

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

Honorable Stephen L. Johnson

Tuesday, October 18, 2016

Current as of 10/17/2016 at 4:13 PM

San Jose Courtroom 3099

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

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

Moving: Jonathan Cahill

Opposing:

Debtor or Plaintiff Attorney: John G. Downing

Matter: a) **Motion for Relief from Stay RS #JCC-213, Filed by Brenner Financial, Inc. (34)**

b) Opposition by Debtor (46)

10:00 AM **16-52699** Hui Mun Kim
Ch 7
Trustee: Kaelin

Moving: Kirkman J. Hoffman

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

Matter: **Motion for Relief from Stay RE 2245 ELLENA DR., #3, SANTA CLARA, CA RS #KJH-001,
Filed by VINH HOANG (9)**

10:00 AM **16-52733** Robert Leonard Canipe
Ch 11

Moving: David A. Boone

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: **Motion to Extend Automatic Stay As to All Creditors Filed by Debtor (12)**

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

Honorable Stephen L. Johnson

Tuesday, October 18, 2016

Current as of 10/17/2016 at 9:25 AM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

10:30 AM **11-56120** John E. Garchar

Ch 7

Trustee: Kaelin

Moving: Mark D. Estle

Opposing:

Debtor or Plaintiff Attorney: Stanley A. Zlotoff

Matter: **a) Motion for Relief from Stay with Certificate of Service RS #MDE-1709, Filed by Toyota Motor Credit Corporation (69)**

b) Response by Debtor (75)

Comment (fr 8/30)

10:30 AM **11-61875** Consuelo Vallejo Fonseca

Ch 13

Trustee: Derham-Burk

Moving: Gilbert R. Yabes

Opposing:

Debtor or Plaintiff Attorney: Richard G. Hyppa

Matter: **a) Motion for Relief from Stay RS #GRY-097, and from Co-Debtor Stay Filed by Wells Fargo Bank, N.A. (49)**

b) Opposition by Debtor (53)

10:30 AM **12-51498** John Molina and

Ch 13

Debra Molina

Trustee: Derham-Burk

Moving: Natalie Lea

Opposing:

Debtor or Plaintiff Attorney: Lars T. Fuller

Matter: **Motion for Relief from Stay RS #EGS-190, Filed by BAYVIEW LOAN SERVICING, LLC (26)**

10:30 AM **14-54262** Anabella Estrada
Ch 13
Trustee: Derham-Burk

Moving: James F. Lewin

Opposing:

Debtor or Plaintiff Attorney: Arasto Farsad

Matter: [Motion for Relief from Stay RS #JFL-29, Filed by Wells Fargo Bank, N.A. \(89\)](#)
Comment (fr 9/20 pending APO)

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10:30 AM **15-52199** David Herrera and
Ch 13 Nelly Herrera
Trustee: Derham-Burk

Moving: Darlene C. Vigil

Opposing:

Debtor or Plaintiff Attorney: Patricia Mercedes Zerbini

Matter: [Motion for Relief from Stay RS #EAT-1686, Filed by Wells Fargo Bank, N.A. \(46\)](#)
Comment (fr 10/4 pending APO)

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10:30 AM **15-52534** Jason Chau
Ch 13
Trustee: Derham-Burk

Moving: Erica Loftis

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: [Motion for Relief from Stay RS #ETL-1618, Filed by The Bank of New York Mellon \(36\)](#)

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10:30 AM **16-50069** Paulino Herrera, Jr. and
Ch 13 Maria G. Herrera
Trustee: Derham-Burk

Moving: Nancy Lee

Opposing:

Debtor or Plaintiff Attorney: Lars T. Fuller

Matter: [Motion for Relief from Stay RS #NL-10547, Filed by HSBC Bank USA, N.A. \(42\)](#)

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10:30 AM **16-50689** Alison M. McGhee
Ch 13
Trustee: Derham-Burk

Moving: Edward G. Schloss

Opposing:

Debtor or Plaintiff Attorney: Jason Vogelpohl

Matter: [a\) Motion for Relief from Stay Re: Property Located at 3422 Guluzzo Drive, San Jose, CA 95148 RS #EGS-191, Filed by BAYVIEW LOAN SERVICING, LLC \(34\)](#)

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[b\) Opposition filed by Debtor \(36\)](#)

10:30 AM **16-52504** Mary Fong
Ch 13
Trustee: Derham-Burk

Moving: William J. Healy

Opposing:

Debtor or Plaintiff Attorney: Paul Seabrook

Matter: a) **Motion for Relief from Stay RS #CGS-1, Filed by Intero Realty, J.L. Realty, Inc., James Chen, Joe Carrero, Zheng Tian, and Rossi, Hamerslough, Reischl & Chuck (10)**

b) **Opposition by Debtor (16)**

***Statement by trustee filed 10/6/16**

Comment (fr 10/4)

10:30 AM **16-52874** Kim Frederick Martin
Ch 13
Trustee: Derham-Burk

Moving: Michael W. Malter

Opposing:

Debtor or Plaintiff Attorney: Michael W. Malter

Matter: **Motion for Order Extending the Automatic Stay As to All Creditors Filed by Debtor (5)**

***Order shortening time**

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

Honorable Stephen L. Johnson

Tuesday, October 18, 2016

Current as of 10/13/2016 at 9:10 AM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

1:30 PM **16-05025** Afnani v. Lenders TD Service, Inc. et al

† Ch 13

10-54931

Sasan Afnani

Moving: Saman Taherian

Opposing: Douglas Lee Weeks

Debtor or Plaintiff Attorney: Lars T. Fuller

Matter: [a\) Order to Show Cause Re: Dismissal \(54\)](#)

[b\) Response by Plaintiff \(58\)](#)

1:30 PM **15-05137** Franklin v. Dinh

† Ch 7

15-52401

Hamilton Van Dinh

Moving: Helen Huynh

Opposing:

Debtor or Plaintiff Attorney: Mark Nguyen Franklin

Matter: [Motion to Withdrawal as Counsel For Defendant Filed by Law Office of Helen Huynh \(14\)](#)

***Order shortening time**

Comment PT 11/1, Trial scheduled for 11/8/16

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1:30 PM 16-52108
Ch 11

Far Western Graphics, Inc.

