

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

Honorable Stephen L. Johnson ***Due to the court's unavailability,
Wednesday, November 28, 2018 **this hearings scheduled for**

Current as of 11/27/2018 at 11:10 AM

**November 28, 2018 is continued to
December 5, 2018 at 2:30 p.m*****

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)**

(fr 11/8)

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

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.**

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

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:**

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

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:**

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

Moving: Nanette Dumas

Opposing:

Debtor or Plaintiff Attorney: Norma L. Hammes

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 18-51002 Heidi C. Theodore
Ch 13
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 \(57\)](#)

***Opposition filed by Debtor (63)**

Comment **Tentative Ruling:**

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

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:**
