

UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable René Lastreto II
Hearing Date: Wednesday December 20, 2017
Place: Department B - Courtroom #13
Fresno, California

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

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 p.m. (Pacific time) 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 under FRCP 60(a)(FRBP 9024) because of the court's error ["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 p.m. (Pacific time) 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.

THE COURT ENDEAVORS TO PUBLISH ITS RULINGS AS SOON AS POSSIBLE. HOWEVER, CALENDAR PREPARATION IS ONGOING AND THESE RULINGS 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.

9:30 AM

1. [15-13712](#)-B-7 IN RE: LEO LOOZA
[JDW-1](#)

MOTION TO AVOID LIEN OF CACH, LLC.
11-16-2017 [[30](#)]

LEO LOOZA/MV
JOEL WINTER

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Denied without prejudice.

ORDER: No appearance is necessary. The court will issue an order.

The motion will be denied without prejudice because it was not Properly served on the respondent, Cach, LLC. See Federal Rule of Bankruptcy Procedure 7004(b)(3). While the debtor served the respondent's attorney, unless the attorney agreed to accept service, service was improper. See, e.g., Beneficial California, Inc. v. Villar (In re Villar), 317 B.R. 88, 92-94 (B.A.P. 9th Cir. 2004). Doc. #33. The law firm debtor served is presumably the firm that represented the creditor that sued the debtor and obtained the judgment. Doc. #1, Schedule F. Schedule F was filed two years ago. In re Villar states, quoting the Northern District Bankruptcy Court in In re Schoon, "Where the alternative to service by mail is hiring a process server to serve the papers in person, [process by first class mail made to a specifically named officer] seems like a small burden to require literal compliance with the rule." In re Villar, 317 B.R. 88 (9th Cir. 2004).

Additionally, no declaration from the debtor declaring their entitlement to their claimed exemption accompanied the motion. Accordingly, the motion will be DENIED without prejudice.

2. [17-13414](#)-B-7 **IN RE: JOHN/ELVIRA LOPES**
[BMJ-2](#)

FURTHER SCHEDULING CONFERENCE RE: MOTION FOR ORDER RELEASING
AUCTION PROCEEDS
10-17-2017 [\[27\]](#)

CLI I NF, LLC/MV
RILEY WALTER
JOHN WASTE/ATTY. FOR MV.
RESPONSIVE PLEADING

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Continued to January 24, 2018 at 9:30 a.m.

ORDER: No appearance is necessary. The court will issue an
order.

This motion will be continued to January 24, 2018 at 9:30 a.m. to
allow the parties to file a stipulation as stated on the record at
the previous hearing. If a stipulation is filed prior to the
hearing on this motion, the motion will be dropped from calendar.

3. [17-14419](#)-B-7 **IN RE: EULALIO/MARIBEL ROJAS**
[DJP-1](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY
12-6-2017 [\[13\]](#)

EDUCATIONAL EMPLOYEES CREDIT
UNION/MV
MARK ZIMMERMAN
DON POOL/ATTY. FOR MV.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted.

ORDER: The minutes of the hearing will be the court's
findings and conclusions. The Moving Party
shall submit a proposed order after hearing.

This motion for relief from stay was noticed pursuant to LBR 9014-
1(f)(2) and written opposition was not required. Unless opposition
is presented at the hearing, the court intends to enter the debtor's
and the trustee's defaults and enter the following ruling granting
the motion for relief from stay. If opposition is presented at the
hearing, the court will consider the opposition and whether further

hearing is proper pursuant to LBR 9014-1(f)(2). The court will issue an order if a further hearing is necessary.

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 record shows that cause exists to terminate the automatic stay.

The proposed order shall specifically describe the property or action to which the order relates.

The waiver of Federal Rule of Bankruptcy Procedure 4001(a)(3) will be granted. The moving papers show the collateral is a depreciating asset.

Unless the court expressly orders otherwise, the proposed order shall not include any other relief. If the proposed order includes extraneous or procedurally incorrect relief that is only available in an adversary proceeding then the order will be rejected. See *In re Van Ness*, 399 B.R. 897 (Bankr. E.D. Cal. 2009).

