

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

Honorable Arthur S. Weissbrodt

Monday, June 15, 2015

Current as of 6/11/2015 at 9:25 AM

San Jose Courtroom 3020

U.S. Courthouse and Federal Bldg.

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

2:30 PM **08-54175** Michael Jeffery Ball and
Ch 13 Tamra Lin Ball
Trustee: Derham-Burk

Moving: Michael K. Mehr

Opposing:

Debtor or Plaintiff Attorney: Michael K. Mehr

Matter: **Motion to Extend Time for Payment Under Confirmed Chapter 13 Plan Filed by Debtor (148)**

1

2:30 PM **09-59377** Thomas J. Connelly
Ch 13
Trustee: Derham-Burk

Moving: Michael K. Mehr

Opposing:

Debtor or Plaintiff Attorney: Michael K. Mehr

Matter: **Motion to Extend Time for Payment Under Confirmed Plan Filed by Thomas Connelly (68)**

2

2:30 PM **09-60644** Jose Punzalan Antonio
Ch 13
Trustee: Derham-Burk

Moving: David A. Boone

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: **Motion to Void and Strip Lien of Bank of America, N.A. Filed by Jose Antonio (41)**

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2:30 PM **10-50394** Victoriano David Duarte and
Ch 13 Annaliza Pugeda Duarte
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Drew Henwood

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Matter: **a) Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c)(1) Filed by Devin Derham-Burk (76)**

b) Amended Opposition by Debtor (86)

c) Hearing Re: Objection to Confirmation of Plan Filed by Duane Gifford, Trustee, et al. (60)

2:30 PM **10-59516** Dolly Ganguly
Ch 13
Trustee: Derham-Burk

Moving: Angie YC Tong

Opposing:

Debtor or Plaintiff Attorney: Angie YC Tong

5

Matter: **a) Supplemental Application for Compensation and Reimbursement of Expenses of Attorney for Debtor (75)**

Applicant - Nina Decker

Fees - \$5,515.00

Expenses - \$193.40

b) Opposition by Debtor

2:30 PM **10-59664** Dario M Sanchez
Ch 13
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Gloria A. Florendo

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Matter: **a) Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c)(1) Filed by Devin Derham-Burk (43)**

b) Opposition by Debtor

c) Hearing Re: Objection to Confirmation of Plan Filed by Wells Fargo Bank, N.A. (33)

***OBJECTION WITHDRAWN 6/1/15**

2:30 PM **10-61429** Raymundo Hernandez and
Ch 13 Alba Hernandez
Trustee: Derham-Burk

Moving: Anthony Delas

Opposing:

Debtor or Plaintiff Attorney: Anthony Delas

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Matter: **Motion Under Bankruptcy Rule 9024 and FRCP 60(B) to Set Aside Order of Court Dismissing Case Pre-Confirmation if Plan Not Confirmed by June 15, 2015 and to Grant Sufficient Time to Confirm the Plan; FRCP 54(b) Motion for Reconsideration Filed by Debtors (70)**

***Order shortening time**

2:30 PM **11-53839** Ignacio V. Sandoval
Ch 13
Trustee: Derham-Burk

Moving: Rami N. Haddad

Opposing:

Debtor or Plaintiff Attorney: Cathay Fulton Ericksen

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Matter: **Hearing Re: Objection to Confirmation of Plan Filed by Aurora Loan Services LLC (19)**

2:30 PM **11-60735** Cheron Zamlich
Ch 13
Trustee: Derham-Burk

Moving: Jennifer C. Wong

Opposing:

Debtor or Plaintiff Attorney: Dean Lloyd

9

Matter: **Hearing Re: Objection to Confirmation of Amended Chapter 13 Plan Filed by Bank of America, N.A. (31)**

2:30 PM **11-60904** Mark Wilhelm Blumenkamp and
Ch 13 Deborah Louise Blumenkamp
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Elliot Gale

