

HONORABLE STEPHEN JOHNSON, CALENDAR FOR TUESDAY, JUNE 2, 2015, AT 9:55 A.M.

Courtroom: 3099

Courtroom Deputy: Tanya Bracegirdle

Court Recorder: Cristina Larios-Caban

Law Clerk: Laurent Chen

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

SLJ 6/2/15 AT 9:55 A.M.

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 – June 2, 2015 at 9:55 a.m.

The following cases shall be **CONFIRMED**:

- | | |
|---|----------------|
| 8. PAUL & ELEANOR KOESTER
15-5-1029 SLJ | ATTY – BOONE |
| 9. SKIP & AZALEA KERN
15-5-1054 SLJ | ATTY – SHULMAN |
| 10. CHRIS & ARAGELI TOBIAS
15-5-1073 SLJ | ATTY – MOORE |
| 11. LAWRENCE & MATTHEW RAMIREZ
15-5-1074 SLJ | ATTY – MOORE |

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

JUDGE JOHNSON – June 2, 2015 at 9:55 a.m.

From: 341 MEETING OF CREDITORS, May 18, 2015

TO BE PLACED ON TRUSTEE'S PENDING LIST:

- | | |
|--|---|
| 12. THOMAS NGUYEN
15-5-1027 SLJ | ATTY – FULLER
OBJECTION BY – TRUSTEE |
| 13. STEPHEN & AUDREY HALLER
15-5-1028 SLJ | ATTY – BOONE
OBJECTION BY – TRUSTEE |
| 14. ANGELA VAN BIJLEVELT
15-5-1068 SLJ | ATTY – MOORE
OBJECTION BY – TRUSTEE |
| 15. MOHAMMAD OHADI
15-5-1070 SLJ | ATTY – MOORE
OBJECTION BY – TRUSTEE |
| 16. JACK & JAMIE WILLIAMS
15-5-1086 SLJ | ATTY – SAGARIA
OBJECTION BY – TRUSTEE |
| 17. JATINDER MANN
15-5-1089 SLJ | ATTY – LITIGATION LAW
OBJECTION BY – TRUSTEE |
| 18. MARIA GONZALEZ
15-5-1112 SLJ | ATTY – PRO SE
OBJECTION BY – TRUSTEE & CHRISTIANA
TRUST |

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

Honorable Stephen L. Johnson

Tuesday, June 2, 2015

Current as of 5/29/2015 at 11:14 AM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

10:00 AM **15-51368** Ivon Escamilla

Ch 7

Trustee: Hjelmset

Moving: Reilly Wilkinson

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

Matter: [Motion for Relief from Stay RS #RDW-672, Filed by Cal-West Home Loans, Inc. \(7\)](#)

1

10:00 AM **15-51556** Xavier Diego Magdaleno, II

Ch 7

Trustee: Richardson

Moving: Henry B. Niles III

Opposing: Ryan C. Wood

Debtor or Plaintiff Attorney: Ryan C. Wood

Matter: [Amended Motion for Relief From Stay #HBN-006 filed by Creditor Marcia Zander Filed by Marcia Zander \(13\)](#)

2

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

Honorable Stephen L. Johnson

Tuesday, June 2, 2015

Current as of 5/29/2015 at 11:15 AM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

10:30 AM **11-56917** Philip T. Alfonso

Ch 13

Trustee: Derham-Burk

Moving: Brian H. Tran

Opposing:

Debtor or Plaintiff Attorney: Angie YC Tong

Matter: [Motion for Relief from Stay re real property 5464 Colony Field Drive, San Jose, California 95123 RS #BHT-97313, Filed by Ventures Trust 2013-I-H-R \(63\)](#)

1

10:30 AM **12-52417** Emilio Guerrero and

Ch 13

Herlinda Guerrero

Trustee: Derham-Burk

Moving: Erin L. Laney

Opposing:

