

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

**Honorable Stephen L. Johnson
Thursday, September 15, 2016**

Current as of 9/13/2016 at 2:21 PM

San Jose Courtroom 3099

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

10:00 AM **11-57789** Javier Cosio
Ch 13
Trustee: Derham-Burk

Moving: Raeon Roulston
Opposing:

Matter: [Motion To Set Aside Order Of Dismissal Filed by Debtor \(50\)](#)

[Dismissed 8/4/16](#)

Comment **Tentative Ruling:** Motion will be granted if Debtor can demonstrate the payment to trustee of \$3380 has been tendered and trustee has no further objection.

10:00 AM **13-53306** Chau C. Du and
Ch 13 Tammy Tang
Trustee: Derham-Burk

Moving: Elaine M. Seid
Opposing: Lars T. Fuller

Matter: [Motion to Set Aside Order Valuing Lien of City of San Jose for the Purpose of Voiding Lien on 273 Rayos Del Sol Driv., San Jose, CA Filed by the City of San Jose \(39\) \(fr 8/15\)](#)

Comment **Tentative Ruling:** Motion will be granted. No filed opposition. Movant's position on proper service on municipal entity consistent with federal and state law.

10:00 AM **15-50496** Harold R. Tippet
Ch 13
Trustee: Derham-Burk

Moving: Cathleen Cooper Moran
Opposing: Cassandra J. Richey

Matter: [Hearing re Objection to Claim #1 of Wilimington Trust, N.A. \(71\) \(fr 6/16\)](#)

Comment **Tentative Ruling:** Matter will be continued per Debtor's request to 2017. Any objection to that should be raised at the hearing.

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

Matter: **a) MOTION TO VALUE AND AVOID LIEN OF SANTA CLARA COUNTY FEDERAL CREDIT UNION Filed by Debtor (25) (fr 7/21)**

b) Opposition by Santa Clara County Federal Credit Union (38)

Comment **Tentative Ruling: If matter is not resolved, parties should be prepared to set evidentiary hrg so should have witness availability in hand.**

10:00 AM **15-53519** Nancy Velazquez
Ch 13
Trustee: Derham-Burk

Moving: Lars T. Fuller
Opposing:

Matter: **a) Hearing re Objection to Confirmation of Chapter 13 Plan Filed by Pinnacle Bank (32) - Harvery Blodgett**

b) Hearing re Renewed Conditional Objections to Confirmation of Plan Filed by LongVue Mortgage Capital (55) - Joshua Scheer

Comment **Tentative Ruling: This matter will be called. Pinnacle Bank cannot appear without counsel. See BLR 9010-1(a).**

10:00 AM **16-50289** Christopher Harry Bernal
Ch 13
Trustee: Derham-Burk

Moving: Erica Loftis
Opposing:

Matter: **Motion to Reopen Chapter 13 Case For The Limited Purpose Of Filing A Motion For In Rem Relief From The Automatic Stay And Co-Debtor Stay, Including Annulment Filed by CIT Bank, N.A. (16)**

***Dismissed 2/16/16**

Comment **Tentative Ruling: No objection filed. Case will be reopened for 60 days. Movant to pay any fee for reopening and for relief from stay motion.**

10:00 AM **16-50364** ShirleyAnn Capaz
Ch 13
Trustee: Derham-Burk

Moving: Diana Torres-Brito
Opposing: David A. Boone

Matter: **Hearing re: Objection to Confirmation of Plan Filed by Alaska USA Federal Credit Union (24)**

Comment **Tentative Ruling: No status conference statement from Debtor. Objection of Alaska USA FCU sustained.**

10:00 AM **16-50629** Muzyen M Abdulkadir

Ch 13

Trustee: Derham-Burk

Moving: Nima Stephen Vokshori

Opposing: Nancy Weng

Matter: **a) Application for Compensation of Fees: \$4,600.00 Filed by Vokshori Law Group, Former Counsel of Debtor (50)**

b) Opposition by Janine Cable (55)

Comment **Tentative Ruling: Matter will be continued to October 2016 calendar. Court requires written response and declaration from applicant addressing Debtor's contentions in filing of 9/10/2016, and compliance with Cal. Civ. Code § 2944.7(a).**

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10:00 AM **16-50863** Robert Carbajal Lopez and

Ch 13

Mafi Halaapiapi Lopez

Trustee: Derham-Burk

Moving: Breck E. Milde

Opposing:

