

HONORABLE STEPHEN JOHNSON, CALENDAR FOR TUESDAY, SEPT. 20, 2016, AT 9:55 A.M.

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Courtroom: 3099

Courtroom Deputy: Tanya Bracegirdle

Court Recorder: Ronald Rombawa

Law Clerk: Laurent Chen

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

**UNCONTESTED CALENDAR – CONFIRMATION ADVANCED PER RESOLUTION**

**JUDGE JOHNSON, September 20, 2016 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**With respect to the following cases, objections were filed and subsequently withdrawn; therefore, the Court confirms the plans in the following cases:**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. PAMELA PRESTON  
15-53469 SLJ  
ATTY – GREENE
  
2. TITO & TRINIDAD MEJARITO  
15-53817 SLJ  
ATTY – HENSHAW
  
3. RUDOLPH & MARLENE RASCON  
16-50294 SLJ  
ATTY – SAGARIA
  
4. IRENE MARTINEZ  
16-50737 SLJ  
ATTY – MOORE
  
5. RICHARD & ELIZABETH ESCOBAR  
16-51658 SLJ  
ATTY – BOONE

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 placed on the Trustee's Pending List:

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

**JUDGE JOHNSON, September 20, 2016 at 9:55 a.m.**

From: 341 Meetings of Creditors, September 7, 2016

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

- |                                  |   |
|----------------------------------|---|
| 6. ROBERT WONG<br>16-51649 SLJ   | ATTY – MANASSAU LAW OFFICES<br>OBJECTION BY – TRUSTEE |
| 7. TRAVIS SOULIA<br>16-52118 SLJ | ATTY – BOONE<br>OBJECTION BY – TRUSTEE                |
| 8. SILAS NYAKO<br>16-52140 SLJ   | ATTY – TRAPP<br>OBJECTION BY – TRUSTEE                |

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

**Honorable Stephen L. Johnson  
Tuesday, September 20, 2016**

Ronald Ronmbawa - ECRO  
T.Bracegirdle-CRD

*Current as of 9/20/2016 at 9:26 AM*

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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 **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**

**\*Off calendar pursuant to Stipulated APO 8/29/16**

**Comment** (fr 7/19, 8/16)

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10:30 AM **13-56382** Jose Adan Rodriguez

Ch 13

Trustee: Derham-Burk

**Moving:** Mark D. Estle

**Opposing:**

**Debtor or Plaintiff Attorney:** T. Kevin Dougherty

**Matter:** **Motion for Relief from Stay & Co-Debtor Stay RS #MDE-1704, Filed by U.S. Bank N.A. (21)**

**Comment** (fr 8/30 pending APO)

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10:30 AM **14-53405** Edward Michael Garcia and

Ch 13

Sandra Faustina Garcia

Trustee: Derham-Burk

**Moving:** Megan E. Lees

**Opposing:**

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

**Matter:** **a) Motion for Relief from Stay from Automatic Stay RS #MEL-042, Filed by U.S. Bank N.A. (30)**

**b) Opposition filed by Debtors (32)**

**Comment** (fr 8/16)

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10:30 AM **14-53453** Kwon Wong Shaikh  
Ch 13  
Trustee: Derham-Burk

**Moving:** Edward G. Schloss

**Opposing:**

**Debtor or Plaintiff Attorney:** Andrew A. Moher

**Matter:** **Motion for Relief from Stay RS #EGS-188, Filed by FCI Lender Services, Inc. (30)**

**\*Trustee's Statement filed 8/26/16**

**\*Off calendar pursuant to Stipulated APO 9/11/16**

**Comment** (fr 9/6)

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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)**

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10:30 AM **15-50996** Joel Ramon Calvillo and  
Ch 13 Michelle Martinez  
Trustee: Derham-Burk

**Moving:** Jennifer C. Wong

**Opposing:**

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

**Matter:** **Motion for Relief from Stay RS #JCW-10468, Filed by Wilmington Savings Fund Society, FSB (51)**

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10:30 AM **15-53301** John Salsedo and  
Ch 13 Rita Salsedo  
Trustee: Derham-Burk

**Moving:** Austin P. Nagel

**Opposing:**

**Debtor or Plaintiff Attorney:** Ralph P. Guenther

**Matter:** **Motion for Relief from Stay RS #APN-2922, Filed by W.H. Weeks Townhomes Inc. Homeowners Association for Tract 1126 Victorian Village (39)**

**\*Off calendar - APO signed 9/19/16**

**Comment** (fr 9/6)

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10:30 AM **15-53600** Dan Charles Dunn  
Ch 13  
Trustee: Derham-Burk

