

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

**Honorable Stephen L. Johnson**

**Tuesday, June 14, 2016**

*Current as of 6/10/2016 at 2:29 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 **16-50390** Boom Limo LLC  
Ch 11

**Moving:** Mark D. Poniatowski

**Opposing:**

**Debtor or Plaintiff Attorney:** John G. Downing

**Matter:** a) **Motion for Relief from Stay RS #MDP-001, Filed by Advantage Funding Commercial Capital Corp. (29)**

b) **Motion for Relief from Stay RS #RAP-1, Filed by Fleet Financing Resources LLC (31)**

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10:00 AM **16-51204** Maria D. Baron Quintero  
Ch 7

Trustee: Richardson

**Moving:** Austin P. Nagel

**Opposing:**

**Debtor or Plaintiff Attorney:** Clark A. Miller

**Matter:** **Motion for Relief from Stay RS #APN-2882, Filed by Santander Consumer USA Inc. (8)**

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10:00 AM **16-51430** Kevin Hayward  
Ch 7

Trustee: Hjelmset

**Moving:** Christina J. O

**Opposing:**

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

**Matter:** **Motion for Relief from Stay (Unlawful Detainer) for property at 3415 Glasgow Circle, Riverside, CA 92503 RS #CJO-615, Filed by Federal N.A. (10)**

**\*Dismissed 5/27/16**

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10:00 AM **16-51478**

Dottie Webb

Ch 7

Trustee: Kaelin

**Moving:** Anthony Drew Rowe

**Opposing:**

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

**Matter:** **Motion for Relief from Stay RS #ADR-1, Filed by National Capital One Investments LLC (8)**

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**\*Dismissed 6/1/16**

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10:30 AM **11-55720** Luis Gonzalo Ramos and  
Ch 13 Celia Arenas Ramos  
Trustee: Derham-Burk

**Moving:** Christina J. O

**Opposing:**

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

**Matter:** **Motion for Relief from Stay RS #CJO-617, Filed by Deutsche Bank National Trust Company (40)**

**\*OFF CALENDAR - MOTION WITHDRAWN 6/9/16**

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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**

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10:30 AM **12-57576** Melody Lynette Todd  
Ch 13  
Trustee: Derham-Burk

**Moving:** Gilbert R. Yabes

**Opposing:**

**Debtor or Plaintiff Attorney:** Brette L. Evans

**Matter:** **a) Motion for Relief from Stay RS #GRY-056, Filed by Wells Fargo Bank, N.A. (36)**

**b) Opposition by Debtor (39)**

**Comment** (fr 5/17, 5/31 pending stipulated APO)

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10:30 AM **13-53704** Lourdes Cheryl Nazario Platon  
Ch 13  
Trustee: Derham-Burk  
**Moving:** Brandye N. Foreman  
**Opposing:**  
**Debtor or Plaintiff Attorney:** David A. Boone  
**Matter:** **Motion for Relief from Stay RS #EAT-1615, Filed by U.S. Bank N.A. (31)**

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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  
**Matter:** **Motion for Relief from Stay RS #LSR-1090 and from Co-Debtor Stay Filed by Nationstar Mortgage, LLC (60)**  
**Comment (fr 5/17)**

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10:30 AM **14-50629** Joseph C Lam  
Ch 13  
Trustee: Derham-Burk  
**Moving:** Gilbert R. Yabes  
**Opposing:**  
**Debtor or Plaintiff Attorney:** Brette L. Evans  
**Matter:** **a) Motion for Relief from Stay RS #GRY-062 and from Co-Debtor Stay Filed by Wells Fargo Bank, N.A. (142)**  
**b) Opposition by Debtor (144)**  
**Comment (fr 5/31)**

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

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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  
**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, 10/27, 1/5, 3/1, 3/15)**

