

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

Honorable Stephen L. Johnson

Tuesday, June 23, 2015

Current as of 6/19/2015 at 1:14 PM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

10:00 AM **13-53054**

A&C Health Care Services, Inc.

Ch 11

Moving: Alan J. Stomel

Opposing: John William Lucas

Matter: a) **Motion to Approve Modifications to Purchase and Sale Agreement Filed by Post Confirmation Committee of A&C Health Care Services, Inc. (771)**

b) **Objection by Diyavilla, Inc. (778)**

Joseph Eisenberg for Millbrae Nursing Home, Inc.

Ron Bender for Windsor Health Care

Manuel Boigues for SEIU United Healthcare Workers-West

James Preimesberger for Millbrae Silled Care LLC

Comment (fr 6/16)

1

HONORABLE STEPHEN JOHNSON, CALENDAR FOR WEDNESDAY, JUNE 24, 2015, AT 1:25 P.M.

Courtroom: 3099

Courtroom Deputy: Tanya Bracegirdle

Court Recorder: Kristine Hang Du

Law Clerk: Laurent Chen

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

UNCONTESTED CALENDAR – CONFIRMATION ADVANCED PER RESOLUTION

JUDGE JOHNSON – June 24, 2015 at 1:25 p.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**With respect to the following cases, objections were filed and subsequently withdrawn;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. NESTOR CONSTANTINO
14-5-2119 SLJ | ATTY – NICHANI |
| 2. MEGHAN DUNHAM
14-5-3051 SLJ | ATTY – BOONE |
| 3. DANIEL SPATE
14-5-3525 SLJ | ATTY – BOONE |
| 4. MARIVEL ROMERO
15-5-0695 SLJ | ATTY – EVANS |
| 5. TE & MAY TU
15-5-1239 SLJ | ATTY – MAYDANIK |

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 24, 2015 at 1:25 p.m.

The following cases shall be **CONFIRMED**:

- | | |
|--|-----------------------------|
| 6. DAVID & ALISON WISTROM
15-5-1289 SLJ | ATTY – SHULMAN |
| 7. PATRICK ODUMA
15-5-1292 SLJ | ATTY – GOLD & HAMMES |
| 8. ARNOLD CARTER
15-5-1298 SLJ | ATTY – MOORE |
| 9. EARL & JENELL JOSEPH
15-5-1317 SLJ | ATTY – GOLD & HAMMES |
| 10. TODD MAYS
15-5-1338 SLJ | ATTY – DOUGHERTY & GUENTHER |
| 11. JOEL BALDERAS
15-5-1397 SLJ | ATTY – CENTRAL COAST |

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

JUDGE JOHNSON – June 24, 2015 at 1:25 p.m.

From: 341 MEETING OF CREDITORS, June 8 & 10, 2015

TO BE PLACED ON TRUSTEE'S PENDING LIST:

- | | |
|---|--|
| 12. ANDREW MEDEIROS
15-5-1310 SLJ | ATTY – BOONE
OBJECTION BY – TRUSTEE |
| 13. MACARIO & CORAZON OBILLO
15-5-1314 SLJ | ATTY – BOONE
OBJECTION BY – TRUSTEE |
| 14. FERRY LIANDO
15-5-1319 SLJ | ATTY – ZLOTOFF
OBJECTION BY – TRUSTEE |
| 15. PEDRO MARTINEZ
15-5-1337 SLJ | ATTY – PRO SE
OBJECTION BY – TRUSTEE |
| 16. DOLORES YEE
15-5-1339 SLJ | ATTY – MLNARIK LAW
OBJECTION BY – TRUSTEE |
| 17. DIANNA GALLEGOS
15-5-1365 SLJ | ATTY – CENTRAL COAST
OBJECTION BY – TRUSTEE |
| 18. USEBIO & EMILIA PEREZ
15-5-1400 SLJ | ATTY – CENTRAL COAST
OBJECTION BY – TRUSTEE |

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

**Honorable Stephen L. Johnson
Wednesday, June 24, 2015**

Current as of 6/22/2015 at 2:11 PM

San Jose Courtroom 3099

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

1:30 PM **11-56287** Yolanda A Bishop

Ch 7

Trustee: Poonja

Moving: Diana D. Herman

Opposing:

