

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

Honorable Stephen L. Johnson

Thursday, July 18, 2019

Current as of 7/17/2019 at 2:24 PM

San Jose Courtroom 3099

**U.S. Courthouse and Federal Bldg.
280 S 1st Street
San Jose, CA 95113**

10:00 AM **17-52958** Gloria Ramos Aguirre

Ch 13

Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Paul Seabrook

Matter: [Motion to Dismiss Case for Failure to File Declaration of Direct Payment Filed by Devin Derham-Burk \(54\)](#)

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

10:00 AM **18-50281** Suzanne Marie Cam

Ch 13

Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Aaron Lipton

Matter: [Motion to Dismiss Case for Failure to File Declaration of Direct Payment Filed by Devin Derham-Burk \(43\)](#)

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***Opposition filed by Debtor (46)**

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

10:00 AM **18-52262** Ron V Ronen

Ch 13

Trustee: Derham-Burk

Moving: Cathay Fulton Ericksen

Opposing:

Debtor or Plaintiff Attorney: Cathay Fulton Ericksen

Matter: [Motion to Withdraw as Attorney Filed by Ron Ronen \(51\)](#)

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Comment **Tentative Ruling:** Motion is not opposed and will be granted. Counsel to upload order with Debtor's last known address for future service purposes.

10:00 AM **18-52485** Yendis O. Thomas
Ch 13
Trustee: Derham-Burk

Moving: Kathryn S. Diemer

Opposing:

Debtor or Plaintiff Attorney: Michael D. Lee

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Matter: **Motion to Convert Case to Chapter 7 Filed by Staffing Capital LLC (42)**

***Opposition Filed by Debtor (45)**

Comment **Tentative Ruling: Motion will be denied and case dismissed. There is already an order that requires the case to be dismissed (DKT 31) and no one has asked for reconsideration of that. The clerk's failure to do as the court instructed will be corrected.**

10:00 AM **18-52526** Ray Zavala
Ch 13
Trustee: Derham-Burk

Moving: Devin Derham-Burk

Opposing:

Debtor or Plaintiff Attorney: Aaron Lipton

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Matter: **Motion to Dismiss Case for Failure to File Declaration of Direct Payment Filed by Devin Derham-Burk (45)**

***Oppositon filed by Debtor (47)**

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

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: **Application for Compensation Fee \$12,010.00 and Expenses \$78.00 Filed by Brette Evans (73)**

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

10:00 AM **19-50027** Monica Carrillo
Ch 13
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

Matter: **Motion to Dismiss Case Pre-Confirmation for Failure to File Proof of Direct Payment of Long-Term Debt Filed by Devin Derham-Burk (49)**

***Reply filed by Debtor (52)**

***Supplemental filed by Debtor (58)**

(fr 6/27)

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

10:00 AM **19-50261** Jennifer Galon
Ch 13
Trustee: Derham-Burk

Moving: Nanette Dumas

Opposing:

Debtor or Plaintiff Attorney: Richard L. Sturdevant

Matter: **Motion to Dismiss Case Pursuant to 11 U.S.C. Secs. 109(h), 521(b) and 1307(c), in addition to Motion to Disgorge Fees Pursuant to 11 U.S.C. §§ 105 AND 329(b) Filed by Devin Derham-Burk (35)**

Comment **Tentative Ruling: This motion is not opposed and will be granted. Debtor was not eligible as debtor did not receive timely credit counseling.**

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