4. [17-13826](#)-B-7 **IN RE: BILLIE GRAY**
[PFT-1](#)

OPPOSITION RE: TRUSTEE'S MOTION TO DISMISS FOR FAILURE TO
APPEAR AT SEC. 341(A) MEETING OF CREDITORS
11-8-2017 [\[19\]](#)

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Conditionally denied.

ORDER: No appearance is necessary. The Moving Party shall submit a proposed order in conformance with the ruling below.

The debtor shall attend the meeting of creditors rescheduled for January 8, 2018 at 11:00 a.m. If the debtor fails to do so, the chapter 7 trustee may file a declaration with a proposed order and the case may be dismissed without a further hearing.

The time prescribed in Rules 1017(e)(1) and 4004(a) for the chapter 7 trustee and the U.S. Trustee to object to the debtor(s) discharge or to move for dismissal of the case under section 707(b) is extended to 60 days after the conclusion of the meeting of creditors.

5. [16-11031](#)-B-7 **IN RE: GILBERT/OLIVIA GARCIA**
[DMG-1](#)

MOTION TO COMPROMISE CONTROVERSY/APPROVE SETTLEMENT
AGREEMENT WITH GILBERT GARCIA
11-22-2017 [\[96\]](#)

CHRIS GUILLEN/MV
LEONARD WELSH
D. GARDNER/ATTY. FOR MV.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: No appearance is necessary. The Moving Party shall
submit a proposed order in conformance with the
ruling below.

This matter was fully noticed in compliance with the Local Rules of Practice and there is no opposition. Federal Rule of Civil Procedure 55, made applicable by Federal Rule of Bankruptcy Procedure 7055, governs default matters and is applicable to contested matters under Federal Rule of Bankruptcy Procedure 9014(c). Upon default, factual allegations will be taken as true (except those relating to amount of damages). *Televideo Systems, Inc. v. Heidenthal* (826 F.2d 915, 917 (9th Cir., 1987)). Constitutional due process requires that a plaintiff make a *prima facie* showing that they are entitled to the relief sought, which the movant has done here. Accordingly, the respondents' defaults will be entered.

It appears from the moving papers that the trustee has considered the standards of *In re Woodson*, 839 F.2d 610, 620 (9th Cir. 1987) and *In re A & C Properties*, 784 F.2d 1377, 1381 (9th Cir. 1986):

- a. whether the settlement was negotiated in good faith;
- b. whether the trustee or debtor-in-possession reasonably believes that the compromise is the best result that can be negotiated under the facts, and;
- c. whether the settlement is fair and equitable.

Accordingly, it appears that the compromise pursuant to FRBP 9019 is a reasonable exercise of the Trustee's business judgment. The order should be limited to the claims compromised as described in the motion.

The trustee requests approval of a settlement agreement between the estate and a former business partner that the debtor claims owes money to the estate.

Under the terms of the compromise, the defendant will pay \$10,000.00 to the estate, in full satisfaction of the claims. The entire \$10,000.00 will be paid to the estate.

On a motion by the trustee and after notice and a hearing, the court may approve a compromise or settlement. Fed. R. Bankr. P. 9019. Approval of a compromise must be based upon considerations of fairness and equity. In re A & C Properties, 784 F.2d 1377, 1381 (9th Cir. 1986). The court must consider and balance four factors: 1) the probability of success in the litigation; 2) the difficulties, if any, to be encountered in the matter of collection; 3) the complexity of the litigation involved, and the expense, inconvenience, and delay necessarily attending it; and 4) the paramount interest of the creditors with a proper deference to their reasonable views. In re Woodson, 839 F.2d 610, 620 (9th Cir. 1988).

The court concludes that the Woodson factors balance in favor of approving the compromise. That is: the probability of success in litigation is uncertain, as the amount is disputed by the former business partner and is the subject of a business dispute, which would necessarily complicate the matter, making judgment in favor of the debtor less certain; collection, if after litigation there would be any money left for the debtor, would be difficult since the former business partners themselves are having creditor troubles; litigating the claim in state court could take up to a year and the fees would likely exceed the value of the claim; and the \$10,000.00 to the estate is likely more than what the creditors would get if the matter was litigated, and the settlement is equitable and fair.

Therefore, the court concludes the compromise to be in the best interests of the creditors and the estate. Furthermore, the law favors compromise and not litigation for its own sake. In re Blair, 538 F.2d 849, 851 (9th Cir. 1976). Accordingly, the motion will be granted.