**Moving:** Erica Loftis

**Opposing:**

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

**Matter:** a) **Motion for Relief from Stay RS #ETL-1564, Filed by U.S. Bank N.A. (47)**

b) **Opposition filed by Debtor (53)**

**Comment** (fr 8/16)

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10:30 AM **16-50257** John B. Fogolin and  
Ch 13 Mary F. Fogolin  
Trustee: Derham-Burk

**Moving:** Erin M. McCartney

**Opposing:**

**Debtor or Plaintiff Attorney:** Scott J. Sagaria

**Matter:** **Motion for Relief from Stay 1159 Rhinecastle Way, San Jose, CA 95120 RS #EMM-12146, Filed by Deutsche Bank National Trust Company (27)**

**Comment** (fr 8/16, 8/30)

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10:30 AM **16-50590** Joseph Frankina, III and  
Ch 13 Kristi Marie Frankina  
Trustee: Derham-Burk

**Moving:** Marisol A. Nagata

**Opposing:**

**Debtor or Plaintiff Attorney:** Scott J. Sagaria

**Matter:** **Motion for Relief from Stay RS #EAT-1654 and Relief from Co-Debtor Stay Filed by U.S. Bank N.A. (33)**

**\*Stipulated APO submitted 9/19 - awaiting signed order**

**Comment** (fr 8/16)

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10:30 AM **16-50629** Muzyen M Abdulkadir  
Ch 13  
Trustee: Derham-Burk

**Moving:** Reilly Wilkinson

**Opposing:**

**Debtor or Plaintiff Attorney:** Nancy Weng

**Matter:** **Motion for Relief from Stay & from Co-Debtor Stay RS #RDW-749 Filed by CAM XI TRUST (45)**

**\*Stipulated Order 9/19/16 but still needs relief as to co-debtor**

**Comment** (fr 8/9, 8/30, 9/6)

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10:30 AM **16-51487** Loan Kim Nguyen and  
Ch 13 Thach Ngoc Tran  
Trustee: Derham-Burk

**Moving:** Erica Loftis

**Opposing:**

**Debtor or Plaintiff Attorney:** James Jingming Cai

12

**Matter:** **a) Motion for Relief from Stay RS #ETL-1593, Filed by Wells Fargo Bank, N.A. (32)**

**b) Opposition by Debtor (40)**

**\*Statement by Trustee filed 9/19/16**

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10:30 AM **16-52042** David Vincent Reed  
Ch 13  
Trustee: Derham-Burk

**Moving:** Vincent V. Frounjian

**Opposing:**

**Debtor or Plaintiff Attorney:** Matthew G. Grech

13

**Matter:** **Motion for Relief from Stay RS #VVF-16, Filed by American Honda Finance Corporation (16)**

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10:30 AM **16-52373** Marilyn Jane Clement  
Ch 13  
Trustee: Derham-Burk

**Moving:** Edward A. Treder

**Opposing:**

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

14

**Matter:** **Motion for Relief from Stay RS #EAT-1671 and Relief from Co-Debtor Stay Filed by Wells Fargo Bank, N.A. (13)**

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10:30 AM **16-52489** Daniella Maria Castillo  
Ch 13  
Trustee: Derham-Burk

**Moving:** Norma L. Hammes

**Opposing:**

**Debtor or Plaintiff Attorney:** Norma L. Hammes

15

**Matter:** **Motion to Extend Automatic Stay Filed by Debtor (7)**

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

**Honorable Stephen L. Johnson  
Tuesday, September 20, 2016**

Ronald Rombawa - ECRO  
T.Bracegirdle-CRD

*Current as of 9/20/2016 at 12:53 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 **15-05076** AquaLegacy Development, LLC v. 2012 Canrow Owner, LLC et al

† Ch 11

14-50279

AquaLegacy Development, LLC

**Moving:** Eric C. Schaffer

**Opposing:** Gavin E. Kogan

**Matter:** **a) Motion for Summary Judgment Filed by Defendants (76)**

**b) Opposition by Plaintiff (93)**

**c) Motion For Sanctions Against Plaintiff Filed by Defendants (83)**

**d) Opposition by Plaintiff (90)**

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

**Honorable Stephen L. Johnson  
Wednesday, September 21, 2016**

*Current as of 9/20/2016 at 4:32 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 **16-50640**

Step 3 Ventures, Inc.

