

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

Honorable Stephen L. Johnson

Monday, July 18, 2016

Current as of 7/15/2016 at 1:50 PM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

1:30 PM **15-05109** Uncle Credit Union v. Heinz, Jr.

† Ch 7

15-51313

Charles Francis Heinz, Jr

Moving: Amanda Ferns

Opposing: Gerard D. Launay

Matter: **Pre-Trial Conference RE: Complaint to Determine Non-Dischargeability of Debt And for Entry of Judgment for Possession and Money (11 U.S.C. §523(a)(6) and 11 U.S.C. , 523(a)(2)(A) and (B)**

Comment ***One day trial scheduled for 7/22/16 at 9:00 AM**

1

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

Honorable Stephen L. Johnson

Monday, July 18, 2016

Current as of 7/15/2016 at 1:51 PM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

280 S 1st Street

San Jose, CA 95113

2:30 PM **16-05004** Lane v. The Bank of New York Mellon et al

† Ch 13

11-54766

Richard R. Lane

Moving:

Opposing:

Matter: **Telephonic Case Management RE: Complaint For Declaration That Deed of Trust is Void and For Its Reconveyance**

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

Atty for Defs - Edward Schloss (310) 733-4488

***Answer filed 2/8/16**

Comment (fr 4/28) *Motion for Summary Judgment set for 8/9/16

2:30 PM **15-05167** Smith v. Shaw

† Ch 7

15-50656

Daniel Joseph Shaw and Amber June McClain Shaw

Moving:

Opposing:

Matter: **Telephonic Case Management Conference re Second Amended Complaint (9)**

Atty for Pl - Pro Per

Atty for Def - David Rao

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

***CONT TO 7/19/16 AT 1:30 PER ORDER OF 7/11/16 TO TRAIL MOTION TO DISMISS**

Comment *727 in original complaint not dismissed; **fee not pd for 2nd amd complaint filed 5/26/16

1

2

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

Honorable Stephen L. Johnson

Tuesday, July 19, 2016

Current as of 7/15/2016 at 1:52 PM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

10:00 AM **15-52905**

Suzanne Marie Taylor

Ch 11

Moving: Kelly Raftery

Opposing:

Debtor or Plaintiff Attorney: Craig V. Winslow

Matter: [**Motion for Relief from Stay RS #KMR-10378, Filed by U.S. Bank NA. \(78\)**](#)

1

10:00 AM **16-50695**

Jayanthi Swaminath

Ch 11

Moving: Caren Castle

Opposing:

Debtor or Plaintiff Attorney: Scott J. Sagaria

Matter: [**Motion for Relief from Stay RS #ASW- 2903, Filed by Bosco Credit LLC \(38\)**](#)

2

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

Honorable Stephen L. Johnson

Tuesday, July 19, 2016

Current as of 7/15/2016 at 1:52 PM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

10:30 AM **12-52426** Balronia Peralta Schultz

Ch 13

Trustee: Derham-Burk

Moving: Michelle R. Ghidotti-Gonsalves

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: [Motion for Relief from Stay RS #MRG-1, Filed by Wilmington Savings Fund Society, FSB \(44\)](#)

Comment (fr 5/17, 5/31, 6/20)

10:30 AM **12-53936** EmanyLou Manalo and

Ch 13

Arthur Manalo

Trustee: Derham-Burk

Moving: Mark D. Estle

Opposing:

Debtor or Plaintiff Attorney: Michael K. Mehr

Matter: [Motion for Relief from Stay RS #MDE-1685, Filed by Toyota Motor Credit Corporation \(53\)](#)

[*Trustee's statement filed 6/1/16](#)

Comment (fr 6/14)

10:30 AM **12-56948** Antonio Dones Arcal

Ch 13

Trustee: Derham-Burk

Moving: Brandye N. Foreman

Opposing:

Debtor or Plaintiff Attorney: Scott J. Sagaria

Matter: [Motion for Relief from Stay RS #EAT-1624, Filed by Wells Fargo Bank, N.A. \(63\)](#)