6. [15-10039](#)-B-12 **IN RE: ANGELA PIMENTEL**
[WW-1](#)

CONTINUED MOTION FOR RELIEF FROM AUTOMATIC STAY
8-1-2017 [[146](#)]

LUIS OLIVEIRA/MV
G. WILLIAMS
RILEY WALTER/ATTY. FOR MV.
RESPONSIVE PLEADING

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Continued to January 24, 2018 at 9:30 a.m.

ORDER: No appearance is necessary. The court will issue an order.

This motion will be continued to January 24, 2018 at 9:30 a.m. to allow the parties to file a stipulation as stated on the record at the previous hearing. If a stipulation is filed prior to the hearing on this motion, the motion will be dropped from calendar.

7. [16-14150](#)-B-7 **IN RE: MARSHALL LORIMOR**
[TGM-3](#)

MOTION FOR COMPENSATION FOR TRUDI G. MANFREDO, TRUSTEES
ATTORNEY(S)
11-21-2017 [[44](#)]

JERRY LOWE

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: No appearance is necessary. The Moving Party shall submit a proposed order in conformance with the ruling below.

This motion has been set for hearing on the notice required by Local Bankruptcy Rule 9014-1(f)(1). The failure of the creditors, the debtor, the U.S. Trustee, and any other party in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014- 1(f)(1)(ii) is considered as consent to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties

in interest are entered and the matter will be resolved without oral argument.

Counsel will be awarded \$2,452.00 in fees and \$82.98 in costs.

8. [17-13752](#)-B-7 **IN RE: ALICE HERRERA**

ORDER TO SHOW CAUSE - FAILURE TO PAY FEES
11-30-2017 [[25](#)]

MARK ZIMMERMAN
\$31.00 FILING FEE PAID 12/1/17

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: The OSC will be vacated.

ORDER: No appearance is necessary. The court will issue an order.

The record shows that the required fee has been paid in full.

9. [13-16155](#)-B-7 **IN RE: MICHAEL WEILERT AND GENEVIEVE DE MONTREMARE**
[FW-22](#)

MOTION FOR COMPENSATION BY THE LAW OFFICE OF FEAR WADDELL,
P.C. FOR PETER L. FEAR, TRUSTEES ATTORNEY(S)
11-22-2017 [[614](#)]

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: No appearance is necessary. The Moving Party shall submit a proposed order in conformance with the ruling below.

This motion has been set for hearing on the notice required by Local Bankruptcy Rule 9014-1(f)(1). The failure of the creditors, the debtor, the U.S. Trustee, and any other party in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014- 1(f)(1)(ii) is considered as consent to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties

in interest are entered and the matter will be resolved without oral argument.

Counsel will be awarded \$22,236.00 in fees and \$653.87 in costs.

10. [17-13963](#)-B-7 **IN RE: RODNEY LEFLORE**
[APN-1](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY
11-17-2017 [[11](#)]

SANTANDER CONSUMER USA,
INC./MV
ASHTON DUNN

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Denied without prejudice.

ORDER: No appearance is necessary. The court will issue an order.

This motion will be denied without prejudice. The motion was originally noticed under LBR 9014-1(f)(1) which requires service 28 days' before the hearing. The original notice failed to include the new LBR 9014-1(d)(3)(B) language. Movant filed an amended notice of hearing on December 11, 2017 to include the new LBR 9014-1(d)(3)(B) language but failed to comply with LBR 9014-1(f)(2) which provides, *inter alia*, that the notice must state no opposition needs to be filed before the hearing if the motion is to be heard on less than 28 days' notice. No order shortening or modifying notice was sought or obtained.

11. [17-13664](#)-B-7 **IN RE: PEDRO RAMIREZ**
[RAS-1](#)

MOTION FOR RELIEF FROM AUTOMATIC STAY
11-8-2017 [[10](#)]

DEUTSCHE BANK NATIONAL TRUST
COMPANY/MV
NEIL SCHWARTZ
SEAN FERRY/ATTY. FOR MV.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Denied without prejudice.

ORDER: The court will issue an order.

The motion will be denied without prejudice. The form and/or content of the notice do not comply with LBR 9014-1(d)(3)(B)(iii).