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Matter: **a) Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c)(1) Filed by Trustee (60)**

b) Opposition by Debtor (63)

2:30 PM **11-61279** Brenda Corbin
Ch 13
Trustee: Derham-Burk
Moving: Mark D. Estle
Opposing:
Debtor or Plaintiff Attorney: Drew Henwood

Matter: **Hearing Re: Objection to Confirmation of Plan Filed by The Bank of New York Mellon (38)**

***Stricken from calendar**

2:30 PM **11-61557** Walter U. Vides and
Ch 13 Macedonia Vides
Trustee: Derham-Burk
Moving: Lars T. Fuller
Opposing:
Debtor or Plaintiff Attorney: Lars T. Fuller

Matter: **a) Motion For Contempt Against M&T Bank Filed by Debtors (84)**

b) Response by Bayview Loan Servicing, LLC

Atty for Creditor - Foreman

***Stipulation resolving motion fld 6/8/15**

2:30 PM **12-53546** Julio Garcia, Jr. and
Ch 13 Irma R. Garcia
Trustee: Derham-Burk
Moving: Lars T. Fuller
Opposing:
Debtor or Plaintiff Attorney: Lars T. Fuller

Matter: **a) Motion for Hardship Discharge Filed by Debtors (77)**

b) Opposition by Trustee

2:30 PM **12-53924** Reagan J. Crossley
Ch 13
Trustee: Derham-Burk
Moving: Renee C. Mendoza
Opposing:
Debtor or Plaintiff Attorney: Cathleen Cooper Moran

Matter: **Application for Compensation and Reimbursement of Expenses of Attorney for Debtor (42)**

Applicant - Moran Law Group, Inc.

Fees: \$4,067.50

Expenses: \$137.00

11

12

13

14

2:30 PM	12-54337	John B. Fogolin and Ch 13 Trustee: Derham-Burk	Mary F. Fogolin	
Moving:	Devin L. Pace			
Opposing:				
Debtor or Plaintiff Attorney:	Scott J. Sagaria			
Matter:	a) Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c)(1) Filed by Devin Derham-Burk (27)			
	b) Opposition by Debtors			
2:30 PM	12-54627	Victor Severo Jimenez, Sr. and Ch 13 Trustee: Derham-Burk	Shelley L. Jimenez	15
Moving:	Brette L. Evans			
Opposing:				
Debtor or Plaintiff Attorney:	Brette L. Evans			
Matter:	Motion to Authorize Mortgage Motification from Creditor Nationstar Mortgage Filed by Shelley Jimenez (108)			
	*Statement of Non-Opposition fld. by Trustee 6/5/15			
2:30 PM	12-55441	David Lee Duell and Ch 13 Trustee: Derham-Burk	Melissa Ann Duell	16
Moving:				
Opposing:				
Debtor or Plaintiff Attorney:	David A. Boone			
Matter:	Hearing Re: Amended Objection to Confirmation of Chapter 13 Plan Filed by Trustee (19)			
2:30 PM	13-50727	Bonifacio Reyes Altamirano Ch 13 Trustee: Derham-Burk		17
Moving:	Katelyn Knapp			
Opposing:				
Debtor or Plaintiff Attorney:	Paul Bick Nguyen			
Matter:	Hearing Re: Objection to Confirmation of Plan Filed by Green Tree Servicing LLC (71)			
	b) Amended Application for Order Approving Refinancing of Mortgage Loan (115)			
	c) Objection by Trustee			

2:30 PM 13-50873 Mark Edward Chaves and
Ch 13 Veronica Lynne Uli-Chaves
Trustee: Derham-Burk

Moving: Guy J. Caputo

Opposing:

Debtor or Plaintiff Attorney: Gary Paul

19

Matter: a) Motion to Avoid Lien with Wells Fargo Home Mortgage Filed by Mark Chaves (29)

b) Opposition by Wells Fargo Bank, N.A.