Matter: **a) Notice of Hearing on Trustee's Final Account (Mohamed Poona) & Application for Compensation for Fees: \$15,750.00 & Reimbursement of Expenses: \$145.81**

b) First & Final Application for Compensation for Fees: \$28,373.00 & Reimbursement of Expenses: \$642.00 by McKenna Long & Aldridge LLP, Counsel to Trustee (49)

1

1:30 PM **11-60666** Kogent Corporation

Ch 7

Trustee: Barris

Moving: Mark Bostick

Opposing:

Matter: **a) Notice of Hearing on Trustee's Final Account (Audrey Barris) & Application for Compensation for Fees: \$11,705.16 & Reimbursement of Expenses: \$35.35**

b) Final Application for Compensation for Fees: \$126,303.32 & Reimbursement of Expenses: \$3,747.89 by Wendel, Rosen, Black & Dean, LLP, Counsel to Trustee (77)

c) First & Final Application for Compensation for Fees: \$25,575.10 & Reimbursement of Expenses: \$321.21 by Gabrielson & Company, Accountant to Trustee (76)

2

Comment *Mark Bostick appearing for Wendel & Trustee

1:30 PM 12-50911 Ronald Santos and
Ch 7 Carly Santos
Trustee: Hjelmeset

Moving: Mariam S. Marshall

Opposing:

Matter: a) **Notice of Hearing on Trustee's Final Account (Fred Hjelmeset) & Application for Compensation for Fees: \$7,604.75 & Reimbursement of Expenses: \$1/47**

b) **First & Final Application for Compensation for Fees: \$19,625.00 & Reimbursement of Expenses: \$412.89 by Marshall & Ramos LLP, Counsel to Trustee (79)**

Comment *Tr's counsel on phone standby

3

1:30 PM 12-55057 Dorothy A Taylor
Ch 7
Trustee: Hjelmeset

Moving: Gregg S. Kleiner

Opposing:

Matter: a) **Notice of Hearing on Trustee's Final Account (Fred Hjelmeset) & Application for Compensation for Fees: \$3,500.00 & Reimbursement of Expenses: \$11.14**

b) **First & Final Application for Compensation for Fees: \$8,354.00 & Reimbursement of Expenses: \$55.87 by McKenna Long & Aldridge, LLP, Counsel to Trustee (76)**

c) **Application for Compensation for Fees: \$1,820.00 & Reimbursement of Expenses: \$77.15 by Kokjer, Pierotti, Maiocco & Duck, Accountant to Trustee (77)**

Comment Counsel for trustee on phone standby

4

1:30 PM 13-51933 Cynthia M. Josefson
Ch 7
Trustee: Poonja

Moving: Gregg S. Kleiner

Opposing:

Matter: a) **Notice of Hearing on Trustee's Final Account (Mohamed Poonja) & Application for Compensation for Fees: \$5,750.00 & Reimbursement of Expenses: \$336.44**

b) **First & Final Application for Compensation for Fees: \$20,762.00 & Reimbursement of Expenses: \$501.19 by McKenna Long & Aldridge, LLP, Counsel to Trustee (199)**

5

1:30 PM 13-55288

Rik Anthony Argel

Ch 7

Trustee: Hjelmeset

Moving: Mariam S. Marshall

Opposing:

Matter: a) **Notice of Hearing on Trustee's Final Account (Fred Hjelmeset) & Application for Compensation for Fees: \$3,873.53 & Reimbursement of Expenses: \$10.50**

b) **First & Final Application for Compensation for Fees: \$13,147.50 & Reimbursement of Expenses: \$164.58 by Marshall & Ramos, LLP, Counsel to Trustee (46)**

Comment *Tr's counsel on phone standby

6

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

**Honorable Stephen L. Johnson
Wednesday, June 24, 2015**

Current as of 6/22/2015 at 2:12 PM

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) **Joinder by Jeffrey Spinello - Brian Harvey**

e) **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)**

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

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

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

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

Comment (fr 6/3, 6/10)

2:00 PM **12-56923** Jana Beth Relf-Taylor
Ch 7
Trustee: Hjelmset

Moving: Gregg S. Kleiner
Opposing: Kristy A. Hernandez

Matter: **Hearing re Objection to Debtor's Amended Claim of Exemption Filed by Trustee (84)**

