

HONORABLE STEPHEN JOHNSON, CALENDAR FOR TUESDAY, OCTOBER 27, 2015, AT 9:55 A.M.

Courtroom: 3099

Courtroom Deputy: Tanya Bracegirdle

Court Recorder:

Law Clerk: Laurent Chen

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

**UNCONTESTED CALENDAR – CONFIRMATION ADVANCED PER
RESOLUTION**

JUDGE JOHNSON – October 27, 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withdrawn; therefore, the Court confirms the following cases:**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. KATHLEEN WESLEY 15-50361 SLJ | ATTY – SCHIEN & CAI |
| 2. NASSER ALIAKBARI 15-50725 SLJ | ATTY – FULLER |
| 3. THERESA GARZA 15-52662 SLJ | ATTY – ZLOTOFF |
| 4. TERRI HIGAREDA 15-52754 SLJ | ATTY – MOORE |

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 hearings 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 – October 27, 2015 at 9:55 a.m.

The following cases shall be **CONFIRMED**:

- | | |
|--|----------------|
| 5. ARASH & MELISSA JAFFARI 15-5-2787 SLJ | ATTY – MOORE |
| 6. ARTHUR & CANDACE MONTANO 15-5-2788 SLJ | ATTY – MOORE |
| 7. ROBERT & TRACY OGAZ 15-5-2831 SLJ | ATTY – HONAKER |

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

JUDGE JOHNSON – October 27, 2015 at 9:55 a.m.

From: 341 MEETING OF CREDITORS, October 14, 2015

TO BE PLACED ON TRUSTEE’S PENDING LIST:

- | | |
|--|--|
| 8. CHRISTOPHER MONTES 15-5-2779 SLJ | ATTY – BROOKS OBJECTION BY – TRUSTEE |
| 9. CONNIE CONTRERAS 15-5-2783 SLJ | ATTY – HERNANDEZ LAW OBJECTION BY – TRUSTEE |
| 10. ROSAVIL LAGRIMAS 15-5-2786 SLJ | ATTY – PHAN LAW GROUP OBJECTION BY - TRUSTEE |
| 11. TO-QUYEN NGUYEN 15-5-2804 SLJ | ATTY – PRO SE OBJECTION BY – TRUSTEE |
| 12. FELIMON & MARCY SANGALANG 15-5-2821 SLJ | ATTY – PHAN LAW GROUP OBJECTION BY – TRUSTEE & US BANK |
| 13. PATRICK & SHERRI CARNESECCA 15-5-2827 SLJ | ATTY – BOONE OBJECTION BY – TRUSTEE |
| 14. MARCO & MYLA CABRERA 15-5-2832 SLJ | ATTY – MAYDANIK OBJECTION BY – TRUSTEE |

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

Honorable Stephen L. Johnson

Tuesday, October 27, 2015

Current as of 10/23/2015 at 8:50 AM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

10:00 AM **15-52140** Gregory Francis Girardot

Ch 7

Trustee: Hjelmset

Moving: Jennifer C. Wong

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: **Motion for Relief from Stay RS #JCW-10270, Filed by The Bank of New York, Mellon, as
Trustee for First Horizon Mortgage Pass-Through Trust 2007-AR2 (25)**

1

DISCHARGED & CLOSED 10/6/15 & 10/7/15

10:00 AM **15-52936** Milton Alejo Gines

Ch 7

Trustee: Poonja

Moving: Theron Spencer Covey

Opposing:

Debtor or Plaintiff Attorney: Garry D. Barbadillo

Matter: **Motion for Relief from Stay RS #TSC-1, Filed by Bank of America, N.A. (8)**

2

10:00 AM **15-53091** Alfredo Albani

Ch 7

Trustee: Del Piero

Moving: Brian H. Tran

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

Matter: **Motion for Relief from Stay (Real Property) [Unlawful Detainer] Regarding Subject Property
located at 1520 Spoleto Street, Salinas, California 93905 RS #BHT-8954, Filed by California
Housing Finance Agency (10)**

