

HONORABLE STEPHEN JOHNSON, CALENDAR FOR TUESDAY, MAY 26, 2015, AT 9:55 A.M.

Courtroom: 3099

Courtroom Deputy: Anna Rosales

Court Recorder: Kristine Hang Du

Law Clerk: Laurent Chen

**SEE ATTACHED CHAPTER 13
UNCONTESTED/CONTESTED
CONFIRMATION**

SLJ 5/26/15 AT 9:55 A.M.

UNCONTESTED CALENDAR – CONFIRMATION ADVANCED PER RESOLUTION

JUDGE JOHNSON – May 26, 2015 at 9:55 a.m.

**With respect to the following cases, objections were filed and subsequently withdrawn;
therefore, the Court confirms the following cases:**

The following cases shall be **CONFIRMED**:

1. CORY & AMANDA RILEY ATTY – DUPRE LAW
13-5-6039 SLJ

2. JESUS VENEGAS ATTY – HSU
14-5-4417 SLJ

3. SHAWN & YILVA CLEVINGER ATTY – EVANS
15-5-0235 SLJ

4. STEVEN SULLIVAN ATTY – FINANCIAL RELIEF
15-5-0778 SLJ

5. FRANCISCO & ELIZABETH SALINAS ATTY – LEE & LI
15-5-0842 SLJ

The Court has determined that it is in the best interests of creditors and the estates to hold the Confirmation Hearings earlier than 21 days after the meetings of creditors. No objections to the earlier hearing have been filed; therefore, the following plans are either confirmed or placed on the Trustee's Pending List:

**INITIAL CONFIRMATION CALENDAR FOR CASES
WITH NO OUTSTANDING OBJECTIONS**

JUDGE JOHNSON – May 26, 2015 at 9:55 a.m.

The following cases shall be **CONFIRMED**:

6. BRADLY BASFORD
15-5-0956 SLJ

ATTY – BOONE

**INITIAL CONFIRMATION CALENDAR FOR POST BANKRUPTCY REFORM ACT CASES
WITH OUTSTANDING OBJECTIONS**

JUDGE JOHNSON – May 26, 2015 at 9:55 a.m.

From: 341 MEETING OF CREDITORS, May 11, 2015

TO BE PLACED ON TRUSTEE’S PENDING LIST:

- | | |
|---|--|
| 7. EDUARDO SY
15-5-0953 SLJ | ATTY – BROOKS
OBJECTION BY – TRUSTEE &
BANK OF AMERICA |
| 8. JESSICA GOMEZ
15-5-0955 SLJ | ATTY – BOONE
OBJECTION BY – TRUSTEE |
| 9. GEORGE &
SUZANNE DELEON
15-5-0993 SLJ | ATTY – BOONE
OBJECTION BY – US BANK |
| 10. JOEL CALVILLO &
MICHELLE MARTINEZ
15-5-0996 SLJ | ATTY – BOONE
OBJECTION BY – TRUSTEE &
CITIMORTGAGE |
| 11. DENISSE MADRIZ-JINKS
15-5-1015 SLJ | ATTY – ERICKSEN
OBJECTION BY – TRUSTEE |
| 12. FLORIZEL FEARS
15-5-1016 SLJ | ATTY – NGUYEN
OBJECTION BY – TRUSTEE |

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

Honorable Stephen L. Johnson

Tuesday, May 26, 2015

Current as of 5/26/2015 at 9:07 AM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

10:00 AM **13-50376** Booker Theodore Wade, Jr.

