFERENCE RE:
(41 (OBJECTION / REVOCATION OF
DISCHARGE - 727(C), (D), (E))) :
COMPLAINT 14-02165 BY JOHN BELL
AGAINST ALFREDO HOLGUIN. (FEE
AMOUNT OF \$350.00 IS DEFERRED)
(EFILINGID: 902247) (SMIS)
6-13-14 [[1](#)]

Tentative Ruling: The status conference is continued to January 21, 2015, at 9:30 a.m. If the adversary proceeding is not resolved by December 23, 2014, the parties shall comply with the court's Order to Confer on Initial Disclosures and Setting Deadlines (Dkt. 5) (the "OTC"), including, inter alia, the preparation and filing of a joint 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 striking defendant's answer (if one has been filed) and entering 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.

8. [14-26562](#)-B-7 ANTHONY NOONIS AND CINDY STATUS CONFERENCE RE: COMPLAINT
 [14-2269](#) GARCIA-NOONIS 9-12-14 [[1](#)]
 TLC MANAGEMENT CARE, LLC ET AL
 V. NOONIS

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 November 18, 2014, the court continued the status conference to February 18, 2015, at 1:30 p.m. pursuant to the stipulation of the parties.

9. [14-26562](#)-B-7 ANTHONY NOONIS AND CINDY STATUS CONFERENCE RE: COMPLAINT
 [14-2270](#) GARCIA-NOONIS 9-15-14 [[1](#)]
 TAVIANINI ET AL V. NOONIS

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 November 18, 2014, the court continued the status conference to February 18, 2015, at 1:30 p.m. pursuant to the stipulation of the parties.

10. [08-32280](#)-B-7 HEAVEN INVESTMENT CONTINUED STATUS CONFERENCE RE:
 [14-2215](#) HOLDING CORP. COMPLAINT
 SMITH V. SELECT REV. MTG., LLC 7-24-14 [[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.

11. [13-30690](#)-B-11 WILLIAM PRIOR
[13-2288](#)
PRIOR V. TRI COUNTIES BANK ET
AL
ADV. CASE DISMISSED 10/31/14

CONTINUED STATUS CONFERENCE RE:
NOTICE OF REMOVAL
8-27-13 [[1](#)]

Disposition Without Oral Argument: This motion is unopposed. The court issues the following abbreviated ruling.

The status conference is removed from the calendar. The court dismissed the adversary proceeding by order entered October 31, 2014 (Dkt. 286).