Debtor or Plaintiff Attorney: Jason Vogelpohl

Matter: [Motion for Relief from Stay and Co-Debtor Stay RS #JCC-134, Filed by Wells Fargo Bank, N.A. \(38\)](#)

2

Comment (fr 5/19)

10:30 AM **12-58358** Mark J. Rodriguez and

Ch 13

Irene N. Rodriguez

Trustee: Derham-Burk

Moving: Kristin A. Zilberstein

Opposing:

Debtor or Plaintiff Attorney: Frank J. Alvarado

Matter: [Motion for Relief from Stay RS #JCW-9582, Filed by U.S. Bank N.A. \(69\)](#)

3

10:30 AM **13-50871** William Michael Geimer and
Ch 13 Jaymie Ann Geimer
Trustee: Derham-Burk

Moving: Joshua Scheer

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: [Motion for Relief from Stay RS #JLS-316, Filed by CAM VIII TRUST \(42\)](#)

4

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. \(39\)](#)

5

[b\) Opposition by Debtor \(48/ 49\)](#)

Comment (fr 4/28, 5/26)

10:30 AM **14-51724** Joyce Mary Jimenez
Ch 13
Trustee: Derham-Burk

Moving: Jennifer C. Wong

Opposing:

Debtor or Plaintiff Attorney: Norma L. Hammes

Matter: [a\) Motion for Relief from Stay and Co-Debtor Stay RS #AMM-014, Filed by Nationstar Mortgage LLC \(18\)](#)

6

[b\) Opposition by Debtor \(20\)](#)

Comment (fr 5/5)

10:30 AM **14-53298** Karen Y Kirby
Ch 13
Trustee: Derham-Burk

Moving: Megan E. Lees

Opposing:

Debtor or Plaintiff Attorney: Cathleen Cooper Moran

Matter: [Motion for Relief from Stay RS #MEL-007, Filed by Wells Fargo Bank, N.A. \(25\)](#)

7

Comment (fr 2/24, 3/17, 4/28 pending APO)

10:30 AM 14-53979

Robert Danielzadeh

Ch 13

Trustee: Derham-Burk

Moving: Bethany Wojtanowicz

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: **Motion for Relief from Stay and Co-Debtor Stay RS #BAW-1. Filed by Nationstar Mortgage LLC (32)**

8

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

Honorable Stephen L. Johnson

Tuesday, June 2, 2015

Current as of 5/29/2015 at 11:16 AM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

1:30 PM **12-05016** Krechuniak v. Noorzoy et al

† Ch 7

11-60405

Cecelia A. Austin and Zia Jamal Noorzoy

Moving: William J. Healy

Opposing: Ralph P. Guenther

Matter: **a) Motion For Entry of Judgment Filed by Plaintiff (22)**

b) Opposition by Defendant (24)

Comment *CMC scheduled for 6/25/15 at 2:30 PM

1:30 PM **15-05057** Gallardo v. Bank of New York Mellon, NA et al

† Ch 13

12-50058

Richard Gallardo

Moving: Cathleen Cooper Moran

Opposing: Cathleen Cooper Moran

Matter: **Motion for Preliminary Injunction Filed by Plaintiff (4)**

1:30 PM **12-50058** Richard Gallardo

Ch 13

Trustee: Derham-Burk

Moving: Cathleen Cooper Moran

Opposing:

Matter: **Motion for Damages And Injunctive Relief For Violation Of Automatic Stay Filed by Debtor (123)**

***Oral Order Shortening time per hearing held 5/21/15**

Comment CMC scheduled for 7/30/15 at 2:00 PM

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2

3

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

Honorable Stephen L. Johnson

Wednesday, June 3, 2015

Current as of 5/29/2015 at 11:16 AM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

1:30 PM **09-57648** JSW Financial Inc.

