

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

**Honorable Stephen L. Johnson  
Tuesday, December 13, 2016**

*Current as of 12/12/2016 at 4:42 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 **16-53402** Colleen Lee Alvarez and  
Ch 7 James Manuel Alvarez  
Trustee: Bowyer

**Moving:** Michael W. Malter

**Opposing:**

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

**Matter:** **Motion for Relief from Stay RS #MWM-271, Filed by Caddie-Sunnyvale (6)**

**\*Order shortening time**

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**U.S. BANKRUPTCY COURT  
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*Current as of 12/12/2016 at 4:38 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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10:30 AM **12-56628** Jose Miguel Guzman and  
Ch 13 Lilliana Kawano  
Trustee: Derham-Burk

**Moving:** Austin P. Nagel

**Opposing:**

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

**Matter:** **Motion for Relief from Stay RS #APN-2977, Filed by The Ranch on Silver Creek Homeowners Subassociation (75)**

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1

10:30 AM **14-53339** Douglas John Payne  
Ch 13  
Trustee: Derham-Burk

**Moving:** Darren J. Devlin

**Opposing:**

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

**Matter:** **Motion for Relief from Stay RS #DJD-001, Filed by Seterus, Inc.(62)**

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2

**\*Cont to 2/14/17 at 10:30 per Order 12/12/16**

**Comment** (fr 11/1)

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10:30 AM **15-50239** Andres Cano and  
Ch 13 Guadalupe Cano-Mendoza  
Trustee: Derham-Burk

**Moving:** Nichole Glowin

**Opposing:**

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

**Matter:** **Motion for Relief from Stay regarding property address: 138 Cherry Blossom Drive, Freedom, CA 95019 RS #NLG-1, Filed by Seterus, Inc. (41)**

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3

**\*Off calendar pursuant to Stipulated APO 12/12/16**

**Comment** (fr 11/1)

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10:30 AM **15-51922** Maria Luisa Garcia  
Ch 13  
Trustee: Derham-Burk  
**Moving:** Brandye N. Foreman  
**Opposing:**  
**Debtor or Plaintiff Attorney:** Lars T. Fuller

**Matter:** **Motion for Relief from Stay RS #EAT-1711, Filed by U.S. Bank Trust, N.A. (18)**

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4

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)**

5

**\*Off calendar - motion withdrawn 12/8/16**

**Comment** (fr 10/18, 11/22)

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10:30 AM **16-50063** Karri P. Toscano  
Ch 13  
Trustee: Derham-Burk  
**Moving:** Austin P. Nagel  
**Opposing:**  
**Debtor or Plaintiff Attorney:** Susan D. Silveira

**Matter:** **Motion for Relief from Stay RS #APN-2974, Filed by Ford Motor Credit Company (43)**

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6

10:30 AM **16-50385** Andrew Gonzales  
Ch 13  
Trustee: Derham-Burk  
**Moving:** Norma L. Hammes  
**Opposing:**  
**Debtor or Plaintiff Attorney:** Norma L. Hammes

**Matter:** **Motion to Extend Automatic Stay Filed by Debtor (27)**

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7

10:30 AM **16-51118** Zouhair Daif  
Ch 13  
Trustee: Derham-Burk

**Moving:** Donald T. Dunning

**Opposing:**

**Debtor or Plaintiff Attorney:** Aaron Lipton

**Matter:** a) **Motion for Relief from Stay RS #JM-1, Filed by Springleaf Financial Services, Inc. (47)**

b) **Opposition by Debtor (54)**

**\*Off calendar pursuant to stipulated APO 12/12/16**

**Comment** (fr 12/3)

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10:30 AM **16-51240** Sylvia Enrigueta Martinez  
Ch 13  
Trustee: Derham-Burk

**Moving:** Gilbert R. Yabes

**Opposing:**

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

**Matter:** **Motion for Relief from Stay RS #GRY-114, Filed by Wilmington Savings Fund Society, FSB (22)**

**\*Off calendar pursuant to stipulated Order 12/12/16**

**Comment** (fr 11/15)

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10:30 AM **16-51469** Kris Sam Zankich, III  
Ch 13  
Trustee: Derham-Burk

**Moving:** Erica Loftis

**Opposing:**

**Debtor or Plaintiff Attorney:** Marc Voisenat

**Matter:** **Motion for In Rem Relief from Stay RS #ETL-1606, and for Relief from Co-Debtor Stay Filed by Wells Fargo Bank, N.A. (26)**

**Comment** (fr 10/11 pending APO)

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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

**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**

**Comment** (fr 9/20, 11/22 pending sale)

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8

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10

11

10:30 AM **16-51679** Thomas J Herbst  
Ch 13  
Trustee: Derham-Burk

**Moving:** Erica Loftis

**Opposing:**

**Debtor or Plaintiff Attorney:** Dana M. Douglas

12

**Matter:** a) **Motion for In Rem Relief from Stay and from Co-Debtor Stay RS #ETL-1654, Filed by Wells Fargo Bank, N.A. (35)**

b) **Opposition by Non-filing Co-Debtor**

**\*Statement of Non-Opposition filed by Debtor 12/3/16**

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10:30 AM **16-52151** Brian Adams and  
Ch 13 Kasandra Adams  
Trustee: Derham-Burk

**Moving:** Donald T. Dunning

**Opposing:**

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

13

**Matter:** a) **Amended Motion for Relief From Stay filed by Springleaf Financial Services, Inc. (29)**

b) **Opposition by Debtor (34)**

**\*Statement by Trustee filed 10/19/16**

**\*Off calendar - motion withdrawn 12/5/16**

**Comment** (fr 11/15)

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10:30 AM **16-52258** Belden Mendez  
Ch 13  
Trustee: Derham-Burk