Ch 7

Trustee: Hjelmset

Moving: Christina J. O

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

Matter: a) **Motion for Relief from Stay RS #CJO-479, Filed by Bayview Loan Servicing, LLC (307)**

b) **Opposition by Debtor (309)**

***Discharge entered 10/2/14**

10:00 AM **15-51103** Craig Joseph Cole

Ch 7

Trustee: Hjelmset

Moving: Joseph Garibyan

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

Matter: **Motion for Relief from Automatic Stay RS #LSR 964, Filed by NASA Federal Credit Union (8)**

10:00 AM **15-51549** Quoc Nguyen

Ch 7

Trustee: Kaelin

Moving: David Anh Trinh

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

Matter: **Motion for Relief from Stay and In Rem Relief from the Automatic Stay RS #DAT-003, Filed by Bay Home Preservation Service (10)**

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

Honorable Stephen L. Johnson

Tuesday, May 26, 2015

Current as of 5/26/2015 at 9:08 AM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

10:30 AM **10-55657** Chamroeun Boun and
Ch 13 Sothy P Boun
Trustee: Derham-Burk

Moving: Christina J. O

Opposing:

Debtor or Plaintiff Attorney: W. Kirk Moore

Matter: **Motion for Relief from Stay RS #CJO-448, Filed by Bank of America, N.A. (62)**

***CONT TO 6/30/15 AT 10:30 PER ORDER 5/22/15**

Comment (fr 4/28)

10:30 AM **10-62056** John Anthony Arranaga and
Ch 13 Adrienne L. Arranaga
Trustee: Derham-Burk

Moving: Christina J. O

Opposing:

Debtor or Plaintiff Attorney: Lars T. Fuller

Matter: **Motion for Relief from Stay for property at 33 Birch Lane, San Jose, CA 95127-2309 RS #CJO-447, Filed by The Bank of New York Mellon (131)**

Comment (fr 4/21)

10:30 AM **11-57369** Marguerite L. Michels
Ch 13
Trustee: Derham-Burk

Moving: Austin P. Nagel

Opposing:

Debtor or Plaintiff Attorney: Richard T. Hilovsky

Matter: **Motion for Relief from Stay RS #APN-2676, Filed by Courtyard Leigh Owners Association (47)**

10:30 AM **13-50968** Librado S. Santana
Ch 13
Trustee: Derham-Burk

Moving: Diane V. Weifenbach

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: **a) Motion for Relief from Stay RS #DVW-001, Filed by U.S. Bank, N.A. (39)**

4

b) Opposition by Debtor (48/ 49)

Comment (fr 4/28)

10:30 AM **15-50048** Michael Patrick Campbell and
Ch 13 Claudine Sarkis-Campbell
Trustee: Derham-Burk

Moving: Austin P. Nagel

Opposing:

Debtor or Plaintiff Attorney: Robert L. Goldstein

Matter: **Motion for Relief from Stay RS #APN-2679, Filed by Nissan-Infiniti LT (37)**

5

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

Honorable Stephen L. Johnson

Tuesday, May 26, 2015

Current as of 5/26/2015 at 12:46 PM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

2:00 PM **15-50868**
Ch 11

Brilliant Instruments, Inc.

Moving: Lawrence A. Jacobson

Opposing: Craig Hansen

Matter: a) **Motion for Sale of Property and Approval of (1) Bid Procedures Related to the Sale of Substantially All Assets of the Estate Outside the Ordinary Course of Business; (2) Sale of Substantially All Assets of the Estate Outside the Ordinary Course of Business (Subject to Overbids and Break-up Fee as Proposed in the Bid Procedures); (3) Sale of the Assets Free and Clear of Any Claimed Liens and Interests; (4) Payment of Breakup Fee to Stalking Horse Bidder in the Event of Overbid; and (5) Waiver of the Holding Period Set Forth in FRBP 6004(h) Filed by Debtor (25)**

b) **Opposition by Guide Tech, LLC (40)**

***Statement of Non-Opposition by unsecured creditor Janis Abrams**

1

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

Honorable Stephen L. Johnson

Thursday, May 28, 2015

Current as of 5/29/2015 at 10:00 AM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

