

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

Honorable Stephen L. Johnson

Thursday, May 14, 2020

Current as of 5/12/2020 at 7:24 AM

San Jose Courtroom 9

U.S. Courthouse and Federal Bldg.

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

10:00 AM **14-52337** Jeffrey L. Hanson and
Ch 13 Marina B. Hanson
Trustee: Derham-Burk

Moving: Devin Derham-Burk

Opposing:

Debtor or Plaintiff Attorney: Aaron Lipton

Matter: [Motion to Dismiss Case for Material Default Filed by Devin Derham-Burk \(71\)](#)

[*Opposition filed by Debtors \(74\)](#)

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

10:00 AM **14-53307** Jaspal Singh and
Ch 13 Sukhbinder Kaur
Trustee: Derham-Burk

Moving: Lars T. Fuller

Opposing:

Debtor or Plaintiff Attorney: Lars T. Fuller
Saman Taherian

Matter: [Motion to be Relieved as Counsel Filed by Debtor's Counsel \(60\)](#)

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

10:00 AM **14-53307** Jaspal Singh and
Ch 13 Sukhbinder Kaur
Trustee: Derham-Burk

Moving: Jane Z. Bohrer

Opposing:

Debtor or Plaintiff Attorney: Lars T. Fuller
Saman Taherian

Matter: [Motion to Dismiss Case for Material Default Under Confirmed Plan Filed by Devin Derham-Burk \(55\)](#)

[*Opposition filed by Debtors \(57\)](#)

[*Suppl Opposition filed by Debtors \(65\)](#)

Comment **Tentative Ruling: Motion will be granted. Plan is substantially over term and in material default.**

10:00 AM **15-52061** Diana Marie Gutierrez
Ch 13
Trustee: Derham-Burk

Moving: David A. Boone

Opposing:

Debtor or Plaintiff Attorney: David A. Boone
David (dw) Boone

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Matter: **Motion to Modify Plan Filed by Debtor (37)**

***Opposition filed by Trustee (39)**

Comment **Tentative Ruling: Trustee's opposition will be sustained & motion denied as there is no evidence to support the modification and it violates the statutory payment scheme.**

10:00 AM **18-51477** Jose Luis Miranda, Jr. and
Ch 13 Carmen Maria Miranda
Trustee: Derham-Burk

Moving: Jon G. Brooks

Opposing:

Debtor or Plaintiff Attorney: Jon G. Brooks

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Matter: **Motion to Modify Plan Filed by Debtors (52)**

***Opposition filed by Trustee (53)**

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

10:00 AM **19-50459** Esmeralda Martinez Sanchez
Ch 13
Trustee: Derham-Burk

Moving: Devin Derham-Burk

Opposing:

Debtor or Plaintiff Attorney: David A. Boone
David (dw) Boone
Anh Nguyen

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Matter: **Motion to Dismiss Case for Failure to Make Plan Payments Filed by Devin Derham-Burk (53)**

***Opposition filed by Debtor (56)**

Comment **Tentative Ruling: If plan payments of \$6100/mo are not current as of date of hearing, case will be dismissed.**

10:00 AM **19-52228** Patricia Balanzar Galeana
Ch 13
Trustee: Derham-Burk

Moving: Mark Stephen Krause

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: **Objection to Confirmation of Plan Filed by Wilmington Savings Fund Society, FSB, D/B/A Christiana Trust as Trustee for PNPMS Trust I (24)**

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

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10:00 AM **20-50141** Tonja Ralston and
Ch 13 John Earl Ralston
Trustee: Derham-Burk

Moving: Devin Derham-Burk

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: **Motion to Dismiss Case Pre-Confirmation for Failure to File Proof of Direct Payment of Long-Term Debt Filed by Devin Derham-Burk (33)**

***Opposition filed by Debtors (36)**

Comment **Tentative Ruling: Can trustee provide status? Debtors filed (5/7/20) declaration of loan payments made for February, March, April.**

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10:00 AM **20-50399** Eric Dean Hull
Ch 13
Trustee: Derham-Burk

Moving: Devin Derham-Burk

Opposing:

Debtor or Plaintiff Attorney: Aaron Lipton

Matter: **Motion to Dismiss Case for Failure to Make First Plan Payment Filed by Devin Derham-Burk (16)**

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

Comment **Tentative ruling: Can trustee update status of all payments? If all plan payments are not current, case will be dismissed.**

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