

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

**Honorable Stephen L. Johnson**

**Thursday, April 11, 2019**

*Current as of 4/10/2019 at 8:34 AM*

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**San Jose Courtroom 3099**

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

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

10:00 AM **13-56179** Haesook van Putten

Ch 13

Trustee: Derham-Burk

**Moving:** Cathleen Cooper Moran

**Opposing:**

**Debtor or Plaintiff Attorney:** Renee C. Mendoza

**Matter:** [Supplemental Application for Compensation Fee \\$8082.50 and Expenses \\$161.03 Filed by Renee Mendoza \(95\)](#)

1

**Comment** **Tentative Ruling: Fees allowed under 11 USC § 330(a)(4)(B).**

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10:00 AM **18-50229** Gabriel Diaz Palacio and

Ch 13

Stella H Palacio

Trustee: Derham-Burk

**Moving:** David A. Boone

**Opposing:**

**Debtor or Plaintiff Attorney:** David A. Boone

**Matter:** [First and Final Application for Compensation Fee \\$5,715.00 and Expenses \\$0.00 Filed by David Boone \(52\)](#)

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**Comment** **Tentative Ruling: Fees allowed under 11 USC § 330(a)(4)(B).**

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10:00 AM **18-51347** Elizabeth Jimenez

Ch 13

Trustee: Derham-Burk

**Moving:** David A. Boone

**Opposing:**

**Debtor or Plaintiff Attorney:** David A. Boone

**Matter:** [First and Final Application for Compensation Fee \\$5,100.00 and Expenses \\$0.00 Filed by David Boone \(42\)](#)

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**Comment** **Tentative Ruling: Fees allowed under 11 USC § 330(a)(4)(B).**

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10:00 AM **18-52006** Steve Anthony Castillo  
Ch 13  
Trustee: Derham-Burk

**Moving:** Vincent V. Frounjian

**Opposing:**

**Debtor or Plaintiff Attorney:** Norma L. Hammes

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**Matter:** **Objection to Confirmation of Plan Filed by American Honda Finance Corporation (13)**

**\*Brief filed by Debtor (29)**

**\*Response filed by American Honda Finance Corporation (30)**

**(fr 2/28)**

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

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10:00 AM **18-52252** John Richard Jimenez  
Ch 13  
Trustee: Derham-Burk

**Moving:** David A. Boone

**Opposing:**

**Debtor or Plaintiff Attorney:** David A. Boone

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**Matter:** **First and Final Application for Compensation Fee \$6,205.00 and Expenses \$0.00 Filed by David Boone (52)**

**Comment** **Tentative Ruling: Fees allowed under 11 USC § 330(a)(4)(B).**

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10:00 AM **18-52400** Jessica Erika Rodriguez  
Ch 13  
Trustee: Derham-Burk

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** David A. Boone

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**Matter:** **Third Amended Objection to Confirmation of Chapter 13 Plan Filed by Devin Derham-Burk (30)**

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

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10:00 AM **18-52532** Margaret Mueller  
Ch 13  
Trustee: Derham-Burk

**Moving:** Brette L. Evans

**Opposing:**

**Debtor or Plaintiff Attorney:** Brette L. Evans

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**Matter:** **Motion for Order Allowing Debtor to Sell Residential Real Property Filed by Debtor (29)**

**\*Statement of Non-Opposition filed by Trustee (33)**

**\*Non-Opposition filed by U.S. Bank NA (34)**

**Comment** **Tentative Ruling: Matter will be called. Payment to realtor is confusing in closing papers and should be clarified on record, esp. provision called "reimburse listing agent" which is specified to be either \$5000 or \$2000.**

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10:00 AM **19-50056** Thomas Leonard Holley  
Ch 13  
Trustee: Derham-Burk  
**Moving:** Devin Derham-Burk  
**Opposing:**  
**Debtor or Plaintiff Attorney:** David A. Boone

**Matter:** **Motion to Dismiss Case Pre-Confirmation for Lack of Evidence that Post Petition Installment Payments to Class 1 Creditors are Current Filed by Devin Derham-Burk (16)**

**\*Opposition filed by Debtor (20)**

**Comment** **Tentative Ruling: Opposition overruled and motion to be granted. Opposition says amended plan to be filed. That is not relevant to contention that NO payments have been submitted to the trustee since filing.**

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10:00 AM **19-50087** Walter R Rhodes  
Ch 13  
Trustee: Derham-Burk  
**Moving:** Devin Derham-Burk  
**Opposing:**  
**Debtor or Plaintiff Attorney:**

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

**Comment** **Tentative Ruling: Given Debtor's motion to dismiss (DKT35), debtor obviously does not oppose motion and it will be granted.**

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10:00 AM **19-50131** Rebecca Tello Carrillo  
Ch 13  
Trustee: Derham-Burk  
**Moving:** Devin Derham-Burk  
**Opposing:**  
**Debtor or Plaintiff Attorney:** Michael D. Lee

**Matter:** **Motion to Dismiss Case for Failure to Make First Plan Payment Filed by Devin Derham-Burk (38)**

**Comment** **Tentative Ruling: Motion granted pre-hearing due to lack of timely opposition.**

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10:00 AM **19-50142** Jason Robert Bucher  
Ch 13  
Trustee: Derham-Burk  
**Moving:** Devin Derham-Burk  
**Opposing:**  
**Debtor or Plaintiff Attorney:** Aaron Lipton

**Matter:** **Motion to Dismiss Case Pre-Confirmation for Failure to File Proof of Direct Payment of Long-Term Debt Filed by Devin Derham-Burk (19)**

**\*Opposition filed by Debtor (29)**

**Comment** **Tentative Ruling: Matter will be called. Given debtor's non-appearance it is likely case will be dismissed.**

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10:00 AM **19-50256** Andrea Irene Mekkoudi  
Ch 13  
Trustee: Derham-Burk  
**Moving:** Devin Derham-Burk  
**Opposing:**  
**Debtor or Plaintiff Attorney:** William Utnehmer

**Matter:** **Motion to Dismiss Case Pre-Confirmation for Failure to Submit Required Documents to the Trustee Filed by Devin Derham-Burk (15)**

**Comment** **Tentative Ruling: Motion granted pre-hearing due to lack of timely opposition.**

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10:00 AM **19-50371** Jorge Solis  
Ch 13  
Trustee: Derham-Burk  
**Moving:**  
**Opposing:**  
**Debtor or Plaintiff Attorney:** Reuben L. Nocos

**Matter:** **Order (1) Denying Motion For Extension Of Time For Filing Required Documents And (2) Requiring Debtor To Appear In Person To Show Cause Why This Case Should Not Be Dismissed With Prejudice (12)**

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

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