

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

**Honorable Stephen L. Johnson  
Thursday, November 17, 2016**

*Current as of 11/15/2016 at 1:55 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 **11-52568** Mia Chung

Ch 13

Trustee: Derham-Burk

**Moving:** Stanley A. Zlotoff

**Opposing:**

**Matter:** **a) Hearing re Objection to Notice of Final payment Due Filed by Debtor (49)**

**b) Hearing re Objection to Claim #4-2, Capital One, N.A. Filed by Debtor (46) (fr 10/20)**

**Comment** **Tentative Ruling:** Matter (a) will be called, matter (b) will be continued to 12/15/16.

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10:00 AM **12-51081**

John M. Collett and

Ch 13

Jennifer A. Collett

Trustee: Derham-Burk

**Moving:** Susan D. Silveira

**Opposing:**

**Matter:** **Motion to Withdraw as Counsel of Record Filed by Susan Silveira (57)**

**Comment** **Tentative Ruling:** Matter will be called.

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10:00 AM **13-53685**

Ann Phung

Ch 13

Trustee: Derham-Burk

**Moving:** Norma L. Hammes

**Opposing:**

**Matter:** **Motion FOR ORDER ALLOWING FINANCING OF REAL PROPERTY Filed by Debtor (32)**

**Comment** **Tentative Ruling:** Matter will be called.

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10:00 AM **13-54707** Stephen T. Sullivan  
Ch 13  
Trustee: Derham-Burk  
**Moving:** Charles B. Greene  
**Opposing:** Joshua Scheer

4

**Matter:** a) **Motion to Sell Real Property (373 Chad Drive, Milpitas, CA) Filed by Debtor (56)**  
b) **Opposition by Trustee (58)**  
c) **Conditional Opposition by AJX Mortgage Truste (62)**

**Comment** **Tentative Ruling: Matter will be called**

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10:00 AM **15-51962** Lisa M. Provenzano  
Ch 13  
Trustee: Derham-Burk  
**Moving:** Cathleen Cooper Moran  
**Opposing:**

5

**Matter:** **Application for Compensation of Fees: \$24,175.00 & Reimbursement of Expenses: \$1,579.47 Filed by Moran Law Group, Inc. (79)**

**Comment** **Tentative Ruling: Fees will be awarded under § 330(a)(4)(B).**

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10:00 AM **15-52567** Don Quang Do  
Ch 13  
Trustee: Derham-Burk  
**Moving:** Victoria Maydanik  
**Opposing:**

6

**Matter:** a) **Motion to Modify Plan Filed by Debtor (23)**  
b) **Opposition by Jen Chorr Khau (26)**  
c) **Objection by Trustee (25)**

**Comment** **Tentative Ruling: Matter will be called.**

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10:00 AM **15-53395** Elizabeth M Miller  
Ch 13  
Trustee: Derham-Burk  
**Moving:** James Jingming Cai  
**Opposing:**

7

**Matter:** **Motion to Compel Creditor to Register on MMM Portal Filed by Elizabeth Miller**

**Comment** **Tentative Ruling: Matter will be called.**

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10:00 AM **16-51333** Jayesh Dinesh Patel  
Ch 13  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:** Brette L. Evans

**Matter:** **a) Motion to Dismiss Case Pursuant to 11 U.S.C. section 109(e) Filed by Devin Derham-Burk (29) (fr 10/20)**

**b) Application for Compensation of Fees: \$4,745.00 & Reimbursement of Expenses: \$51.70 Filed by Evans Law Office (34)**

**Comment** **Tentative Ruling: Debtor is over secured debt limit per Sch D. No opposition filed. Motion is granted. The fee application is approved under § 330(a)(4)(B).**

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10:00 AM **16-51980** Juan Manuel Esparza  
Ch 13  
Trustee: Derham-Burk

**Moving:** Henry D. Paloci III

**Opposing:**

**Matter:** **Motion to Dismiss Case Filed by Trojan Capital Investment LLC (17)**

**Comment** **Tentative Ruling: Case will be dismissed.**

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10:00 AM **16-52196** Jaime Quesada and  
Ch 13 Mary Jane Geralyn Quesada  
Trustee: Derham-Burk

**Moving:** Nanette Dumas

**Opposing:**

**Matter:** **Motion For Order Confirming Chapter 13 Plan Filed by Devin Derham-Burk (19)**

**Comment** **Tentative Ruling: Matter will be called.**

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10:00 AM **16-52599** Janet Marie Thomas  
Ch 13  
Trustee: Derham-Burk

**Moving:** Norma L. Hammes

**Opposing:**

**Matter:** **Hearing on Confirmation of Plan (fr 11/10 uncontested)**

**Comment** **Tentative Ruling: This matter will be called.**

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**UNCONTESTED CALENDAR – CONFIRMATION ADVANCED PER RESOLUTION**

**JUDGE JOHNSON, Thursday, November 17, 2016 at 10:00 AM**

**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**:

- |  |                |
|--|----------------|
| 12. VICTOR LOPEZ<br>14-54018 SLJ               | ATTY – MOORE   |
| 13. GILBERT NEVAREZ<br>16-51206 SLJ            | ATTY – MOORE   |
| 14. JOHN & KRISTAN MONTE<br>16-51875 SLJ       | ATTY – JACKSON |
| 15. EDUARDO & STEPHANIE GUZMAN<br>16-52403 SLJ | ATTY – MOORE   |

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 NO OUTSTANDING OBJECTIONS**

**JUDGE JOHNSON, THURSDAY, NOVEMBER 17, 2016 @ 10:00 AM**

From: 341 Meetings of Creditors, OCTOBER 31, 2016

The following cases shall be **CONFIRMED**:

16. JOHN ILAGAN  
16-52681 SLJ

ATTY – MOORE

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

**JUDGE JOHNSON, THURSDAY, NOVEMBER 17, 2016 @ 10:00 AM**

From: 341 Meetings of Creditors, OCTOBER 31 & NOVEMBER 4, 2016

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

- |   |   |
|---|---|
| 17. STEVEN TORRES<br>16-52635 SLJ           | ATTY – GOLD & HAMMES<br>***ADDL PROVISIONS IN PLAN***                           |
| 18. WILLIAM & GINA NEHF<br>16-52638 SLJ     | ATTY – LIPTON<br>OBJECTION BY – TRUSTEE   |
| 19. MICHAEL & JENNIFER PING<br>16-52647 SLJ | ATTY – GOLD & HAMMES<br>OBJECTION BY – TRUSTEE<br>***ADDL PROVISIONS IN PLAN*** |
| 20. KRISTINA HOENCK<br>16-52649 SLJ         | ATTY – LIPTON<br>OBJECTION BY – TRUSTEE & BANK OF<br>AMERICA                    |
| 21. ELISA LLAMAS<br>16-52659 SLJ            | ATTY – KIM<br>OBJECTION BY – TRUSTEE  |
| 22. BRIAN & MARGARET MEIN<br>16-52682 SLJ   | ATTY – MOORE<br>OBJECTION BY – TRUSTEE & US BANK                                |
| 23. CRISTINO & MARIA TORRES<br>16-52687 SLJ | ATTY – SAGARIA<br>OBJECTION BY – TRUSTEE  |