

HONORABLE STEPHEN JOHNSON, CALENDAR FOR TUESDAY, AUGUST 11, 2015, AT 9:55 A.M.

Courtroom: 3099

Courtroom Deputy: Tanya Bracegirdle

Court Recorder: Monica Tartaglia

Law Clerk: Laurent Chen

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

SLJ 8/11/15 AT 9:55 A.M.

UNCONTESTED CALENDAR – CONFIRMATION ADVANCED PER RESOLUTION

JUDGE JOHNSON – August 11, 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**With respect to the following cases, objections were filed and subsequently withdrawn;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. WILLIAM & KATHRYN KAIN
14-5-2760 SLJ | ATTY – WOERNER |
| 2. DANIELLA CASTILLO
14-5-4304 SLJ | ATTY – SCHEIN & CAI |
| 3. GREGORIO TREJO
14-5-4624 SLJ | ATTY – BOONE |
| 4. JOHNNY & TANYA LONARDO
15-5-0221 SLJ | ATTY – EVANS |
| 5. FRANCISCO & MARINA ARIAS
15-50330 SLJ | ATTY – CENTRAL COAST |
| 6. NORMA NAVA
15-5-1168 SLJ | ATTY – BROOKS |
| 7. EDMUND & COLLEEN ESTOLAS
15-5-1827 SLJ | ATTY – FULLER |

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 – August 11, 2015 at 9:55 a.m.

The following cases shall be **CONFIRMED**:

- | | |
|---|-----------------|
| 8. CHRISTINA MARTINEZ
15-5-1915 SLJ | ATTY – SHULMAN |
| 9. EMITA SOLEIMAN
15-5-1920 SLJ | ATTY – BOONE |
| 10. MARIA GARCIA
15-5-1922 SLJ | ATTY – FULLER |
| 11. DONNA KNOX
15-5-1931 SLJ | ATTY – MOORE |
| 12. OMAR GERAY
15-5-1933 SLJ | ATTY – MOORE |
| 13. ROGELIO ANDRES &
GLORIA TAINA
15-5-1997 SLJ | ATTY - MAYDANIK |
| 14. JEAN-JOSEPH & ZULEYHA SMITH
15-5-2006 SLJ | ATTY – MOORE |

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

JUDGE JOHNSON – August 11, 2015 at 9:55 a.m.

From: 341 MEETING OF CREDITORS, July 20; 22; 27; 29; 2015

TO BE PLACED ON TRUSTEE'S PENDING LIST:

- | | |
|--|--|
| 15. JOEY SAIA
15-5-1883 SLJ | ATTY – GRAVEL
OBJECTION BY - TRUSTEE |
| 16. KAREN ETIENNE
15-5-1884 SLJ | ATTY – BOONE
OBJECTION BY – TRUSTEE |
| 17. SALOMAN LAMAS
15-5-1896 SLJ | ATTY – BOONE
OBJECTION BY – TRUSTEE |
| 18. ROBERT & PATSY MCCLURE
15-5-1910 SLJ | ATTY – DOWNING
OBJECTION BY – TRUSTEE |
| 19. LUIS & ROSA MOYA
15-5-1917 SLJ *Dismissed 7/31/15 | ATTY – HENSHAW
OBJECTION BY – TRUSTEE |
| 20. GONZALO & CHRISTINA PALFOX
15-5-1929 SLJ | ATTY – MOORE
OBJECTION BY – TRUSTEE |
| 21. PERLA ALEXANDER
15-5-1939 SLJ | ATTY – CENTRAL COAST
OBJECTION BY – TRUSTEE |
| 22. SERGIO & ROSA GUTIERREZ
15-5-1946 SLJ | ATTY – HENSHAW
OBJECTION BY – TRUSTEE |
| 23. LORRAINE DELGADO
15-5-1949 SLJ | ATTY – ERICKSEN
OBJECTION BY – TRUSTEE |

- | | |
|---|---|
| 24. SHERREE GRAY
15-5-1952 SLJ | ATTY – BOONE
OBJECTION BY – TRUSTEE |
| 25. DAVID SIMMONS & DENISE FIELD
15-5-1960 SLJ | ATTY – FULLER
OBJECTION BY – TRUSTEE |
| 26. LISA PROVENZANO
15-5-1962 SLJ | ATTY – MORAN LAW
OBJECTION BY – TRUSTEE |
| 27. PIETRO & STEFANIA VASSALLO
15-5-1963 SLJ | ATTY – GREENE
OBJECTION BY – TRUSTEE & CAPITAL ACCESS
GROUP INC |
| 28. ELIZABETH TIPTON
15-5-1969 SLJ | ATTY – BOONE
OBJECTION BY – TRUSTEE |
| 29. PATRICIA SWIGART
15-5-1992 SLJ | ATTY – WOOD
OBJECTION BY – TRUSTEE |
| 30. RAISA BAYUGA
15-5-2009 SLJ | ATTY – CENTRAL COAST
OBJECTION BY – TRUSTEE |

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

Honorable Stephen L. Johnson

Tuesday, August 11, 2015

Current as of 8/7/2015 at 2:23 PM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

10:00 AM **15-51093** Jonatan Piitman, Jr.