[*Trustee's Statement filed 6/21/16](#)

10:30 AM **13-51174** Mohamed Audei Sulieman Al-Dada and
Ch 13 May Al-Dada
Trustee: Derham-Burk

Moving: Jennifer C. Wong

Opposing:

Debtor or Plaintiff Attorney: Henry G. Rendler

4

Matter: **Motion for Relief from Stay RS #JCW-10372, Filed by JPMorgan Chase Bank, N.A. (59)**

10:30 AM **13-52927** Tai V. Vo
Ch 13
Trustee: Derham-Burk

Moving: Darren J. Devlin

Opposing:

Debtor or Plaintiff Attorney: Teresa Thu Huong Nguyen

5

Matter: **a) Motion for Relief from Stay RS # DJD-001, Filed by Seterus, Inc. (47)**

b) Objection filed by Debtor (49)

***Off calendar - motion withdrawn 7/14/16**

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

Moving: Erica Loftis

Opposing:

Debtor or Plaintiff Attorney: Jennifer Reichhoff

6

Matter: **Motion for Relief from Stay RS #ETL-1549, Filed by The Bank of New York Mellon (72)**

***Declaration of Non-Opposition filed by Debtor 7/8/16**

10:30 AM **13-55411** Shawn Lynette Hegarty
Ch 13
Trustee: Derham-Burk

Moving: Diana Torres-Brito

Opposing:

Debtor or Plaintiff Attorney: Michael K. Mehr

7

Matter: **Motion for Relief from Stay RS #LSR-1090 and from Co-Debtor Stay Filed by Nationstar Mortgage, LLC (60)**

Comment (fr 5/17, 6/14)

10:30 AM **13-55839** Vaafuti Fatilua and
Ch 13 Makerita Keleofa Fatilua
Trustee: Derham-Burk

Moving: Angie Marie Marth

Opposing:

Debtor or Plaintiff Attorney: C. Anthony Hughes

Matter: **a) Motion for Relief from Stay RS #AMM-029, Filed by THE BANK OF NEW YORK MELLON (38)**

b) Opposition by Debtor (40)

Comment (fr 6/20)

10:30 AM **14-51058** David A. Toulon and
Ch 13 Marcy A. Toulon
Trustee: Derham-Burk

Moving: Daniel K. Fujimoto

Opposing:

Debtor or Plaintiff Attorney: W. Kirk Moore

Matter: **Motion for Relief from Stay RS #ASW-2886, Filed by U.S. Bank NA, (71)**

***Stipulated APO submitted 7/14 - awaiting signed order**

Comment (fr 5/31 pending APO)

10:30 AM **14-52119** Nestor Baysa Constantino
Ch 13
Trustee: Derham-Burk

Moving: Nichole Glowin

Opposing:

Debtor or Plaintiff Attorney: Vinod Nichani

Matter: **Motion for Relief from Stay regarding property address: 1905 Baker Place, San Jose, CA 95131 RS #NLG-1, Filed by U.S. Bank, N.A. (86)**

10:30 AM **14-52907** John S. Jimenez, Jr.
Ch 13
Trustee: Derham-Burk

Moving: Gilbert R. Yabes

Opposing:

Debtor or Plaintiff Attorney: Marc Voisenat

Matter: **Motion for Relief from Stay RS #GRY-059 and from Co-Debtor Stay Filed by JPMorgan Chase Bank, N.A. (43)**

Comment (fr 5/31, 6/20 pending APO)

8

9

10

11

10:30 AM **14-53395** Susan Hollowell Raskin
Ch 13
Trustee: Derham-Burk

Moving: Christina J. O

Opposing:

Debtor or Plaintiff Attorney: Norma L. Hammes

12

Matter: **a) Restored Motion for Relief from Stay RS #CJO-454, Filed by Bank of America, N.A. (24)**

b) Opposition by Debtor (33)

