

HONORABLE STEPHEN JOHNSON, CALENDAR FOR TUESDAY, JANUARY 24, 2017, AT 9:55 A.M.

Courtroom: 3099

Courtroom Deputy: Tanya Bracegirdle

Court Recorder:

Law Clerk: Laurent Chen

**SEE ATTACHED CHAPTER 13
UNCONTESTED AND CONTESTED
CONFIRMATION CALENDAR**

UNCONTESTED CALENDAR – CONFIRMATION ADVANCED PER RESOLUTION

JUDGE JOHNSON, Tuesday, January 24, 2017 at 9:55 a.m.

With respect to the following cases, objections were filed and subsequently withdrawn; therefore, the Court confirms the plans in the following cases:

The plans in the following cases shall be **CONFIRMED**:

1. FRANK VARGAS
16-50842 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 early hearings have been filed; therefore, the following plans are either confirmed or the cases are being placed on the Trustee's Pending List:

**INITIAL CONFIRMATION CALENDAR FOR CASES
WITH NO OUTSTANDING OBJECTIONS**

JUDGE JOHNSON, Tuesday January 24, 2017 at 9:55 a.m.

From: 341 Meetings of Creditors, January 9, 2017

The following cases shall be **CONFIRMED**:

2. NADINE SERBANTES
16-53289 SLJ

ATTY – GOLD & HAMMES

**INITIAL CONFIRMATION CALENDAR FOR CASES
WITH OUTSTANDING OBJECTIONS**

JUDGE JOHNSON, Tuesday January 24, 2016 at 9:55 a.m.

From: 341 Meetings of Creditors, January 9, 2017

TO BE PLACED ON TRUSTEE'S PENDING LIST:

- | | |
|---|---|
| 3. WENDELL & PATRICIA LEROY
16-53291 SLJ | ATTY – BOONE
OBJECTION BY – TRUSTEE |
| 4. JENNIFER HOFFMAN
16-53292 SLJ | ATTY – CENTRAL COAST
OBJECTION BY – TRUSTEE |
| 5. JULIAN & DESIREE ZAMORA
16-53301 SLJ | ATTY – BOONE
OBJECTION BY – TRUSTEE |
| 6. NABIL AHMED
16-53305 SLJ | ATTY – SEABROOK
OBJECTION BY – TRUSTEE & SANTA
CLARA COUNTY FEDERAL CREDIT
UNION |
| 7. ROCHELLE GRENZER
16-53306 SLJ | ATTY – CHIPSER
OBJECTION BY – TRUSTEE |
| 8. EVA LOPEZ
16-53333 SLJ | ATTY – PHAN LAW
OBJECTION BY – TRUSTEE |

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

Honorable Stephen L. Johnson

Tuesday, January 24, 2017

Current as of 1/20/2017 at 10:46 AM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

10:00 AM **15-50107** Elazer Masada Pineiro and
Ch 13 Bahareh Abbaspour Pineiro
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: Norma L. Hammes

Matter: **MOTION TO ALLOW PURCHASE OF REAL PROPERTY Filed by Debtor (23)**

1

***Order shortening time**

10:00 AM **16-52378** Boom Limo LLC
Ch 11

Moving: John H. Kim

Opposing:

Debtor or Plaintiff Attorney: Raymond R. Miller

Matter: **Motion for Relief from Stay 2015 Mercedes-Benz M2PV170 Van, VIN: WDZPE8CC8F5986099 / 2015 Mercedes-Benz M3CA170E Van, VIN: WD3PF4CB8F5954339 RS #JHK-379, Filed by Mercedes-Benz Financial Services USA LLC (68)**

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

Honorable Stephen L. Johnson

Tuesday, January 24, 2017

Current as of 1/20/2017 at 9:56 AM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

10:30 AM **12-54462** Albert Hernandez and
Ch 13 Cecilia Hernandez
Trustee: Derham-Burk

Moving: Jonathan Cahill

Opposing:

Debtor or Plaintiff Attorney: Scott J. Sagaria

Matter: **Motion for Relief from Stay RS #JCC-220, Filed by Deutsche Bank National Trust Company (150)**