Ch 7

Trustee: Kaelin

Moving: Mark D. Estle

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

Matter: **Motion for Relief from Stay RS #MDE-1564, Filed by Deutsche Bank National Trust Company (36)**

Dismissed 7/16/15 & Closed 7/29/15

10:00 AM **15-52116** Michael David Williams

Ch 7

Trustee: Bowyer

Moving: Sally A. Williams

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

Matter: **Motion for Relief from Stay REgarding 3005 Duvall Court, Gilroy, CA RS #SAW-0087, Filed by Duvall Court Investors, LLC (20)**

10:00 AM **15-52195** John P. Wheeler

Ch 7

Trustee: Kaelin

Moving: Julia Marie Adams

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

Matter: **Motion for Relief from Stay for property located at 37676 College Drive #103, Palm Desert, CA 92211 RS #JMA-26, Filed by Sinatra & Cook Project LLC (10)**

***Dismissed & Closed 7/16/15**

10:00 AM **15-52201** Germelina Valla Luna
Ch 7
Trustee: Bowyer

Moving: Vincent V. Frounjian

Opposing:

Debtor or Plaintiff Attorney: Crispin Caday Lozano

Matter: **Motion for Relief from Stay RS #VVF-21, Filed by American Honda Finance Corporation (9)**

***Stipulated APO submitted 8/7 - awaiting signed order**

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10:00 AM **15-52261** Margaret Salazar
Ch 7
Trustee: Bowyer

Moving: Jonathan J. Damen

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

Matter: **Motion for Relief from Stay RS #JJD-1744, Filed by Bayview Loan Servicing, LLC (12)**

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10:00 AM **15-52346** Jeff Clarke
Ch 7
Trustee: Kaelin

Moving: Jonathan J. Damen

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

Matter: **Motion for Relief from Stay RS #JJD-1745, Filed by The Bank of New York Mellon (9)**

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

Honorable Stephen L. Johnson

Tuesday, August 11, 2015

Current as of 8/7/2015 at 2:24 PM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

10:30 AM **13-53677** Robin Evan Fladeboe and
Ch 13 Linda Ruth Prosser
Trustee: Derham-Burk

Moving: Arnold L. Graff

Opposing:

Debtor or Plaintiff Attorney: Norma L. Hammes

Matter: **a) Motion for Relief from Stay RS #MEL-016, Filed by U.S. Bank N.A. (51)**

b) Opposition by Debtor (53)

Comment (fr 7/21)

10:30 AM **13-53773** Roberto Crisostomo Villamil and
Ch 13 Ma Aurora Orquin Villamil
Trustee: Derham-Burk

Moving: Dean R. Prober

Opposing:

Debtor or Plaintiff Attorney: Stan E. Riddle

Matter: **Motion for Relief from Stay RS #MEL-017, Filed by U.S. Bank N.A. (67)**

10:30 AM **13-55277** Russell L Kam and
Ch 13 Prapasri Praphkorn
Trustee: Derham-Burk

Moving: Katherine Gates Heidbrink

Opposing:

Debtor or Plaintiff Attorney: David S. Henshaw

Matter: **Motion for Relief from Stay (Personal Property) re: 2009 Toyota Camry Filed by Consumer Portfolio Services, Inc. (25)**

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10:30 AM **15-50245** Nick Patrick Satalino
Ch 13
Trustee: Derham-Burk
Moving: Edward Jun Fetzer
Opposing:
Debtor or Plaintiff Attorney: Sidney C. Flores

Matter: **Motion for Relief from Stay RS #EJF-1, Filed by Bank of America, N.A. (62)**

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10:30 AM **15-51129** Diana Zanfardino
Ch 13
Trustee: Derham-Burk
Moving: Austin P. Nagel
Opposing:
Debtor or Plaintiff Attorney: David S. Henshaw