Comment (fr 5/17)

10:30 AM **14-54416** Al Elfido Silvas
Ch 13
Trustee: Derham-Burk

Moving: Mark D. Estle

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

13

Matter: **Motion for Relief from Stay RS #MDE-1634, Filed by The Bank of New York Mellon (48)**

***Stipulated APO submitted 7/14 - awaiting signed order**

Comment (fr 6/14)

10:30 AM **15-50920** Ruben Martinez Munoz and
Ch 13 Christina Rose Casanova
Trustee: Derham-Burk

Moving: Edward A. Treder

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

14

Matter: **Motion for Relief from Stay RS #EAT-1629, Filed by U.S. Bank N.A. (20)**

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

Moving: Jennifer Wang

Opposing:

Debtor or Plaintiff Attorney: W. Kirk Moore

15

Matter: **Motion for Relief from Stay RS #JHW-896, Filed by Mercedes-Benz Financial Services USA LLC (38)**

Comment (fr 6/14 pending APO)

10:30 AM **15-51216** Nghiem Tan Nguyen
Ch 13
Trustee: Derham-Burk

Moving: Mark D. Estle

Opposing:

Debtor or Plaintiff Attorney: Stanley Phan

16

Matter: **Motion for Relief from Stay RS #CJO-616 And Co-Debtor Stay, Filed by Specialized Loan Servicing LLC (57)**

Comment (fr 6/14)

10:30 AM **15-54015** Kim Narog
Ch 13
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: Adam Hauf

17

Matter: **a) Motion for Relief from Stay RS #EAT-1611 and Co-Debtor Stay, Filed by The Bank of New York Mellon (Located at: 17411 Avenida Los Altos, Prunedale, CA 93907) (59) (Brandye Foreman)**

b) Opposition by Debtor (72)

c) Motion for Relief from Stay RS #EAT-1610, Filed by U.S. Bank N.A. (Located at 1185 Quail Ridge Way, Hollister, CA 95023) (61) (Brandye Foreman)

d) Motion for Relief from Stay RS #JCW-10456, Filed by Wells Fargo Bank, N.A. (Located at: 1255 Lions Peak Ln, San Martin, CA 95046-9478) (76) (Jennifer Wong)

e) Motion for Relief from Stay Filed by Meritage Homeowners Association, Quail Creek Estates Mutual Water Company (40) - (David Draper & James McDaniel)

f) Objection and Response by Debtor (66)

g) Motion for Relief from Stay RS #MDE-1663, Filed by THE BANK OF NEW YORK MELLON (Located at: 4680 Meritage Ct, Gilroy) (47) (Mark Estle)

Comment (fr 6/14)

10:30 AM **16-50219** Brenda C. Brillantes
Ch 13
Trustee: Derham-Burk

Moving: Edward A. Treder

Opposing:

Debtor or Plaintiff Attorney: Lars T. Fuller

18

Matter: **Motion for Relief from Stay RS #EAT-1630 and Relief from Co-Debtor Stay Filed by Wells Fargo Bank, N.A. (32)**

10:30 AM **16-50404** Romeo Mallari
Ch 13
Trustee: Derham-Burk
Moving: Erica Loftis
Opposing:
Debtor or Plaintiff Attorney: Paul Seabrook

Matter: **Motion for Relief from Stay RS #ETL-1543, Filed by CIT Bank, N.A. (35)**

***Dismissed 6/9/16**

19

10:30 AM **16-50478** Kimberly W Davis
Ch 13
Trustee: Derham-Burk
Moving: Diana Torres-Brito
Opposing:
Debtor or Plaintiff Attorney: Stanley Phan

Matter: **a) Motion for Relief from Stay RS #LSR 1101, Filed by The Bank of New York Mellon, et al (22)**

b) Objection by Debtor (26)

Comment (fr 5/31, 6/20)