Atty for Creditor - Cahill

*Order on Stipulation to Avoid Lien Signed 6/10/15

c) Motion to Dismiss Case Pre-confirmation Pursuant to 11 U.S.C. Section 1307(c)(1) Filed by Trustee (49)

C) TO BE RE-NOTICED

2:30 PM 13-50945 Serafin Mendez Lopez and
Ch 13 Maria Christina Lopez
Trustee: Derham-Burk

Moving: Lisa R. Woods

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

20

Matter: Hearing Re: Objection to Confirmation of Plan Filed by United States IRS (24)

2:30 PM 13-51155 Audrey Catherine Adami
Ch 13
Trustee: Derham-Burk

Moving: Arnold L. Graff

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

21

Matter: Hearing Re: Objection to Confirmation of Plan Filed by U.S. Bank National Association (12)

2:30 PM 13-51644 Nestor M Guerrero
Ch 13
Trustee: Derham-Burk

Moving: Lawrence R. Boivin

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

22

Matter: a) Hearing Re: Objection to Confirmation of Plan Filed by Bank of America, N.A. (13)

b) Hearing Re: Objection to Confirmation of Plan Filed by Bank of America, N.A. (33)

2:30 PM 13-53525 Lynnette Jenkins
Ch 13
Trustee: Derham-Burk
Moving: William H. Hummel
Opposing:
Debtor or Plaintiff Attorney: William H. Hummel

23

Matter: a) **Hearing Re: Objection to Confirmation of Plan Filed by Stephen Fields (12)**

b) **Hearing Re: Fourth Amended Objection to Confirmation of Chapter 13 Plan Filed by Trustee (78)**

2:30 PM 13-53624 Michael Brien Cortellessa
Ch 13
Trustee: Derham-Burk
Moving: David Lew
Opposing:
Debtor or Plaintiff Attorney: David A. Boone

24

Matter: **Hearing Re: Objection to Confirmation of Plan Filed by California Franchise Tax Board (15)**

2:30 PM 13-54606 Mary L. Sarkissian
Ch 13
Trustee: Derham-Burk
Moving: Kristin A. Zilberstein
Opposing:
Debtor or Plaintiff Attorney: Lars T. Fuller

25

Matter: **Hearing Re: Objection to Confirmation of Plan Filed by JPMorgan Chase Bank, National Association (33)**

***OBJECTION WITHDRAWN 5/19/15**

2:30 PM 13-55492 Abel Mekkoudi and
Ch 13 Andrea Mekkoudi
Trustee: Derham-Burk
Moving: Marisol A. Nagata
Opposing:
Debtor or Plaintiff Attorney: Judson T. Farley

26

Matter: a) **Hearing Re: Objection to Confirmation of Plan Filed by The Bank of New York Mellon (41)**

b) **Hearing Re: Amended Objection to Confirmation of Chapter 13 Plan Filed by Trustee (49)**

2:30 PM 13-55547 Jacqueline N. Giusto
Ch 13
Trustee: Derham-Burk

Moving: Caroline M. Reeb

Opposing:

Debtor or Plaintiff Attorney: Caroline M. Reeb

27

Matter: Second Supplemental Application for Compensation and Reimbursement of Expenses of Attorney for Debtor (91)

Applicant - John Mlnarik

Fees - \$32,055.00

Expenses - \$190.02

2:30 PM 13-55654 Clifton George Clarke, II and
Ch 13 Kathleen Marie Clarke
Trustee: Derham-Burk

Moving: Nanette Dumas

Opposing:

Debtor or Plaintiff Attorney: Lars T. Fuller

28

Matter: a) Motion to Dismiss Case Pre-confirmation Pursuant to 11 U.S.C. Section 1307(c)(1) Filed by Devin Derham-Burk (40)

b) Response by Debtors

2:30 PM 13-56380 Eulalia Islas-Moreno
Ch 13
Trustee: Derham-Burk

Moving: Devin Derham-Burk

Opposing:

