

**UNITED STATES BANKRUPTCY COURT
Eastern District of California**

Honorable Christopher D. Jaime
Robert T. Matsui U.S. Courthouse
501 I Street, Sixth Floor
Sacramento, California

PRE-HEARING DISPOSITIONS COVER SHEET

DAY: TUESDAY

DATE: November 29, 2022

CALENDAR: 1:00 P.M. CHAPTER 13

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 and no appearance is necessary. 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.

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 seven (7) days of the final hearing on the matter.

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Christopher D. Jaime
Bankruptcy Judge
Sacramento, California

November 29, 2022 at 1:00 p.m.

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|----|--|---|--|
| 1. | 22-21126 -B-13 CRG -3 | DOUGLAS/NYLA STONE Carl R. Gustafson | CONTINUED MOTION TO CONFIRM PLAN 9-9-22 [56] |
|----|--|---|--|

Final Ruling

The Bankruptcy Appellate Panel entered an order dismissing the appeal of *Douglas Stone, et al v. Wells Fargo Bank, N.A.* on November 15, 2022, which affected confirmation of the plan in this case. See dkt. 66. A certified copy of the BAP's order sent to the bankruptcy court served as the BAP's mandate. See BAP #22-1184, dkt. 11.

The court's decision is to confirm the second amended plan.

11 U.S.C. § 1323 permits a debtor to amend a plan any time before confirmation. The Debtors have provided evidence in support of confirmation. No opposition to the motion has been filed by the Chapter 13 Trustee or creditors. The amended plan complies with 11 U.S.C. §§ 1322 and 1325(a) and is confirmed.

The motion is ORDERED GRANTED for reasons stated in the minutes. Counsel for the Debtors shall prepare an appropriate order confirming the Chapter 13 Plan, transmit the proposed order to the Chapter 13 Trustee for approval as to form, and if so approved, the Chapter 13 Trustee will submit the proposed order to the court.

The court will issue an order.

November 29, 2022 at 1:00 p.m.

2. [22-22273](#)-B-13 CHRISTOPHER SAMUELS
Peter G. Macaluso

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
10-12-22 [[22](#)]

CASE DISMISSED: 10/23/2022

Final Ruling

The case having been dismissed on October 23, 2022, the order to show cause is discharged as moot.

The order to show cause is ORDERED DISCHARGED AS MOOT for reasons stated in the minutes.

The court will issue an order.

3. [13-27931](#)-B-13 BLANCA CANO
[BSH](#)-5 Brian S. Haddix

CONTINUED MOTION TO AVOID LIEN
OF UNIFUND CCR PARTNERS
11-2-22 [[83](#)]

Final Ruling

This matter was continued from November 22, 2022, to allow any party in interest to file an opposition or response by 5:00 p.m. Friday, November 25, 2022. Nothing was filed. Therefore, the court's conditional ruling at dkt. 88, granting the motion to avoid judicial lien, shall become the court's final decision. The continued hearing on November 29, 2022, at 1:00 p.m. is vacated.

The motion is ORDERED GRANTED for reasons stated in the minutes.

The court will issue an order.