

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

**Honorable M. Elaine Hammond
Friday, August 28, 2015**

Current as of 8/24/2015 at 1:52 PM

San Jose Courtroom 3020

**U.S. Courthouse and Federal Bldg.
280 S 1st Street
San Jose, CA 95113**

10:00 AM **11-55415** George Kosmorsky
Ch 13
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: a) **Contested Confirmation Hearing Re: Objection to Confirmation of Plan Filed by Irene Nakonecznyj (35)**

b) **Motion to Dismiss Case Pre-confirmation Pursuant to 11 U.S.C. Section 1307(c)(1) Filed by Devin Derham-Burk (63)**

c) **Objection and Request for Hearing by debtor (65)**

10:00 AM **13-55492** Abel Mekkoudi and
Ch 13 Andrea Mekkoudi
Trustee: Derham-Burk

Moving: Donald H. Cram III

Opposing:

Debtor or Plaintiff Attorney: Sara J. Lipowitz

Matter: a) **Contested Confirmation Hearing re: Objection to Confirmation of Plan Filed by First Tennessee Bank, N.A. (85)**

b) **Opposition by debtor (100)**

c) **Contested Confirmation Hearing Re: Objection to Confirmation of Plan Filed by Nationstar Mortgage, LLC. (90)**

d) **Opposition by debtor (99)**

10:00 AM **14-50580** Gregory Hill and
Ch 13 Renea Anita Shelton Hill
Trustee: Derham-Burk

Moving: Stanley A. Zlotoff

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

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Matter: a) **Contested Confirmation Hearing re: Objection to Confirmation of Plan Filed by Meryl Krause (19)**

b) **Motion to Dismiss Case Pre-Confirmation pursuant to 11 U.S.C. sec. 1307(c)(1) Filed by Devin Derham-Burk (35)**

c) **Objection and Request for Hearing by debtor (37)**

****Motion to Dismiss/Notice & Opportunity for Hearing fld 8/6/15 (49)****

****OFF CALENDAR PER ORDER GRANTING MOTION TO DISMISS CASE ON 8/24/15****

10:00 AM **14-51756** Stillman L. Lovley
Ch 13
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

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Matter: a) **Contested Confirmation Hearing re: Amended Objection to Confirmation of Chapter 13 Plan with Certificate of Service. (Derham-Burk, Devin (26)**

b) **Contested Confirmation Hearing re: Objection to Confirmation of Plan Filed by US Bank National Association (19)**

10:00 AM **14-52854** Nelson R Herrera
Ch 13
Trustee: Derham-Burk

Moving: Marc Voisenat

Opposing:

Debtor or Plaintiff Attorney: Marc Voisenat

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Matter: **Contested Confirmationg Hearing Re: 5th Amended Objection to Confirmation of Chapter 13 Plan Filed by Trustee (48)**

***Trustee filed a 6th Amended Objection 7/15/15**

Comment (fr 7/28)

10:00 AM **11-57742** David L. McCoy and
Ch 13 Jeannine E. Luna-McCoy
Trustee: Derham-Burk
Moving: Susan D. Silveira
Opposing:
Debtor or Plaintiff Attorney: Susan D. Silveira

Matter: **Application for Compensation Filed by Susan Silveira (56)**
Fees: \$8,075.00 Expenses: \$55.93

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10:00 AM **12-50398** Imelda Gonzalez
Ch 13
Trustee: Derham-Burk
Moving: Shawn R. Parr
Opposing:
Debtor or Plaintiff Attorney: Shawn R. Parr

Matter: **Motion to Extend Time to Confirm Fifth Amended Plan Filed by Imelda Gonzalez (65)**
***8th Amended Plan fld 8/7/15 (78)**
****TRUSTEE'S STATEMENT OF RESOLUTION - 8/28/15 AT 9:55 A.M.****

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10:00 AM **14-51225** Timothy Luong
Ch 13
Trustee: Derham-Burk
Moving: Michael Chinh Vu
Opposing:
Debtor or Plaintiff Attorney: Michael Chinh Vu

Matter: **a) Motion to Value Collateral for Purpose of Voiding Lien with Green Tree Servicing, LLC Filed by Timothy Luong (2659 Tammy St., Selma, CA 93662) (73)**
b) Objection to Motion to Value Collateral by U S. Bank (78) Atty Diane Weifenbach
c) Motion to Avoid Lien with Green Tree Servicing, LLC Filed by Timothy Luong (3620 North Vickie Court, Visalia, CA 93291) (68)
d) Limited Opposition by Green Tree Servicing LLC (80) Atty - Brandye Foreman