Debtor or Plaintiff Attorney: Nikhil Bhatnagar

29

Matter: a) Objection to Debtor's Claim of Exemptions Filed by Trustee (13)

b) Motion to Dismiss Case Pre-Confirmation pursuant to 11 U.S.C. sec. 1307(c)(1) Filed by Devin Derham-Burk (34)

2:30 PM 14-50232 Jeffrey G Haskell
Ch 13
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: John G. Downing

30

Matter: Hearing Re: Amended Objection to Confirmation of Chapter 13 Plan Filed by Trustee (14)

2:30 PM **14-50355** Doyal A. Hershberger and
Ch 13 Rosalie M. Hershberger
Trustee: Derham-Burk
Moving: Diane V. Weifenbach
Opposing:
Debtor or Plaintiff Attorney: Michael J. Koepnick

31

Matter: **Hearing re Objection to Confirmation of Plan Filed by U.S. Bank, NA (20)**

2:30 PM **14-50671** Agustin Zarate
Ch 13
Trustee: Derham-Burk
Moving:
Opposing:
Debtor or Plaintiff Attorney: Anh Van Nguyen

32

Matter: **a) Hearing Re: Objection to Debtor's Claim of Exemptions Filed by Trustee (37)**

b) Motion to Dismiss Case Pre-confirmation Pursuant to 11 U.S.C. Section 1307(c)(1) Filed by Trustee (53)

***TO BE RE-NOTICED**

2:30 PM **14-51225** Timothy Luong
Ch 13
Trustee: Derham-Burk
Moving: Devin Derham-Burk
Opposing: Brandye N. Foreman
Debtor or Plaintiff Attorney: Michael Chinh Vu

33

Matter: **a) Motion to Value Collateral for Purpose of Voiding Lien (3620 North Vickie Court, Visalia, CA 93291) Filed by Debtor (54)**

b) Opposition by Green Tree Servicing LLC

c) Motion to Value Collateral for Purpose of Voiding Lien (2659 Tammy Street, Selma, CA 93662) Filed by Debtor (58)

***MOTIONS TO BE RE-NOTICED**

2:30 PM **14-51968** Monica Fregoso
Ch 13
Trustee: Derham-Burk
Moving: Ryan C. Wood
Opposing:
Debtor or Plaintiff Attorney: Ryan C. Wood

34

Matter: **Application for Compensation and Reimbursement of Expenses of Attorney for Debtor (53)**

Applicant - Law Offices of Lin & Wood

Fees: \$4,620.00

Expenses: \$231.05

2:30 PM	14-52274	Matthew James Gallizioli	
	Ch 13		
	Trustee: Derham-Burk		
Moving:	Scott J. Sagaria		
Opposing:			
Debtor or Plaintiff Attorney:	Scott J. Sagaria		35
Matter:	Amended Motion to Sell Real Property Pursuant to 11 USC 363(b) Filed by Matthew Gallizioli (42)		
2:30 PM	14-52462	Gary H. M. Thelander	
	Ch 13		
	Trustee: Derham-Burk		
Moving:	Kristin A. Zilberstein		
Opposing:			
Debtor or Plaintiff Attorney:	Cathleen Cooper Moran		36
Matter:	Hearing Re: Objection to Confirmation of Plan Filed by Lakeview Loan Servicing, LLC (30)		
	*OBJECTION WITHDRAWN 5/14/15		
2:30 PM	14-53842	David A. Forer	
	Ch 13		
	Trustee: Derham-Burk		
Moving:	Adam C. Kent		
Opposing:			
Debtor or Plaintiff Attorney:	Adam C. Kent		37
Matter:	a) Motion to Modify Plan Filed by David Forer (45)		
	b) Objection by Trustee		
2:30 PM	14-54045	Amado R. Lepe, Jr. and	
	Ch 13	Karen H. Lepe	
	Trustee: Derham-Burk		
Moving:	Nanette Dumas		
Opposing:			
Debtor or Plaintiff Attorney:	Mandip Purewal		38
Matter:	Motion to Dismiss Case pursuant to 11 U.S.C. section 109(e) Filed by Devin Derham-Burk (41)		
2:30 PM	14-54317	Michael McLaughlin	
	Ch 13		
	Trustee: Derham-Burk		
Moving:	Nanette Dumas		
Opposing:			
Debtor or Plaintiff Attorney:	ProSe / None		39
Matter:	Motion to Dismiss Case Pre-confirmation Pursuant to 11 U.S.C. Section 1307(c)(1) Filed by Devin Derham-Burk (34)		