Ch 7

Trustee: Poonja

Moving: Barry Milgrom

Opposing:

Debtor or Plaintiff Attorney: William C. Lewis

Matter: **Notice of Hearing on Trustee's Final Account (Mohamed Poonja) & Application for Compensation for Fees: \$12,631.17 & Reimbursement of Expenses: \$207.37**

1

1:30 PM **10-60944** Eugenia Delores Jimenez

Ch 7

Trustee: Del Piero

Moving: Mariam S. Marshall

Opposing:

Debtor or Plaintiff Attorney: James T. King

Matter: **a) Notice of Hearing on Trustee's Final Account (Marc Del Piero) & Application for Compensation for Fees: \$6,478.57 & Reimbursement of Expenses: \$19.35**

b) Final Application for Compensation for Fees: \$12,480.00 & Reimbursement of Expenses: \$232.62 by Marshall & Ramos, LLP, Counsel to Trustee (68)

c) Application for Compensation for Fees: \$3,362.00 & Reimbursement of Expenses: \$172.97 by Kokjer, Pierotti, Maiocco & Duck, Accountant to Trustee (67)

2

1:30 PM **12-58983** Alexander A. Clerk and

Ch 11

Cynthia V. Clerk

Moving: James L. Pagano

Opposing:

Debtor or Plaintiff Attorney: James L. Pagano

Matter: **Second & Final Application for Compensation of Fees: \$65,629.92 & Reimbursement of Expenses: \$1,570.08 Filed by Pagano & Kass, APC, counsel for Debtor (263)**

3

1:30 PM 13-50183 Heavenly Charioteer Technology, Inc.
Ch 7
Trustee: Poonja

Moving:

Opposing:

Debtor or Plaintiff Attorney: Julian C. Roberts

4

Matter: a) **Notice of Hearing on Trustee's Final Account (Mohamed Poonja) & Application for Compensation for Fees: \$1,911.73 & Reimbursement of Expenses: \$95.02**

b) **First & Final Application for Compensation for Fees: \$18,463.50 & Reimbursement of Expenses: \$0.00 by Goldberg, Davis & Linchy, Counsel to Trustee (30)**

c) **Application for Compensation for Fees: \$1,952.50 & Reimbursement of Expenses: \$71.91 by Kokjer, Pierotti, Maiocco & Duck, Accountant to Trustee (31)**

1:30 PM 13-53841 Major Farms, Inc.
Ch 7
Trustee: Richardson

Moving: Charles P. Maher

Opposing:

Debtor or Plaintiff Attorney: Henry B. Niles

5

Matter: a) **Notice of Hearing on Trustee's Final Account (John W. Richardson) & Application for Compensation for Fees: \$27,963.84 & Reimbursement of Expenses: \$109.12**

b) **First & Final Application for Compensation for Fees: \$1,746.00 & Reimbursement of Expenses: \$4.37 by McKenna Long & Aldridge LLP, Counsel to Trustee (46)**

c) **Application for Compensation for Fees: \$8,841.00 & Reimbursement of Expenses: \$117.26 by Kokjer, Pierotti, Maiocco & Duck, Accountant to Trustee (49)**

1:30 PM 14-51672 Michael Caramancion Manansala
Ch 7
Trustee: Hjelmeset

Moving: Fred Hjelmeset

Opposing:

Debtor or Plaintiff Attorney: Drew Henwood

6

Matter: a) **Notice of Hearing on Trustee's Final Account (Fred Hjelmeset) & Application for Compensation for Fees: \$2,025.59 & Reimbursement of Expenses: \$18.08**

b) **Application for Compensation for Fees: \$1,188.00 & Reimbursement of Expenses: \$71.61 by Kokjer, Pierotti, Maiocco & Duck, Accountant to Trustee (33)**

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

Honorable Stephen L. Johnson

Wednesday, June 3, 2015

Current as of 5/29/2015 at 11:17 AM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

