

HONORABLE STEPHEN JOHNSON, CALENDAR FOR TUESDAY, NOVEMBER 10, 2015, AT 9:55 A.M.

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Courtroom: 3099

Courtroom Deputy: Tanya Bracegirdle

Court Recorder: Ron Rombawa

Law Clerk: Laurent Chen

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

SLJ 11/10/15 AT 9:55 A.M.

**UNCONTESTED CALENDAR – CONFIRMATION ADVANCED PER RESOLUTION**

**JUDGE JOHNSON – November 10, 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**With respect to the following cases, objections were filed and subsequently withdrawn;  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. JOSE & RONDA ESTRADA<br>15-5-0646 SLJ  | ATTY – LEE & LI      |
| 2. USEBIO & EMILIA PEREZ<br>15-5-1400 SLJ | ATTY – CENTRAL COAST |
| 3. MI KWON<br>15-5-2527 SLJ               | ATTY – AHN           |
| 4. CHRISTOPHER MONTES<br>15-5-2779 SLJ    | ATTY – BROOKS        |

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 – November 10, 2015 at 9:55 a.m.**

The following cases shall be **CONFIRMED**:

5. ADRIANA DE LA TORRE  
15-5-2903 SLJ

ATTY – GOLD & HAMMES

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

**JUDGE JOHNSON – November 10, 2015 at 9:55 a.m.**

From: 341 MEETING OF CREDITORS, October 26 & 28, 2015

**TO BE PLACED ON TRUSTEE'S PENDING LIST:**

- |                                                           |                                                                                                     |
|-----------------------------------------------------------|-----------------------------------------------------------------------------------------------------|
| 6. ERIKA GONZALEZ<br>15-5-2878 SLJ                        | ATTY – MOORE<br>OBJECTION BY – TRUSTEE                                                              |
| 7. KARLENA POSADA<br>15-5-2897 SLJ                        | ATTY – BOONE<br>OBJECTION BY – TRUSTEE                                                              |
| 8. DANIELLE MUNOZ<br>15-5-2912 SLJ                        | ATTY – BOONE<br>OBJECTION BY – TRUSTEE                                                              |
| 9. ROOSEVELT & LIONELA PRIESTER<br>15-5-2931 SLJ          | ATTY – HENSHAW<br>OBJECTION BY – TRUSTEE                                                            |
| 10. PHILLIP HARY &<br>AGNIESZKA PAWLICKI<br>15-5-2933 SLJ | ATTY – FULLER<br>OBJECTION BY – TRUSTEE, PENNYMAC,<br>AMERICREDIT FINANCIAL & SANTANDER<br>CONSUMER |
| 11. VIRGINIA FORD<br>15-5-2962 SLJ                        | ATTY – KIM<br>OBJECTION BY – FINANCIAL FREEDOM                                                      |

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

**Honorable Stephen L. Johnson  
Tuesday, November 10, 2015**

*Current as of 11/9/2015 at 3:06 PM*

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**San Jose Courtroom 3099**

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

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10:00 AM **15-53025** Ericson V. Morales and  
Ch 7 Maria Delores Morales  
Trustee: Kaelin

**Moving:** Halie Leonard

**Opposing:**

**Debtor or Plaintiff Attorney:** Charles B. Greene

**Matter:** **Motion for Relief from Stay RS #LSR-1038, Filed by The Bank of New York Mellon (8)**

**\*Cont to 11/24/15 at 10:00 per stipulated Order 11/9/15**

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10:00 AM **15-53073** Gwendolyn Hood Mills  
Ch 7  
Trustee: Poonja

**Moving:** Christina J. O

**Opposing:**

**Debtor or Plaintiff Attorney:** ProSe / None

**Matter:** **Motion for Relief from Stay (Unlawful Detainer) RS #CJO-554, Filed by Federal National Mortgage Association (11)**

**\*Case dismissed 10/30/15**

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10:00 AM **15-53077** Thomas Turner  
Ch 7  
Trustee: Poonja

