

UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable René Lastreto
Hearing Date: Monday, December 14, 2015
Place: U.S. Courthouse, 510 19th Street
Bakersfield, California

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

1. The following rulings are tentative. The tentative ruling will not become the final ruling until the matter is called at the scheduled hearing. **Pre-disposed matters will generally be called, and the rulings placed on the record at the end of the calendar.** Any party who desires to be heard with regard to a pre-disposed matter may appear at the hearing. If the party wishes to contest the tentative ruling, he/she shall notify the opposing party/counsel of his/her intention to appear. **If no disposition is set forth below, the hearing will take place as scheduled.**

2. Submission of Orders:

Unless the tentative ruling expressly states that the court will prepare a civil minute order, then the tentative ruling will only appear in the minutes. If any party desires an order, then the appropriate form of order, which conforms to the tentative ruling, must be submitted to the court. When the debtor(s) discharge has been entered, proposed orders for relief from stay must reflect that the motion is denied as to the debtor(s) and granted only as to the trustee. Entry of discharge normally is indicated on the calendar.

3. Matters Resolved Without Opposition:

If the tentative ruling states that no opposition was filed, and the moving party is aware of any reason, such as a settlement, why a response may not have been filed, the moving party must advise Vicky McKinney, the Calendar Clerk, at (559) 499-5825 by 4:00 p.m. the day before the scheduled hearing.

4. Matters Resolved by Stipulation:

If the parties resolve a matter by stipulation after the tentative ruling has been posted, but **before the formal order is entered on the docket**, the **moving party** may appear at the hearing and advise the court of the settlement or withdraw the motion. Alternatively, the parties may submit a stipulation and order to modify the tentative ruling together with the proposed order resolving the matter.

5. Resubmittal of Denied Matters:

If the moving party decides to re-file a matter that is denied without prejudice for any reason set forth below, the moving party must file and serve a new set of pleadings with a new docket control number. It may not simply re-notice the original motion.

THE COURT ENDEAVORS TO PUBLISH ITS PREDISPOSITIONS AS SOON AS POSSIBLE, HOWEVER CALENDAR PREPARATION IS ONGOING AND THESE PREDISPOSITIONS MAY BE REVISED OR UPDATED AT ANY TIME PRIOR TO 4:00 P.M. THE DAY BEFORE THE SCHEDULED HEARINGS. PLEASE CHECK AT THAT TIME FOR POSSIBLE UPDATES.

10:00 A.M.

1. [14-16013](#)-B-7 ABRAHAM GARCIA AND ANGELA MOTION FOR RELIEF FROM
 JFL-1 BECERRA AUTOMATIC STAY AND/OR MOTION
 OCWEN LOAN SERVICING, LLC/MV FOR ADEQUATE PROTECTION
 11-3-15 [[19](#)]

 NEIL SCHWARTZ/Atty. for dbt.
 JAMES LEWIN/Atty. for mv.
 DISCHARGED

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be denied as moot as to the debtors because their discharge has been entered. The motion will be granted for cause shown as to the chapter 7 trustee. The automatic stay is terminated as it applies to the movant's right to enforce its remedies against the subject property under applicable nonbankruptcy law. The proposed order shall specifically describe the property or action to which the order relates. If the motion involves a foreclosure of real property in California, then the order shall also provide that the bankruptcy proceeding has been finalized for purposes of California Civil Code 2923.5. If the notice and motion requested a waiver of Federal Rule of Bankruptcy Procedure 4001(a)(3), that relief will be granted. Unless the court expressly orders otherwise, the proposed order shall not include any other relief. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. §506(b), or applicable nonbankruptcy law, must be separately noticed and separately briefed with appropriate legal authority and supporting documentation. No appearance is necessary.

2. [15-11815](#)-B-7 DENISE JORGENSEN MOTION TO SELL
 RP-1 11-4-15 [[18](#)]
 RANDELL PARKER/MV
 NEIL SCHWARTZ/Atty. for dbt.

The motion to sell the estate's interest, in the real and personal property listed in the motion, to the debtor's non-filing spouse for \$8,000 will be granted subject to higher and better bids at the time of hearing. Potential overbidders must follow the instructions provided in the "Notice of Hearing on Motion for Authority to Sell Chapter 7 Estate's Interest in Real and Personal Property to Co-owner or Non-filing Souse Subject to Overbid" which was filed with the moving papers.