Ch 7

Trustee: Poonja

**Moving:** Gregg S. Kleiner

**Opposing:** Patrick M. Costello

**Matter:** **a) Motion for (I) Order Authorizing Trustee to Enter Into Agreement Re Purchase of Litigation and Certain Assets and Acquire Rights to Equitably Subordinate Certain Claims; and (II) Sale by Overbid Auction Filed by Trustee (50)**

**b) Limited Objection by Ling Xiao and Dan Yue (55)**

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

**Honorable Stephen L. Johnson  
Wednesday, September 21, 2016**

*Current as of 9/20/2016 at 4:33 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 **10-55096** First Financial Lender  
Ch 7  
Trustee: Poonja  
**Moving:** Charles P. Maher  
**Opposing:** Teri H. Nguyen

**Matter:** **a) Motion For Permission To Object Claim and Objection to Lehman Brothers Holding, Inc's Proof of Claim No. 5-1 Filed by Teri Nguyen (118&119)**

**b) Opposition by Lehman Brothers Holdings, Inc. (125) - Matthew Spohn**

**c) Notice of Hearing on Trustee's Final Account (Mohamed Poonja) & Application for Compensation for Fees: \$18,225.10 & Reimbursement of Expenses: \$343.70**

**d) Third & Final Application for Compensation for Fees: \$57,391.50 & Reimbursement of Expenses: \$2,723.93 by Dentons US LLP, Counsel to Trustee (100)**

**e) Second & Final Application for Compensation for Fees: \$4,510.50 & Reimbursement of Expenses: \$395.64 by Kokjer, Pierotti, Maiocco & Duck LLP, Accountant to Trustee (93)**

**f) Objection by Teri Nguyen (109)**

**Comment** (fr 6/8)

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1:30 PM **16-52473** Joginder Kaur Dhaliwal  
Ch 13  
Trustee: Derham-Burk  
**Moving:** Stanley A. Zlotoff  
**Opposing:**

**Matter:** **Motion to Extend Automatic Stay Filed by Debtor (7)**

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

**Honorable Stephen L. Johnson  
Wednesday, September 21, 2016**

*Current as of 9/20/2016 at 4:34 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 **10-63154** Tasann Ting Group, Inc. A Calif. Corp

Ch 7

Trustee: Wu

**Moving:** Mark Bostick

**Opposing:**

**Matter:** **a) Motion for Order Approving Sale of Real Property and Approving Bidding Procedures Filed by Trustee, Carol Wu (322)**

**b) Response by Los Angeles County Treasurer and Tax Collector (328) - Barry Glaser**

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2:00 PM **13-51589** Technology Properties Limited LLC

Ch 11

**Moving:** Marcia E. Gerston

**Opposing:** Robert G. Harris

**Matter:** **a) Application for Administrative Expenses Filed by Michael Davis (751) (fr 8/22)**

**b) Opposition filed by Debtor (758)**

**c) Motion For Relief From Default On Order Re Request Of Michael Davis For Payment Of Administrative Expense (FRCP 60(b); FRBP 9024) Filed by Debtor (760)**

**d) Opposition by Michael Davis (775)**

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2:00 PM **15-50867** Michael Dewayne Richmond and

Ch 11

Yancie Marie Richmond

**Moving:** Charles B. Greene

**Opposing:**

**Matter:** **Motion for Order Approving Refinance of Real Property and for Incurrence of Secured Debt (11 U.S.C. §363(d)) (221 Highland Terrace, Los Gatos, CA) Filed by Debtor (86)**

**\*Order shortening time**

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2:00 PM **16-50640** Step 3 Ventures, Inc.  
Ch 7  
Trustee: Poonja  
**Moving:** Gregg S. Kleiner  
**Opposing:**

**Matter:** **Motion for Order Authorizing Trustee to Pay Post-Petition Fees Associated with Remote Data Storage and Transfer Data Storage Accounts Filed by Trustee (47)**

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2:00 PM **16-52573** Beatriz Montes  
Ch 7  
Trustee: Kaelin  
**Moving:**  
**Opposing:**

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

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2:00 PM **16-52630** Rodrick Hamilton  
Ch 7  
Trustee: Poonja  
**Moving:** Rodrick Hamilton  
**Opposing:**

**Matter:** **Order to Show Cause re Dismissal and Hearing on Application to 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, September 21, 2016**

*Current as of 9/20/2016 at 4:34 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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3:00 PM **16-50534** Jose Luis Montebello and  
Ch 7 Maria B Montebello  
Trustee: Hjelmset

**Moving:**

**Opposing:**

**Matter: [Hearing Regarding Reaffirmation Agreement filed by Creditor TOYOTA MOTOR CREDIT CORPORATION \(30\)](#)**

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

**Honorable Stephen L. Johnson  
Thursday, September 22, 2016**

*Current as of 9/20/2016 at 4:35 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 **16-05053** Goldstein et al v. First National Bank Of Northern California, N.A. e  
† Ch 7  
07-54183 Weeks Street LLC