Counsel is reminded that new Local Rules became effective September 26, 2017. New Rule 9014-1(d)(3)(B) in particular requires the moving party to include more information in Notices than the old Rule 9014-1(d)(3) did. The court urges counsel to review the new rules in order to be compliant in future matters. The new rules can be accessed on the court's website at <http://www.caeb.circ9.dcn/LocalRules.aspx>.

12. [15-14470](#)-B-7 **IN RE: RAUL/RAQUEL REYES**

TRUSTEE'S FINAL REPORT
11-20-2017 [\[87\]](#)

STEVE FOX
TRUDI MANFREDO/ATTY. FOR MV.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Granted.

ORDER: No appearance is necessary. The Moving Party shall submit a proposed order in conformance with the ruling below.

This motion has been set for hearing on the notice required by Local Bankruptcy Rule 9014-1(f)(1). The failure of the creditors, the debtor, the U.S. Trustee, and any other party in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(ii) is considered as consent to the granting of the motion. Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court will not materially alter the relief requested by the moving party, an actual hearing is unnecessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592 (9th Cir. 2006). Therefore, the defaults of the above-mentioned parties in interest are entered and the matter will be resolved without oral argument.

The Trustee's Narrative Supplement sets forth the efforts the Trustee made in this case. Initially the schedules filed proved to be inaccurate. The trustee had to compare scheduled asset values with both source documents and other evidence of asset value. The Trustee also uncovered a real property transfer which was not disclosed. The trustee prosecuted litigation to set aside the transfer, obtained a judgment and eventually sold the estate's interest in the transferred property.

A one paragraph "opposition" was filed by Steve Fox on December 13, 2017 (docket #95). First, it was filed late without a court order allowing the filing and is stricken under LBR 9014-1(1). Second, even if considered, the opposition is incomprehensible.

Trustee will be awarded \$25,578.88 in compensation and will be reimbursed \$117.64 for expenses.

13. [17-11376](#)-B-7 **IN RE: HECTOR MERCADO MUNOZ AND MIRTA**
MERCADO CARDENAS
[JRL-4](#)

MOTION TO AVOID LIEN OF BRAVO CAPITAL, LLC
11-16-2017 [\[160\]](#)

HECTOR MERCADO MUNOZ/MV
JERRY LOWE
RESPONSIVE PLEADING

NO RULING

DISPOSITION: The matter will proceed as a scheduling conference.

ORDER: The court will determine whether an order is
 necessary and will determine which party, if any,
 shall prepare the order

The Debtors seek to avoid a judgment lien which purportedly encumbers their homestead located at 41991 Road 96, Dinuba, CA. The motion is opposed by Bravo Capital, LLC, the judgment creditor, who recorded an Abstract of Judgment.

The objection raises issues concerning the lack of notice of the bankruptcy and indicates that a non-dischargeability action may be filed. However, the dischargeability of any obligation is not relevant to the determination of this motion. There are factual issues which need further development for this motion. Those issues include:

1. Do the debtors properly claim a homestead? The debtor's declaration does not state that unequivocally and it is the debtor's burden to prove a homestead is properly claimed.
2. What is the value of the property claimed as a homestead? The debtors' schedules state the value is \$431,138 which is the value the debtors have consistently claimed (see Doc #'s 21, 97)
3. Why do the debtor's now claim the value of the homestead is \$265,000? What has happened to the value since the filing of the case earlier this year and why?

4. What impact does an apparent second property have on the debtors' homestead claim? The schedules reveal another address of property owned by the debtor: 42667 Road 72, Dinuba, CA.

The hearing will proceed as a scheduling conference and both parties shall be prepared to discuss a discovery cutoff date and when the motion will likely be ready for an evidentiary hearing.

14. [17-13296](#)-B-7 **IN RE: LARRY CHAMPAGNE**
[DRJ-1](#)

MOTION TO EXTEND DEADLINE TO FILE A COMPLAINT OBJECTING TO DISCHARGE OF THE DEBTOR, MOTION TO EXTEND DEADLINE TO FILE A COMPLAINT OBJECTING TO DISCHARGEABILITY OF A DEBT
12-1-2017 [[18](#)]

LARRY CHAMPAGNE/MV
DAVID JENKINS

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The court will issue an order.