Matter: **a) Hearing re Objection to Confirmation of Plan Filed by Huamin Zhang and William Chang (13)**

b) Hearing re Objection to Confirmation of Chapter 13 Plan Filed by Devin Derham-Burk (17)

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

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10:00 AM **16-52052** Leonard George Losik and

Ch 13

Sandra Ann Losik

Trustee: Derham-Burk

Moving: David J. Cook

Opposing: Brette L. Evans

Matter: **a) Motion to Dismiss Chapter 13 and Motion for Prefiling Order, for Filing Improvident Chapter 13 Case Filed by COUNTY OF MONTEREY (25)**

b) Response by Debtor (32)

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

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UNCONTESTED CALENDAR – CONFIRMATION ADVANCED PER RESOLUTION

JUDGE JOHNSON, September 15, 2016 at 10:00 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**:

- | | |
|---|-----------------|
| 11. LYNETTE PARADISO
15-53308 SLJ | ATTY – PAUL |
| 12. DENNIS & NANCY HOUGHTBY
15-53501 SLJ | ATTY – MORAN |
| 13. HANNY JAHNS
15-53743 SLJ
Trustee to file Objection, case to remain on TPL | ATTY – FULLER |
| 14. THOMAS TACCI
16-50048 SLJ | ATTY – ABDALLAH |
| 15. EDGAR BARCENA JR
16-50218 SLJ | ATTY – ZERBINI |
| 16. DAVID SANESANONG & MAYON SESPENE
16-50296 SLJ | ATTY – MOORE |
| 17. CAROL ROBINSON
16-50596 SLJ | ATTY – MOORE |
| 18. ANTROINE & CINDY COMBS
16-50656 SLJ | ATTY – MOORE |
| 19. NORIEL ADRICULA
16-51490 SLJ | ATTY – FARSAD |
| 20. GLENDA STEWART
16-51816 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 NO OUTSTANDING OBJECTIONS**

JUDGE JOHNSON, September 15, 2016 and 10:00 a.m.

From: 341 Meetings of Creditors, August 29, 2016

The following cases shall be **CONFIRMED**:

- | | |
|--|----------------------|
| 21. CARMEN ARNOLD
16-52000 SLJ | ATTY – SHULMAN |
| 22. AJOLI PAPAGAYO
16-52021 SLJ | ATTY – MOHER |
| 23. SANDEP NAR
16-52043 SLJ | ATTY – MOORE |
| 24. KEITH & AMY ROYLANCE
16-52045 SLJ | ATTY – MOORE |
| 25. SANFORD HEYMAN
16-52068 SLJ | ATTY – CENTRAL COAST |
| 26. DAVID MASON
16-52090 SLJ | ATTY – SHULMAN |

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

JUDGE JOHNSON, September 15, 2016 and 10:00 a.m.

From: 341 Meetings of Creditors, August 29 & September 2, 2016

TO BE PLACED ON TRUSTEE'S PENDING LIST:

- | | |
|--|--|
| 27. ROBERT GREEN
16-52012 SLJ | ATTY – CENTRAL COAST
OBJECTION BY – TRUSTEE |
| 28. ALINA CASTANEDA
16-52016 SLJ | ATTY – ERICKSEN
OBJECTION BY – TRUSTEE |
| 29. PATRICIA MOLINA
16-52035 SLJ | ATTY – EVANS
OBJECTION BY – TRUSTEE |
| 30. DAVID REED
16-52042 SLJ | ATTY – MOORE
OBJECTION BY – TRUSTEE |
| 31. LEONARD & SANDRA LOSIK
16-52052 SLJ | ATTY – EVANS
OBJECTION BY – TRUSTEE & COUNTY
OF MONTEREY |
| 32. NARCISSA THOMAS
16-52058 SLJ | ATTY – SEABROOK
OBJECTION BY – TRUSTEE |
| 33. JOSE MENESES
16-52061 SLJ | ATTY – EDGAR LAW
OBJECTION BY – TRUSTEE |
| 34. FELIX PEREZ
16-52070 SLJ | ATTY – PRO SE
OBJECTION BY - TRUSTEE |
| 35. ELIAS BALACHEW
16-52072 SLJ | ATTY – BOONE
OBJECTION BY – TRUSTEE |
| 36. DAVE & ANTONIA FOX
16-52075 SLJ | ATTY – BOONE
OBJECTION BY – TRUSTEE |

37. EMELITA ROJAS
16-52085 SLJ

ATTY – SEABROOK
OBJECTION BY – TRUSTEE