**Moving:** Marisol A. Nagata

**Opposing:**

**Debtor or Plaintiff Attorney:** ProSe / None

**Matter:** **Motion for Relief from Stay (Unlawful Detainer) RS #EAT-1566, Filed by Bank of America, N.A. (14)**

**\*Case Dismissed 10/30/15**

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10:00 AM **15-53219**

Nano EDM, LLC

Ch 7

Trustee: Bowyer

**Moving:** Paul S. Avilla

**Opposing:**

**Debtor or Plaintiff Attorney:** Rattan Dev S. Dhaliwal

**Matter:** **Motion for Relief from Stay RS #1, Filed by Montego Development, LLC (7)**

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

**Honorable Stephen L. Johnson  
Tuesday, November 10, 2015**

*Current as of 11/9/2015 at 2:16 PM*

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**San Jose Courtroom 3099**

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

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10:15 AM **11-59558** Patrick J Gunning and  
Ch 13 Myrtle M. Gunning  
Trustee: Derham-Burk

**Moving:** Michael D. Lee

**Opposing:** Megan E. Lees

**Matter:** **a) Motion to Sell Real Property Located at 327 Pennsylvania Ave., Los Gatos, CA Filed by Debtor (75)**

**b) Opposition by Trustee (81)**

**c) Conditional Non-Opposition by U.S. Bank, N.A. (82)**

**\*Order shortening time**

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

**Honorable Stephen L. Johnson  
Tuesday, November 10, 2015**

*Current as of 11/9/2015 at 3:07 PM*

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**San Jose Courtroom 3099**

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

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10:30 AM **11-50149** Mark Steven McConville and  
Ch 13 Teresa Jane McConville  
Trustee: Derham-Burk

**Moving:** Halie Leonard

**Opposing:**

**Debtor or Plaintiff Attorney:** Robert L. Goldstein

**Matter:** a) **Motion for Relief from Stay RS #LSR-1020, Filed by U.S. Bank, N.A. (125)**

b) **Opposition by Debtor (131)**

**Comment** (fr 10/13)

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10:30 AM **11-50810** Gill Henry Schaper, Jr  
Ch 13  
Trustee: Derham-Burk

**Moving:** Samyel Geshgian

**Opposing:**

**Debtor or Plaintiff Attorney:** Ryan C. Wood

**Matter:** **Motion for Relief from Stay RS #LSR 1032, Filed by Wilmington Trust, N.A., et al (81)**

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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)**

**Comment** (fr 10/27)

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10:30 AM **13-54703** Evelyn Lopez Hernandez and  
Ch 13 Vicente Munoz Hernandez, Sr.  
Trustee: Derham-Burk

**Moving:** Megan E. Lees

**Opposing:**

**Debtor or Plaintiff Attorney:** Jennifer Reichhoff

**Matter:** **Motion for In Rem Relief from Stay RS #MEL-028, Filed by MTGLQ Investors, LP (65)**

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10:30 AM **13-56191** Ana S. Casillas  
Ch 13  
Trustee: Derham-Burk

**Moving:** Michelle R. Ghidotti-Gonsalves

**Opposing:**

**Debtor or Plaintiff Attorney:** Michael K. Mehr

**Matter:** **Motion for Relief from Stay RS #MRG-1, Filed by Wilmington Savings Fund Society, FSB (46)**  
**Comment** (fr 9/15, 10/13)

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10:30 AM **14-53525** Daniel James Spate  
Ch 13  
Trustee: Derham-Burk

**Moving:** Bethany Wojtanowicz

**Opposing:**

**Debtor or Plaintiff Attorney:** David A. Boone

**Matter:** **a) Motion for Relief from Stay RS #BAW-1, Filed by Nationstar Mortgage LLC (18)**

6

**b) Opposition by Debtor (27)**

**Comment** (fr 4/21, 5/5, 7/21, 9/22 pending sale)

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10:30 AM **14-54439** Hector B. Ibarra and  
Ch 13 Nereida Diaz Ibarra  
Trustee: Derham-Burk

**Moving:** Jennifer C. Wong

**Opposing:**

**Debtor or Plaintiff Attorney:** Marc Voisenat

**Matter:** **Motion for Relief from Stay RS #JCW-10163, Filed by U.S. Bank N.A. (71)**

7

**\*Statement of Non-Opposition filed by Debtor 11/9/15**

**Comment** (fr 10/13)

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10:30 AM **15-50317** James C. Pitre  
Ch 13  
Trustee: Derham-Burk