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***DISMISSED & CLOSED 10/14/15**

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

Honorable Stephen L. Johnson

Tuesday, October 27, 2015

Current as of 10/23/2015 at 8:50 AM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

10:30 AM **12-51271** Robert V. Madrid and
Ch 13 Rosalva M. Madrid
Trustee: Derham-Burk

Moving: Jonathan J. Damen

Opposing:

Debtor or Plaintiff Attorney: Angie YC Tong

Matter: [Motion for Relief from Stay RS #CJO-546, Filed by The Bank Of New York Mellon \(49\)](#)

1

10:30 AM **12-52552** Cassandra Christine Gaddy
Ch 13
Trustee: Derham-Burk

Moving: Austin P. Nagel

Opposing:

Debtor or Plaintiff Attorney: Theresia C. Sandhu

Matter: [Motion for Relief from Stay RS #APN-2767, Filed by Capital One Auto Finance \(32\)](#)

2

10:30 AM **12-55536** Jonathan M. Lieu
Ch 13
Trustee: Derham-Burk

Moving: Bonni S. Mantovani

Opposing:

Debtor or Plaintiff Attorney: W. Kirk Moore

Matter: [Motion for Relief from Stay & from Co-Debtor Stay RS #LSR 1014 Filed by U.S. Bank N.A. \(70\)](#)

Comment (fr 9/22)

3

10:30 AM **12-58091** Juan Manuel Delgado
Ch 13
Trustee: Derham-Burk

Moving: Austin P. Nagel

Opposing:

Debtor or Plaintiff Attorney: Christopher Jon Jackson

4

Matter: **Motion for Relief from Stay & Co-Debtor Stay RS #APN-2761, Filed by Ford Motor Credit Company (21)**

10:30 AM **13-50829** Matthew C. Bond and
Ch 13 Janeen T. Bond
Trustee: Derham-Burk

Moving: Megan E. Lees

Opposing:

Debtor or Plaintiff Attorney: Lars T. Fuller

5

Matter: **a) Motion for Relief from Stay RS #MEL -020, Filed by Wells Fargo Bank, N.A. (37)**

b) Opposition by Debtor (39)

***OFF CALENDAR PER STIPULATED APO 10/22/15**

Comment (fr 9/15)

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

6

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, 8/11, 10/13)

10:30 AM **13-54260** Jason A. Bass and
Ch 13 Allison E. Bass
Trustee: Derham-Burk

Moving: John C. Clark

Opposing:

Debtor or Plaintiff Attorney: James S.K. Shulman

7

Matter: **a) Motion for Relief from Automatic Stay, Nunc Pro Tunc RS #15-013, Filed by Linda Jones (19)**

b) Opposition by Debtor (27)

Comment (fr 10/13)

10:30 AM **13-55613** Virginia Lee Fiorentino
Ch 13
Trustee: Derham-Burk

Moving: Megan E. Lees

Opposing:

Debtor or Plaintiff Attorney: Scott J. Sagaria

8

Matter: **Motion for Relief from Stay RS #MEL-022, Filed by Wells Fargo Bank N.A. (75)**

Comment (fr 9/15)

10:30 AM **14-50177** Desiree Martha Salguero
Ch 13
Trustee: Derham-Burk

Moving: Megan E. Lees

Opposing:

Debtor or Plaintiff Attorney: Norma L. Hammes

9

Matter: **Motion for Relief from Stay RS #MEL-026, Filed by WILMINGTON SAVINGS FUND SOCIETY (30)**

10:30 AM **14-50312** Daniel Michael Flynn
Ch 13
Trustee: Derham-Burk

Moving: Brian H. Tran

Opposing:

Debtor or Plaintiff Attorney: David S. Henshaw

10

Matter: **Motion for Relief from Stay re: Real Property located at 1066 Empey Way, San Jose, California 95128 RS #BHT-7168, Filed by Wells Fargo Bank N.A. (37)**