1:30 PM **14-05074** Barris v. Second Source Medical, LLC et al

† Ch 7

12-58929

Gary Anthony Sunseri and Tonia Eileen Sunseri

Moving: Gerald M. Murphy

Opposing: Julie H. Rome-Banks

Matter: **Pre-Trial Hearing RE: Complaint For: (1) Avoidance and Recovery of Fraudulent Transfer (2) Breach of Contract and (3) Declaratory Relief**

***HEARING VACATED PER ORDER 5/27/15**

1

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

Honorable Stephen L. Johnson

Thursday, May 28, 2015

Current as of 5/28/2015 at 1:50 PM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

2:00 PM **15-05036** Howard v. PNC Bank National Association et al

† Ch 13

10-52527

Marsha Howard

Moving:

Opposing:

**Matter: Telephonic Case Management RE: Complaint for Damages for Violation of the Automatic Stay;
Breach of Contract; Accounting; Violation of Confirmed Plan; Improper Mortgage Accounting
and Attorneys Fees**

Atty for Pl - Cathleen Cooper Moran (650) 694-4700

Atty for Def - Peter J. Van Zandt (415) 391-7111

***Answer filed 5/26/15**

1

2:00 PM **15-05032** Cook et al v. Toyota Motor Credit Corporation et al

† Ch 13

11-56609

James Cook and Theresa Herning

Moving:

Opposing:

**Matter: Telephonic Case Management RE: Complaint for Violation of Terms of Confirmed Plan;
Conversion; Breach of Contract; And California Unfair Competition Law**

Atty for Pl - Cathleen Cooper Moran

Atty for Def - Austin Nagel

***Answer filed 5/21/15**

Comment *CONT TO 6/25/15 PER STIPULATED ORDER OF 5/26/15

2

2:00 PM 15-05041

Shannon et al v. Shannon et al

† Ch 13

13-50013

Kimberly Lynn Shannon and John Patrick Shannon

Moving:

Opposing:

Matter: Telephonic Case Management RE: Complaint for Sale of Jointly Owned Real Property

Atty for Pl - Stanley Zlotoff (408) 287-1313

3

2:00 PM 15-05012

Poonja v. Tang et al

† Ch 7

13-50821

TWN Investment Group, LLC

Moving:

Opposing:

Matter: Telephonic Case Management RE: First Amended Complaint For: (1) Avoidance of Fraudulent Transfers; (2) Recovery of Avoided Transfers; (3) Unjust Enrichment; (4) Money Had and Received; (5) Accounting; (6) Breach of Fiduciary Duty; and (7) Attorneys' Fees and Costs

Atty for Pl - Michael Gomez

Atty for Defs Imperial, Nguyen & Le - Sean Jacobson

Atty for Def Lap Tang - Dennis Yan

***First Amended Answer filed 4/10/15**

Atty for Defs Ha Vinh Ly pro se

Comment

***CONT TO 6/25/15 PER STIPULATED ORDER OF 5/26/15**

4

2:00 PM 15-05033

McGee v. Great Lakes Higher Education Corporation et al

† Ch 7

14-55059

Pamela Quinn McGee

Moving: Judson T. Farley

Opposing:

Matter: Telephonic Case Management RE: Complaint to Determine Dischargeability
of Student Loan 523(a)(8)

Atty for Pl - Judson Farley (831) 476-1766

Atty for ECMC - Mariam Hiser (415) 345-9234

***Answer fld 5/11/15**

5

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

Honorable Stephen L. Johnson

Thursday, May 28, 2015

Current as of 5/28/2015 at 1:50 PM

San Jose Courtroom 3099

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

2:30 PM **15-05010** Greene v. Trujillo
† Ch 7
11-50441 James Anthony Trujillo

Moving:
Opposing:

Matter: Telephonic Case Management RE: Complaint For Determination of Non-Dischargeability of Debtor

Atty for Pl - Breck Milde

Atty for Def - Stanley Zlotoff

CONT TO 6/25/15 AT 2:30 PM PER 5/26/15

Comment (fr 3/26)