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

**Matter: [Telephonic Case Management RE: First Amended Complaint \(Injunctive relief - Motion for Stay Pending Appeal\)](#)**

**[Atty for Pls - Pro Per Samuel Goldstein, William Kennedy, Chacko Neroth, Pravin Patel, Suraj Puri, Khatera Said, Charles Smith, Paul Steiner, Stanley Zlotoff](#)**

**[Atty for Defs FNBNC- Dennis Miller \(415\) 981-0550](#)**

**[Atty for Defs Next Gen Builders - Robert Harris \(408\) 295-1700](#)**

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2:00 PM **16-05058** Nguyen et al v. Wells Fargo Bank, N.A.  
† Ch 13  
16-51487 Loan Kim Nguyen and Thach Ngoc Tran

**Moving:** James Jingming Cai  
**Opposing:**

**Matter: [Telephonic Case Management RE: Complaint 71 \(Injunctive relief - reinstatement of stay\) Filed by Loan Nguyen](#)**

**[Atty for Pl - James Jingming Cai \(408\) 436-0789](#)**

**[Atty for Def - Gilbert Yabes \(858\) 750-7600](#)**

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

**Honorable Stephen L. Johnson  
Thursday, September 22, 2016**

*Current as of 9/20/2016 at 4:36 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 **15-05114** Wheelwright et al v. United States of America Internal Revenue Service  
† Ch 13  
10-51308 Daniel James Wheelwright and Izumi Sugimoto Wheelwright

**Moving:** Leela Menon

**Opposing:**

**Matter:** **Telephonic Case Management RE: Complaint to Determine Dischargeability of Debt and For Declaratory and Injunctive Relief**

**Atty for Pl - Leela Menon (408) 291-6000**

**Atty for Def - Cynthia Stier (415) 436-7000**

**Comment** (fr 10/29, 12/15, 2/25)

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2:30 PM **15-05071** Clare et al v. United States of America Internal Revenue Service  
† Ch 13  
10-54380 David Michael Clare and Rae Charlene Clare

**Moving:**

**Opposing:**

**Matter:** **Telephonic Case Management RE: Complaint to Determine Dischargeability of Debt and for Declaratory and Injunctive Relief**

**Atty for Pl - Leela Menon (408) 291-6000**

**Atty for Def - Cynthia Stier (415) 436-7000**

**Comment** (fr 8/13, 12/15, 2/25)

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2:30 PM 16-05025 Afnani v. Duke Partners, LLC et al  
† Ch 13  
10-54931 Sasan Afnani

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

**Matter: Telephone Case Management RE: Complaint For Quiet Title and Declaratory Relief**

**Atty for Pl - Sam Taherian (408) 295-5595**

**Atty for Defs - Douglas Weeks (714) 533-6471**  
**Def Lenders T.D. Service, Inc. & 26th Corp Filed Answer 6/14/16**

**\*OFF CALENDAR - CONT TO 11/10/16 AT 2:30 PM**

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2:30 PM 15-05060 Garcia v. Shaw  
† Ch 7  
15-50656 Daniel Joseph Shaw and Amber June McClain Shaw

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

**Matter: Telephonic 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)**

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

**Atty for Def - Jill Fox (408) 295-1700**  
**\*Answer filed 6/28/16**

**Comment (fr 6/14, 8/23)**

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2:30 PM 15-05166 Oroshnik 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 for Non-Dischargeability of Debt Pursuant to 11 U.S.C. 523(a)(2)(A), 523(a)(4) and 523(a)(6) (Doc 6)**

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

**Atty for Def - Jill Fox (408) 295-1700**  
**\*Answer filed 6/28/16**

**Comment (fr 6/14, 8/23)**

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2:30 PM 15-05168

Garcia v. Shaw

† Ch 7

15-50656

Daniel Joseph Shaw and Amber June McClain Shaw

**Moving:**

**Opposing:**

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

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

**Atty for Def - Jill Fox (408) 295-1700**

**\*Answer filed 6/28/16**

**Comment (fr 6/14, 8/23)**

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2:30 PM 16-05014

Lonaker v. Eiffel Financial, LLC

† Ch 13

15-53948

Myriam Lonaker

**Moving:**

**Opposing:**

**Matter: Telephonic Case Management RE: First Amended Complaint for Quiet Title and Declaratory Relief (4)**

**Atty for Pl - Sam Taherian (408) 295-5595**

**Atty for Def - Richard Sontag (949) 759-1080**

**\*Answer to 1st Amd Compl fld 4/29/16**

**Comment (fr 4/28, 6/23)**

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