

**U.S. BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

Honorable Stephen L. Johnson

Thursday, October 19, 2017

Current as of 10/19/2017 at 7:53 AM

ECRO - Katie Rose

CRD - Anna Lee

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

**280 S 1st Street
San Jose, CA 95113**

10:00 AM **11-52123** George O. Ekeh and
Ch 13 Augustina C. Ekeh
Trustee: Derham-Burk

Moving: Brian M. Kandel

Opposing:

Debtor or Plaintiff Attorney: Brian M. Kandel

Matter: **Motion To Set Aside Dismissal Filed by Augustina Ekeh (128)**

Comment **Tentative Ruling: Motion is not opposed. Motion will be granted contingent on immediate payment of 100% of sum due under plan.**

10:00 AM **12-50058** Richard Gallardo
Ch 13
Trustee: Derham-Burk

Moving: Cathleen Cooper Moran

Opposing:

Debtor or Plaintiff Attorney: Cathleen Cooper Moran

Matter: **Motion For Sanctions for Violation of the Discharge Injunction Filed by Richard Gallardo (171)**
(fr 4/20, 5/18, 6/15, 7/27, 8/24, 9/21)

***Debtor's motion is withdrawn per stipulated order entered on 10/13/2017. Matter is taken off calendar.**

10:00 AM **14-52561** Bradley S. Hamilton
Ch 13
Trustee: Derham-Burk

Moving: Susan D. Silveira

Opposing:

Debtor or Plaintiff Attorney: Susan D. Silveira

Matter: **Application for Compensation Fee \$5,190.00 Expenses \$10.53 Filed by Susan Silveira (19)**

Comment **Tentative Ruling: Fees reasonable and beneficial to debtor and awarded under § 330(a)(4)(B).**

10:00 AM **16-52052** Leonard George Losik and
Ch 13 Sandra Ann Losik
Trustee: Derham-Burk

Moving: Brette L. Evans

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

4

Matter: **Application for Compensation Fee \$8525.00 Filed by Brette Evans (51)**

Comment **Tentative Ruling:** Fees reasonable and beneficial to debtors and awarded under § 330(a)(4)(B).

10:00 AM **16-52262** Leticia Vargas Rojas
Ch 13
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: Norma L. Hammes

5

Matter: **Contested Confirmation hearing re: Amended Objection to Confirmation of Chapter 13 Plan with Certificate of Service. Filed by Devin Derham-Burk (40)**

(fr 9/21)

Comment **Tentative Ruling:** Matter will be called.

10:00 AM **16-52262** Leticia Vargas Rojas
Ch 13
Trustee: Derham-Burk

Moving: Nancy Lee

Opposing:

Debtor or Plaintiff Attorney: Norma L. Hammes

6

Matter: **Contested Confirmation hearing re: Amended Objection to Confirmation of Plan Filed by Wells Fargo Bank, N.A. (41)**

(fr 9/21)

Comment **Tentative Ruling:** Matter will be called.

10:00 AM **16-52454** Darlyne Natividad Velasco
Ch 13
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

7

Matter: **Contested Confirmation Hearing re: Objection to Confirmation of Debtors First Chapter 13 Plan Filed by Catalina Esoc (29)**

(fr 9/21)

Comment **Tentative Ruling:** Parties to update court on status of Catalina ESOC objection. Is this resolved? If not, matter will be set for evidentiary hearing.

10:00 AM **16-52457** Brian Cable
Ch 13
Trustee: Derham-Burk

Moving: Lars T. Fuller

Opposing:

Debtor or Plaintiff Attorney: Lars T. Fuller

8

Matter: [Motion to Extend Time to confirm and request for evidentiary hearing Filed by Brian Cable \(67\)](#)

Comment **Tentative Ruling:** Matter will be called. Based on Debtor's statement filed 10/8/2017, the trustee's objection needs to be set for trial. Counsel should be prepared to commit to trial dates at the hrg.

10:00 AM **16-52457** Brian Cable
Ch 13
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: Lars T. Fuller

9

Matter: [Eighth Amended Objection to Confirmation of Chapter 13 Plan Filed by Derham-Burk, Devin \(61\)](#)

Comment **Tentative Ruling:** See previous matter.

10:00 AM **16-52506** Rodney Allen Clore
Ch 13
Trustee: Derham-Burk

Moving: Jason Vogelpohl

Opposing:

Debtor or Plaintiff Attorney: Jason Vogelpohl

10

Matter: [Motion to Vacate Dismissal Filed by Rodney Clore \(38\)](#)

[*Trustee's Response to Debtor's Motion to Vacate Dismissal \(40\)](#)

Comment **Tentative Ruling:** Matter will be called.

10:00 AM **16-52852** Dominador Rinopa Nuval and
Ch 13 Saturnina Reyes Nuval
Trustee: Derham-Burk

Moving: Jason Vogelpohl

Opposing:

Debtor or Plaintiff Attorney: Jason Vogelpohl

11

Matter: [Application for Compensation Fee \\$2,117.50 Expenses \\$75.00 Filed by Jason Vogelpohl \(33\)](#)

Comment **Tentative Ruling:** Fees were necessary and beneficial to debtors and will be allowed under § 330(a)(4)(B). Payment to come from funds trustee has on hand.

10:00 AM **16-53086** Jesus Lara Renteria
Ch 13
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

12

Matter: **Amended Objection to Confirmation of Chapter 13 Plan Filed by Derham-Burk, Devin (44)**

Comment **Tentative Ruling:** Matter dropped from calendar per Docket #59 for failure to file status statement.

10:00 AM **16-53086** Jesus Lara Renteria
Ch 13
Trustee: Derham-Burk

Moving: Thomas Moore

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

13

Matter: **Objection to Confirmation First Amended Chapter 13 Plan Filed by Internal Revenue Service (46)**

Comment **Tentative Ruling:** Matter dropped from calendar per Docket #60 for failure to file status statement.

10:00 AM **17-50069** Eric Allen Dunbar and
Ch 13 Kimberly Muccia Dunbar
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: Aaron Lipton

14

Matter: **Amended Objection to Confirmation of Chapter 13 Plan Filed by Derham-Burk, Devin (23)**

***Trustee withdrew her Objection on 10/17/2017. Matter is dropped.**

Comment **Tentative Ruling:** Matter will be called.

10:00 AM **17-50201** Valerie Samena Sheikh Lyttle
Ch 13
Trustee: Derham-Burk

Moving: Aaron J. Mohamed

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

15

Matter: **Motion To Vacate Default Order Confirming Objection To Claim Filed by Joe Bettencourt , Lori Bettencourt, Pump'D Inflatable Fun, LLC 47)**

***Debtor's reply and opposition to the motion (55)**

Comment **Tentative Ruling:** Matter will be called.

10:00 AM **17-50201** Valerie Samena Sheikh Lyttle
Ch 13
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

Matter: **Amended Objection to Chapter 13 Plan Filed by Joe Bettencourt , Lori Bettencourt, Pump'D Inflatable Fun, LLC (21)**

Comment **Tentative Ruling: Matter will be called.**

16