This motion was filed and served pursuant to LRB 9014-1(f)(2) and will proceed as scheduled. Unless opposition is presented at the hearing, the court intends to enter the respondents' defaults and grant the motion. If opposition is presented at the hearing, the court will consider the opposition and whether further hearing is proper pursuant to LBR 9014-1(f)(2). The court will issue an order if a further hearing is necessary.

The deadline for the creditor to object to the debtor's discharge or the dischargeability of any debt owed to the creditor is extended to February 5, 2018.

15. [16-14199](#)-B-7 **IN RE: HARLAN/VIRGINIA TYLER**
[FW-4](#)

MOTION TO COMPROMISE CONTROVERSY/APPROVE SETTLEMENT
AGREEMENT WITH HARLAN LEE TYLER
11-29-2017 [[44](#)]

JAMES SALVEN/MV
RILEY WALTER
PETER FEAR/ATTY. FOR MV.

TENTATIVE RULING: This matter will proceed as scheduled.

DISPOSITION: Granted.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The court will issue an order if further hearing is necessary. Otherwise, the moving party will submit the order.

This motion was filed and served pursuant to LRB 9014-1(f)(2) and will proceed as scheduled. Unless opposition is presented at the hearing, the court intends to enter the respondents' defaults and grant the motion. If opposition is presented at the hearing, the court will consider the opposition and whether further hearing is proper pursuant to LBR 9014-1(f)(2). The court will issue an order if a further hearing is necessary.

It appears from the moving papers that the trustee has considered the standards of *In re Woodson*, 839 F.2d 610, 620 (9th Cir. 1987) and *In re A & C Properties*, 784 F.2d 1377, 1381 (9th Cir. 1986):

- a. whether the settlement was negotiated in good faith;
- b. whether the trustee or debtor-in-possession reasonably believes that the compromise is the best result that can be negotiated under the facts, and;
- c. whether the settlement is fair and equitable.

Accordingly, it appears that the compromise pursuant to FRBP 9019 is a reasonable exercise of the trustee's business judgment. The order should be limited to the claims compromised as described in the motion.

The trustee requests approval of a settlement agreement between the estate and various defendants in a multi-district pharmaceutical litigation. The claims were precipitated by the ingestion of a medication by Mr. Tyler, who then developed medical issues.

The settlement was reached pursuant to a settlement determination process involving a point system, reviewed by the court presiding over the litigation.

Under the terms of the compromise, the defendants will pay \$203,498.21 to the estate, in full satisfaction of the claims. After payment of certain fees associated with the litigation, the trustee expects the estate to net approximately \$104,680.08, \$81,399.28 from which will be kept separate and held by Trustee without prejudice to any future application by Proposed Special Counsel to be appointed or approval of fees and costs.

On a motion by the trustee and after notice and a hearing, the court may approve a compromise or settlement. Fed. R. Bankr. P. 9019. Approval of a compromise must be based upon considerations of fairness and equity. In re A & C Properties, 784 F.2d 1377, 1381 (9th Cir. 1986). The court must consider and balance four factors: 1) the probability of success in the litigation; 2) the difficulties, if any, to be encountered in the matter of collection; 3) the complexity of the litigation involved, and the expense, inconvenience, and delay necessarily attending it; and 4) the paramount interest of the creditors with a proper deference to their reasonable views. In re Woodson, 839 F.2d 610, 620 (9th Cir. 1988).

The court concludes that the Woodson factors balance in favor of approving the compromise. That is: the probability of success is far from assured as the defendants have vigorously disclaimed all liability for Debtor's damages; collection will be very easy as the plaintiffs are large corporations which gross billions of dollars annually and the settlement funds are being held by a third-party administrator; the litigation is incredibly complex and moving forward would decrease the net to the estate due to the legal fees; and the creditors will greatly benefit from the net to the estate, that would otherwise not exist; the settlement is equitable and fair.

Therefore, the court concludes the compromise to be in the best interests of the creditors and the estate. The court may give weight to the opinions of the trustee, the parties, and their attorneys. In re Blair, 538 F.2d 849, 851 (9th Cir. 1976). Furthermore, the law favors compromise and not litigation for its own sake. Id. Accordingly, the motion will be granted.

This ruling is not authorizing the payment of any fees or costs associated with the litigation.

11:00 AM

1. [17-13648](#)-B-7 **IN RE: HILDA GARZA**

PRO SE REAFFIRMATION AGREEMENT WITH WELLS FARGO BANK, N.A.
11-28-2017 [[17](#)]

NO RULING.