**Moving:** Megan E. Lees

**Opposing:**

**Debtor or Plaintiff Attorney:** David S. Henshaw

8

**Matter:** **Motion for Relief from Stay RS #MEL-027, Filed by WILMINGTON SAVINGS FUND SOCIETY (25)**

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10:30 AM **15-50778** Steven Thomas Sullivan  
Ch 13  
Trustee: Derham-Burk

**Moving:** Mark D. Estle

**Opposing:**

**Debtor or Plaintiff Attorney:** Andy C. Warshaw

9

**Matter:** **Motion for Relief from Stay RS #MDE-1595, Filed by The Bank of New York Mellon (27)**

**\*Stipulated APO submitted 11/9 - awaiting signature**

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10:30 AM **15-52221** Melissa E. Corbin and  
Ch 13 Gerald W. Corbin, Jr.  
Trustee: Derham-Burk

**Moving:** Darlene C. Vigil

**Opposing:**

**Debtor or Plaintiff Attorney:** Nina C. Decker

10

**Matter:** **Motion for Relief from Stay RS #JCW-10289, Filed by U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust (28)**

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10:30 AM **15-52449** Emad Ayyad  
Ch 13  
Trustee: Derham-Burk

**Moving:** Diane V. Weifenbach

**Opposing:**

**Debtor or Plaintiff Attorney:** Jason Vogelpohl

11

**Matter:** **Motion for Relief from Stay RS #DVW-001, Filed by U.S. Bank, N.A. (34)**

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

**Honorable Stephen L. Johnson  
Tuesday, November 10, 2015**

*Current as of 11/6/2015 at 2:12 PM*

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**San Jose Courtroom 3099**

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

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1:30 PM **15-05011** Poonja v. East West Bank  
† Ch 7  
13-50821 TWN Investment Group, LLC  
**Moving:** Gerald N. Sims  
**Opposing:** Michael J. Gomez

**Matter:** **a) Motion for Additional Findings and to Amend Order Granting in Part and Denying in Part Motion to Dismiss Filed by Defendant (25)**  
**b) Opposition by Plaintiff (27)**

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

**Honorable Stephen L. Johnson**

**Thursday, November 12, 2015**

*Current as of 11/6/2015 at 2:13 PM*

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**San Jose Courtroom 3099**

**U.S. Courthouse and Federal Bldg.**

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

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2:00 PM **15-05060** Oroshnik et al v. Shaw

† Ch 7

15-50656

Daniel Joseph Shaw and Amber June McClain Shaw

**Moving:** Vincent Renda

**Opposing:**

**Matter:** **Telephonic Case Management RE: First Amended Complaint for Non-Dischargeability of Debt Pursuant to 11 U.S.C. Sections 523(a)(4) and 523(a)(6) (9)**

**Atty for Pl - Vincent Renda (858) 819-0011**

**Atty for Defs - Ryan Penhallegon (408) 295-1700**

**\*Answer filed 10/29/15**

**Comment** (fr 8/27, 10/29)

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2:00 PM **15-05121** Fresh Packing Corporation v. Guicho, Jr.

† Ch 13

15-52349

Roberto Guicho

**Moving:**

**Opposing:**

**Matter:** **Telephonic Case Management Conference re Complaint (1)**

**Atty for Pl - Breck Milde (408) 299-1200**

**Atty for Def - Brette Evans (408) 298-8910**

**\*Answer filed 9/18/15**

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

**Honorable Stephen L. Johnson**

**Thursday, November 12, 2015**

*Current as of 11/9/2015 at 3:09 PM*

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**San Jose Courtroom 3099**

**U.S. Courthouse and Federal Bldg.**

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

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2:30 PM **15-05012** Poonja v. Tang

† Ch 7

13-50821

TWN Investment Group, LLC

**Moving:** Michael J. Gomez

**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 (559) 228-6700**

**Atty for Def Lap Tang - Dennis Yan (415) 867-5787**

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

**Comment** (fr 5/28, 6/25, 7/30, 9/24) **\*All defendants dismissed per Order 11/4/15 with exception of Lap Tang**

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2:30 PM **15-05091** JLL Consultants, Inc. v. Environmental Service Partners, 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 - Gregory Gentile (408) 287-6262**

