

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

Honorable M. Elaine Hammond

Friday, June 17, 2016

Current as of 6/15/2016 at 10:55 AM

San Jose Courtroom 3020

U.S. Courthouse and Federal Bldg.

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

10:00 AM **16-50748** Ballet San Jose Silicon Valley

Ch 7

Trustee: Poonja

Moving: James D. Wood

Opposing:

Debtor or Plaintiff Attorney: Wendy W. Smith

Matter: [Motion for Relief from Stay \(Fry's Motion for Relief From Automatic Stay\) RS #JDW-002, Filed by Fry's Electronics, Inc. \(23\)](#)

1

10:00 AM **16-51064** Johanna Marie Rossner

Ch 7

Trustee: Kaelin

Moving: Jennifer C. Wong

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: [Motion for Relief from Stay RS #JCW-10424, Filed by U.S. Bank National Association \(10\)](#)

2

10:00 AM **16-50047** Danielle Diem Lam

Ch 13

Trustee: Derham-Burk

Moving: Arnold L. Graff

Opposing:

Debtor or Plaintiff Attorney: Michael H. Luu

Matter: [Motion for Relief from Stay and Co-Debtor Stay RS #ALG-266, Filed by Wilmington Trust, National Association \(32\)](#)

3

10:00 AM **16-50160** Scott R Ruth

Ch 13

Trustee: Derham-Burk

Moving: Austin P. Nagel

Opposing:

Debtor or Plaintiff Attorney: David S. Henshaw

Matter: **Motion for Relief from Stay RS #APN-2877, Filed by Ford Motor Credit Company (20)**

OFF CALENDAR PER ORDER SIGNED 6/9/16

Comment (fr 6/3)

10:00 AM **16-50290** Margaret L. Wilson

Ch 13

Trustee: Derham-Burk

Moving: Jennifer C. Wong

Opposing:

Debtor or Plaintiff Attorney: Lars T. Fuller

Matter: **Motion for Relief from Stay RS #JCW-10422, Filed by The Bank of New York Mellon F/K/A The Bank of New York as Trustee For First Horizon Alternative Mortgage Securities Trust 2005-FA9 (20)**

Comment (fr 5/20)

10:00 AM **16-50810** Sidney Theodore Scarlett

Ch 13

Trustee: Derham-Burk

Moving: Jennifer C. Wong

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

Matter: **Motion for Relief from Stay RS #JCW-10447, Filed by The Bank of New York Mellon fka The Bank of New York (50)**

10:00 AM **16-50941** Dung D. Nguyen

Ch 13

Trustee: Derham-Burk

Moving: Nichole Glowin

Opposing:

Debtor or Plaintiff Attorney: Ryan C. Wood

Matter: **Motion for Relief from Stay regarding property address: 2151 Old Oakland Road #414, San Jose, CA 95131 aka 2151 Oakland Road #414, San Jose, CA 95131 RS #NLG-1, Filed by San Jose Investments, LTD. (20)**

10:00 AM **15-50444** Marciano Y. Dumalag and
Ch 13 Avecita V. Dumalag
Trustee: Derham-Burk

Moving: Mark D. Estle

Opposing:

Debtor or Plaintiff Attorney: Lars T. Fuller

8

Matter: **Motion for Relief from Stay RS #MDE-1688, Filed by TOYOTA MOTOR CREDIT CORPORATION (54)**
Amended Cover Sheet 6/6/16

10:00 AM **15-52070** Shiew Tyan Yang and
Ch 13 Li-Yeh Yang
Trustee: Derham-Burk

Moving: David B. Rao

Opposing:

Debtor or Plaintiff Attorney: Steven J. Sibley

9

Matter: **a) Motion for Relief from Stay RS #DBR-016, Filed by 705A Investors, LLC and 1115 Investors, LLC (21)**

b) Opposition by debtors (53)

CONTINUED TO 7/21/16 AT 1:00 PM PER THE ORDER SIGNED 6/13/16

10:00 AM **15-52864** Willie John Riley
Ch 13
Trustee: Derham-Burk

Moving: Michael C. Fallon

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

10

Matter: **Restored Motion for Relief from Stay RS# MCF-1 Filed by Robert & Janet Kennedy (50)**

OFF CALENDAR, MOTION WITHDRAWN 6/14/16

10:00 AM **15-52994** Timothy Andrew Neuhausel
Ch 13
Trustee: Derham-Burk

Moving: Austin P. Nagel

Opposing:

Debtor or Plaintiff Attorney: W. Kirk Moore

11

Matter: **Motion for Relief from Stay RS #APN-2865, Filed by Wells Fargo Bank, N.A. (35)**

OFF CALENDAR PER STIPULATION FILED 6/6/16

Comment (fr 5/20)

