

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

Honorable Stephen L. Johnson

Thursday, October 18, 2018

Current as of 10/17/2018 at 11:03 AM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

11:30 AM **17-52438** Evodio Lopez-Diaz and
Ch 13 Gloria Lopez-Vazquez
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Michael G. Comfort

Matter: **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (28)**

***Response filed by Debtors (30)**

***Response/Opposition filed by Debtors (44)**

Comment **Tentative Ruling: Case will be dismissed if a plan is not confirmed by 12/13/2018.**

11:30 AM **18-50028** Efren E. Dela Cruz
Ch 13
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney:

Matter: **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (62)**

***Opposition filed by Debtor (64)**

***Reply filed by Trustee (67)**

***Suppl Opposition filed by Debtor (69)**

Comment **Tentative Ruling: Case will be dismissed.**

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11:30 AM **18-50043** Anh Vo
Ch 13
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Stanley Phan

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Matter: **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (24)**

***Opposition filed by Debtor (28)**

Comment **Tentative Ruling: Case will be dismissed. Docket reflects no filings by debtor to move this case toward confirmation since case was commenced.**

11:30 AM **18-50104** Heather Lavern Ojeda
Ch 13
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Norma L. Hammes

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Matter: **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (21)**

***Opposition filed by Debtor (24)**

Comment **Tentative Ruling: Case will be dismissed if a plan is not confirmed by 12/13/2018. Objections to form of motion, notice, etc., overruled. See In re Malek.**

11:30 AM **18-50219** Dianna Susan Ziehm
Ch 13
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: W. Kirk Moore

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Matter: **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (19)**

***Opposition filed by Debtor (21)**

***Motion withdrawn by Trustee on 10/16/2018. Matter is dropped from the calendar.**

Comment **Tentative Ruling: Motion w/drawn.**

11:30 AM **18-50240** Paul Retlewski and
Ch 13 Peggy Ku-Retlewski
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

Matter: **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (29)**

***Reply filed by Debtors (31)**

Comment **Tentative Ruling:** Case will be dismissed if a plan is not confirmed by 12/13/2018.

11:30 AM **18-50303** Abel Lugo and
Ch 13 Andrea Marie Lugo
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Lars T. Fuller

Matter: **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (25)**

***Opposition filed by Debtors (28)**

Comment **Tentative Ruling:** Case will be dismissed if a plan is not confirmed by 12/13/2018.

11:30 AM **18-50316** Andrew Ross Crocker and
Ch 13 Christina Yvonne Crocker
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (30)**

***Opposition filed by Debtors (32)**

Comment **Tentative Ruling:** Case will be dismissed if a plan is not confirmed by 12/13/2018.

11:30 AM **18-50383** Mariano Orozco Sanchez
Ch 13
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (35)**

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

Comment **Tentative Ruling:** Case will be dismissed if a plan is not confirmed by 12/13/2018.

11:30 AM **18-50427** Anthony Henry Dominguez
Ch 13
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: W. Kirk Moore

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Matter: **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (27)**

***Opposition filed by Debtor (29)**

Comment **Tentative Ruling:** Case will be dismissed. Court will retain jurisdiction over counsel's application for fees (DKT 31).

11:30 AM **18-50985** Rene Marcos Gamino and
Ch 13 Megan Marie Gamino
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Elliot Gale

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Matter: **Motion to Dismiss Case For Non-Payment (Pre-Confirmation) Pursuant to 11 U.S.C. Sec. 1307(c)(1) Filed by Devin Derham-Burk (23)**

***Opposition filed by Debtors (25)**

Comment **Tentative Ruling:** Case will be dismissed if a plan is not confirmed by 12/13/2018.