1

2:30 PM **15-05007** Trianon Holdings, LLC v. Watt
† Ch 11
12-56540 Keith Alan Watt

Moving:
Opposing:

Matter: Telephonic Case Management RE: Complaint For Declaratory Relief, Specific Performance and Fraud

Atty for Pl - Stephen Finestone (415) 421-2624

Atty for Def - M. Dean Sutton (408) 294-2280

***Answer fld 3/19/15**

Comment (fr 3/26)

2

2:30 PM 14-05046 Post Confirmation Committee v. Narvid Scott LLP
† Ch 11
13-53054 A&C Health Care Services, Inc.

Moving:
Opposing:

Matter: Telephonic Case Management RE: Complaint for: (1) Avoidance and Recovery of Preferential Transfers; (2) Avoidance and Recovery of Unauthorized Post Petition Transfers; (3) Accounting and Turnover; (4) Damages for Willful Violation of the Automatic Stay; (5) Objection to Claim No. 128; (6) Attorneys' Fees

Atty for PI - Alan Stomel (707) 377-4097

Attys for Def - James Felton (818) 382-6200

***Answer fld 6/4/14**

Comment (fr 7/10, 10/30, 2/26)

3

2:30 PM 14-05076 Country Club Villa Shopping Center, LLC v. Lopez et al
† Ch 7
14-51759 Ricky Lopez and Ana Ruiz

Moving:
Opposing:

Matter: Telephonic Case Management RE: Complaint to Deny Discharge §727(a)(2), (4), and (5)

Atty for PI - Craig C. van Keulen (408) 779-7991

Atty for Def - Shawn Parr (408) 267-4500

***Answer filed 8/27/14**

Comment (fr 10/30, 1/29, 3/26 pending dismissal (727 to be noticed out in main case)

4

2:30 PM 15-05002 Rimmel v. Avalonbay Communities, Inc.

† Ch 7

14-54462

Renee Dawn Rimmel

Moving: Matthew D. Metzger

Opposing:

Matter: Telephonic Case Management RE: Complaint Seeking to Set Aside Preference

Atty for Pl - Matthew Metzger (415) 513- 5980

Atty for Def - Clifton Inohara (916) 920-2295

***Clerk's Default Entered 2/23/15**

Comment (fr 2/26, 3/26 pending resolution)

5

2:30 PM 14-05136 Yee v. US Department of Education Chela et al

† Ch 7

14-54638

Rebecca Lynn-Yee

Moving:

Opposing:

Matter: Telephonic Case Management RE: Complaint to Determine Dischargeability of Student Loans

Atty for Pl - Pro Per

Atty for ECMC (Great Lakes) - Miriam Hiser (408) 345-9234

***Answer fld 2/25/15**

Atty for Navient Solutions, Inc. (Sallie Mae) - Cheryl Rouse (415) 575-9444

***Answer fld 3/2/15**

Atty for Nat. Collegiate Student Loan Tr - Raymond Moats (614) 801-2767

***Answer fld 4/27/15**

***Pl to file & serve alias summons by 4/6 & file COS NLT 4/17**

Comment (cont fr 2/26, 3/26) *AES dismissed per stipulation 3/3/15; outstanding defendants: CHELA, Firstmark, Dept Edu, SLC Trust, William & Fudge, Purpose Advantage

6

2:30 PM 14-05137

Yee v. US Income Tax et al

† Ch 7

14-54638

Rebecca Lynn-Yee

Moving:

Opposing:

Matter: Telephonic Case Management RE: Complaint to Determine Dischargeability of Taxes

7

Atty for Pl - Pro Per

Atty for Hawaii Dept of Taxation - Cynthia Johiro (calling in on 7523)

***Pl to file & serve alias summons by 4/6 & file COS NLT 4/17**

***Request for Dismissal fld 5/27/15**

Comment (fr 2/26, 3/26)
