

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

**Honorable Stephen L. Johnson**

**Thursday, July 21, 2016**

*Current as of 7/19/2016 at 2:18 PM*

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**San Jose Courtroom 3099**

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

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

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11:30 AM **15-53161** Ramon Guadalupe Esquivel Perez and  
Ch 13 Ana Duque  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

**Debtor or Plaintiff Attorney:** Jason Vogelpohl

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

**b) Opposition by Debtor (23)**

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

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11:30 AM **15-53177** Tiffany Phuong-Thao Tran  
Ch 13  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

**Debtor or Plaintiff Attorney:** Stanley Phan

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

**b) Opposition by Debtor (39)**

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

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11:30 AM **15-53235** Juan Daniel Ortega  
Ch 13  
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) Filed by Devin Derham-Burk (22)**

**b) Opposition by Debtor (24)**

**Comment** **Tentative Ruling: Court will allow debtor 60 days to confirm a plan.**

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11:30 AM **15-53247** Anthony F Romo  
Ch 13  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

**Debtor or Plaintiff Attorney:** Michael H. Luu

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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 (37)**

**b) Opposition by Debtor (41)**

**Comment** **Tentative Ruling: Court will allow debtor 60 days to confirm a plan.**

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11:30 AM **15-53307** Kristal Lee Fields  
Ch 13  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

**Debtor or Plaintiff Attorney:** Nancy Weng

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

**Comment** **Tentative Ruling: Given the large size of the IRS priority claim court is considering dismissal of the case. Appears no plan is possible in this case.**

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11:30 AM **15-53308** Lynette Paradiso  
Ch 13  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

**Debtor or Plaintiff Attorney:** Gary Paul

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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 (28)**

**b) Opposition by Debtor (30)**

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

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11:30 AM **15-53309** Yen Mai and  
Ch 13 Truc Bui  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

**Debtor or Plaintiff Attorney:** Ronald A. Cabanayan

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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 (38)**

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

**Comment** **Tentative Ruling: Plan does not appear feasible and fails to deal with IRS claim appropriately. Given passage of time, court inclined to dismiss**

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11:30 AM **15-53395** Elizabeth M Miller  
Ch 13  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

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

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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 (20)**

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

**Comment** **Tentative Ruling: Court will set a deadline for confirmation of a plan at 60 days.**

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