3. [15-13920](#)-B-7 MARK CAMARENO

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
11-17-15 [[24](#)]

The OSC will be dropped from calendar as moot. An order approving the debtor's application to waive the fee was entered on November 24, 2015. No appearance is necessary.

4. [15-11935](#)-B-7 LEROY WEBER
JMV-1
JEFFREY VETTER/MV
KENNETH HENJUM/Atty. for dbt.

MOTION TO SELL
11-15-15 [[46](#)]

This motion to sell assets was fully noticed in compliance with the Local Rules and there is no opposition. The respondent(s) default will be entered and the motion will be granted subject to the following: The agreed terms permit payment to be made within ten days of entry of the order. Accordingly, unless the court orders otherwise, the trustee may not release any property of the bankruptcy estate unless and until the purchase price has been paid in full. The trustee shall submit an appropriate order in conformity with this ruling.

5. [13-13443](#)-B-7 CLANTON CONSTRUCTION,
JMV-2 INC.
JEFFREY VETTER/MV

JACOB EATON/Atty. for dbt.
VINCENT GORSKI/Atty. for mv.

MOTION FOR COMPENSATION FOR
JEFFREY M. VETTER, CHAPTER 7
TRUSTEE(S)
11-14-15 [[74](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

6. [15-12643](#)-B-7 REBECCA/MICHAEL HACKWORTH
RSW-1
REBECCA HACKWORTH/MV
ROBERT WILLIAMS/Atty. for dbt.

MOTION TO CONVERT CASE FROM
CHAPTER 7 TO CHAPTER 13
10-23-15 [[32](#)]

7. [15-12547](#)-B-7 DWAYNE/SHEILA WILSON
APN-1
SANTANDER CONSUMER USA INC./MV
ROBERT WILLIAMS/Atty. for dbt.
AUSTIN NAGEL/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
10-20-15 [[45](#)]

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The debtor(s) default will be entered and the motion will be granted without oral argument for cause shown. The automatic stay is terminated as it applies to the movant's right to enforce its remedies against the subject property under applicable nonbankruptcy law. The proposed order shall specifically describe the property or action to which the order relates. If the motion involves a foreclosure of real property in California, then the order shall also provide that the bankruptcy proceeding has been finalized for purposes of California Civil Code 2923.5 to the extent that it applies. If the notice and motion requested a waiver of Federal Rules of Bankruptcy Procedure 4001(a)(3), that relief will be granted. Unless the court expressly orders otherwise, the proposed order shall not include any other relief. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. §506(b), or applicable nonbankruptcy law, must be separately noticed and separately briefed with appropriate legal authority and supporting documentation. No appearance is necessary.

8. [15-13057](#)-B-7 RAJAB-ALI/MARYAM SHARBATI
RP-2
RANDELL PARKER/MV
STUART PRICE/Atty. for dbt.

MOTION TO SELL
11-12-15 [[32](#)]

This motion to sell assets was fully noticed in compliance with the Local Rules and there is no opposition. The respondent(s) default will be entered and the motion will be granted subject to the following: The agreed terms permit payment to be made within ten days of entry of the order. Accordingly, unless the court orders otherwise, the trustee may not release any property of the bankruptcy estate unless and until the purchase price has been paid in full. The trustee shall submit an appropriate order in conformity with this ruling.

9. [15-13566](#)-B-7 ARMANDO/ANNMARIE MEDINA MOTION FOR RELIEF FROM
CJO-1 AUTOMATIC STAY
CALIBER HOME LOANS, INC./MV 10-16-15 [[11](#)]
NEIL SCHWARTZ/Atty. for dbt.
CHRISTINA O/Atty. for mv.

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The debtor(s) default will be entered and the motion will be granted without oral argument for cause shown. The automatic stay is terminated as it applies to the movant's right to enforce its remedies against the subject property under applicable nonbankruptcy law. The proposed order shall specifically describe the property or action to which the order relates. If the motion involves a foreclosure of real property in California, then the order shall also provide that the bankruptcy proceeding has been finalized for purposes of California Civil Code 2923.5 to the extent that it applies. If the notice and motion requested a waiver of Federal Rules of Bankruptcy Procedure 4001(a)(3), that relief will be granted. Unless the court expressly orders otherwise, the proposed order shall not include any other relief. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. §506(b), or applicable nonbankruptcy law, must be separately noticed and separately briefed with appropriate legal authority and supporting documentation. No appearance is necessary.