2:00 PM **10-55788** Pacific Metro, LLC
Ch 11

Moving: Randy Michelson
Opposing: John S. Wesolowski

Matter: a) **Motion to Convert Case to Chapter 7 Filed by Reorganized Debtor (578)**

b) **Opposition by TRC Master Fund, LLC - Mette Kurth**

c) **Objection by Diablo Management Group, Plan Agent - Patrick Costello**

d) **Motion for an Order: (1) Removing the Responsible Person and Appointing Peter Kravitz as the Successor Responsible Person for the Estate; (2) Referring Certain Litigation to the Responsible Person; and (3) Directing the Reorganized Company to Cure Defaults Under the Plan Filed by Debtor (554)**

e) **Joinder by Diablo Management Group, Plan Agent (582) - Patrick Costello**

f) **Joinder by Jeffrey Spinello (594) - Brian Harvey**

g) **Opposition by Reorganized Debtor (584)**

h) **Notice of Status Conference (540) (Last MOR 3/15) (fr 5/7)**

2:00 PM **15-50264** Adriana Valencia and
Ch 7 Jesus A Loya
Trustee: Bowyer

Moving: Diana D. Herman
Opposing: James Jingming Cai

Matter: a) **Motion for Turnover of Undisclosed Federal and State Refund Totaling \$10,536.00 Filed by Trustee, Kari Bowyer (14)**

b) **Opposition by Debtor (19)**

c) **Hearing re Objection to Claim of Exemptions of Debtors 2014 Tax Return Refund of \$10,536.00 Filed by Trustee (23)**

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2:00 PM 15-50981 Evergreen Financial Group, L.P.
Ch 11

Moving: Jason Vogelpohl
Opposing: John S. Wesolowski

Matter: a) **Application for Order Authorizing Employment of Central Coast Bankruptcy, Inc., The Law Offices of Jason Vogelpohl and The Law Offices of Casey O'Connell, P.C. As Debtor's Bankruptcy Reorganization Counsel (17)**

b) **Objection by United States Trustee (23)**

Comment (fr 5/13)

2:00 PM 15-51513 Bertha Leal
Ch 7
Trustee: Kaelin

Moving: Bertha Leal
Opposing:

Matter: **Order to Show Cause Re: Dismissal and Hearing on Application For Waiver of Filing Fee (8)**

2:00 PM 15-51559 Yolanda Mendivil
Ch 7
Trustee: Bowyer

Moving:
Opposing:

Matter: **Order to Show Cause Re: Dismissal and Hearing on Application For Waiver of Filing Fee (8)**

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5

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

**Honorable Stephen L. Johnson
Thursday, June 4, 2015**

Current as of 5/29/2015 at 11:19 AM

San Jose Courtroom 3099

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

10:00 AM **14-50279** AquaLegacy Development, LLC
Ch 11

Moving: Paul E. Manasian
Opposing:

Matter: **Status Conference (5) (Last MOR 4/15)**
Comment (cont fr 3/6, 6/5, 10/2, 12/4, 2/5)

1

10:00 AM **14-50651** Kristen A. Emery
Ch 11

Moving:
Opposing:

Matter: a) **Status Conference (8) (Last MOR 4/15) (cont fr 4/3, 10/2, 11/6, 12/4, 2/5, 3/5, 5/7 pending dismissal)**
b) **Hearing on Confirmation of Proposed Combined Plan of Reorganization And Disclosure Statement (Sept. 22, 2014) (57) (fr 11/6, 12/4, 2/5, 3/5, 5/7)**
c) **Objection by Christiana Trust**

2

Deadline for Final Decree:

10:00 AM **15-50868** Brilliant Instruments, Inc.
Ch 11

Moving: Lawrence A. Jacobson
Opposing:

Matter: **Status Conference (33) (Last MOR 4/15)**

3

10:00 AM **15-51215**
Ch 11

Interface Aviation, Inc.

Moving: Jason Vogelpohl

Opposing:

Matter: **Status Conference (4)**

4