***Order shortening time**

1

2

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

Moving: Jason Vogelpohl
Opposing: John S. Wesolowski

Matter: a) **Application to Employ Coldwell Banker Del Monte Realty as Real Estate Broker Filed by Debtor (31)**
b) **Objection by United States Trustee (33)**
c) **Amended Application to Employ Philip J. Daunt as Special Counsel Filed by Debtor (44)**
d) **Objection by United States Trustee (32)*obj was to doc #30**

3

2:00 PM 15-51215 Interface Aviation, Inc.
Ch 11

Moving: Aaron Lipton
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 Filed by Debtor (6)**
b) **Objection by United States Trustee (14)**
c) **Motion for Entry of Order Authorizing Payment of Prepetition Claims of Critical Vendors Filed by Debtor (31)**
d) **Objection by United States Trustee (41)**

4

***Order shortening time**

2:00 PM 15-51621 Patricia D. McConnell
Ch 11

Moving: Lars T. Fuller
Opposing:

Matter: a) **Motion for Use of Cash Collateral on Property at 4813 Ananalu, Hanalei, HI Filed by Debtor (16)**
b) **Motion for Use of Cash Collateral on Property at 104 Endlich Dr., Santa Cruz, CA Filed by Debtor (19)**
c) **Motion for Use of Cash Collateral on Property at 2080 & 2090 Snowball Creek Rd., Grand Forks, BC Filed by Debtor (21)**
d) **Motion for Use of Cash Collateral on Property at 762 Encino Drive, Aptos, CA Filed by Debtor (23)**

5

2:00 PM 15-51797 Harjinder S Ladhar and
Ch 11 Debo Ladhar

Moving: Scott J. Sagaria

Opposing:

Matter: **Motion to Authorize Use of Cash Collateral Filed by Debtor (16)**

6

2:00 PM 15-51816 Sherie J. Benoit
Ch 7

Trustee: Richardson

Moving: Judson T. Farley

Opposing:

Matter: **Order to Appear and Show Cause re Dismissal For Failure to Pay Filing Fee (7)**

7

2:00 PM 15-51818 Mary M. Campanelli
Ch 7

Trustee: Richardson

Moving: Judson T. Farley

Opposing:

Matter: **Order to Appear and Show Cause re Dismissal For Failure to Pay Filing Fee (7)**

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**U.S. BANKRUPTCY COURT
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Honorable Stephen L. Johnson

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San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

3:30 PM **15-50927** Michelle Andrea McCrary
Ch 7
Trustee: Richardson

Moving:

Opposing:

Debtor or Plaintiff Attorney: Sara J. Lipowitz

Matter: [Hearing Regarding Reaffirmation Agreement with Monterey Credit Union \(7\)](#)

1

3:30 PM **15-51419** Amanda Nichole Packer
Ch 7
Trustee: Richardson

Moving:

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

Matter: [Hearing Regarding Reaffirmation Agreement with Santa Cruz Community Credit Union \(12\)](#)

2

3:30 PM **15-51657** Joseph Salem Dimes
Ch 7
Trustee: Hjelmeset

Moving:

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: [Hearing Regarding Reaffirmation Agreement with Santander Consumer USA Inc. \(7\)](#)

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

Honorable Stephen L. Johnson

Thursday, June 25, 2015

Current as of 6/19/2015 at 1:17 PM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

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 \(123\)](#) 1

Comment (fr 6/2)

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:

Matter: [Motion for Preliminary Injunction Filed by Plaintiff \(4\)](#) 2

Comment (fr 6/2)

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

Honorable Stephen L. Johnson

Thursday, June 25, 2015

Current as of 6/19/2015 at 1:17 PM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

2:00 PM **15-05026** Chmura v. Huang

† Ch 13

14-54525

Karen Huang

Moving:

Opposing:

Matter: [Telephonic Case Management RE: Complaint to Determine Non-Dischargeability of Debt](#)

[Atty for Pl - Mark Hooshmand \(415\) 318-5709](#)

1

2:00 PM **15-05027** Gupta v. Huang

† Ch 13

14-54525

Karen Huang

Moving:

