

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

**Honorable Stephen L. Johnson**

**Thursday, October 18, 2018**

*Current as of 10/17/2018 at 11:03 AM*

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

**280 S 1st Street**

**San Jose, CA 95113**

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**San Jose Courtroom 3099**

11:30 AM **17-52438** Evodio Lopez-Diaz and  
Ch 13 Gloria Lopez-Vazquez  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

**Debtor or Plaintiff Attorney:** Michael G. Comfort

**Matter:** **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (28)**

**\*Response filed by Debtors (30)**

**\*Response/Opposition filed by Debtors (44)**

**Comment** **Tentative Ruling: Case will be dismissed if a plan is not confirmed by 12/13/2018.**

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11:30 AM **18-50028** Efren E. Dela Cruz  
Ch 13  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

**Debtor or Plaintiff Attorney:**

**Matter:** **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (62)**

**\*Opposition filed by Debtor (64)**

**\*Reply filed by Trustee (67)**

**\*Suppl Opposition filed by Debtor (69)**

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

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11:30 AM **18-50043** Anh Vo  
Ch 13  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

**Debtor or Plaintiff Attorney:** Stanley Phan

3

**Matter:** **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (24)**

**\*Opposition filed by Debtor (28)**

**Comment** **Tentative Ruling: Case will be dismissed. Docket reflects no filings by debtor to move this case toward confirmation since case was commenced.**

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11:30 AM **18-50104** Heather Lavern Ojeda  
Ch 13  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

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

4

**Matter:** **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (21)**

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

**Comment** **Tentative Ruling: Case will be dismissed if a plan is not confirmed by 12/13/2018. Objections to form of motion, notice, etc., overruled. See In re Malek.**

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11:30 AM **18-50219** Dianna Susan Ziehm  
Ch 13  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

**Debtor or Plaintiff Attorney:** W. Kirk Moore

5

**Matter:** **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (19)**

**\*Opposition filed by Debtor (21)**

**\*Motion withdrawn by Trustee on 10/16/2018. Matter is dropped from the calendar.**

**Comment** **Tentative Ruling: Motion w/drawn.**

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11:30 AM **18-50240** Paul Retlewski and  
Ch 13 Peggy Ku-Retlewski  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

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

**Matter:** [Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307\(c\) Filed by Devin Derham-Burk \(29\)](#)

[\\*Reply filed by Debtors \(31\)](#)

**Comment** **Tentative Ruling:** Case will be dismissed if a plan is not confirmed by 12/13/2018.

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11:30 AM **18-50303** Abel Lugo and  
Ch 13 Andrea Marie Lugo  
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 \(25\)](#)

[\\*Opposition filed by Debtors \(28\)](#)

**Comment** **Tentative Ruling:** Case will be dismissed if a plan is not confirmed by 12/13/2018.

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11:30 AM **18-50316** Andrew Ross Crocker and  
Ch 13 Christina Yvonne Crocker  
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 \(30\)](#)

[\\*Opposition filed by Debtors \(32\)](#)

**Comment** **Tentative Ruling:** Case will be dismissed if a plan is not confirmed by 12/13/2018.

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11:30 AM **18-50383** Mariano Orozco Sanchez  
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 \(35\)](#)

[\\*Opposition filed by Debtor \(37\)](#)

**Comment** **Tentative Ruling:** Case will be dismissed if a plan is not confirmed by 12/13/2018.

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11:30 AM **18-50427** Anthony Henry Dominguez  
Ch 13  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

**Debtor or Plaintiff Attorney:** W. Kirk Moore

10

**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 (29)**

**Comment** **Tentative Ruling: Case will be dismissed. Court will retain jurisdiction over counsel's application for fees (DKT 31).**

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11:30 AM **18-50985** Rene Marcos Gamino and  
Ch 13 Megan Marie Gamino  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

**Debtor or Plaintiff Attorney:** Elliot Gale

11

**Matter:** **Motion to Dismiss Case For Non-Payment (Pre-Confirmation) Pursuant to 11 U.S.C. Sec. 1307(c)(1) Filed by Devin Derham-Burk (23)**

**\*Opposition filed by Debtors (25)**

**Comment** **Tentative Ruling: Case will be dismissed if a plan is not confirmed by 12/13/2018.**

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