

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

**Honorable Stephen L. Johnson
Thursday, November 14, 2019**

Current as of 11/12/2019 at 3:34 PM

San Jose Courtroom 9

**U.S. Courthouse and Federal Bldg.
280 S 1st Street
San Jose, CA 95113**

10:00 AM **14-50507** Leslie Vasquez
Ch 13
Trustee: Derham-Burk
Moving: Cathleen Cooper Moran
Opposing:
Debtor or Plaintiff Attorney: Renee C. Mendoza
Cathleen Cooper Moran

Matter: [Motion For Sanctions For Violation Of Automatic Stay Filed by Debtor \(110\)](#)

[*Opposition filed by Creditor California Department of Tax and Fee Administration \(116\)](#)

[*Reply filed by Debtor \(118\)](#)

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

10:00 AM **14-52572** Thomas Andrew Chiapella and
Ch 13 Robyn Beth Chiapella
Trustee: Derham-Burk
Moving: Devin Derham-Burk
Opposing:
Debtor or Plaintiff Attorney: Jason Vogelpohl

Matter: [Motion to Dismiss Case by Chapter 13 Trustee Filed by Devin Derham-Burk \(58\)](#)

[*Opposition filed by Debtors \(61\)](#)

[*Reply filed by the Trustee \(64\)](#)

Comment **Tentative Ruling: Motion will be granted. See In re Mora, 14-52022 (DKT 78).**

10:00 AM **15-52032** Tammy E. Hinojosa and
Ch 13 Terrence E. Hinojosa
Trustee: Derham-Burk
Moving: Brette L. Evans
Opposing:
Debtor or Plaintiff Attorney: Brette L. Evans

Matter: [Application for Compensation Fee \\$3,325.00 and Expenses \\$0.00 filed by Brette Evans \(90\)](#)

Comment **Tentative Ruling: Fees are necessary and beneficial to debtor and are awarded under § 330(a)(4)(B).**

10:00 AM **19-50188** Joshua L. Kerswell
Ch 13
Trustee: Derham-Burk

Moving:

Opposing:

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

Matter: **Second Amended Objection to Confirmation of Chapter 13 Plan Filed by Devin Derham Burk (32)**

(fr 10/10)

Comment **Tentative Ruling: Matter will be called. Court requires update on status of objection filed by Global Lending.**

10:00 AM **19-50188** Joshua L. Kerswell
Ch 13
Trustee: Derham-Burk

Moving: Austin P. Nagel

Opposing:

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

Matter: **Objection to Confirmation of Plan Filed by Global Lending Services LLC (23)**

(fr 10/10)

Comment **Tentative Ruling: Matter will be called. Court requires update on status of objection filed by Global Lending.**

10:00 AM **19-50343** Jagath K. Ranasinghe
Ch 13
Trustee: Derham-Burk

Moving: Brette L. Evans

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

Matter: **Application for Compensation Fee \$8,330.00 and Expenses \$95.90 Filed by Brette Evans (43)**

Comment **Tentative Ruling: Fees will be allowed under § 330(a)(4)(B) but cannot be paid until confirmation of plan.**

10:00 AM **19-50679** Lydia Zapata
Ch 13
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: Norma L. Hammes

Matter: [Motion to File Late Claim Filed by Park West Homeowners Association \(27\)](#)

[Opposition filed by Debtor \(33\)](#)

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

10:00 AM **19-51037** Hamid Pirzadeh and
Ch 13 Elham Pirzadeh
Trustee: Derham-Burk

Moving: David A. Boone

Opposing:

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

Matter: [Objection to Claim Number 5 by Claimant Franchise Tax Board Filed by Elham Pirzadeh \(33\)](#)

[*Response filed by Creditor California Franchise Tax Board \(37\)](#)

[*Reply filed by Debtors \(46\)](#)

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

10:00 AM **19-51824** Lorna Del Rosario Olmedo
Ch 13
Trustee: Derham-Burk

Moving: David A. Boone

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: [Motion to Appoint Agustin Obedo Olmedo as "Next Friend" on Behalf of Debtor Lorna Del Rosario Olmedo \(17\)](#)

[*Opposition filed by Trustee \(22\)](#)

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

10:00 AM **19-52272** Winston Fangon Labucay and
Ch 13 Nelly Llanes Labucay
Trustee: Derham-Burk

Moving: David A. Boone

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: [Motion to Impose Automatic Stay Filed by Nelly Labucay \(8\)](#)

[*Order Shortening Time](#)

Comment **Tentative Ruling: Matter will be called as oral objections are authorized per court's 11/8/19 order (DKT 15).**