Opposing:

Matter: [Telephonic Case Management RE: Complaint to Determine Non-Dischargeability of Debt](#)

[Atty for Pl - Mark Hooshmand \(415\) 318-5709](#)

2

2:00 PM **15-05028** Scahill v. Huang

† Ch 13

14-54525

Karen Huang

Moving:

Opposing:

Matter: [Telephonic Case Management RE: Complaint to Determine Non-Dischargeability of Debt](#)

[Atty for Pl - Mark Hooshmand \(415\) 318-5709](#)

3

2:00 PM **15-05029**

Lockey et al v. Huang

† Ch 13

14-54525

Karen Huang

Moving:

Opposing:

Matter: Telephonic Case Management RE: Complaint to Determine Non-Dischargeability of Debt

Atty for Pl - Mark Hooshmand (415) 318-5709

4

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

Honorable Stephen L. Johnson

Thursday, June 25, 2015

Current as of 6/19/2015 at 1:18 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 (408) 299-1200

Atty for Def - Stanley Zlotoff (408) 287-5087

***Answer filed 6/11/15**

1st & 2nd claims denied, 3rd claim dismissed with leave to amend by 5/10 nothing filed;

Comment (fr 3/26, 5/28)

2:30 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 (650) 694-4700

Atty for Def - Austin Nagel (925) 855-8080

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

Comment (fr 5/28)

1

2

2:30 PM **14-05074** Barris v. Second Source Medical, LLC et al
† Ch 7
12-58929 Gary Anthony Sunseri and Tonia Eileen Sunseri

Moving:
Opposing:

Matter: Telephonic Case Management RE: Complaint For: (1) Avoidance and Recovery of Fraudulent Transfer (2) Breach of Contract and (3) Declaratory Relief

Atty for Pl - Gerald Murphy (415) 981-0550

Atty for Def - Julie Rome-Banks (408) 295-1700

2:30 PM **15-05011** Poonja v. East West Bank
† Ch 7
13-50821 TWN Investment Group, LLC

Moving: Michael J. Gomez
Opposing:

Matter: Telephonic Case Management RE: Amended Complaint For: (1) Avoidance of Fraudulent Transfer; (2) Unjust Enrichment; (3) Money had and Received; and (4) Attorneys' Fees and Costs JURY TRIAL DEMAND

Atty for Pl - Michael Gomez (559) 228-6700

Atty for Def - Gerald Sims (619) 687-5200

***MOTION TO DISMISS SET FOR 6/30**

Comment (fr 3/26, 5/28)

2:30 PM **15-05019** Poonja v. Truong
† Ch 7
13-50821 TWN Investment Group, LLC

Moving:
Opposing:

Matter: Telephonic Case Management RE: Complaint for (1) Avoidance of Unperfected Transfer; (2) Avoidance of Statutory Lien; (3) Voidance of Lien/Objection to Claim; (4) Disallowance of Claim; and (5) Enforcement of the Automatic Stay

Atty for Pl - Michael Gomez (559) 228-6700

Atty for Def - James Hand (510) 595-4200

Comment (fr 3/26, 5/28)

3

4

5

2:30 PM 14-05062 Trevino v. Hunnicutt
† Ch 7
13-56589 Daniel Joseph Hunnicutt

Moving:
Opposing:

Matter: Telephonic Case Management RE: Amended Complaint to Determine Dischargeability of Debt §§521(a)(1), 523(a)(6), 523(c)

Atty for Pl - Gina Beltramo (650) 592-5400

Atty for Def - Cathay Erickson (408) 287-7717
***Answer fld 12/19/14**

Comment (fr 9/25, 11/13, 2/26, 3/26)

6

2:30 PM 14-05125 Miller v. Castaneda
† Ch 7
14-53372 Gloria Castaneda

Moving:
Opposing:

Matter: Trial Setting Conference RE: Complaint For 1) Order Denying Discharge to Debtor (11 U.S.C. §727) 2) Order Voiding Fraudulent Transfer

Atty for Pl - Jeffrey Mentzos

Atty for Def - Garry Barbadillo
***Answer filed 12/15/14**

Comment (fr 1/29, 4/30)

7