10. [15-13667](#)-B-7 RAMIRO CARDENAS ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
11-20-15 [[25](#)]

\$25 FILING FEE PAID 11/23/15

The record shows that the required fee has been paid in full. The OSC will be dropped from calendar. No appearance is necessary.

11. [15-13970](#)-B-7 CHERIE MOUSSEAU MOTION FOR RELIEF FROM
VVF-1 AUTOMATIC STAY AND/OR MOTION
AMERICAN HONDA FINANCE FOR ADEQUATE PROTECTION
CORPORATION/MV 11-16-15 [[9](#)]
PATRICK KAVANAGH/Atty. for dbt.
VINCENT FROUNJIAN/Atty. for mv.
RESPONSIVE PLEADING

12. [15-13784](#)-B-7 JACOB RAMIREZ AND AUDRA ORDER TO SHOW CAUSE - FAILURE
SIERRA TO PAY FEES
11-20-15 [[19](#)]

\$25 FILING FEE PAID 11/23/15

The record shows that the required fee has been paid in full. The OSC will be dropped from calendar. No appearance is necessary.

13. [12-15487](#)-B-7 ANTHONY LEONIS
RP-1
RANDELL PARKER/MV
ROBERT WILLIAMS/Atty. for dbt.
TRUDI MANFREDO/Atty. for mv.

MOTION FOR ADMINISTRATIVE
EXPENSES
11-18-15 [[158](#)]

14. [15-11590](#)-B-7 BIOQUEST PROSTHETICS,
JTW-2 LLC
JANZEN, TAMBERI & WONG/MV

D. GARDNER/Atty. for dbt.

MOTION FOR COMPENSATION FOR
JANZEN, TAMBERI & WONG,
ACCOUNTANT(S)
11-12-15 [[12](#)]

This application/motion will be dropped from calendar. Pursuant to Federal Rules of Bankruptcy Procedure 2002(a)(6), the court may consider the applicant's request for compensation that does not exceed \$1,000 without a noticed hearing. The court will issue a civil minute order approving the application. No appearance is necessary.

11:00 A.M.

1. [15-13032](#)-B-7 SHELLIE TURNER PRO SE REAFFIRMATION AGREEMENT
WITH SANTANDER CONSUMER USA
INC.
10-23-15 [[14](#)]

WILLIAM EDWARDS/Atty. for dbt.

The hearing will be dropped from calendar. The court intends to deny approval of this reaffirmation agreement. Debtor was represented by counsel when she entered into the reaffirmation agreement. Pursuant to 11 U.S.C. §524(c)(3), if the debtor is represented by counsel, the agreement must be accompanied by an affidavit of the debtor's attorney attesting to the referenced items before the agreement will have legal effect. *In re Minardi*, 399 B.R. 841, 846 (Bankr. N.D. Ok, 2009) (emphasis in original). The reaffirmation agreement, in the absence of a declaration by debtor's counsel, does not meet the requirements of 11 U.S.C. §524(c) and is not enforceable. In addition, both the reaffirmation agreement and the bankruptcy schedules show that reaffirmation of this debt creates a presumption of undue hardship which has not been rebutted in the reaffirmation agreement. No appearance is necessary.

2. [15-13740](#)-B-7 JULIA CHAPMAN PRO SE REAFFIRMATION AGREEMENT
WITH CARMAX AUTO FINANCE
11-6-15 [[10](#)]
3. [15-13767](#)-B-7 PEGGY GRADY REAFFIRMATION AGREEMENT WITH
TOYOTA MOTOR CREDIT CORPORATION
10-21-15 [[10](#)]

PATRICK KAVANAGH/Atty. for dbt.

The court intends to deny approval of this reaffirmation agreement. Both the reaffirmation agreement and the bankruptcy schedules show that reaffirmation of this debt creates a presumption of undue hardship which has not been rebutted in the reaffirmation agreement. No appearance is necessary.

