

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

Honorable Stephen L. Johnson

Thursday, January 31, 2019

Current as of 1/31/2019 at 8:50 AM

San Jose Courtroom 3099

U.S. Courthouse and Federal Bldg.

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

10:00 AM **16-53086** Jesus Lara Renteria
Ch 13
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: **Amended Motion for Sale of Property Free & Clearn of Lien filed by Debtor (108)**

***Opposition filed by Trustee (106)**

Withdrawal of Opposition filed by Trustee (118)

***Response filed by JPMorgan Chase Bank (107)**

Withdrawal of Response filed by JPMorgan Chase Bank (110)

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

10:00 AM **16-53086** Jesus Lara Renteria
Ch 13
Trustee: Derham-Burk

Moving: David A. Boone

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: **Motion to Avoid and Expunge Judicial Lien Under Section 522(f) (246 Shasta Street, Watsonville, CA 95076 and 247 Shasta Street, Watsonville, CA 95076) Filed by Debtor (101)**

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

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10:00 AM **17-51383** Ricardo Guerrero
Ch 13
Trustee: Derham-Burk

Moving: David A. Boone

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

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Matter: **Objection to Claim Number 4 by Claimant Gina Jordan Filed by Ricardo Guerrero (42)**

***Response filed by Creditor Gina Jordan (43)**

***Reply to Creditor's Opposition filed by Debtor (44)**

Comment **Tentative Ruling: Objection will be sustained for reasons that will be stated at the time of the hearing.**

10:00 AM **18-50296** Ernest R. Ortiz and
Ch 13 Alice Ortiz
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Paul Seabrook

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Matter: **Motion to Dismiss Case for Failure to File Declaration of Direct Payment Filed by Devin Derham-Burk (47)**

Comment **Tentative Ruling: Matter is dropped from calendar. Motion withdrawn on 1/24/19.**

10:00 AM **18-50818** Anthony Lewis Powell
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 for Failure to File Declaration of Direct Payment Filed by Devin Derham-Burk (39)**

***Opposition filed by Debtor (41)**

***Motion withdrawn by Trustee (39)**

Comment **Tentative Ruling: Motion withdrawn.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

10:00 AM **18-51191** Johnny Vu
Ch 13
Trustee: Derham-Burk

Moving: Sandi Meneely Colabianchi

Opposing:

Debtor or Plaintiff Attorney: Lars T. Fuller

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Matter: **6a) Final Fee Application for Compensation of Fees \$4,480.00 and Expenses \$380.00 Filed by Gordon & Rees LLP (55)**

6b) Trustee's Application for Compensation of Administrative Fees \$4,000.00 and Expenses of \$0.00 filed by Trustee (53)

Comment **Tentative Ruling: Fee application is unopposed and will be granted.**

10:00 AM **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)**
***Trustee's Status Stmt (44)**
***Motion withdrawn by Trustee (31)**

(fr 1/17)

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

10:00 AM **18-52160** Minerva Darsico Gabiera
Ch 13
Trustee: Derham-Burk
Moving: Devin Derham-Burk
Opposing:
Debtor or Plaintiff Attorney: Arasto Farsad

Matter: **Motion to Dismiss Case Pre-Confirmation for Failure to File Proof of Direct Payment of Long-Term Debt Filed by Devin Derham-Burk (43)**

***Response and Opposition Filed by Debtor (46)**

Comment **Tentative Ruling: If GO 34 has been satisfied (e.g., proof of post-petition payments has been made to trustee), motion will be denied. If not, court will dismiss case.**

10:00 AM **18-52378** Genaro De La Torre, Sr
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 (21)**

***Opposition filed by Debtor (28)**
***Motion withdrawn by Trustee on 1/28/2019.**

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

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10:00 AM **18-52423** Songwut Art Kochaphum
Ch 13
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Nancy Weng

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Matter: **Motion to Dismiss Case (Pre-Confirmation) Pursuant to 11 U.S.C. Secs. 1307(c) and 109(e) Filed by Devin Derham-Burk (41)**

*** Case was on Dismissed on 1/30/2019. Matter is dropped from the calendar.**

Comment **Tentative Ruling:**

10:00 AM **18-52485** Yendis O. Thomas
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 for Failure to Make First Plan Payment Filed by Devin Derham-Burk (23)**

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

Comment **Tentative Ruling:** Court will impose deadline for confirmation of plan calling for sale; Plan payments to Trustee must be current by hearing date.

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

Moving: Devin Derham-Burk

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

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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 (21)**

***Opposition filed by Debtor (24)**

Comment **Tentative Ruling:** Court will impose deadline for confirmation of plan calling for sale; Plan payments to Trustee must be current by hearing date.

10:00 AM **18-52570** Hector Ignacio Zuno
Ch 13
Trustee: Derham-Burk

Moving: Devin Derham-Burk

Opposing:

Debtor or Plaintiff Attorney: William W. Winters

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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 (25)**

***Motion withdrawn by the Trustee on 1/29/2019**

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

10:00 AM **18-52571** Joe Richard Ramirez
Ch 13
Trustee: Derham-Burk

Moving: Devin Derham-Burk

Opposing:

Debtor or Plaintiff Attorney: Marc Voisenat

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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 (28)**

*** Case was on Dismissed on 1/30/2019. Matter is dropped from the calendar.**

Comment **Tentative Ruling: Motion granted per DKT order dated 1/29/2019.**

10:00 AM **18-52809** Jaime Goyes
Ch 13
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney:

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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 (15)**

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

10:00 AM **19-50023** Clemencio Sumajit Cerezo and
Ch 13 Nenita Jerota Cerezo
Trustee: Derham-Burk

Moving: Drew Henwood

Opposing:

Debtor or Plaintiff Attorney: Drew Henwood

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Matter: **Motion to Extend Automatic Stay Filed by Debtors (14)**

***Order Shortening Time**

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