2:30 PM **14-54774** Jesus Fernandez and
Ch 13 Maria T Fernandez
Trustee: Derham-Burk

Moving: Nanette Dumas

Opposing:

Debtor or Plaintiff Attorney: Michael H. Luu

40

Matter: **Motion to Dismiss Case of Joint Debtor Filed by Devin Derham-Burk (26)**

***WITHDRAWN 6/2/15**

2:30 PM **15-50009** Joginder Dhaliwal
Ch 13
Trustee: Derham-Burk

Moving: Brette L. Evans

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

41

Matter: **a) Motion to Avoid Judgment Liens with Atkinson-Baker, Bad Boy Bail Bonds, Young's Market Company and Travelers Express Company, Inc. Filed by Joginder Dhaliwal (39)**

b) Objection by Travelers Express Company, Inc.

Atty for Creditor - Rentto

2:30 PM **15-50046** Eric Ivan Medina and
Ch 13 Stephanie Joann Medina
Trustee: Derham-Burk

Moving: Brette L. Evans

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

42

Matter: **Motion to Avoid Lien with Citibank, N.A. Filed by Eric Medina (32)**

2:30 PM **15-50100** John Harrison Wharton
Ch 13
Trustee: Derham-Burk

Moving: Nanette Dumas

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

43

Matter: **Motion to Dismiss Case Filed by Devin Derham-Burk (29)**

2:30 PM **15-50625** Antonio Casamento
Ch 13
Trustee: Derham-Burk

Moving: Nanette Dumas

Opposing:

Debtor or Plaintiff Attorney: Robert L. Goldstein

44

Matter: **Motion to Dismiss Case pursuant to 11 U.S.C. section 109(e) Filed by Devin Derham-Burk (23)**

2:30 PM **15-05048** Sepehry-Fard v. Select Portfolio Servicing Inc., N.A. et al
† Ch 13
15-50791 Fareed Sepehry-Fard

Moving: Bernard Kornberg

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

45

Matter: **a) Motion to Dismiss Adversary Proceeding For Failure to State a Claim Filed by Countrywide Home Loans, Inc. (12)**

b) Opposition by Plaintiff

2:30 PM **15-50791** Fareed Sepehry-Fard
Ch 13
Trustee: Derham-Burk

Moving: Nanette Dumas

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

46

Matter: **a) Motion to Dismiss Case Pursuant to 11 U.S.C. section 109(e) Filed by Devin Derham-Burk (41)**

b) Motion to Stay Amended Motion To Dismiss Case Pursuant to 11 U.S.C. section 109(e) Filed by Debtor (50)

c) Objection Re: Notice Of Mortgage Payment Change (55)

2:30 PM **15-51177** Leonor Torres
Ch 13
Trustee: Derham-Burk

Moving: David A. Boone

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

47

Matter: **Motion to Void and Strip Lien with Real Time Resolutions, Inc./First Magnus Financial Corporation/Mortgage Electronic Registration Sysems, Inc. Filed by Leonor Torres (19)**

2:30 PM 15-51459 John Worrell
Ch 13
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

48

Matter: Order to Appear and Show Cause Re: Dismissal for Failure to Pay Filing Fees and Failure to Prosecute Bankruptcy Case (8)
