

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

Honorable Stephen L. Johnson

Wednesday, December 5, 2018

Current as of 12/4/2018 at 3:01 PM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

2:30 PM **13-53704** Lourdes Cheryl Nazario Platon

Ch 13

Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: **Motion to Dismiss Case For Material Default Under Confirmed Plan Filed by Devin Derham-Burk (57)**

***Opposition filed by Debtor (59)**

***Motion withdrawn by Trustee on 12/3/2018 (68)**

(fr 11/8, 11/28)

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

2:30 PM **13-53704** Lourdes Cheryl Nazario Platon

Ch 13

Trustee: Derham-Burk

Moving: David A. Boone

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: **Motion to Allow Time to Cure Chapter 13 Plan Payment Default Filed by Debtor (63)**

***Opposition filed by Trustee (67)**

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

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2:30 PM 18-50238 Thomas Franklin Patterson
Ch 13
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

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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 (47)

***Opposition filed by Debtor (49)**

Comment Tentative Ruling: Case will be dismissed on February 14, 2019 if a plan is not confirmed by that date.

2:30 PM 18-50729 Nemesio B. Barcellano, Jr.
Ch 13
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Lars T. Fuller

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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 (35)**

Comment Tentative Ruling: Case will be dismissed on February 14, 2019 if a plan is not confirmed by that date.

2:30 PM 18-50810 Amy Donna Sanchez
Ch 13
Trustee: Derham-Burk

Moving: Nanette Dumas

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 (56)

***Opposition filed by Debtor (59)**

Comment Tentative Ruling: Plan must be confirmed by 2/14/19 or case will be dismissed. Opposition arguments re balancing debtor's interests and need for evidentiary hearing overruled. See In re Malek, 2018 WL 4354035 (Bankr. N.D.Cal. 2018).

2:30 PM **18-51937** Robert W. Blean
Ch 13
Trustee: Derham-Burk
Moving: Devin Derham-Burk
Opposing:
Debtor or Plaintiff Attorney: Michael D. Lee

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Matter: **Motion to Dismiss Case Pre-Confirmation for Failure to File Proof of Direct Payment of Long-Term Debt Filed by Devin Derham-Burk (31)**

 ***Opposition filed by Debtor (42)**
Comment **Tentative Ruling: Matter will be called.**
