

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

Honorable M. Elaine Hammond

Friday, December 11, 2015

Current as of 12/8/2015 at 9:53 AM

San Jose Courtroom 3020

U.S. Courthouse and Federal Bldg.

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

10:00 AM **15-50009** Joginder Dhaliwal

Ch 13

Trustee: Derham-Burk

Moving: Joyce E. Hee

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

Matter: a) **Contested Confirmation Hearing re: Objection to Confirmation of Plan Second Amended Chapter 13 Plan (filed 8/25/2015) Filed by State Board of Equalization (69)**

***STIPULATION FLD 11/25/15, ORDER SIGNED 12/7/15**

A) OFF CALENDAR

b) Motion to Dismiss Case Pre-confirmation Pursuant to 11 U.S.C. Section 1307(c)(1) Filed by Devin Derham-Burk (50)

c) Opposition by debtor (67)

Comment (fr 10/20)

10:00 AM **15-50249** Luis A Cruz

Ch 13

Trustee: Derham-Burk

Moving: Scott B. Lieberman

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: a) **Contested Confirmation Hearing re: Objection to Confirmation of Plan READYCAP LENDING, LLCs OBJECTIONS TO CONFIRMATION OF CHAPTER 13 PLAN FILED BY DEBTOR LUIS A. CRUZ Filed by ReadyCap Lending, LLC, as assignee of CIT Small Business Lending Corporation (12)**

b) Motion to Dismiss Case Pre-confirmation Pursuant to 11 U.S.C. Section 1307(c)(1) Filed by Devin Derham-Burk (26)

Comment (fr 10/20)

10:00 AM **15-50776** Charles A. Colburn
Ch 13
Trustee: Derham-Burk
Moving: Timothy J. Silverman
Opposing:
Debtor or Plaintiff Attorney: Lars T. Fuller

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Matter: **Contested Confirmation Hearing re: Objection to Confirmation of Plan (2007 Ford Truck Explorer, VIN 1FMEU63847UA95577) Filed by JPMorgan Chase Bank, N.A. (11)**
****OBJECTION WITHDRAWN 10/21/15****

OFF CALENDAR- PLAN CONFIRMED 11/13/15

10:00 AM **15-52585** Steven J. Yates
Ch 13
Trustee: Derham-Burk
Moving: Malcolm Leader-Picone
Opposing:
Debtor or Plaintiff Attorney: Nina C. Decker

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Matter: **Contested Confirmation Hearing re: Objection to Confirmation of Plan Objection To Confirmation Of Debtor's Chapter 13 Plan Filed by Starboard Commercial Brokerage, Inc. (20)**

10:00 AM **15-52609** Kenneth John Cortez, Jr and
Ch 13 Ruth Cortez
Trustee: Derham-Burk
Moving: Iris Kwon
Opposing:
Debtor or Plaintiff Attorney: Norma L. Hammes

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Matter: **Contested Confirmation Hearing re: Objection to Confirmation of Plan with proof of service Filed by Ocwen Loan Servicing, LLC (15)**

10:00 AM **11-57291** Nehemiah Abel Lagos and
Ch 13 Sylvia Louise Lagos
Trustee: Derham-Burk
Moving: Devin Derham-Burk
Opposing:
Debtor or Plaintiff Attorney: David A. Boone

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Matter: **a) Motion to Modify Debtors' Chapter 13 Plan Filed by Devin Derham-Burk (47)**
b) Opposition by Debtor (49)

10:00 AM **11-60549** Carrie L Miller
Ch 13
Trustee: Derham-Burk
Moving: Nanette Dumas
Opposing:
Debtor or Plaintiff Attorney: John G. Downing

Matter: **a) Modify Debtor's Chapter 13 Plan Filed by Devin Derham-Burk (95)**
b) Opposition by Debtor (97)

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10:00 AM **15-52864** Willie John Riley
Ch 13
Trustee: Derham-Burk
Moving: Michael C. Fallon
Opposing: Brette L. Evans
Debtor or Plaintiff Attorney: Brette L. Evans

Matter: **Amended Motion (RE: related document(s)50 Motion for Relief From Stay filed by Creditor Robert F Kennedy). Filed by Robert Kennedy (53)**

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10:00 AM **13-54743** Roberto Guzman-Hernandez
Ch 13
Trustee: Derham-Burk
Moving: Nanette Dumas
Opposing:
Debtor or Plaintiff Attorney: Michael H. Luu

Matter: **Motion for Order Pursuant to Fed. R. Bankr. P. 3002.1 Filed by Devin Derham-Burk (71)**

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10:00 AM **15-50714** Daniel F. Dodds and
Ch 13 Michelle Dodds
Trustee: Derham-Burk
Moving: Nanette Dumas
Opposing:
Debtor or Plaintiff Attorney: Shawn R. Parr