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10:00 AM **11-57605** Lenis Doan
Ch 13
Trustee: Derham-Burk
Moving:
Opposing:
Debtor or Plaintiff Attorney: Stanley Phan

Matter: **a) Order to Show Case re Dismissal (RE: related document(s)38 Chapter 13 Plan filed by Debtor Lenis Doan) (51)**
b) Response by debtor (58)

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10:00 AM **13-55269** Bart Kay
Ch 13
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: David S. Henshaw

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Matter: **Order to Show Cause RE: Dismissal (RE: related document(s)17 Amended Chapter 13 Plan filed by Debtor Bart Kay (31)**

****Order Granting Motion By Chapter 13 Trustee To Dismiss Case With A Bar To Re-Filing starting 7/9/2015 to 7/8/2016, Order Signed 7/8/15****

10:00 AM **14-52968** Steven E Clark
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. sec. 1307(c)(1) Filed by Devin Derham-Burk (30)**
b) Opposition by debtor (43)

****OFF CALENDAR, MOTION WITHDRAWN 8/19/15****

10:00 AM **14-53361** Jimmy V Hernandez
Ch 13
Trustee: Derham-Burk

Moving: Nanette Dumas

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. Section 1307(c)(1) Filed by Devin Derham-Burk (38)**

b) Opposition by debtor (42)

10:00 AM **14-54109** Ofelia David Garcia and
Ch 13 Franklin Lemen Garcia
Trustee: Derham-Burk

Moving: Nanette Dumas

Opposing:

Debtor or Plaintiff Attorney: Alberto G. Montefalcon

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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 (40)**

b) Opposition by debtors (52)

10:00 AM **14-54240** Grayelin Lee Young, Sr. and
Ch 13 Anita Louise Young
Trustee: Derham-Burk

Moving: Nanette Dumas

Opposing: Elliot Gale

Debtor or Plaintiff Attorney: Scott J. Sagaria

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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 by Debtor (31)

Comment (fr 7/28)

10:00 AM **14-54575** Anna Carter
Ch 13
Trustee: Derham-Burk

Moving: Nanette Dumas

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

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Matter: **a) Motion to Dismiss Case for Non-payment (Pre-Confirmation) pursuant to 11 U.S.C. sec. 1307(c)(1) Filed by Devin Derham-Burk (35)**

b) Opposition by debtor (37)

10:00 AM **14-54580** Erasmo R Nunez
Ch 13
Trustee: Derham-Burk

Moving: Nanette Dumas

Opposing:

Debtor or Plaintiff Attorney: Peter L. Lago

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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 (15)**

b) Opposition by debtor (24)

10:00 AM **14-54612** Kevin Wayne Ruby and
Ch 13 Maritess S Ruby
Trustee: Derham-Burk

Moving: Nanette Dumas

Opposing:

Debtor or Plaintiff Attorney: Jason Vogelpohl

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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 (40)**

b) Opposition by Debtors

10:00 AM **14-55066** Sonny Thanh Pham and
Ch 13 Tuyetanh Le Pham
Trustee: Derham-Burk

Moving: Nanette Dumas

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

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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 (37)**
b) **Opposition by debtors (42)**
****OFF CALENDAR, MOTION WITHDRAWN 8/17/15****

10:00 AM **10-52382** Laura Higgins
Ch 13
Trustee: Derham-Burk

Moving: Susan D. Silveira

Opposing:

Debtor or Plaintiff Attorney: Susan D. Silveira

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Matter: a) **Objection to Claim #14 of Residential Credit Solutions as servicing agent for The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificateholders of the CWALT, INC., Alternate Loan Trust 2005-J3 Mortgage Pass-Through Certificates, Series 2005-J3 Filed by Laura Higgins (42)**

b) **Supplemental Response and Request for Hearing (48) Atty - Cori Jones**

10:00 AM **12-56697** Frank C. Oliver and
Ch 13 Andrea K. Oliver
Trustee: Derham-Burk

Moving: Charles B. Greene

Opposing:

Debtor or Plaintiff Attorney: Charles B. Greene

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Matter: **Ex Parte Motion to Extend Time to Confirm Chapter 13 Filed by Andrea Oliver (73)**
