

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

**Honorable M. Elaine Hammond**

**Tuesday, November 15, 2016**

*Current as of 11/7/2016 at 11:01 AM*

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**San Jose Courtroom 3020**

**U.S. Courthouse and Federal Bldg.**

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

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10:00 AM **12-57813** Jimmy Llepun Buhisan

Ch 13

Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

**Debtor or Plaintiff Attorney:** David A. Boone

**Matter:** **Motion to Modify Plan Filed by Trustee Devin Derham-Burk (48)**

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10:00 AM **13-54805** Dirk Kevin McKenzie and

Ch 13

Jeanne Lee McKenzie

Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** David A. Boone

**Matter:** **a) Motion to Modify Plan Filed by Devin Derham-Burk (61)**

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**b) Amended Motion Second Amended Motion to Modify Chapter 13 Plan (RE: related document(s)54 Amended Application/Motion filed by Debtor Dirk Kevin McKenzie, Joint Debtor Jeanne Lee McKenzie). Filed by Dirk McKenzie (57)**

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10:00 AM **15-53684** Crecenciano Espinoza Mendoza and

Ch 13

Jennifer April Mendoza

Trustee: Derham-Burk

**Moving:** David A. Boone

**Opposing:**

**Debtor or Plaintiff Attorney:** David A. Boone

**Matter:** **Interim Application for Compensation for Fees: \$8,442.50 Filed by Law Offices Of David A. Boone (41)**

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3

10:00 AM **16-50539** Albert Rodriguez and  
Ch 13 Ronda H. Rodriguez  
Trustee: Derham-Burk

**Moving:** Arnold L. Graff

**Opposing:**

**Debtor or Plaintiff Attorney:** Brette L. Evans

4

**Matter:** a) **Contested hearing re: Objection to Confirmation of Plan with Proof of Service Filed by U.S. BANK NATIONAL ASSOCIATION (38)**

b) **Contested hearing re: Amended Objection to Confirmation of Chapter 13 Plan with Certificate of Service Filed by Devin Derham Burk (33)**

c) **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. section 1307(c) Filed by Devin Derham-Burk (44)**

d) **Declaration of Counsel filed by Debtor (52)**

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10:00 AM **16-51213** Ralph Warren Houghton  
Ch 13  
Trustee: Derham-Burk

**Moving:** Devin Derham-Burk

**Opposing:**

**Debtor or Plaintiff Attorney:** Aaron Lipton

5

**Matter:** **Hearing re: Amended Objection to Confirmation of Chapter 13 Plan with Certificate of Service Filed by Devin Derham-Burk (21)**

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10:00 AM **16-50331** Robert A. Burmeister  
Ch 13  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** Brette L. Evans

6

**Matter:** a) **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. section 1307(c) Filed by Devin Derham-Burk (45)**

b) **Opposition filed by Debtor (49)**

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10:00 AM **16-50338** Henry Tyrone Monroe, Sr.  
Ch 13  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** Perry D. Popovich

7

**Matter:** a) **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. section 1307(c) Filed by Devin Derham-Burk (64)**

b) **Opposition filed by Debtor (66)**

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10:00 AM **16-50361** Lori Lee Greymont  
Ch 13  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** Henry G. Rendler

8

**Matter:** a) **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. section 1307(c) Filed by Devin Derham-Burk (53)**

b) **Objection filed by Debtor (58)**

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10:00 AM **16-50362** Angel Ortiz and  
Ch 13 Teresa Ortiz  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** James Jingming Cai

9

**Matter:** a) **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. section 1307(c) Filed by Devin Derham-Burk (26)**

b) **Opposition filed by Debtor (35)**

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10:00 AM **16-50378** Jose Ismael Nunez  
Ch 13  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** David A. Boone

10

**Matter:** a) **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. section 1307(c) Filed by Devin Derham-Burk (18)**

b) **Objection filed by Debtor (22)**

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10:00 AM **16-50427** Robert Alarkon Barcenas and  
Ch 13 Thuy Ngoc Quach-Barcenas  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** Brette L. Evans

11

**Matter:** a) **Motion to Dismiss Case For Non-Payment (Pre-Confirmation) Pursuant to 11 U.S.C. section 1307(c)(1) Filed by Devin Derham-Burk (31)**

b) **Declaration of Counsel (34)**

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10:00 AM **16-50442** Vetlhana Valverde  
Ch 13  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** Lars T. Fuller

12

**Matter:** a) **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. section 1307(c) Filed by Devin Derham-Burk (27)**

b) **Opposition filed by Debtor (35)**

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10:00 AM **16-50474** Victor Lloyd Burgess  
Ch 13  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** Ronda N. Edgar

13

**Matter:** a) **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. section 1307(c) Filed by Devin Derham-Burk (36)**

b) **Opposition filed by Debtor (40)**

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10:00 AM **16-50519** Valarie L Holstein  
Ch 13  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** David S. Henshaw

14

**Matter:** a) **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. section 1307(c) Filed by Devin Derham-Burk (30)**

b) **Opposition filed by Debtor (33)**

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10:00 AM **16-50604** Jose Del Luz Landin  
Ch 13  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** Jason Vogelpohl

15

**Matter:** a) **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. section 1307(c) Filed by Devin Derham-Burk (24)**

b) **Opposition filed by Debtor (27)**

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10:00 AM **16-50609** Sarah Reynoso  
Ch 13  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** David A. Boone