Comment (fr 7/21, 9/15)

10:30 AM **14-54340** Hee Jung Kim
Ch 13
Trustee: Derham-Burk

Moving: Bryan S. Fairman

Opposing:

Debtor or Plaintiff Attorney: Leela Menon

11

Matter: **Motion for Relief from Stay RS #MEL-025, Filed by Wells Fargo Bank, N.A. (41)**

***Dismissed per Order 10/19/15**

10:30 AM **14-55052** Joseph J Morla and
Ch 13 Ana L Morla
Trustee: Derham-Burk

Moving: Jennifer C. Wong

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

12

Matter: **Motion for Relief from Stay RS #JCW-10230, Filed by Wilmington Savings Fund Society, FSB (28)**

Comment (fr 9/1, 9/22 pending stipulated APO)

10:30 AM **15-50496** Harold R. Tippet
Ch 13
Trustee: Derham-Burk

Moving: Melissa A. Vermillion

Opposing:

Debtor or Plaintiff Attorney: Cathleen Cooper Moran

13

Matter: **a) Motion for Relief from Stay & from Co-Debtor Stay RS #LSR-1012, Filed by Wilmington Savings Fund Society, FSB (39)**

b) Opposition by Debtor (43)

Comment (fr 9/15)

10:30 AM **15-50530** Arthur Mrozowski
Ch 13
Trustee: Derham-Burk

Moving: Megan E. Lees

Opposing:

Debtor or Plaintiff Attorney: Gary Paul

14

Matter: **a) Motion for Relief from Stay & Co-Debtor Stay RS #MEL-021, Filed by Wells Fargo Bank N.A. (40)**

b) Opposition by Debtor (43)

Comment (fr 9/15)

10:30 AM **15-50866** Patrick Calhoun
Ch 13
Trustee: Derham-Burk

Moving: Brian H. Tran

Opposing:

Debtor or Plaintiff Attorney: Patrick Calhoun

15

Matter: **Motion for Relief from Stay 10797 Ridgeview Way, San Jose, California 95127 RS #BHT-10050, Filed by Wells Fargo Bank, N.A. (26)**

10:30 AM **15-51070** Mohammad Saied Ohadi
Ch 13
Trustee: Derham-Burk

Moving: Mark D. Estle

Opposing:

Debtor or Plaintiff Attorney: W. Kirk Moore

16

Matter: **Motion for Relief from Stay RS #MDE-1592, Filed by TOYOTA MOTOR CREDIT CORPORATION (29)**

10:30 AM **15-53150** Jay Alan Whitaker
Ch 13
Trustee: Derham-Burk

Moving: David A. Boone

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

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Matter: **Motion to Extend Automatic Stay As to All Creditors Filed by Debtor (8)**

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

Honorable Stephen L. Johnson

Thursday, October 29, 2015

Current as of 10/23/2015 at 8:55 AM

U.S. Courthouse and Federal Bldg.

280 S 1st Street

San Jose, CA 95113

San Jose Courtroom 3099

1:30 PM **15-05007** Trianon Holdings, LLC v. Watt

† Ch 11

12-56540

Keith Alan Watt

Moving: Stephen D. Finestone

Opposing: M. Dean Sutton

Matter: **Pre-Trial Hearing RE: Complaint For Declaratory Relief, Specific Performance and Fraud**

Comment ***Two day trial scheduled for Nov. 16 & 17, 2015**

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

Honorable Stephen L. Johnson

Thursday, October 29, 2015

Current as of 10/23/2015 at 9:55 AM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

2:00 PM **15-05105** JLL Consultants, Inc. v. Tipp Enterprises, Inc.

† Ch 11

13-53893

Mi Pueblo San Jose, Inc.