4. [15-13869](#)-B-7 JEFFREY/CYNTHIA EVANS PRO SE REAFFIRMATION AGREEMENT
WITH TOYOTA MOTOR CREDIT
CORPORATION
11-9-15 [[18](#)]
5. [15-13784](#)-B-7 JACOB RAMIREZ AND AUDRA SIERRA PRO SE REAFFIRMATION AGREEMENT
WITH MERRICK BANK
10-26-15 [[11](#)]
6. [15-13886](#)-B-7 WILLIAM/TERRY STAMPER PRO SE REAFFIRMATION AGREEMENT
WITH SPRINGLEAF FINANCIAL
SERVICES, INC.
10-21-15 [[14](#)]

7. [15-13588](#)-B-7 GILBERTO/MARISSA GIL

REAFFIRMATION AGREEMENT WITH
BALBOA THRIFT & LOAN
11-23-15 [[13](#)]

NEIL SCHWARTZ/Atty. for dbt.

The reaffirmation agreement is incomplete and does not meet the requirements of 11 U.S.C. § 524. Part D, "Debtor's Statement in Support of Reaffirmation Agreement," which must list the debtors' income and expenses to show they can afford the payment without undue hardship, is blank. The reaffirmation agreement, therefore, is not enforceable against the debtors and cannot be approved. *In re Lopez*, 274 B.R. 854, 861-62 (9th Cir. BAP 2002), *aff'd*, 345 F.3d 701 (9th Cir. CA 2003). The hearing will be dropped from calendar. No appearance is necessary.

8. [15-14091](#)-B-7 SARA SANCHEZ
DGK-1
SAMUEL RAMIREZ/MV
DIXON KUMMER/Atty. for mv.
DISMISSED

MOTION FOR RELIEF FROM
AUTOMATIC STAY
11-18-15 [[20](#)]

This matter will be dropped from calendar without a disposition. The case has already been dismissed. No appearance is necessary.

1:30 P.M.

1. [15-13200](#)-B-13 ARMANDO/CATALINA CERNA
BHT-1
FREEDOM HOME MORTGAGE
CORPORATION/MV
ROBERT WILLIAMS/Atty. for dbt.
BRIAN TRAN/Atty. for mv.
CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY FREEDOM
HOME MORTGAGE CORPORATION
10-22-15 [[22](#)]
2. [15-13004](#)-B-13 LEAH JONES
MHM-1
MICHAEL MEYER/MV
ROBERT WILLIAMS/Atty. for dbt.
MOTION TO DISMISS CASE
9-30-15 [[18](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

3. [15-14007](#)-B-13 CARA WEESE

WILLIAM OLCOTT/Atty. for dbt.
\$310 FILING FEE PAID
10/28/15
ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
10-27-15 [[10](#)]

The record shows that the required fee has been paid in full. The OSC will be dropped from calendar. No appearance is necessary.

4. [15-12709](#)-B-13 LORI KITCHEN
WDO-1
LORI KITCHEN/MV
WILLIAM OLCOTT/Atty. for dbt.
MOTION TO CONFIRM PLAN
10-21-15 [[31](#)]

The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The debtor(s) shall submit a proposed confirmation order for approval to the chapter 13 trustee. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed. No appearance is necessary.

5. [10-62210](#)-B-13 DANIEL/IRIS RINDGE
LKW-6

MOTION FOR COMPENSATION FOR
LEONARD K. WELSH, DEBTORS
ATTORNEY(S)
11-5-15 [[91](#)]

LEONARD WELSH/Atty. for dbt.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary

6. [15-13512](#)-B-13 SYLVIA CASTRO
MHM-1
MICHAEL MEYER/MV
NEIL SCHWARTZ/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO DISMISS CASE
10-27-15 [[22](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

7. [11-60514](#)-B-13 SHANE/CAROL DUNNAWAY
MHM-1
MICHAEL MEYER/MV
PATRICK KAVANAGH/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
10-8-15 [[93](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

8. [15-13215](#)-B-13 BEATRIZ AGUILAR
MDE-1
KARPE REAL ESTATE CENTER/MV

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY KARPE
REAL ESTATE CENTER
10-6-15 [[14](#)]

ROBERT WILLIAMS/Atty. for dbt.
MARK ESTLE/Atty. for mv.