Moving: Lars T. Fuller

Opposing: Julie H. Rome-Banks

Debtor or Plaintiff Attorney: Lars T. Fuller

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Matter: a) **Motion to Allow surcharge of the proceeds of sale Filed by Debtor (72)**

b) **United States Trustee's Motion To Convert Case To Chapter 7 Filed by Office of the U.S. Trustee/SJ (68)**

c) **Opposition by Debtor (78)**

d) **Limited opposition to items a&b by Leonard Family Limited Partnership, LP**

e) **Motion to Pay Secured Creditors from Proceeds of Sale of Collateral by Debtor (57) (fr 9/6)**

f) **Status Conference (5) (Last MOR 8/16) (fr 9/1)**

Comment (fr 10/12)

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

**Honorable Stephen L. Johnson
Wednesday, October 19, 2016**

Current as of 10/13/2016 at 2:14 PM

San Jose Courtroom 3099

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

2:00 PM **13-05078** Cote v. Employment Development Department
† Ch 7
12-53464 Christopher Michael Cote

Moving:
Opposing:

Matter: [Telephonic Case Management Conference Judgment Order \(74\)](#)

**[Atty for Pl - Alex Naegele \(408\) 995-3224](#)
[and - Wendy Smith \(408\) 295-1700](#)**

[Atty for Def - Karen Yiu \(510\) 622-2131](#)

Comment (fr 9/22)

2:00 PM **16-52928** Adel Sanam Safi
Ch 7
Trustee: Bowyer

Moving: Adel Sanam Safi
Opposing:

Matter: [Order to Show Cause Re: Dismissal and Setting Hearing on Application for Waiver of Filing Fee \(6\)](#)

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

**Honorable Stephen L. Johnson
Wednesday, October 19, 2016**

Current as of 10/17/2016 at 12:49 PM

San Jose Courtroom 3099

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

2:30 PM **11-05236** Poonja v. Sevak & Sons, L.P. et al
† Ch 7
09-51045 San Jose Airport Hotel, LLC

**Moving:
Opposing:**

Matter: Telephonic Case Management RE: First Amended Complaint (First Claim - Breach of Contract) (33)

Atty for Pl - James Hennefer (415) 421-6100

Atty for Def - DEnnis Riordan (415) 431-3472

Comment (fr 9/22)

2:30 PM **15-05160** Everett v. Windermere Holdings, LLC et al
† Ch 7
10-55788 Pacific Metro, LLC

**Moving:
Opposing:**

Matter: Telephonic Case Management RE: Complaint for: (1) Avoidance of Intentional Fraudulent Transfers; (2) Avoidance of Constructive Fraudulent Transfers; (3) Recovery of Intentional and Constructive Fraudulent Transfers; (4) Breach of Fiduciary Duty and Usurpation of Corporate Opportunity; and (5) Intentional Interference with Prospective Economic Advantage

Atty for Pl - Barrett Marum (619) 338-6585

**Atty for Def/Windermere Holdings, LLC & Nanette Kinkade - George Soares - (619) 696-6700
*Answer filed 6/15/16**

Comment (fr 4/19, 6/23, 8/23)

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2:30 PM 16-05006 Everett v. Teruel et al
† Ch 7
10-55788 Pacific Metro, LLC

Moving:
Opposing:

Matter: Telephonic Case Management RE: First Amended Complaint For: (1) Fraudulent Concealment; and (3) Breach of Fiduciary Duty (19)

Atty for Pl - Barrett Marum - (619) 338-6585

Atty for Defs: George Soares - (619) 696-6700

Comment (fr 8/23, 9/6)

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

Atty for Defs - Edward Schloss
***Answer filed 2/8/16**

***CONT TO 11/10/16 AT 2:30 PM PER ORDER 10/14/16**

Comment (fr 4/28)

2:30 PM 13-05077 Farrokhzadi v. Dinyari
† Ch 7
13-51088 Farbod Dinyari

Moving:
Opposing:

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

Atty for Pl - Pro Se

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

Comment (Cont fr 8/29/13, 4/24, 10/30/14, 5/28, 11/12, 5/26, 8/23)

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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 Re: Amended Complaint by Todd Smith against Daniel Joseph Shaw . (RE: related document(s)1 Complaint filed by Plaintiff Todd Smith) (9)

Atty for Pl - Pro Se

Atty for Def - David Rao
***Answer to Amd Complaint filed 9/15/16**

Comment (fr 7/18, 8/9)

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)

2:30 PM **16-05046** Veik v. Wilson
† Ch 13
16-51021 Derrick A. Veik

Moving:
Opposing:

Matter: Telephonic Case Management RE: Complaint To Determine the Validity, Priority, and Extent of Lien and for Declaratory Judgment

Atty for Pl - Nina Decker

Atty for Def - David Smyth
***Answer filed 7/27/16**

***Off calendar pursuant to stipulated dismissal 10/17/16**

Comment (fr 8/23)

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