

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

**Honorable Stephen L. Johnson**

**Thursday, February 13, 2020**

*Current as of 2/11/2020 at 7:58 AM*

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**San Jose Courtroom 9**

**U.S. Courthouse and Federal Bldg.**

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

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10:00 AM **18-52006** Steve Anthony Castillo

Ch 13

Trustee: Derham-Burk

**Moving:** Vincent V. Frounjian

**Opposing:**

**Debtor or Plaintiff Attorney:** Norma L. Hammes

**Matter:** [Objection to Confirmation of Plan Filed by American Honda Finance Corporation \(13\)](#)

**Comment** **Tentative Ruling:** Objection will be overruled based on surrender of property. If creditor is still pressing objection, its counsel must appear.

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10:00 AM **18-52753** Paul Retlewski and

Ch 13

Peggy Ku-Retlewski

Trustee: Derham-Burk

**Moving:** Brette L. Evans

**Opposing:**

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

**Matter:** [Application for Compensation Fee \\$16,975.00 and Expenses \\$669.27 Filed by Brette Evans \(115\)](#)

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

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10:00 AM **18-52753** Paul Retlewski and

Ch 13

Peggy Ku-Retlewski

Trustee: Derham-Burk

**Moving:** Wendy A. Locke

**Opposing:**

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

**Matter:** [Objection to Confirmation of Plan Filed by The Bank of New York Mellon \(33\)](#)

**Comment** **Tentative Ruling:** Objection will be overruled as it appears Debtors paid claim through sale of property/escrow. If creditor is still pressing objection, its counsel must appear.

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10:00 AM **19-50304** Velia Guajardo-Codiga and  
Ch 13 Paul Louis Codiga  
Trustee: Derham-Burk  
**Moving:** Devin Derham-Burk  
**Opposing:**  
**Debtor or Plaintiff Attorney:** Michael D. Lee

**Matter:** **Motion to Dismiss Case for Failure to Make Plan Payments Filed by Devin Derham-Burk (37)**

**\* Motion withdrawn by Trustee on 2/10/2020**

**Comment** **Tentative Ruling: Dismissed prior to hearing per Docket Order.**

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10:00 AM **19-50392** Tammy Marie Ogletree  
Ch 13  
Trustee: Derham-Burk  
**Moving:** John G. Downing  
**Opposing:**  
**Debtor or Plaintiff Attorney:** Aaron Lipton

**Matter:** **Motion to Convert Case to Chapter 7 Filed by Sarah Davis (36)**

**\*Opposition Filed by Debtor (41)**

**(fr 11/21)**

**Comment** **Tentative Ruling: Matter will be called. Counsel to appear. Failure to appear will be treated as consent to court's ruling.**

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10:00 AM **19-50940** James C Pitre  
Ch 13  
Trustee: Derham-Burk  
**Moving:** Lars T. Fuller  
**Opposing:**  
**Debtor or Plaintiff Attorney:** Lars T. Fuller

**Matter:** **Motion to Further Extend Automatic Stay as to All Creditors Filed by Debtor (46)**

**Comment** **Tentative Ruling: This matter is mis-calendared and should be on relief from stay calendar. Matter will be called.**

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10:00 AM **19-51752** Lynn Igoe  
Ch 13  
Trustee: Derham-Burk  
**Moving:** Stephen T. Hicklin  
**Opposing:**  
**Debtor or Plaintiff Attorney:** Brette L. Evans

**Matter:** **Objection to Confirmation of Plan Related Docket #20 Filed by New Residential Mortgage LLC (25)**

**\*OBJECTION WITHDRAWN ON 2/6/20**

**Comment** **Tentative Ruling: Confirmation objection withdrawn on 2/6. Can Trustee recommend confirmation?**

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10:00 AM **19-51934** Cindy Diane Cooper  
Ch 13  
Trustee: Derham-Burk

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** Norma L. Hammes

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**Matter:** **Objection to Confirmation of Chapter 13 Plan Filed by Devin Derham-Burk (25)**

(fr 12/12)

**Comment** **Tentative Ruling: Trustee has withdrawn her confirmation objection. Can Trustee recommend confirmation?**

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10:00 AM **19-52264** Maria Beatriz Menjivar Escobar  
Ch 13  
Trustee: Derham-Burk

**Moving:** Lars T. Fuller

**Opposing:**

**Debtor or Plaintiff Attorney:** E. Vincent Wood

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**Matter:** **Motion to Dismiss Case Filed by Creditor Mers Fund I (33)**

**Comment** **Tentative Ruling: Matter is dropped. No BLR authorizes a notice saying that objections are due on the day of the hearing (except Relief from Stay, which doesn't apply here). Counsel should review BLR 9014-1(c) and renote (21 days' notice plus an objection due 7 days prior to hearing).**

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