***Stipulation for AP fld 1/20 - awaiting signed order**

10:30 AM **14-51851** Lori A. Tostado
Ch 13
Trustee: Derham-Burk

Moving: Austin P. Nagel

Opposing:

Debtor or Plaintiff Attorney: James S.K. Shulman

Matter: **Motion for Relief from Stay RS #APN-2980, Filed by Mid Town Plaza (19)**

Comment (fr 1/24 pending APO)

10:30 AM **15-53705** Alan Roy Alpert
Ch 13
Trustee: Derham-Burk

Moving: Erin M. McCartney

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: **Motion for Relief from Stay 234 Wave Crest Ave, Santa Cruz, CA 95060 RS #EMM-16212, Filed by Wilmington Trust, N.A. (49)**

Comment (fr 11/15, 12/6)

10:30 AM **16-50790** Karen Louise Quesada
Ch 13
Trustee: Derham-Burk

Moving: Daniel K. Fujimoto

Opposing:

Debtor or Plaintiff Attorney: James S.K. Shulman

4

Matter: **Motion for Relief from Stay RS #ASW-2929, Filed by Bank of New York Mellon (19)**
Comment (fr 12/6, 1/3 pending APO)

10:30 AM **16-51922** Yunling Wu
Ch 13
Trustee: Derham-Burk

Moving: Dane Wyatt Exnowski

Opposing:

Debtor or Plaintiff Attorney: Lars T. Fuller

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Matter: **Motion for Relief from Stay RS #DWE-19, Filed by U.S. Bank N.A. (31)**

10:30 AM **16-53184** Tiffany Phuong-Thao Tran
Ch 13
Trustee: Derham-Burk

Moving: Stanley Phan

Opposing:

Debtor or Plaintiff Attorney: Stanley Phan

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Matter: **a) Motion to Extend Automatic Stay Filed by Debtor (14)**

b) Opposition by CAM IX Trust (18)

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

Honorable Stephen L. Johnson

Wednesday, January 25, 2017

Current as of 1/20/2017 at 9:59 AM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

10:00 AM **11-54357** Richard Steven Louie and
Ch 7 Stephanie Yinman Chan
Trustee: Wu

Moving: Mark Bostick

Opposing:

Debtor or Plaintiff Attorney: Neil Ison

Matter: a) **Notice of Hearing on Trustee's Final Account (Carol Wu) & Application for Compensation of Fees: \$35,768.61 & Reimbursement of Expenses: \$135.83**

b) **Second & Final Application for Compensation of Fees: \$87,081.50 plus \$4,000.00 in fees from First Interim Application 91,081.50 & Reimbursement of Expenses: \$2,147.11 by Wendel Rosen Black & Dean, Counsel to Trustee (308)**

c) **First & Final Application for Compensation of Fees: \$36,739.00 & Reimbursement of Expenses: \$199.92 by Michael Gabrielson, Accountant to Trustee (307)**

10:00 AM **14-52603** Patricia Sepulveda
Ch 7
Trustee: Kaelin

Moving:

Opposing:

Debtor or Plaintiff Attorney: Lars T. Fuller

Matter: a) **Notice of Hearing on Trustee's Final Account (Doris A. Kaelin) & Application for Compensation of Fees: \$2,813.43 & Reimbursement of Expenses: \$14.49**

b) **Final Application for Compensation of Fees: \$9,416.75 & Reimbursement of Expenses: \$468.59 by Dentons US LLP, Counsel to Trustee (41)**

c) **Application for Compensation of Fees: \$1,636.00 & Reimbursement of Expenses: \$77.16 by Kokjer, Pierotti, Maiocco & Duck LLP, Accountant to Trustee (45)**

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10:00 AM **16-50817** Edward D. Clements
Ch 7
Trustee: Kaelin
Moving: Doris A. Kaelin
Opposing:
Debtor or Plaintiff Attorney: Gemma Reyes

3

Matter: a) **Notice of Hearing on Trustee's Final Account (Doris A. Kaelin) & Application for Compensation of Fees: \$22,300.00 & Reimbursement of Expenses: \$0.00**

b) **Final Application for Compensation of Fees: \$5,715.00 & Reimbursement of Expenses: \$208.30 by Gordon & Rees LLP, Counsel to Trustee (49)**

c) **Application for Compensation of Fees: \$1,870.00 & Reimbursement of Expenses: \$86.09 by Kokjer, Pierotti, Maiocco & Duck LLP, Accountant to Trustee (49)**