Matter: **a) Motion to Dismiss Case Pre-confirmation Pursuant to 11 U.S.C. Section 1307(c)(1) Filed by Devin Derham-Burk (28)**
b) Opposition filed by Debtors (30)

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10:00 AM **15-51088** Gary Pasquini
Ch 13
Trustee: Derham-Burk
Moving: Nanette Dumas
Opposing:
Debtor or Plaintiff Attorney: Richard L. Sturdevant

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Matter: **a) Motion to Dismiss Case Pre-confirmation Pursuant to 11 U.S.C. Section 1307(c)(1) Filed by Devin Derham-Burk (29)**

b) Opposition filed by Debtor (38)

10:00 AM **15-51297** Stacey Deneen Mason
Ch 13
Trustee: Derham-Burk
Moving: Nanette Dumas
Opposing:
Debtor or Plaintiff Attorney: W. Kirk Moore

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Matter: **Motion to Dismiss Case Pre-confirmation Pursuant to 11 U.S.C. Section 1307(c)(1) Filed by Devin Derham-Burk (19)**

10:00 AM **15-52417** Edward Henry Fontaine, Jr
Ch 13
Trustee: Derham-Burk
Moving: Nanette Dumas
Opposing:
Debtor or Plaintiff Attorney: ProSe / None

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Matter: **a) Motion to Dismiss Case Pursuant to 11 U.S.C. section 109(e) Filed by Devin Derham-Burk (76)**

b) Statement filed by Debtor (78)

c) Statement in support filed by PG&E (82)

10:00 AM **15-50669** John William Hibbard
Ch 13
Trustee: Derham-Burk
Moving: Nanette Dumas
Opposing:
Debtor or Plaintiff Attorney: David A. Boone

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Matter: **a) Motion to Dismiss Case Pre-confirmation Pursuant to 11 U.S.C. Section 1307(c)(1) Filed by Devin Derham-Burk (53)**

b) Opposition & Request for Continuance filed by debtor (71)

c) Motion to Convert Case to Chapter 7 Filed by Linda Lee (65)

d) Opposition filed by Debtor (73)

Comment (fr 11/24)

10:00 AM 15-52323	David Michael Ferrari and Ch 13 Trustee: Derham-Burk Moving: Michael D. Mandell Opposing: Debtor or Plaintiff Attorney: Steven J. Sibley	15
Matter:	a) Motion to Dismiss Case or Convert Case Pursuant to 11 U.S.C. § 1307(c) Filed by Private Capital Fund, LLC (40) b) Joinder in Motion to Dismiss ro Convert by QV Quince Homeowners Assoc. (43) Atty - Dominique Sopko c) Objection to Motion by Debtors (44)	
Comment	(10/20)	
10:00 AM 14-52501	Matthew Wayne Keys Ch 13 Trustee: Derham-Burk Moving: Ryan M. Davies Opposing: Debtor or Plaintiff Attorney: David A. Boone	16
Matter:	Motion for Relief from Stay (Personal Property) regarding 2013 Chevrolet Malibu RS #RMD-9601, Filed by CONSUMER PORTFOLIO SERVICES, INC. (37)	
10:00 AM 15-53593	Danean Gutierrez Ch 13 Trustee: Derham-Burk Moving: Michael W. Malter Opposing: Debtor or Plaintiff Attorney: Norma L. Hammes	17
Matter:	Motion for Relief from Stay RS #MWM-250, Filed by La Palma Properties, Inc. (8)	
10:00 AM 15-53673	Mark J Betlow Ch 13 Trustee: Derham-Burk Moving: David A. Boone Opposing: Debtor or Plaintiff Attorney: David A. Boone	18
Matter:	Motion to Extend Automatic Stay As to All Creditors Filed by Mark Betlow (8)	

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

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Matter: **Motion to Extend Automatic Stay As to All Creditors Filed by Crecenciano Mendoza (8)**

10:00 AM **15-51374** Juan C. Herrera
Ch 13
Trustee: Derham-Burk

Moving: Nanette Dumas

Opposing:

Debtor or Plaintiff Attorney: Lars T. Fuller

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Matter: **a) Motion to Dismiss Case Pre-Confirmation pursuant to 11 U.S.C. sec. 1307(c) Filed by Devin Derham-Burk (34)**

b) Opposition filed by Debtor (40)

10:00 AM **13-55608** Jose Fernandez
Ch 13
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: James Jingming Cai

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Matter: **Contested Confirmation Hearing re: Objection to Claim filed by Shadow Pines Condominium Owner's Association and Objection to Confirmation of Plan by Technology Credit Union (23/ 59)**

***Withdrawal of Objection to Confirmation by Technology Credit Union Filed 12/7/15 (78)**