9. [15-11017](#)-B-13 ODILON/SAURISARET
MHM-1 PEREZ-FLORES
MICHAEL MEYER/MV
PHILLIP MYER/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO DISMISS CASE
10-27-15 [[70](#)]

10. [15-11017](#)-B-13 ODILON/SAURISARET
PIM-1 PEREZ-FLORES
ODILON PEREZ-FLORES/MV

CONTINUED MOTION TO VALUE
COLLATERAL OF BAYVIEW LOAN
SERVICING, LLC
8-13-15 [[40](#)]

PHILLIP MYER/Atty. for dbt.
RESPONSIVE PLEADING

This hearing will be conducted as a status conference and the contested motion to value Bayview Loan Servicing, LLC's collateral will be heard in conjunction with Bayview Loan Servicing, LLC's objection to confirmation below. The court intends to set an early evidentiary hearing if the matters are not resolved at the hearing.

11. [15-11017](#)-B-13 ODILON/SAURISARET
PPR-2 PEREZ-FLORES
BAYVIEW LOAN SERVICING, LLC/MV
PHILLIP MYER/Atty. for dbt.
CASSANDRA RICHEY/Atty. for mv.
OBJECTION TO CONFIRMATION OF
PLAN BY BAYVIEW LOAN SERVICING,
LLC
10-27-15 [[74](#)]

This hearing will be conducted as a status conference and Bayview Loan Servicing, LLC's objection to confirmation will be heard in conjunction with the continued motion to value the collateral of Bayview Loan Servicing, LLC. The court intends to set an early evidentiary hearing if the matters are not resolved at the hearing.

12. [15-11918](#)-B-13 CARLOS/SARA LAM
MHM-4
MICHAEL MEYER/MV
ROBERT WILLIAMS/Atty. for dbt.
DISMISSED
MOTION TO DISMISS CASE
10-28-15 [[72](#)]

This matter will be dropped from calendar without a disposition. The case has already been dismissed. No appearance is necessary.

13. [15-10928](#)-B-13 DAVID FOX
DMG-3
DAVID FOX/MV
D. GARDNER/Atty. for dbt.
PLAN WITHDRAWN 11/30/15
CONTINUED MOTION TO CONFIRM
PLAN
9-17-15 [[87](#)]

This motion to confirm a chapter 13 plan has been withdrawn and the debtor has filed and set for hearing a modified plan to be heard later date. No appearance is necessary.

14. [15-11029](#)-B-13 TERRY WHEELER
MHM-3
MICHAEL MEYER/MV
PATRICK KAVANAGH/Atty. for dbt.
RESPONSIVE PLEADING
CONTINUED MOTION TO DISMISS
CASE
9-4-15 [[68](#)]

15. [15-11029](#)-B-13 TERRY WHEELER
PK-3
TERRY WHEELER/MV
PATRICK KAVANAGH/Atty. for dbt.
MOTION TO CONFIRM PLAN
11-9-15 [[108](#)]

16. [15-13630](#)-B-13 JAIME/RUTH GARZA
MHM-1
MICHAEL MEYER/MV
PATRICK KAVANAGH/Atty. for dbt.
WITHDRAWN
MOTION TO DISMISS CASE
10-28-15 [[20](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

17. [15-13630](#)-B-13 JAIME/RUTH GARZA
PK-1
JAIME GARZA/MV
PATRICK KAVANAGH/Atty. for dbt.

MOTION TO VALUE COLLATERAL OF
ROBERT HARTLEY
11-16-15 [[27](#)]

This motion to value the collateral for a consensual lien against real property was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be granted for cause shown without oral argument. Based on the evidence offered in support of the motion, the respondent's junior priority mortgage claim is found to be wholly unsecured and may be treated as a general unsecured claim in the chapter 13 plan. The debtors may proceed under state law to obtain a reconveyance of respondent's trust deed upon completion of the chapter 13 plan and entry of the discharge. If the chapter 13 plan has not been confirmed, then the order shall specifically state that it is not effective until confirmation of the plan. The debtors shall submit a proposed order consistent with this ruling. No appearance is necessary.

This ruling is only binding on the named respondent in the moving papers and any successor who takes an interest in the property after service of the motion.

18. [15-13331](#)-B-13 VERONICA SILVA
MHM-1
MICHAEL MEYER/MV
VINCENT GORSKI/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO DISMISS CASE
10-27-15 [[17](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

19. [13-18038](#)-B-13 MARK MOORE AND TAMILEE
RSW-3 DERINGTON-MOORE
MARK MOORE/MV
ROBERT WILLIAMS/Atty. for dbt.

MOTION TO MODIFY PLAN
10-28-15 [[88](#)]

20. [15-12839](#)-B-13 CARLOS/ASHLEY ROSALES
[15-1112](#)
ROSALES ET AL V. RENT-A-WHEEL
PATRICK KAVANAGH/Atty. for pl.