10:00 AM **16-52108** Far Western Graphics, Inc.
Ch 7
Trustee: Poonja
Moving: Lars T. Fuller
Opposing: Gregg S. Kleiner
Debtor or Plaintiff Attorney: Lars T. Fuller

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Matter: a) **Application for Compensation of Fees: \$36,812.00 & Reimbursement of Expenses: \$831.54 Filed by The Fuller Law Firm, P.C. (130)**

b) **Limited Objection by Trustee (132)**

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

**Honorable Stephen L. Johnson
Wednesday, January 25, 2017**

Current as of 1/24/2017 at 1:13 PM

San Jose Courtroom 3099

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

1:00 PM **15-53562** Laura A. Gens
Ch 11

Moving: Dean G. Rallis Jr.

Opposing: Lars T. Fuller

Matter: a) **Motion to Dismiss Case or Convert Case to Chapter 7 Filed by WELLS FARGO BANK, N.A. (130)**

b) **Opposition by Debtor (153)**

c) **Motion for Allowance of Postpetition Interest, Attorney's Fees & Costs Under 11 U.S.C. §506(b) Filed by WELLS FARGO BANK, N.A. (132)**

d) **Opposition by Debtor (156)**

e) **Status Conference (8) (Last MOR 11/16) (fr 2/4, 3/3, 4/7, 6/2, 8/11, 10/6, 1/6)**

1:00 PM **16-53488** Donna Y Beronia
Ch 13
Trustee: Derham-Burk

Moving:

Opposing:

Matter: **Order to Show Cause Re: Disgorgement of Fees and/or Sanctions (RE: related document(s)1 Voluntary Petition (Chapter 13) filed by Debtor Donna Y Beronia). Show Cause hearing scheduled for 1/4/2017 at 02:00 PM at San Jose Courtroom 3099 - Johnson. (yw)**

1:00 PM **17-50039** Los Gatos Bicycles, LLC
Ch 7
Trustee: Poonja

Moving: Gregg S. Kleiner

Opposing:

Matter: **Motion to (I) Sell Personal Property by Auction and (II) Pay Auctioneer Commission and Costs Filed by Mohamed Poonja (7)**

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

Honorable Stephen L. Johnson

Wednesday, January 25, 2017

Current as of 1/20/2017 at 10:00 AM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

1:30 PM **16-52975** Jorge Isaac Mendoza Meyer
Ch 7
Trustee: Hjelmset

Moving:

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: [Hearing Regarding Reaffirmation Agreement with Mechanics Bank \(11\)](#)

Comment [Objection to Discharge deadline: 1/23/17](#)

1

1:30 PM **16-53151** Ryan Robert Eugene Roach and
Ch 7 Michelle Roach
Trustee: Barris

Moving:

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: [Hearing Regarding Reaffirmation Agreement filed by Creditor Snap-On Credit LLC \(13\)](#)

Comment [Objection to Discharge deadline: 1/30/17](#)

2

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

Honorable Stephen L. Johnson

Thursday, January 26, 2017

Current as of 1/20/2017 at 10:01 AM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

1:30 PM **16-05014** Lonaker v. Eiffel Financial, LLC

† Ch 13

15-53948

Myriam Lonaker

Moving: Saman Taherian

Opposing: Richard Sontag

Matter: **Pre-Trial Conference RE: First Amended Complaint for Quiet Title and Declaratory Relief (4)**

Comment **Trial 2/7/17**

1

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

Honorable Stephen L. Johnson

Thursday, January 26, 2017

Current as of 1/20/2017 at 10:02 AM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

2:00 PM **16-05020** Johal et al v. California State Board of Equalization

† Ch 7

12-51264

Amrik Singh Johal and Kuldip Kaur Johal

Moving:

Opposing:

Matter: **Order Setting Case Management Conference re Complaint to Determine Dischargeability of Debt**

Comment **Trial scheduled for 3/6/17**

1

2:00 PM **16-05073** Hjelmeset v. Cypress Pacific, LLC et al

† Ch 7

14-54433

Cypress Manor Residential Care Homes, Inc.