Matter: **a) Motion for Relief from Stay RS #APN-2715, Filed by Wells Fargo Bank, N.A. (27)**

b) Motion for Relief From the Automatic Stay and Co-Debtor Stay (Personal Property) RS #DVW-001, Filed by Vanderbilt Mortgage and Finance, Inc. (20) (fr 7/28)

c) Opposition by Debtor

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

Honorable Stephen L. Johnson

Tuesday, August 11, 2015

Current as of 8/7/2015 at 2:25 PM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

1:30 PM **15-05012** Poonja v. Tang et al

† Ch 7

13-50821

TWN Investment Group, LLC

Moving: Sean M. Jacobson

Opposing: Michael J. Gomez

Debtor or Plaintiff Attorney: Michael J. Gomez

Matter: a) **Motion to Dismiss First Amended Complaint Filed by Defendants Imperial Investment & Development, Inc., Joseph Nguyen and Tuyet Le (26)**

b) **Stipulated Joinder by Def Ha Vinh Ly - Mark Oto (32)**

c) **Opposition by Plaintiff (31)**

d) **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 Def Lap Tang - Dennis Yan

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

Comment (fr 5/28, 6/25, 7/30)

1

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

**Honorable Stephen L. Johnson
Wednesday, August 12, 2015**

Current as of 8/7/2015 at 2:26 PM

San Jose Courtroom 3099

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

1:30 PM **12-51940** Patricia De Luca
Ch 7
Trustee: Poonja

Moving: Gregg S. Kleiner
Opposing: Theresia C. Sandhu

Matter: **a) Notice of Hearing on Trustee's Final Account (Mohamed Poona) & Application for Compensation for Fees: \$111,965.62 & Reimbursement of Expenses: \$524.09**

b) Objection by Debtor (316)

c) Application for Compensation for Fees: \$10,797.00 & Reimbursement of Expenses: \$154.14 by Kokjer, Pierotti, Maiocco & Duck, Accountant to Trustee (304)

d) Amended Fourth & Final Application for Compensation for Fees: \$35,031.00 & Reimbursement of Expenses: \$2,237.82 by Dentons US LLP, (formerly McKenna Aldrige) Counsel to Trustee (305)

e) Objection by Debtor (307)

1:30 PM **13-56315** Camilo C. Calinawan and
Ch 11 Elside L. Calinawan

Moving:
Opposing:

Matter: **Application for Compensation of Fees: \$64,126.00 & Reimbursement of Expenses: \$1,341.65 Filed by The Fuller Law Firm, Counsel for Debtor (308)**

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

**Honorable Stephen L. Johnson
Wednesday, August 12, 2015**

Current as of 8/7/2015 at 2:27 PM

San Jose Courtroom 3099

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

2:00 PM **07-54183** Weeks Street LLC
Ch 11

Moving: Stanley A. Zlotoff
Opposing: John S. Wesolowski

Matter: a) **Motion to Dismiss Case Filed by Debtor (597)**

b) **Objection by United States Trustee (602)**

c) **Opposition and Request to Convert Case to Chapter 7; Joinder in US Trustee Objection by First National Bank of Northern California (606) - Dennis Miller**

d) **Opposition and Request to Convert Case to Chapter 7 by Nexgen Builders, Inc. (609) - Ryan Penhallegon**

2:00 PM **10-55788** Pacific Metro, LLC
Ch 7
Trustee: Everett

Moving: Patrick M. Costello
Opposing: Randy Michelson

Matter: a) **Motion for New Trial or to Alter and Amend Judgment Filed by Diablo Mangement Group, Plan Agent (611)**

b) **Joinder by TRC Master Fund, LLC (620) - Mette Kurth**

c) **Joinder by Jeffrey Spinello (622) - Brian Harvey**

d) **Conditional Opposition by Proposed Counsel for Fred Hjelmeset, Interim Trustee in Bankruptcy (616)**

e) **Opposition by Reorganized Debtor (618)**

f) **Response by Trustee, Kyle Everett (621) - Barrett Marum**

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2:00 PM 15-51770 Theta Microelectronics, Inc.
Ch 11

Moving: Michael St. James
Opposing: Michael St. James

Matter: **Motion to Approve and Authorize Settlement with Cadence Design Systems, Inc. Filed by Debtor (77)**

***Order shortening time**

2:00 PM 15-51955 Enecsys LLC
Ch 7

Trustee: Bowyer

Moving: Doris A. Kaelin
Opposing:

Matter: **Motion to Sell Personal Property Assets on Shortened Notice Pursuant to BK Local Rule 9014-1(D), Subject to Overbid Filed by Kari Bowyer, Trustee (20)**