**Moving:** Austin P. Nagel

**Opposing:**

**Debtor or Plaintiff Attorney:** Elise M. Mitchell

14

**Matter:** **Motion for Relief from Stay and Against a Non-Filing Co-Debtor RS #APN-2956, Filed by Wells Fargo Bank, N.A. (17)**

**Comment** (fr 11/22)

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

**Moving:** William J. Healy

**Opposing:**

**Debtor or Plaintiff Attorney:** Paul Seabrook

15

**Matter:** **Motion for Relief from Stay RS #CGS-002, Filed by Interco Realty, J.L. Realty, Inc., James Chen, Joe Carrero, Zheng Tian, and Rossi, Hamerslough, Reischl & Chuck (31)**

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10:30 AM **16-53291** Wendell Edward Leroy and  
Ch 13 Patricia Jean Leroy  
Trustee: Derham-Burk

**Moving:**

**Opposing:**

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

16

**Matter:** **Motion to Extend Automatic Stay As to All Creditors Filed by Debtor (8)**

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10:30 AM **16-53301** Julian Zamora and  
Ch 13 Desiree Juanita Zamora  
Trustee: Derham-Burk

**Moving:** David A. Boone

**Opposing:**

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

17

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

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1:30 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)

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1:30 PM **13-05078** Cote v. Employment Development Department  
† Ch 7  
12-53464 Christopher Michael Cote

**Moving:** Charles Alex Naegele  
**Opposing:** Karen Yiu

**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)

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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:** **Motion to Withdraw As Counsel for Defendant Filed by Binder & Malter, LLP (46)**

**Comment** PT 4/27/17, Trial 5/8/17-5/10/17

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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:** David B. Rao  
**Opposing:** Vincent Renda

**Matter:** **Motion to Withdraw As Counsel for Defendant Filed by Binder & Malter, LLP (27)**  
**Comment** **PT 4/27/17, Trial 5/11/17**

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4

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:** Todd Smith

**Matter:** **Motion to Withdraw As Counsel for Defendant Filed by Binder & Malter, LLP (59)**  
**Comment** **PT 5/22/17, Trial 6/8-6/9/17**

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5

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:** **Motion to Withdraw As Counsel for Defendant Filed by Binder & Malter, LLP (26)**  
**Comment** **PT 4/27/17, Trial 5/15-5/17/17**

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6

1:30 PM **15-05148** Khau v. Do  
† Ch 13  
15-52567 Don Quang Do  
**Moving:** William C. Dresser  
**Opposing:**

**Matter:** **Motion to Allow Plaintiff to Schedule Prove Up Hearing, or to Allow Further Argument, on Matters Not Addressed or Considered by Court in its Order Granting in Part and Denying in Part Motion for Default Judgment Filed by Plaintiff (21)**

7

**\*No COS**  
**Comment** **\*AP closed 9/28/16**

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1:30 PM **15-54086** De Anza Services, Inc.

Ch 7

Trustee: Bowyer

**Moving:** Kari Bowyer

**Opposing:**

**Debtor or Plaintiff Attorney:** Sblend A. Sblendorio

**Matter:** a) **Notice of Hearing on Amended Trustee's Final Account (Kari Bowyer) & Amended Application for Compensation for Fees: \$1,954.89 & Reimbursement of Expenses: \$50.42**

b) **Application for Compensation for Fees: \$1,997.50 & Reimbursement of Expenses: \$152.83 by Kokjer, Pierotti, Maiocco & Duck LLP, Accountant to Trustee (29)**

**Comment** Trustee on phone standby

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1:30 PM **16-52108** Far Western Graphics, Inc.

Ch 7

Trustee: Poonja

**Moving:** Nancy Weng

**Opposing:** Gregg S. Kleiner

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

**Matter:** a) **Application for Order Approving Auctioneer's Report and Auctioneer's Fees: \$38,936.64 & Expenses: \$30,000.00 Filed by Brian Testo, Auctioneer (84)**

b) **Objections by Leonard Family Limited Partnership, LP (96)**

c) **Limited Objection by Mohamed Poonja, Trustee (119)**

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2:00 PM **16-52363** Leonard Keith Tyson  
Ch 11

**Moving:** Matthew D. Metzger

**Opposing:**

**Matter:** [Application to Employ Counsel Filed by Matthew D. Metzger \(42\)](#)

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2:00 PM **16-52523** Gina Rene Cavazos  
Ch 7  
Trustee: Hjelmeset

**Moving:** Scott J. Sagaria

**Opposing:**

**Matter:** [Motion for an Order to Show Cause RE: violation of the Automatic stay Filed by Debtor \(8\)](#)

[\\*Off calendar - motion withdrawn 12/12/16](#)

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2

2:00 PM **16-52664** Ralph Earl Hodgen  
Ch 7  
Trustee: Hjelmeset

**Moving:** Phuong Kim Nguyen

**Opposing:**

**Matter:** [Motion to COMPEL TRUSTEE TO Abandon PROPERTY PURSUANT TO §544\(b\) Filed by Debtor \(8\)](#)

[\\*Statement on Non Opposition fld by Trustee 11/16/16](#)

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3

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

**Honorable Stephen L. Johnson  
Wednesday, December 14, 2016**

*Current as of 12/9/2016 at 11:14 AM*

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**San Jose Courtroom 3099**

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

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3:00 PM **16-53031** Purisima Unabia Villanueva  
Ch 7  
Trustee: Bowyer

**Moving:**

**Opposing:**

**Matter: [Hearing Regarding Reaffirmation Agreement \(pro se\) filed by TD Auto Finance LLC \(10\)](#)**

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