20

10:30 AM **16-50757** Lisa Foster
Ch 13
Trustee: Derham-Burk
Moving: Kaipo K.B. Young
Opposing:
Debtor or Plaintiff Attorney: Lars T. Fuller

Matter: **a) Motion For Relief From Stay and Co-Debtor Stay (2013 Ford Escape) RS #KKY-001, Filed by Operating Engineers Federal Credit Union (21)**

b) Motion For Relief From Stay and Co-Debtor Stay (2009 Ford F250). RS #KKY-002, Filed by Operating Engineers Federal Credit Union (22)

c) Motion For Relief From Stay and Co-Debtor Stay (2012 Mercedes Benz E350) RS #KKY-003, Filed by Operating Engineers Federal Credit Union (24)

Comment (fr 6/20)

21

10:30 AM **16-50863** Robert Carbajal Lopez and
Ch 13 Mafi Halaapiapi Lopez
Trustee: Derham-Burk

Moving: Breck E. Milde

Opposing:

Debtor or Plaintiff Attorney: Stanley A. Zlotoff

22

Matter: **a) Motion for Relief from Stay RS #BEM-1, Filed by William Chang (18)**

b) Response by Debtor (26)

***Trustee's Statement fld 6/1/16**

Comment (fr 6/14)

10:30 AM **16-51867** David E. Waller and
Ch 13 Kristine D. Waller
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: William W. Winters

23

Matter: **Motion to Extend Automatic Stay As to All Creditors Filed by Debtor (11)**

10:30 AM **16-51919** Irma Edi Hernandez
Ch 13
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: W. Kirk Moore

24

Matter: **Motion to Extend Automatic Stay Filed by Debtor (9)**

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

Honorable Stephen L. Johnson

Tuesday, July 19, 2016

Current as of 7/15/2016 at 1:54 PM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

1:30 PM **15-05140** Huynh v. Huynh et al

† Ch 13

11-57856

Bong Huynh

Moving: Saman Taherian

Opposing:

Matter: **Motion to Dismiss Party Defendant Anh Hung Huynh without prejudice Filed by Plaintiff (17)**

Comment *CMC 8/23/16 at 2:30 PM

1:30 PM **15-05167** Smith v. Shaw

† Ch 7

15-50656

Daniel Joseph Shaw and Amber June McClain Shaw

Moving: David B. Rao

Opposing:

Matter: **a) Motion to Dismiss Complaint for Failure to State a Claim Upon Which Relief Can Be Granted or, Alternatively, for a More Definite Statement (F.R.C.P.12(b)(6); 12(e)) Filed by Defendant (12)**

b) Case Management Conference re Second Amended Complaint (9) (cont fr 7/18)

Atty for Pl - Pro Per

Comment *Answer filed 10/29/15

1:30 PM **16-05029** Yee v. Green Tree et al

† Ch 13

15-51339

Dolores Yee

Moving: Dolores Yee

Opposing: Christopher O. Rivas

Matter: **a) Motion to Cancel Dismissal and Enter Judgment for Bankruptcy Fraud, or, Alternatively, for a More Definite Statement Filed by Defendant (9)**

b) Order to Show Cause re: Dismissal (19)

c) Response by Defendant (30)

d) Case Management RE: Complaint Motion to Cancel Dismissal and Enter Judgment for Bankruptcy Fraud

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

Honorable Stephen L. Johnson

Wednesday, July 20, 2016

Current as of 7/15/2016 at 1:55 PM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

1:30 PM **15-52917** Toan Minh Mong Le and
Ch 7 Thuy Thu Nguyen
Trustee: Bowyer

Moving:

Opposing:

Debtor or Plaintiff Attorney: Stanley Phan

Matter: **Notice of Hearing on Trustee's Final Account (Kari S. Bowyer) & Application for Compensation
for Fees: \$1,138.10 & Reimbursement of Expenses: \$17.67**

1

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

Honorable Stephen L. Johnson

Wednesday, July 20, 2016

Current as of 7/15/2016 at 1:56 PM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