Moving:

Opposing:

Matter: **Telephonic Case Management RE: Complaint for (1) Avoidance of Preferential Transfers [11 U.S.C. § 547(b)]; (2) Recovery of Avoided Transfers [11 U.S.C. § 550]; (3) Preservation of Avoided Transfers [11 U.S.C. § 551]; and (4) Disallowance of Any Claims Held by Defendant(s) [11 U.S.C. § 502(d)]**

Atty for Pl - Eric D. Goldberg (702) 796-5555

Atty for Def - Neal Salisian (213) 622-9100

***Answer filed 9/1/15**

Comment (fr 9/24)

2:00 PM **15-05117** Lopez v. Flood

† Ch 13

14-53428

Veronica A. Lopez

Moving:

Opposing:

Matter: **Telephonic Case Management RE: Complaint to Determine Dischargeability of Debt Pursuant to 11 U.S.C. §§ 523(a)(5), 1328(a)(2)**

Atty for Pl - Brette Evans (408) 298-8910

2:00 PM 15-05115 Canepa v. Magdaleno, II
† Ch 7
15-51556 Xavier Diego Magdaleno, II

Moving:
Opposing:

Matter: Telephonic Case Management RE: Complaint to Determine Dischargeability (11 U.S.C. 523(a)(2)(A))

Atty for Pl - Henry Niles (831) 457-4545

Atty for Def - David Smyth (925) 933-4541

*Amended Answer filed 8/27/15

2:00 PM 15-05127 Thompson v. Higgins
† Ch 11
15-52426 Brian K. Higgins

Moving: Myrna Thompson
Opposing:

Matter: Telephonic Case Management RE: Complaint for Objection to Discharge and Dischargeability (11 U.S.C. §§523(a)(2), (4), and (6))

Atty for Pl - Matt Leal (408) 656-5921

Atty for Def - Charles Green (408) 279-3518

*Summons issued 9/2 not served until 9/11

**Answer filed 9/29/15

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

Honorable Stephen L. Johnson

Thursday, October 29, 2015

Current as of 10/23/2015 at 9:10 AM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

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, 6/25)

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: **a) 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**

b) Order to Show Cause RE: Dismissal (10)

***Motion to Dismiss Complaint filed 9/28/15**

Comment (fr 10/30, 1/29, 3/26, 5/28, 8/13 pending dismissal of 727 action to be noticed out to all creds)

1

2

2:30 PM 14-05082 Union Bank, N.A. v. Galas et al
† Ch 11
14-52094 Joseph R Galas and Lori Jean Galas

Moving:
Opposing:

Matter: Telephonic Case Management Conference Re: (Notice of Removal) Verified Complaint for: (1) Judicial Foreclosure and Deficiency; (2) Specific Performance, Accounting, and Appointment of Receiver; and (3) Injunctive Relief

Atty for Pl - Regis A. Guerin (714) 427-6800

Atty for Defs - Simran Kaur Singh (408) 874-6620

Atty for Def Doug Shen - Pro Per

Comment (fr 9/24)

2:30 PM 15-05023 My International Fund, LLC v. Michael
† Ch 13
14-54605 William Michael

Moving:
Opposing:

Matter: Telephonic Case Management RE: Complaint to Determine Dischargeability and in Objection to Discharge (11 U.S.C. §§ 523(a)(2)(A), and 523(a)(4) JURY TRIAL DEMANDED

Atty for Pl - Ali Kamerei (408) 918-5393

Atty for Def - Cathay Ericksen (408) 287-7717

*Answer filed 3/30/15

Comment (fr 4/30, 7/30)

2:30 PM 15-05001 Efthymiou v. Michael
† Ch 13
14-54605 William Michael

Moving: Cheryl C. Rouse
Opposing:

Matter: Telephonic Case Management RE: Complaint to Determine Nondischargeability of Debt Under 11 U.S.C. §§ 523(a)(2)(A), and 523(a)(4) and §523(a)(19)(A)

Atty for Pl - Cheryl Rouse (415) 575-9444

Atty for Def - Cathay Ericksen (408) 287-7717

*Answer filed 2/05/15

Comment *Main case dismissed 8/26/15; pending stipulated dismissal of adv

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