

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

Honorable Stephen L. Johnson

Thursday, April 23, 2020

Current as of 4/21/2020 at 4:51 PM

San Jose Courtroom 9

U.S. Courthouse and Federal Bldg.

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

10:00 AM **15-53501** Dennis H. Houghtby and
Ch 13 Nancy J. Houghtby
Trustee: Derham-Burk

Moving: Renee C. Mendoza

Opposing:

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

Matter: **Motion for Determination of Final Cure and Mortgage Payment re: Rule 3002.1 Filed by Dennis Houghtby (168)**

***Response filed by PNC Bank (183)**

***Reply filed by Debtors (184)**

(Fr 12/12, 1/30, 3/12)

Comment **Tentative Ruling: Matter will be called; parties to update court at hearing on status of resolution of 3002.1 issue.**

10:00 AM **16-51147** Frank Sanchez and
Ch 13 Wendy Sanchez
Trustee: Derham-Burk

Moving: Lars T. Fuller

Opposing:

Debtor or Plaintiff Attorney: Lars T. Fuller
Saman Taherian

Matter: **First Amended Motion to Modify Plan and Modified Chapter 13 Plan Filed by Frank Sanchez (71)**

***Opposition filed by Trustee (74)**

Comment **Tentative Ruling: Trustee's opposition to modification motion will be sustained and motion denied. No amended schedules have been filed, among other things.**

10:00 AM **16-53199** John Martin Pratt
Ch 13
Trustee: Derham-Burk
Moving: David A. Boone
Opposing:
Debtor or Plaintiff Attorney: David A. Boone
Leela Menon

Matter: [Motion to Modify Plan Filed by John Pratt \(44\)](#)

***Opposition filed by Trustee (46)**

Comment **Tentative Ruling: The trustee's objection will be sustained and motion denied as the plan does not appear confirmable.**

3

10:00 AM **18-50563** Andrew Edward Medeiros
Ch 13
Trustee: Derham-Burk

Moving: David A. Boone
Opposing:
Debtor or Plaintiff Attorney: David A. Boone

Matter: [Amended Motion to Modify Chapter 13 Plan Filed by Andrew Medeiros \(45\)](#)

***Opposition filed by Trustee (47)**

Comment **Tentative Ruling: Trustee's objection will be sustained and motion denied as the math on this plan does not appear to work and no revision or update has been filed since February 2020.**

4

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: [Application for Compensation Fee \\$13,357.00 and Expenses \\$31.40 Filed by Lars Fuller \(73\)](#)

Comment **Tentative Ruling: Fees allowed per docket order prior to hearing.**

5

10:00 AM **19-51229** Jennifer Loventhal
Ch 13
Trustee: Derham-Burk

Moving: Cathleen Cooper Moran
Opposing:
Debtor or Plaintiff Attorney: Renee C. Mendoza
Cathleen Cooper Moran

Matter: [Objection to Claim Number 8 by Claimant Bayview Loan Servicing LLC \(38\)](#)

***Response filed by Debtor (46)**

(fr 3/12, 3/26)

Comment **Tentative Ruling: This matter has been continued many times and will be set for an evidentiary hearing when the courthouse reopens.**

6

10:00 AM **19-51653** Roberto Crisostomo Villamil
Ch 13
Trustee: Derham-Burk

Moving: Stan E. Riddle

Opposing:

Debtor or Plaintiff Attorney: Stan E. Riddle

Matter: **Motion to Vacate Order of Dismissal Filed by Debtor (36)**

***Response filed by Trustee (41)**

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

7

10:00 AM **19-51742** Nestly C. Yap
Ch 13
Trustee: Derham-Burk

Moving: Brette L. Evans

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

Matter: **Debtor's Motion to Incur Post Petition Debt Prior to Plan Confirmation Pursuant to Bankruptcy Rule 4001 (c) Filed by Debtor (42)**

Comment **Tentative Ruling: Matter will be called. Motion will be denied as unnecessary (see § 364 and Rule 4001)(neither applies to an individual non-business debtor in chapter 13).**

8

10:00 AM **19-51742** Nestly C. Yap
Ch 13
Trustee: Derham-Burk

Moving: Brette L. Evans

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

Matter: **Third Amended Objection to Confirmation of Chapter 13 Plan filed by Devin Derham-Burk (37)**

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

9

10:00 AM **20-50121** Honghien Thi Le
Ch 13
Trustee: Derham-Burk

Moving: Devin Derham-Burk

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: **Motion to Dismiss Case for Failure to Make First Plan Payment Filed by Devin Derham-Burk (23)**

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

Comment **Tentative Ruling: Case will be dismissed if payments are not current to the trustee at the time of the hearing.**

10