**\*Amended Answer filed 9/29/15**

**Comment** (fr 9/24)

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2:30 PM **15-05094** JLL Consultants, Inc. v. Halliburton International Corp.  
† 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**

**Atty for Def - Laurie Chavez**

**\*OFF CALENDAR PER NOTICE OF DISMISSAL 11/6/15**

**Comment (fr 9/24)**

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2:30 PM **15-05095** JLL Consultants, Inc. v. Kap-Stone, 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 - Charles Greene (408) 279-3518**

**\*Amended Answer filed 10/26/15**

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2:30 PM **15-05096** JLL Consultants, Inc. v. Limex Sicar Ltd. Co.  
† 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**

**Comment (fr 9/24)**

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2:30 PM 15-05100 JLL Consultants, Inc. v. Producers Dairy Foods, 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]; and (3) Preservation of Avoided Transfers [11 U.S.C. § 551]

Atty for Pl - Eric D. Goldberg

Atty for Def - Michael Wilhelm  
\*Answer filed 8/13/15

**\*OFF CALENDAR PER STIPULATED DISMISSAL 11/6/15**

**Comment (fr 9/24)**

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2:30 PM 15-05102 JLL Consultants, Inc. v. Rowan Management Control Advisors, 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]; and (3) Preservation of Avoided Transfers [11 U.S.C. § 551]

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

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

**\*MTD scheduled for 11/24/15 1:30 PM**

**Comment (fr 9/24)**

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2:30 PM 15-05104 JLL Consultants, Inc. v. Talent Plus, 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

Attu fpr Def - James Powers (402) 341-3070

**Comment (fr 9/24)**

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2:30 PM **15-05107** JLL Consultants, Inc. v. Clover Stornetta Farms, 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) 796-555**

**Atty for Def - Belizabath Berke-Dreyfuss (510) 834-6600**

**Comment (fr 9/24)**

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2:30 PM **15-05089** JLL Consultants, Inc. v. Capitol Administrators, 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 - Michael Abelow - need phone number**

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2:30 PM **15-05076** AquaLegacy Development, LLC v. 2012 Canrow Owner, LLC et al  
† Ch 11  
14-50279 AquaLegacy Development, LLC

**Moving:**  
**Opposing:**

**Matter:** **Telephonic Case Management RE: First Amended Complaint For Breach of Written Contract; Alternatively, For Specific Performance; and for Promissory Estoppel**

**Atty for Pl - Gavin Kogan (831) 375-0131**

**Atty for Defs - Eric Schaffer (925) 939-5300**

**\*MTD scheduled for 11/24/15 at 1:30 p.m.**

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2:30 PM **14-05039** Bowyer v. Nguyen et al  
† Ch 7  
14-50354 Thuan-Vu Dinh Ho

**Moving:** Marlene G. Weinstein

**Opposing:**

12

**Matter:** **Telephonic Case Management Conference re First Amended Complaint for Injunctive Relief, to Avoid Fraudulent Transfers, to Avoid Post-Petition Transfers, for an Accounting and Turnover of Property of the Estate and for Declaratory Relief (41)**

**Atty for Pl - Marlene G. Weinstein (925) 942-5115**

**Atty for Defs - Michael Chinh Vu (408) 288-7400**

**\*Ans. to First Amended Complaint filed by all Def's 7/16/14**

**Comment (fr 7/30, 9/24) \*SETTLEMENT ORDER 6/5/15 DOC #68, pending resolution**

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2:30 PM **15-05033** McGee v. Great Lakes Higher Education Corporation et al  
† Ch 7  
14-55059 Pamela Quinn McGee

**Moving:**

**Opposing:**

13

**Matter:** **Telephonic Case Management Conference re Complaint to Determine Dischargeability of Student Loan §523(a)(8)**

**Atty for Pl - Pro Per**

**Atty for Def - Miriam Hiser (415) 345-9234**

**\*Answer filed 5/11/15**

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