Moving:

Opposing:

Matter: **Telephonic Case Management RE: Complaint (1) To Avoid Preferential Transfers of Personal Property; (2) To Avoid Fraudulent Transfers of Personal Property; (3) To Determine Liability For Avoided Transfers; (4) For Turnover; (5) For Imposition of Constructive Trust; (6) For Imposition of Resulting Trust; (7) For Imposition of Equitable Lien; (8) For Declaratory Relief; And (9) For Breach of Fiduciary Duties of Care, Loyalty And Good Faith**

Atty for Pl - Mariam Marshall (925) 446-4546

Atty for Defs - David Henshaw (408)533-1075

***Answers filed 11/21/16**

2

2:00 PM 16-05079

Hjelmeset v. Hung et al

† Ch 7

16-52004

Luxul Technology, Inc.

Moving:

Opposing:

Matter: Telephonic Case Management RE: Complaint FOR: 1. Breach of Fiduciary Duty 2. Abuse of Control 3. Corporate Waste 4. Unjust Enrichment

Atty for Pl - Todd M. Schneider (415) 421-7100

Atty for Def Teresa Cheng-Hung- Cathay Ericksen (408) 287-7717

***Answer filed 11/11/16**

Atty for Def Lyle Bentley - Pro Se (707) 815-2824

***Answer filed 12/5/16; Amd Answer fld 12/23/16**

Atty for Def Cheng Hung aka James Pan - Pro Se (650) 387-0554

***Answer filed 12/5/16; Amd Answer fld 12/23/16**

Atty for Def Jackie Yang - Jonathan Shenson

Comment PI has motion to amend complaint set for 2/14/17 at 1:30pm

3

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

Honorable Stephen L. Johnson

Thursday, January 26, 2017

Current as of 1/20/2017 at 10:02 AM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

2:30 PM **16-05033** Paphodorou v. Tan et al
† Ch 11
10-51074 Chau Do Papatheodorou

Moving:
Opposing:

Matter: Telephonic Case Management RE: Complaint to Determine Validity of Lien, for Declaratory Relief and Damages for Violation of the Automatic Stay (11 U.S.C. § 105, 362(k), 506)

1

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

Comment (fr 10/19)

2:30 PM **13-05154** Hjelmeset v. Higashi et al
† Ch 7
11-60198 CT Drives, LLC

Moving:
Opposing:

Matter: Telephonic Case Management RE: Complaint For Recovery of Avoidable Transfers, Conversion & Breach of Fiduciary Duty

2

Atty for Pl - Peter Bronson (916) 444-1110

Atty for Def - William Milks (650) 930-6780

***Answer fld 12/3/13**

Comment (fr 10/29, 3/22, 4/28, 11/10)

2:30 PM **14-05123** Dunham v. Dunham
† Ch 13
14-53051 Meghan Elaine Dunham

Moving:
Opposing:

Matter: Telephonic Case Management RE: Complaint to Determine Dischargeability of Debt (11 U.S.C. 523(a)(4), (5), (6), and (15))

Atty for Pl - David Rao (408) 295-1700

Atty for Def - Leela Menon (408) 291-6000

***Answer fld 12/4/14**

Comment (fr 9/24, 2/25, 8/25)

2:30 PM **16-05052** Future Investment America, Inc. et al v. Christopher Hyun Lim
† Ch 7
16-50986 Christopher Hyun Lim

Moving:
Opposing:

Matter: Telephonic Case Management RE: Complaint to Determine Nondischargeability of a Debt and Objection to Discharge

Atty for Pl - Sidney Sohn (818) 287-7020

Atty for Def - Hector Vega (818) 232-5600

Comment (fr 8/23, 10/19)

2:30 PM **16-05066** Ro et al v. Bank of the West
† Ch 11
16-51961 Munhyeon Ro and Jeong Hee Ro

Moving:
Opposing:

Matter: Telephonic Case Management RE: Complaint To Set Aside Preferential Transfer

Atty for Pl - Lars Fuller (408) 295-5595

Atty for Def - Stephen Kottmeier (408) 286-9800

***Answer fld 10/13/16**

Comment (fr 11/10)

3

4

5