

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

**Honorable Stephen L. Johnson**

**Thursday, December 13, 2018**

*Current as of 12/12/2018 at 2:44 PM*

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**San Jose Courtroom 3099**

**U.S. Courthouse and Federal Bldg.**

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

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11:30 AM **18-50300** Sarah Reynoso

Ch 13

Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

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

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

**Comment** Tentative Ruling: Debtor's chapter 13 plan must be confirmed by 2/14/2019 or the case will be dismissed.

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11:30 AM **18-50381** Lisa Renee Lewman

Ch 13

Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

**Matter:** **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (39)**

**\*Opposition filed by Debtor (42)**

**Comment** Tentative Ruling: Case will be dismissed. Opposition refers to documents which have never been filed.

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11:30 AM **18-50406** James Steven Schwerm

Ch 13

Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

**Matter:** **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (46)**

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

**Comment** Tentative Ruling: Debtor's chapter 13 plan must be confirmed by 2/14/2019 or the case will be dismissed.

**Thursday, December 13, 2018**

† indicates associated main case data

**Page 1**

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11:30 AM **18-50675** Dale Scott Seiber  
Ch 13  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

**Matter:** **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (32)**

**\*Opposition filed by Debtor (34)**

**Comment** **Tentative Ruling:** Case will be dismissed. Zero docket activity since Trustee' s motion was filed in September 2018. Case is making no progress.

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11:30 AM **18-50738** Brandon James Morton  
Ch 13  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

**Matter:** **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (46)**

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

**\*Supplemental Opposition filed by Debtor (53)**

**(fr 11/8)**

**Comment** **Tentative Ruling:** Debtor's chapter 13 plan must be confirmed by 2/14/2019 or the case will be dismissed.

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11:30 AM **18-50881** Brenda Sue Urciaga  
Ch 13  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

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

**\*Opposition filed by Debtor (35)**

**\*Opposition filed by Debtor (45)**

**Comment** **Tentative Ruling:** Debtor's chapter 13 plan must be confirmed by 2/14/2019 or the case will be dismissed.

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11:30 AM **18-50915** Napoleon Tuason Cadwising  
Ch 13  
Trustee: Derham-Burk

**Moving:** Jane Z. Bohrer

**Opposing:**

**Matter:** **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (37)**

**\*Opposition filed by Debtor (40)**

**Comment** **Tentative Ruling:** Debtor's chapter 13 plan must be confirmed by 2/14/2019 or the case will be dismissed.

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11:30 AM **18-51052** Maria E Castillo-Corey and  
Ch 13 David E Corey  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

**Matter:** **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (45)**

**\*Opposition filed by Debtors (48)**

**Comment** **Tentative Ruling:** Debtor's chapter 13 plan must be confirmed by 2/14/2019 or the case will be dismissed.

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11:30 AM **18-51118** Raymond Juarez  
Ch 13  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

**Matter:** **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (33)**

**\*Opposition filed by Debtor (35)**

**Comment** **Tentative Ruling:** Debtor's chapter 13 plan must be confirmed by 2/14/2019 or the case will be dismissed.

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11:30 AM **18-51192** Moeen Ahmad Bhatti  
Ch 13  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

**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 (38)**

**Comment** **Tentative Ruling:** Debtor's chapter 13 plan must be confirmed by 2/14/2019 or the case will be dismissed.

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11:30 AM **18-51193** Julie Anne Thomas  
Ch 13  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

11

**Matter:** **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (36)**

**\*Opposition filed by Debtor (38)**

**Comment** **Tentative Ruling:** Debtor's chapter 13 plan must be confirmed by 2/14/2019 or the case will be dismissed.

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11:30 AM **18-51194** Daniel Joseph Gutierrez  
Ch 13  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

12

**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:** Debtor's chapter 13 plan must be confirmed by 2/14/2019 or the case will be dismissed. Opposition arguments re balancing debtor's interests overruled. See In re Malek, 2018 WL 4354035 (Bankr. N.D.Cal. Sept 12, 2018).

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11:30 AM **18-51230** Sherman Sterling Wright and  
Ch 13 Kathaline Ann Wright  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

13

**Matter:** **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (32)**

**\*Opposition filed by Debtors (35)**

**Comment** **Tentative Ruling:** Debtor's chapter 13 plan must be confirmed by 2/14/2019 or the case will be dismissed.

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11:30 AM **18-51257** Steven Robles  
Ch 13  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

14

**Matter:** **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (20)**

**\*Opposition filed by Debtor (23)**

**Comment** **Tentative Ruling:** Debtor's chapter 13 plan must be confirmed by 2/14/2019 or the case will be dismissed.

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11:30 AM **18-51340**

Jose Alfredo Melendez

Ch 13

Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

**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 Debtor (29)**

**\*Motion withdrawn by Trustee on 12/11/18 (37)**

**Comment** **Tentative Ruling: Matter is dropped from calendar. Motion withdrawn.**

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15