2:00 PM 15-52390 Sergio Fierro
Ch 7

Trustee: Barris

Moving:
Opposing:

Matter: **Order (1) Denying Debtor's Application For Waiver of the Chapter 7 Filing Fee and (2) Requiring Debtor to Appear in Person to Show Cause Why this Case Should not be Dismissed with Prejudice (7)**

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

**Honorable Stephen L. Johnson
Wednesday, August 12, 2015**

Current as of 8/7/2015 at 2:28 PM

San Jose Courtroom 3099

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

3:30 PM **15-51044** Denise Louise York
Ch 7
Trustee: Poonja

Moving:

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: [Hearing Regarding Reaffirmation Agreement with American Honda Finance Corporation \(9\)](#)
Comment *Objection to discharge 7/6/15

1

3:30 PM **15-51484** Brandin Angel Hernandez and
Ch 7 Claudin M Hernandez-Apointe
Trustee: Poonja

Moving:

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: [Hearing Regarding Reaffirmation Agreement with Capital One Auto Finance \(10\)](#)
Comment *Objection to Discharge due 8/3/15

2

3:30 PM **15-51582** Victor Cross
Ch 7
Trustee: Richardson

Moving:

Opposing:

Debtor or Plaintiff Attorney: Sara J. Lipowitz

Matter: [Hearing Regarding Reaffirmation Agreement with Toyota Motor Credit Corp. \(9\)](#)
Comment *Objection to Discharge due 8/11/15

3

3:30 PM 15-51903 Luz Gamboa
Ch 7
Trustee: Bowyer

Moving:

Opposing:

Debtor or Plaintiff Attorney: Deok J. Kim

Matter: **Hearing Regarding Reaffirmation Agreement with Santander Consumer USA, Inc. (8)**

Comment *Objection to Discharge due 9/14/15

4

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

Honorable Stephen L. Johnson

Thursday, August 13, 2015

Current as of 8/10/2015 at 3:31 PM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

10:00 AM **15-05069**

Bowyer v. Valencia et al

† Ch 7

15-50264

Adriana Valencia and Jesus A Loya

Moving: Gregg S. Kleiner

Opposing:

Matter: Telephonic Case Management RE: Complaint for Order Authorizing Trustee to Sell Real Property Free and Clear of Co-Owner Under 11 U.S.C. Section 363(h)

Atty for Pl - Gregg Kleiner (415) 267-4000

Comment *Clerk's Default Entered 8/7/15

10:00 AM **15-05065**

Logitech, Inc. v. Susewitz et al

† Ch 7

15-51434

Eric Susewitz and Brandi Susewitz

Moving: Stephen R. Pappas

Opposing:

Matter: Telephonic Case Management RE: Complaint to Determine, Non-Dischargeability of Debt; JURY DEMAND

Atty for Pl - Stephen Pappas (650) 858-8400

Atty for Def - Robert Goldstein (415) 391-8710

***Answer fld 7/6/15**

***1st Amended Complaint filed 8/3 (no stipulation)**

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

Honorable Stephen L. Johnson

Thursday, August 13, 2015

Current as of 8/7/2015 at 2:29 PM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

280 S 1st Street

San Jose, CA 95113

10:30 AM **12-05016**

Krechuniak v. Noorzoy et al

† Ch 7

11-60405

Cecelia A. Austin and Zia Jamal Noorzoy

Moving:

Opposing:

Matter: Telephonic Case Management RE: Complaint Objecting to Dischargeability - 523(a)(2), 523(a)(4)

Atty for Pl - William Healy (408) 295-9555

Atty for Def - Ralph P. Guenther (831) 649-5100

***Answer filed 2/22/12**

***Stipulated dismissal re Cecelia Austin 8/6/15 & Renewed Motion for Judgment against Zia Jamal Noorzoy noticed for 9/22/15**

Comment (Cont fr 8/30, 4/18, 9/26, 3/27, 10/30, 3/26, 6/25)

10:30 AM **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 Pl - Alan Stomel (707) 377-4097

Attys for Def - Andrew Goodman (818) 382-6200

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

Comment (fr 7/10, 10/30, 2/26, 5/28)

10:30 AM **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 Pl - 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, 5/28 pending dismissal of 727 action to be noticed out in main case)

3

10:30 AM **15-05033**

McGee v. Great Lakes Higher Education Corporation et al

† Ch 7

14-55059

Pamela Quinn McGee

Moving:

Opposing:

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

Atty for Pl - Judson Farley

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

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

b) Amended Order to Show Cause re Dismissal for Lack of Prosecution (9)

Comment (fr 5/28, 7/30)

4