10:00 AM **15-53867** Jesus Herrera
Ch 13
Trustee: Derham-Burk

Moving: Mark D. Estle

Opposing:

Debtor or Plaintiff Attorney: Vinod Nichani

12

Matter: **a) Motion for Relief from Stay and Co-Debtor Stay RS #MDE-1680, Filed by Wells Fargo Bank, N.A. (22)**

b) Statement filed by the Trustee (25)

Comment (fr 6/3)

10:00 AM **15-54089** Oscar Madrigal Sencion
Ch 13
Trustee: Derham-Burk

Moving: Mark K. Oto

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

13

Matter: **Motion for Relief from Stay RS #MKO-136, Filed by Jose Carrillo (17)**

10:00 AM **14-50451** John Patrick Gourneau
Ch 13
Trustee: Derham-Burk

Moving: Mark D. Estle

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

14

Matter: **Motion for Relief from Stay RS #MDE-1650, Filed by CIT Bank, N.A. (32)**

OFF CALENDAR, STIPULATION FILED 6/10/16- ORDER UPLOADED

Comment (fr 4/13, 5/13)

10:00 AM **14-50455** Barbara Jo Sletten
Ch 13
Trustee: Derham-Burk

Moving: Mark D. Estle

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

15

Matter: **a) Motion for Relief from Stay and Co-Debtor Stay RS #MDE-1676, Filed by Wells Fargo Bank, N.A. (38)**

b) Declaration filed by Debtor (41)

Comment (fr 6/3)

10:00 AM **14-52257** Michael Lynn Scherbarth and
Ch 13 Grace Scherbarth
Trustee: Derham-Burk

Moving: Austin P. Nagel

Opposing:

Debtor or Plaintiff Attorney: W. Kirk Moore

16

Matter: **Motion for Relief from Stay RS #APN-2885, Filed by Wells Fargo Bank, N.A. (56)**

STATEMENT OF NON OPPOSITION FILED BY DEBTORS

10:00 AM **13-51581** Roy Dale Roat
Ch 13
Trustee: Derham-Burk

Moving: Arnold L. Graff

Opposing:

Debtor or Plaintiff Attorney: James S.K. Shulman

17

Matter: **Motion for Relief from Stay with Certificate of Service RS #ALG-265, Filed by JPMorgan Chase Bank, National Association (19)**

Comment (fr 6/3)

10:00 AM **13-53917** Kathryn Elaine Lynn
Ch 13
Trustee: Derham-Burk

Moving: Austin P. Nagel

Opposing:

Debtor or Plaintiff Attorney: Norma L. Hammes

18

Matter: **Motion for Relief from Stay RS #APN-2890, Filed by Canoas Park Homeowners Association (37)**

10:00 AM **12-57397** Isabel Taporco and
Ch 13 Urben Taporco
Trustee: Derham-Burk

Moving: Jennifer Wang

Opposing:

Debtor or Plaintiff Attorney: Drew Henwood

19

Matter: **Motion for Relief from Stay RS #JHW-898, Filed by AmeriCredit Financial Services, Inc. dba GM Financial (109)**

10:00 AM **12-58167** Magdalena Madlaing Sison
Ch 13
Trustee: Derham-Burk

Moving: Christina J. O

Opposing:

Debtor or Plaintiff Attorney: Badma Gutchinov

20

Matter: **Motion for Relief from Stay RS #CJO-621, Filed by JPMorgan Chase Bank, National Association (52)**

10:00 AM **11-52019** Robert Howard Cowden
Ch 13
Trustee: Derham-Burk

Moving: Michelle R. Ghidotti-Gonsalves

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

21

Matter: **a) Motion for Relief from Stay RS #MRG-1, Filed by Wilmington Savings Fund Society, FSB, doing business as Christiana Trust, not in its individual capacity, but solely as trustee for BCAT 2014-12TT (61)**

b) Opposition filed by Debtor (64)

Comment (fr 4/5, 5/6, 6/3)

10:00 AM **11-59721** Anthony P. Santoya and
Ch 13 Nichelle R. Santoya
Trustee: Derham-Burk

Moving: Austin P. Nagel

Opposing:

Debtor or Plaintiff Attorney: W. Kirk Moore

22

Matter: **Motion for Relief from Stay RS #APN-2886, Filed by Wells Fargo Bank, N.A., dba Wells Fargo Dealer Services (49)**

10:00 AM **16-51533** Brian Anthony Miller and
Ch 13 Kathy Louise Taylor Miller
Trustee: Derham-Burk

Moving: David A. Boone

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

23

Matter: **Motion to Extend Automatic Stay As to All Creditors Filed by Brian Miller (10)**