STATUS CONFERENCE RE: COMPLAINT
9-14-15 [[1](#)]

21. [15-12245](#)-B-13 GABINO/FRANCES GUTIERREZ MOTION TO DISMISS CASE
MHM-1 10-26-15 [[61](#)]
MICHAEL MEYER/MV
ASHTON DUNN/Atty. for dbt.

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that the debtor has failed to confirm a chapter 13 plan which delay is prejudicial to creditors. Accordingly, the respondents' default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

22. [15-12245](#)-B-13 GABINO/FRANCES GUTIERREZ MOTION TO DISMISS CASE
MHM-2 10-30-15 [[65](#)]
MICHAEL MEYER/MV
ASHTON DUNN/Atty. for dbt.

The chapter 13 trustee's motion to dismiss will be denied as moot. The trustee's motion is based on the debtors' failure to make plan payments so that there is a material default in the plan, however the court intends to dismiss the case on the trustee's motion above. No appearance is necessary.

23. [11-11648](#)-B-13 MICHAEL KOVACEVICH MOTION TO MODIFY PLAN
RSW-5 10-22-15 [[120](#)]
MICHAEL KOVACEVICH/MV
ROBERT WILLIAMS/Atty. for dbt.

24. [11-10759](#)-B-13 SAMUEL SMITH AND SUSAN MOTION FOR COMPENSATION FOR
PK-5 BLACK-SMITH PATRICK KAVANAGH, DEBTORS
ATTORNEY(S)
11-9-15 [[77](#)]

PATRICK KAVANAGH/Atty. for dbt.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

25. [15-10076](#)-B-13 ESTEBAN ZAVALA MOTION TO DISMISS CASE
MHM-3 11-12-15 [[113](#)]
MICHAEL MEYER/MV
PATRICK KAVANAGH/Atty. for dbt.
RESPONSIVE PLEADING

26. [15-13378](#)-B-13 JAMES ZOPPE

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
10-30-15 [[37](#)]

This matter will be continued to January 7, 2016, at 1:30 p.m. The court will prepare a minute order. No appearance is necessary.

27. [15-13378](#)-B-13 JAMES ZOPPE
MHM-1
MICHAEL MEYER/MV

CONTINUED MOTION TO DISMISS
CASE
10-22-15 [[30](#)]

28. [15-13378](#)-B-13 JAMES ZOPPE
MHM-2
MICHAEL MEYER/MV

MOTION TO DISMISS CASE
10-30-15 [[39](#)]

29. [15-12789](#)-B-13 OLUSEGUN LERAMO
MHM-2
MICHAEL MEYER/MV
FRANCISCO ALDANA/Atty. for dbt.
DISMISSED

MOTION TO DISMISS CASE
9-30-15 [[38](#)]

This matter will be dropped from calendar without a disposition. The case has already been dismissed. No appearance is necessary.

30. [11-18990](#)-B-13 ADRIAN ALANIZ
MHM-2
MICHAEL MEYER/MV
ROBERT WILLIAMS/Atty. for dbt.
WITHDRAWN

MOTION TO DISMISS CASE
10-8-15 [[48](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

31. [10-64693](#)-B-13 GLENN/ELIZABETH DOBBS
LKW-9

MOTION FOR COMPENSATION FOR
LEONARD K. WELSH, DEBTORS
ATTORNEY(S)
11-18-15 [[123](#)]

LEONARD WELSH/Atty. for dbt.

This application/motion will be dropped from calendar. Pursuant to Federal Rules of Bankruptcy Procedure 2002(a)(6), the court may consider the applicant's request for compensation that does not exceed \$1,000 without a noticed hearing. The court will issue a civil minute order approving the application. No appearance is necessary.

32. [10-60998](#)-B-13 RONALD/DEBORAH NEWFIELD MOTION FOR COMPENSATION FOR
LKW-7 LEONARD K. WELSH, DEBTORS
ATTORNEY(S)
11-13-15 [[113](#)]

LEONARD WELSH/Atty. for dbt.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

33. [15-10076](#)-B-13 ESTEBAN ZAVALA MOTION TO CONFIRM PLAN
MHM-3 10-20-15 [[98](#)]

PATRICK KAVANAGH/Atty. for dbt.
RESPONSIVE PLEADING