16

**Matter:** **a) Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. section 1307(c) Filed by Devin Derham-Burk (22)**

**b) Objection filed by Debtor (26)**

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10:00 AM **16-52383** Donna Brown  
Ch 13  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** ProSe / None

17

**Matter:** **Motion to Dismiss Case By Chapter 13 Trustee Filed by Devin Derham-Burk (57)**

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10:00 AM **16-52409** Luis Nieto Moreno  
Ch 13  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** ProSe / None

18

**Matter:** **Motion to Dismiss Case By Chapter 13 Trustee Filed by Devin Derham-Burk (17)**

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10:00 AM **15-53888** David D. Wright, Sr.  
Ch 13  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** Brian M. Kandel

19

**Matter:** **a) Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. section 1307(c) Filed by Devin Derham-Burk (31)**

**b) Opposition filed by Debtor (33)**

**Comment** (fr 9/20)

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10:00 AM **15-54088** Thomas Zygmunt Niwinski and  
Ch 13 Anne Christine Niwinski  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** David A. Boone

20

**Matter:** **a) Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. section 1307(c) Filed by Devin Derham-Burk (26)**

**b) Objection and Request for Hearing by Debtors (28)**

**Comment (fr 9/20)**

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10:00 AM **16-50015** Desiree Miranda Sanchez  
Ch 13  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** David A. Boone

21

**Matter:** **a) Motion to Dismiss Case Pre-Confirmation Pursuant To 11 U.S.C. section 1307(c) Filed by Devin Derham-Burk (26)**

**b) Objection filed by debtor (29)**

**Comment (fr 10/18)**

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10:00 AM **16-50050** Jennifer Christiansen  
Ch 13  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** Lars T. Fuller

22

**Matter:** **a) Motion to Dismiss Case Pre-Confirmation Pursuant To 11 U.S.C. section 1307(c) Filed by Devin Derham-Burk (29)**

**b) Opposition filed by Debtor (33)**

**Comment (fr 10/18)**

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10:00 AM **16-50130** Rosy D. Doctolero  
Ch 13  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** Anh Nguyen

23

**Matter:** **a) Motion to Dismiss Case Pre-Confirmation Pursuant To 11 U.S.C. section 1307(c) Filed by Devin Derham-Burk (29)**

**b) Opposition filed by Debtor (37)**

**Comment (fr 10/18)**

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10:00 AM **15-53712** Luis Moya and  
Ch 13 Rosa Moya  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** David S. Henshaw

24

**Matter:** **a) Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. section 1307(c) Filed by Devin Derham-Burk (18) (fr 8/30, 10/18)**

**b) Objection by debtors (31)**

**c) Hearing re Objection to Confirmation of Plan Ch 13 and Confirmation Thereof Filed by HSBC Bank USA, N.A.,et al (16)**

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10:00 AM **15-53830** Arturo Garcia  
Ch 13  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** James Jingming Cai

25

**Matter:** **a) Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. section 1307(c) Filed by Devin Derham-Burk (21)**

**b) Supplement Opposition by Debtor (27)**

**Comment (fr 8/30, 9/20)**

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10:00 AM **15-53892** Alouny Thongkham  
Ch 13  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** Ronda N. Edgar

26

**Matter:** **a) Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. section 1307(c) Filed by Devin Derham-Burk (36)**

**b) Response filed by Debtor (45)**

**Comment (fr 8/30, 9/20)**

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10:00 AM **16-50228** Oscar Lazaro Duran  
Ch 13  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** Nikhil Bhatnagar

27

**Matter:** **a) Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. section 1307(c) Filed by Devin Derham-Burk (23)**

**b) Opposition by Debtor (26)**

**Comment** (fr 8/30, 9/20)

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10:00 AM **15-52915** Nicholas John Dalis  
Ch 13  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** David A. Boone

28

**Matter:** **a) Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. section 1307(c) Filed by Devin Derham-Burk (32)**

**b) Objection filed by Debtor (35)**

**Comment** (fr 6/24, 7/20, 9/20)

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10:00 AM **15-53344** David Alan Morgensen  
Ch 13  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** David A. Boone

29

**Matter:** **a) Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. section 1307(c) Filed by Devin Derham-Burk (32)**

**b) Objection filed by Debtor (35) WITHDRAWN 11/1/16**

**Comment** (fr 6/24, 8/30, 10/18)

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10:00 AM **15-52244** Loretta Birmingham  
Ch 13  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** Charles B. Greene

30

**Matter:** **a) Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. section 1307(c) Filed by Devin Derham-Burk (46)**

**b) Response and Request for Hearing by debtor (48)**

**c) Contested Confirmation Hearing re: Objection to Confirmation of Plan Filed by Sergio Roldan (34)**

**Comment** (fr 4/26, 6/24, 7/20, 8/30, 9/20)

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10:00 AM **16-50581** Richard Cox and  
Ch 13 Linda Cox  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** Jason Vogelpohl

31

**Matter:** **a) Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. section 1307(c) Filed by Devin Derham-Burk (28)**

**b) Opposition filed by Debtors (32)**

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10:00 AM **16-50366** Rudy L. Ortega  
Ch 13  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Debtor or Plaintiff Attorney:** Jason Vogelpohl

32

**Matter:** **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. section 1307(c) Filed by Devin Derham-Burk (68)**

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