2:00 PM **16-50570** Peter DeLeon Rodil

Ch 7

Trustee: Bowyer

Moving: Jon G. Brooks

Opposing:

Matter: [Motion for Damages for Violation of Automatic Stay \(11 U.S.C. §362\(d\)\) Filed by Debtor \(10\)](#)

[Atty for County of Santa Clara Revenue Dept - Sara Ponzio](#)

Comment (fr 6/8)

2:00 PM **16-50827** Thanh Van Do

Ch 11

Moving: Lynette C. Kelly

Opposing:

Matter: [Motion to Dismiss Case Under 11 U.S.C. § 1112\(b\) Filed by Office of the U.S. Trustee/SJ \(44\)](#)

[*Non-Opposition fld by Debtor 6/9/16](#)

2:00 PM **16-51415** David Dao

Ch 7

Trustee: Bowyer

Moving: Teresa Thu Huong Nguyen

Opposing:

Matter: [Motion to Dismiss Chapter 7 Case Filed by Debtor \(8\)](#)

2:00 PM **16-51615** Peter Abrigo Laureto

Ch 7

Trustee: Kaelin

Moving: Jon G. Brooks

Opposing:

Matter: [Motion to Dismiss Voluntary Chapter 7 Case Filed by Debtor \(8\)](#)

2:00 PM **16-51672** Maria Gomez
Ch 7
Trustee: Hjelmset

Moving:

Opposing:

Matter: **Order to Show Cause for Dismissal of Case and Contempt Against Counsel, Howard Levine (14)**

5

2:00 PM **16-51869** Travone Edwards
Ch 7
Trustee: Richardson

Moving:

Opposing:

Matter: **Order to Show Cause RE: Dismissal And Setting Hearing On Application For Waiver Of Filing Fee (8)**

6

2:00 PM **16-51871** Leon D Cozy
Ch 7
Trustee: Bowyer

Moving:

Opposing:

Matter: **a) Order re Hearing On Debtor's Application for Waiver of the Chapter 7 Filing Fee (7)**
b) Order to Show Cause RE: Dismissal Of Case And Contempt Against Counsel Howard Levine (12)

7

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

Honorable Stephen L. Johnson

Thursday, July 21, 2016

Current as of 7/15/2016 at 1:58 PM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

11:45 AM **15-52210**
Ch 11

Eric Thomas Peters and
Sherry Lynn Peters

Moving: Jason Vogelpohl

Opposing:

Matter: **a) Status Conference (7) (Last MOR 5/16)**

**b) Hearing on Confirmation of Combined Plan of Reorganization and Disclosure Statement
Dated 02/04/16 (57)**

Final Decree Deadline:

Comment (fr 4/7, 5/5, 6/2)

1

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

Honorable Stephen L. Johnson

Thursday, July 21, 2016

Current as of 7/15/2016 at 1:58 PM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

1:00 PM **16-50730** Serafin Mendez Lopez and
Ch 13 Maria Christina Lopez
Trustee: Derham-Burk

Moving: David A. Boone

Opposing: Sheila Blecher Kuniyoshi

Matter: **Half Day Trial**

a) Motion to Void & Strip Lien of Sheila Blecher Kuniyoshi Filed by Debtor (11) (fr 4/21 pending resolution)

b) Objection by Sheila Blecher Kuniyoshi (22)

1

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

Honorable Stephen L. Johnson

Friday, July 22, 2016

Current as of 7/15/2016 at 1:59 PM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

9:00 AM **15-05109** Uncle Credit Union v. Heinz, Jr.

† Ch 7

15-51313

Charles Francis Heinz, Jr

Moving: Amanda Ferns

Opposing: Gerard D. Launay

Matter: **Trial (One Day) RE: Complaint to Determine Non-Dischargeability of Debt And for Entry of Judgment for Possession and Money (11 U.S.C. §523(a)(6) and 11 U.S.C. , 523(a)(2)(A) and (B)**

1