

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

**Honorable Stephen L. Johnson
Thursday, September 20, 2018**

Current as of 9/20/2018 at 7:29 AM

San Jose Courtroom 3099

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

10:00 AM **14-52561** Bradley S. Hamilton

Ch 13

Trustee: Derham-Burk

Moving: Devin Derham-Burk

Opposing:

Debtor or Plaintiff Attorney: Susan D. Silveira

Matter: [Motion to Modify Plan Trustee's Motion to Modify Confirmed Chapter 13 Plan Filed by Devin Derham-Burk \(24\)](#)

[*Opposition filed by Debtor \(26\)](#)

[*Reply filed by Trustee \(29\)](#)

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

10:00 AM **15-50745** Bonnie M. Marcil

Ch 13

Trustee: Derham-Burk

Moving: Reilly Wilkinson

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: [Objection to Claim Number 5 by Claimant Bay Federal Credit Union \(44\)](#)

[*Conditional Opposition filed by Bay Federal Credit Union \(47\)](#)

Comment **Tentative Ruling: Matter will be called. Parties are requested to review Proof of Claim, payment from State Farm, and Trustee's payment records to arrive at correct figure for unsec claim.**

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10:00 AM **15-52662** Theresa Lee Garza
Ch 13
Trustee: Derham-Burk

Moving: Stanley A. Zlotoff

Opposing:

Debtor or Plaintiff Attorney: Stanley A. Zlotoff

Matter: [Motion to Incur Debt Filed by Theresa Garza \(34\)](#)

***Opposition filed by Trustee (36)**

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

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10:00 AM **17-50643** Wanda Lee Moppins
Ch 13
Trustee: Derham-Burk

Moving: Brette L. Evans

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

Matter: [Application for Compensation for Debtor's Counsel for Fees: \\$8,621.47 and Expenses \\$41.47 Filed by Brette Evans \(64\)](#)

Comment **Tentative Ruling: Fees appear reasonable and beneficial to debtor and are awarded under § 330(a)(4)(B)**

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10:00 AM **17-51265** Kevin Paul Capps
Ch 13
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: Elise M. Mitchell

Matter: [Application for Compensation Fee \\$9030.00 and Expenses \\$76.00 Filed by Brette Evans \(62\)](#)

***Opposition filed by Debtor (65)**

Comment **Tentative Ruling: Fees appear reasonable and beneficial to debtor and are awarded under § 330(a)(4)(B)**

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10:00 AM **17-51894** Linda Lee Reynolds
Ch 13
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: James W. Haworth

Matter: [Status Conference RE Trustee's Third Amended Objection To Confirmation \(19\)](#)

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

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10:00 AM **18-51118** Raymond Juarez
Ch 13
Trustee: Derham-Burk

Moving: Devin Derham-Burk
Opposing:
Debtor or Plaintiff Attorney: Lars T. Fuller

Matter: **Motion to Dismiss Case Pre-Confirmation for Failure to File Proof of Direct Payment of Long-Term Debt Filed by Devin Derham-Burk (26)**

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

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10:00 AM **18-51335** Ray Zavala
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 (17)**

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

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10:00 AM **18-51347** Elizabeth Jimenez
Ch 13
Trustee: Derham-Burk

Moving: Sean Ferry
Opposing:
Debtor or Plaintiff Attorney: David A. Boone

Matter: **Objection to Confirmation of Plan Filed by Deutsche Bank National Trust Company (16)**

Comment **Tentative Ruling: Objection will be overruled because property appears to have been foreclosed by lender. Lender's counsel to appear if they contest this tentative ruling.**

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10:00 AM **18-51426** Linda E Keilers
Ch 13
Trustee: Derham-Burk

Moving: Devin Derham-Burk
Opposing:
Debtor or Plaintiff Attorney:

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 (24)**

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

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10:00 AM **18-51437** Natalie Marie Mitchell
Ch 13
Trustee: Derham-Burk

Moving: Devin Derham-Burk

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

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Matter: **Motion to Dismiss Case for Failure to Make First Plan Payment Filed by Devin Derham-Burk (23)**

***Motion withdrawn by the Trustee on 9/19/2018. Matter is taken off calendar.**

Comment **Tentative Ruling: Case will be dismissed. Opposition fails to comply with BLR 9014-1(b)(3)(A).**

10:00 AM **18-51477** Jose Luis Miranda, Jr. and
Ch 13 Carmen Maria Miranda
Trustee: Derham-Burk

Moving: Jon G. Brooks

Opposing:

Debtor or Plaintiff Attorney: Jon G. Brooks

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Matter: **Supplemental Application for Compensation Fee \$8250.00 and Expenses \$496.38 Filed by Jon Brooks (32)**

Comment **Tentative Ruling: Fees appear reasonable and beneficial to debtor and are awarded under § 330(a)(4)(B)**

10:00 AM **18-51568** Salvador Morales, Sr. and
Ch 13 Angelina Juanita Morales
Trustee: Derham-Burk

Moving: Diane V. Weifenbach

Opposing:

Debtor or Plaintiff Attorney: Elliot Gale

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Matter: **Motion for Reconsideration of MMM Order by U.S. Bank National Association (27)**

Comment **Tentative Ruling: Motion is moot because the court granted Trustee's motion to dismiss per Docket Text Order on 9/14.**