2. [17-13980](#)-B-7 **IN RE: TONIA ALFORD**

PRO SE REAFFIRMATION AGREEMENT WITH FIRST INVESTORS
SERVICING CORPORATION
11-28-2017 [[12](#)]

NO RULING.

3. [17-13585](#)-B-7 **IN RE: EDDIE/MONICA CIBRIAN**

PRO SE REAFFIRMATION AGREEMENT WITH TUCOEMAS FEDERAL CREDIT
UNION
11-22-2017 [[16](#)]

NO RULING.

1:30 PM

1. [16-11605](#)-B-7 **IN RE: CAROLYN CHARLTON**
[16-1078](#)

CONTINUED STATUS CONFERENCE RE: AMENDED COMPLAINT
2-16-2017 [[25](#)]

CHARLTON V. CHARLTON
NANETTE BEAUMONT/ATTY. FOR PL.
RESPONSIVE PLEADING

NO RULING.

2. [17-10245](#)-B-13 **IN RE: MICHAEL/CAROL LUSK**
[17-1016](#)

PRETRIAL CONFERENCE RE: AMENDED COMPLAINT
3-10-2017 [[12](#)]

PETERSON V. LUSK
HAGOP BEDOYAN/ATTY. FOR PL.
RESPONSIVE PLEADING

NO RULING.

3. [14-13880](#)-B-7 **IN RE: JUAN GONZALES**
[17-1045](#)

CONTINUED STATUS CONFERENCE RE: COMPLAINT
5-5-2017 [[1](#)]

SALVEN V. GONZALEZ ET AL
DAVID JENKINS/ATTY. FOR PL.

TENTATIVE RULING: This matter will proceed as scheduled, unless the trustee's counsel files the Motion to Approve Settlement before this hearing date. If the motion is filed, this status conference will be continued. Otherwise, trustee's counsel will appear.

DISPOSITION: Continued to January 31, 2018 at 9:30 a.m. if the Motion to Approve Settlement is timely filed.

ORDER: The minutes of the hearing will be the court's findings and conclusions. The court will issue an order.

This status conference was continued to allow the trustee 30 days to file and serve a motion to approve the settlement. According to the trustee's status conference statement filed on December 17, 2017, it has taken longer than the anticipated 30 days to draft the motion. Counsel however anticipates that it will be set for hearing on January 31, 2018. If the motion is filed prior to the time of this hearing, this status conference will be continued to be heard in conjunction with that Motion to Approve Settlement on January 31, 2018 at 9:30 a.m. If the motion is not filed prior to the time of this hearing, the status conference will be held and trustee's counsel will appear and explain why the motion has not yet been filed and when it will be filed.

4. [15-12689](#)-B-7 **IN RE: MARK HANSEN**
[17-1042](#)

CONTINUED STATUS CONFERENCE RE: AMENDED COMPLAINT
7-12-2017 [[31](#)]

HANSEN V. OCWEN LOAN
SERVICING, LLC ET AL
MARK HANSEN/ATTY. FOR PL.

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Continued to January 11, 2018 at 1:30 p.m.

ORDER: No appearance is necessary. The court will issue an
order.

Pursuant to plaintiff's ex-parte application, this matter is being
continued to January 11, 2018 at 1:30 p.m.

5. [15-12689](#)-B-7 **IN RE: MARK HANSEN**
[17-1042](#) [DCN-5](#)

MOTION TO DISMISS ADVERSARY PROCEEDING/NOTICE OF REMOVAL
11-3-2017 [[59](#)]

HANSEN V. OCWEN LOAN
SERVICING, LLC ET AL
PETER ISOLA/ATTY. FOR MV.
RESPONSIVE PLEADING

FINAL RULING: There will be no hearing on this matter.

DISPOSITION: Continued to January 11, 2018 at 1:30 p.m.

ORDER: No appearance is necessary. The court will issue an
order.

Pursuant to plaintiff's ex-parte application, this matter is being
continued to January 11, 2018 at 1:30 p.m. The court will not grant
any more continuances in this matter, and will not accept any more
pleadings filed related to this motion as the written record on this
motion is now closed. Any pleadings filed prosecuting this motion
will be stricken.