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10:30 AM **15-50671** Teresa M. Fernando  
Ch 13  
Trustee: Derham-Burk  
**Moving:** Theron Spencer Covey  
**Opposing:**  
**Debtor or Plaintiff Attorney:** Jason Honaker  
**Matter:** **a) Motion for Relief from Stay RS #TSC-1, Filed by CitiMortgage, Inc. (39)**

**b) Opposition by Debtor (42&47)**

**Comment** (fr 4/5, 5/3)

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10:30 AM **15-51070** Mohammad Saied Ohadi  
Ch 13  
Trustee: Derham-Burk  
**Moving:** Jennifer Wang  
**Opposing:**  
**Debtor or Plaintiff Attorney:** W. Kirk Moore  
**Matter:** **Motion for Relief from Stay RS #JHW-896, Filed by Mercedes-Benz Financial Services USA LLC (38)**

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10:30 AM **15-51216** Nghiem Tan Nguyen  
Ch 13  
Trustee: Derham-Burk  
**Moving:** Mark D. Estle  
**Opposing:**  
**Debtor or Plaintiff Attorney:** Stanley Phan  
**Matter:** **Motion for Relief from Stay RS #CJO-616 And Co-Debtor Stay, Filed by Specialized Loan Servicing LLC (57)**

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10:30 AM **15-51962** Lisa M. Provenzano  
Ch 13  
Trustee: Derham-Burk  
**Moving:** Brian H. Tran  
**Opposing:**  
**Debtor or Plaintiff Attorney:** Cathleen Cooper Moran  
**Matter:** **Motion for Relief from Stay RS #EAT-1608, Filed by U.S. Bank N.A (51)**  
**Comment** (fr 5/17)

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10:30 AM **15-53305** Collette N Betters  
Ch 13  
Trustee: Derham-Burk  
**Moving:** Megan E. Lees  
**Opposing:**  
**Debtor or Plaintiff Attorney:** Michael H. Luu  
**Matter:** **Motion for Relief from Stay RS #MEL-041, Filed by GMAT Legal Title Trust 2013-1, U.S. Bank, N.A. (30)**

**\*Dismissed 6/8/16**

**Comment** (fr 5/17)

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10:30 AM **15-53736** Patricia T. Torres

Ch 13

Trustee: Derham-Burk

**Moving:** Austin P. Nagel

**Opposing:**

**Debtor or Plaintiff Attorney:** Jason Vogelpohl

**Matter:** **Motion for Relief from Stay RS #APN-2887 Against Debtor and Against a Non-Filing Co-Debtor Filed by Santander Consumer USA Inc. (32)**

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10:30 AM **15-54015** Kim Narog

Ch 13

Trustee: Derham-Burk

**Moving:** Brandye N. Foreman

**Opposing:**

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

**Matter:** **a) Motion for Relief from Stay RS #EAT-1611 and Co-Debtor Stay, Filed by The Bank of New York Mellon (59)**

**b) Motion for Relief from Stay RS #EAT-1610, Filed by U.S. Bank N.A. (61)**

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10:30 AM **15-54040** Pierre G. Estonilo and

Ch 13

Cynthia Estonilo

Trustee: Derham-Burk

**Moving:** Daniel K. Fujimoto

**Opposing:**

**Debtor or Plaintiff Attorney:** Saman Taherian

**Matter:** **Motion for Relief from Stay RS #ASW-2895, Filed by Bosco Credit LLC (37)**

**\*Dismissed 5/30/16**

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10:30 AM **16-50757** Lisa Foster

Ch 13

Trustee: Derham-Burk

**Moving:** Shalom Rubanowitz

**Opposing:**

**Debtor or Plaintiff Attorney:** Lars T. Fuller

**Matter:** **Motion for Relief from Stay RS #SHR-001, Filed by Union Home Loan, Inc. (12)**

**\*Trustee's Statement filed 4/25/16**

**Comment** (fr 5/3, 5/31)

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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

