

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

**Honorable Stephen L. Johnson
Thursday, November 19, 2020**

Current as of 11/18/2020 at 10:09 AM

Via Tele/Videoconference

www.canb.uscourts.gov/calendars

Tele/Videoconference

10:00 AM **17-51128** James Blake Sibley and
Ch 13 Lisa Marie Sibley
Trustee: Derham-Burk

Moving: Arnold L. Graff

Opposing:

Debtor or Plaintiff Attorney: Andrew Christensen
W. Kirk Moore

Matter: **Motion for Rehearing and for Order Clarifying Documents to be Produced filed by Creditor Fay Servicing LLC (69)**

***Opposition filed by Debtors (77)**

***Reply filed by Creditor Fay Servicing LLC (95)**

Comment **Tentative Ruling: This matter will be called.**

10:00 AM **17-51128** James Blake Sibley and
Ch 13 Lisa Marie Sibley
Trustee: Derham-Burk

Moving: Andrew Christensen

Opposing:

Debtor or Plaintiff Attorney: Andrew Christensen
W. Kirk Moore

Matter: **Debtors Motion for Discovery Sanctions Against Fay Servicing LLC for Failure to Comply with Discovery Order Filed by Debtors (78)**

***Opposition filed by Fay Servicing LLC (85)**

***Reply filed by Debtors (96)**

Comment **Tentative Ruling: This matter will be called.**

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10:00 AM **19-52425** Joseph Jacque Batto and
Ch 13 Reina Virginia Paz Batto
Trustee: Derham-Burk

Moving: David A. Boone

Opposing:

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

Matter: **Objection to Claim Number 3 by Claimant BMW Bank of North America Filed by Debtors (56)**

***Response filed by BMW Bank of North America (58)**

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

10:00 AM **20-50146** Cathy T Torres
Ch 13
Trustee: Derham-Burk

Moving: Aaron Lipton

Opposing:

Debtor or Plaintiff Attorney: Aaron Lipton

Matter: **Motion to Value Personal Property Filed by Debtor (39)**

Comment **Tentative Ruling: This matter will be called and denied. Counsel's approach to these motions is wrong from a legal standpoint and the court will address that at the hearing. Counsel should re-read DKT 27 in advance of the hearing. Counsel should also inform the court if this is 910 property or not (see DKT 27, p.4).**

10:00 AM **20-51097** Chistina Kamala Dawson
Ch 13
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Michael J. Yesk

Matter: **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c)(1), in addition to Motion to Disgorge Filed by Devin Derham-Burk (59)**

***Non-Opposition to Dismissal/Opposition to Disgorgement filed by Debtor (61)**

Comment **Tentative Ruling: Motion to dismiss granted due to no opposition, motion for review of fees will be called for argument.**

10:00 AM **20-51257** Lewis Weldon Roach, III and
Ch 13 Marilen Vergara Roach
Trustee: Derham-Burk

Moving: Adam Thursby

Opposing:

Debtor or Plaintiff Attorney: Norma L. Hammes

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Matter: **Objection to Confirmation of Plan Filed by LoanDepot.com, LLC (13)**

(fr 10/22)

Comment **Tentative Ruling: Counsel for LoanDepot.com did not appear at last hearing. Absent appearance on 11/19/20, the court will overrule based on lack of prosecution.**

10:00 AM **20-51277** Scott David Burd
Ch 13
Trustee: Derham-Burk

Moving: Devin Derham-Burk

Opposing:

Debtor or Plaintiff Attorney: Jennifer Grondahl Lee

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Matter: **Motion to Dismiss Case for Failure to Make First Plan Payment Filed by Devin Derham-Burk (26)**

***Opposition filed by Heritage Bank of Commerce (30)**

***Opposition filed by Debtor (31)**

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