

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

Honorable Stephen L. Johnson

Thursday, January 23, 2020

Current as of 1/21/2020 at 12:04 PM

San Jose Courtroom 9

U.S. Courthouse and Federal Bldg.

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

11:00 AM **19-50935** Janis Lee Archer Arrigoni

Ch 13

Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Michael D. Lee

Matter: [Motion to Dismiss Case Pre-confirmation Filed by Devin Derham-Burk \(37\)](#) 1

***Opposition filed by Debtor (40)**

Comment Tentative Ruling: Matter will be called.

11:00 AM **19-50937** Theresa Anne Scarpa

Ch 13

Trustee: Derham-Burk

Moving: Devin Derham-Burk

Opposing:

Debtor or Plaintiff Attorney: W. Kirk Moore

Matter: [Motion to Dismiss Case Pre-confirmation Filed by Devin Derham-Burk \(28\)](#) 2

***Opposition filed by Debtor (31)**

Comment Tentative Ruling: If case is current on monthly payments, Debtor will be given deadline of 3/26/2020 to confirm or case will be dismissed. If not current at hearing, case will be dismissed.

11:00 AM **19-50940** James C Pitre

Ch 13

Trustee: Derham-Burk

Moving: Devin Derham-Burk

Opposing:

Debtor or Plaintiff Attorney: Lars T. Fuller

Matter: [Motion to Dismiss Case Pre-confirmation for Non-Payment Filed by Devin Derham-Burk \(34\)](#) 3

***Opposition filed by Debtor (37)**

Comment Tentative Ruling: Case will be dismissed. Acc'd to Stay Relief Motion (DKT 50) and trustee motion, case is substantially delinquent on direct and trustee payments.

11:00 AM **19-51017** Arbert Jimenez Perez
Ch 13

Trustee: Derham-Burk

Moving: Devin Derham-Burk

Opposing:

Debtor or Plaintiff Attorney: Ralph P. Guenther

Matter: **Motion to Dismiss Case Pre-confirmation Filed by Devin Derham-Burk (31)**

***Opposition filed by Debtor (34)**

Comment **Tentative Ruling: If case is current on monthly payments, Debtor will be given deadline of 3/26/2020 to confirm or case will be dismissed. If not current at hearing, case will be dismissed.**

11:00 AM **19-51022** Eugenio Acosta, III
Ch 13

Trustee: Derham-Burk

Moving: Devin Derham-Burk

Opposing:

Debtor or Plaintiff Attorney: W. Kirk Moore

Matter: **Motion to Dismiss Case Pre-confirmation Filed by Devin Derham-Burk (31)**

***Opposition filed by Debtor (39)**

Comment **Tentative Ruling: Case will be dismissed if no plan has been confirmed by 3/26/2020.**

11:00 AM **19-51076** Hortencia Hughes and
Ch 13 Bruce D. Hughes

Trustee: Derham-Burk

Moving: Devin Derham-Burk

Opposing:

Debtor or Plaintiff Attorney: Lars T. Fuller

Matter: **Motion to Dismiss Case Pre-confirmation Filed by Devin Derham-Burk (22)**

***Opposition filed by Debtors (29)**

Comment **Tentative Ruling: Case will be dismissed if no plan has been confirmed by 3/26/2020.**

11:00 AM **19-51077** Jose Salvador Martinez, Jr. and
Ch 13 Lori Anne Martinez

Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Marc Voisenat

Matter: **Motion to Dismiss Case Pre-confirmation Filed by Devin Derham-Burk (48)**

***Response filed by Debtors (51)**

Comment **Tentative Ruling: Given results of MMM, court inclined to dismiss case.**

11:00 AM **19-51210** Oscar Armando Echegoyen
Ch 13
Trustee: Derham-Burk
Moving: Devin Derham-Burk
Opposing:
Debtor or Plaintiff Attorney: Lars T. Fuller

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Matter: [Motion to Dismiss Case Pre-confirmation Filed by Devin Derham-Burk \(22\)](#)

***Opposition filed by Debtor (25)**

Comment **Tentative Ruling: Case will be dismissed if no plan has been confirmed by 3/26/2020.**

11:00 AM **19-51293** Salma Merritt
Ch 13
Trustee: Derham-Burk
Moving: Devin Derham-Burk
Opposing:
Debtor or Plaintiff Attorney: Marc Voisenat

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Matter: [Motion to Dismiss Case Pre-confirmation Filed by Devin Derham-Burk \(59\)](#)

***Response filed by Debtor (67)**

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

11:00 AM **19-51391** Reuben Lagbao Nocos and
Ch 13 Eloisa Joy Nocos
Trustee: Derham-Burk
Moving: Devin Derham-Burk
Opposing:
Debtor or Plaintiff Attorney: David A. Boone
David (dw) Boone

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Matter: [Motion to Dismiss Case Pre-confirmation Filed by Devin Derham-Burk \(30\)](#)

***Opposition filed by Debtors (33)**

Comment **Tentative Ruling: Case will be dismissed. No activity on docket that would indicate any forward progress on confirmation. Further, opposition is not substantive in that it doesn't specify any remedial action taken or under review.**

11:00 AM **19-51511** Maria Ochoa
Ch 13
Trustee: Derham-Burk
Moving: Devin Derham-Burk
Opposing:
Debtor or Plaintiff Attorney: David A. Boone

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Matter: [Motion to Dismiss Case Pre-confirmation Filed by Devin Derham-Burk \(20\)](#)

***Opposition filed by Debtor (23)**

Comment **Tentative Ruling: If plan payments are not current by hearing, case will be dismissed. If payments are current, case will be dismissed if no plan has been confirmed by 3/26/2020.**