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

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

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10:30 AM **16-51227** Miguel C. Martinez and  
Ch 13 Sheryl M. Martinez  
Trustee: Derham-Burk  
**Moving:** Vinod Nichani  
**Opposing:** Gilbert R. Yabes  
**Debtor or Plaintiff Attorney:** Vinod Nichani  
**Matter:** **a) Motion to Extend Automatic Stay Filed by Debtor (6)**  
**b) Opposition by Deutsche Bank (14)**

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10:30 AM **16-51474** Rogelio Barrera Salcedo and  
Ch 13 Guillermina Garcia Barrera  
Trustee: Derham-Burk  
**Moving:** Brette L. Evans  
**Opposing:**  
**Debtor or Plaintiff Attorney:** Brette L. Evans  
**Matter:** **Motion to Continue The Automatic Stay As to All Creditors Filed by Debtor (8)**

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10:30 AM **16-51539** Denise Thu Nguyen  
Ch 13  
Trustee: Derham-Burk  
**Moving:** Matthew Triet Vo  
**Opposing:**  
**Debtor or Plaintiff Attorney:** ProSe / None  
**Matter:** **Motion for Relief from Stay RS #R.S. 16-004, Filed by Lan Le (6)**

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1:30 PM **15-05060** Garcia v. Shaw

† Ch 7

15-50656

Daniel Joseph Shaw and Amber June McClain Shaw

**Moving:** David B. Rao

**Opposing:** Vincent Renda

**Matter:** **a) Motion to Dismiss First Claim for Relief for Failure to State a Claim Upon Which Relief Can Be Granted (F.R.C.P. 12(b)(6) & 15(c)(1)(B), B.R. 4007(c)) Filed by Defendant (26)**

**b) Opposition by Plaintiff (31)**

**c) Case Management RE: Second Amended Complaint for Non-Dischargeability of Debt Pursuant to 11 U.S.C. §§§ 523(a)(2)(A), 523(a)(4) and 523(a)(6) (23)**

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1:30 PM **15-05166** Oroshnik v. Shaw

† Ch 7

15-50656

Daniel Joseph Shaw and Amber June McClain Shaw

**Moving:** Ryan Penhallegon

**Opposing:** Vincent Renda

**Matter:** **a) Motion to Dismiss First Claim for Relief for Failure to State a Claim Upon Which Relief Can Be Granted (F.R.C.P. 12(b)(6) & 15(c)(1)(B), B.R. 4007)) Filed by Defendant (7)**

**b) Opposition by Plaintiff (13)**

**c) Case Management RE: Second Amended Complaint for Non-Dischargeability of Debt Pursuant to 11 U.S.C. §§§ 523(a)(2)(A), 523(a)(4) and 523(a)(6) (6)**

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1:30 PM 15-05168

Garcia v. Shaw

† Ch 7

15-50656

Daniel Joseph Shaw and Amber June McClain Shaw

**Moving:** David B. Rao

**Opposing:** Vincent Renda

**Matter:** a) **Motion to Dismiss First Claim for Relief for Failure to State a Claim Upon Which Relief Can Be Granted (F.R.C.P. 12(b)(6) & 15(c)(1)(B), B.R. 4007(c)) Filed by Defendant (7)**

b) **Opposition by Plaintiff (13)**

c) **Case Management RE: Second Amended Complaint for Non-Dischargeability of Debt Pursuant to 11 U.S.C. §§ 523(a)(2)(A), 523(a)(4) and 523(a)(6) (23)**

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1:30 PM 16-05015

Pretscher-Johnson v. Aurora Bank FSB et al

† Ch 7

16-50083

Marianne Pretscher-Johnson

**Moving:**

**Opposing:**

**Matter:** a) **Order to Show Cause Re: Dismissal (12)**

b) **Response by Debtor (19)**

**\*Off calendar - AP dismissed per Order 6/9/16**

**Comment** CMC 6/23/16 at 2:30 pm

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