

U.S. BANKRUPTCY COURT
FOR THE CALIFORNIA NORTHERN BANKRUPTCY COURT

Honorable Stephen L. Johnson
Thursday, January 16, 2020

Current as of 1/15/2020 at 8:08 AM

San Jose Courtroom 9

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

10:00 AM **14-53021** Frankie Madriaga Lagliva

Ch 13

Trustee: Derham-Burk

Moving: Devin Derham-Burk

Opposing:

Debtor or Plaintiff Attorney: David A. Boone
Anh Nguyen

Matter: **Motion to Dismiss Case for Material Default Filed by Devin Derham-Burk (17)**

***Opposition filed by Debtor (20)**

Comment **Tentative Ruling: Case will be dismissed if the plan is not fully paid by the date of the hearing.**

10:00 AM **16-52681** John David Palomer Ilagan

Ch 13

Trustee: Derham-Burk

Moving: W. Kirk Moore

Opposing:

Debtor or Plaintiff Attorney: Renee C. Mendoza
W Kirk Moore
Cathleen Cooper Moran

Matter: **Application for Compensation Fee \$5,172.62 and Expenses \$321.09 Filed by Cathleen Moran (65)**

Comment **Tentative Ruling: Fees and expenses approved under § 330(a)(4)(B), noting counsel's voluntary reduction.**

10:00 AM **17-52034** Richard Glen Clement
Ch 13
Trustee: Derham-Burk

Moving: Brette L. Evans

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

Matter: [Amended Motion to Modify Plan and Modified Chapter 13 Plan Filed by Richard Clement \(67\)](#)

[*Objection filed by Trustee \(69\)](#)

Comment **Tentative Ruling: Denied as moot because debtor filed amended plan after DKT 67 plan (see DKT 70).**

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10:00 AM **17-52034** Richard Glen Clement
Ch 13
Trustee: Derham-Burk

Moving: Brette L. Evans

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

Matter: [Second Amended Motion to Modify Plan Filed by Richard Clement \(70\)](#)

[*Objection filed by Wells Fargo Bank \(72\)](#)

[*Objection filed by Trustee \(73\)](#)

Comment **Tentative Ruling: This motion is not noticed properly (notice refers to DKT 67). Even if it were, it seems like it is moot because plan premised on refi completed by 11/19 (which has passed).**

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10:00 AM **18-51989** Angel Antonio Calderon and
Ch 13 Jenny Jacqueline Calderon
Trustee: Derham-Burk

Moving: Devin Derham-Burk

Opposing:

Debtor or Plaintiff Attorney: Victoria Maydanik

Matter: [Motion to Dismiss Case for Failure to File Declaration of Direct Payment Filed by Devin Derham-Burk \(39\)](#)

[*Opposition filed by Debtors \(47\)](#)

Comment **Tentative Ruling: Matter will be continued given apparent attempt to sell real property (DKT 50).**

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10:00 AM **18-52570** Hector Ignacio Zuno
Ch 13
Trustee: Derham-Burk
Moving: Devin Derham-Burk
Opposing:
Debtor or Plaintiff Attorney: William W. Winters

Matter: **Motion to Dismiss Case for Failure to File Declaration of Direct Payment Filed by Devin Derham-Burk (79)**

***Opposition filed by Debtor (87)**

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

10:00 AM **19-51588** Anne Marie Ajemian
Ch 13
Trustee: Derham-Burk
Moving: Selwyn D. Whitehead
Opposing:
Debtor or Plaintiff Attorney: Selwyn D. Whitehead

Matter: **Motion To Determine The Value And Status Of The Undersecured Claim Of TD Auto Finance LLC, Value The Secured Portion Of The Claim At No More Than The Fair Market Value Of Debtor's Property And Value The Unsecured Portion At Zero filed by Debtor (25)**

***Opposition filed by TD Auto Finance LLC (43)**

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

10:00 AM **19-51996** Alessandra Jordan Chavez
Ch 13
Trustee: Derham-Burk
Moving: Devin Derham-Burk
Opposing:
Debtor or Plaintiff Attorney: Aaron Lipton

Matter: **Motion to Dismiss Case Pre-Confirmation for Failure to File Proof of Direct Payment of Long-Term Debt Filed by Devin Derham-Burk (24)**

Comment **Tentative Ruling: Matter will be called. Counsel for debtor to appear in person or by telephone.**

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