

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

Honorable Stephen L. Johnson

Thursday, November 8, 2018

Current as of 11/6/2018 at 11:35 AM

San Jose Courtroom 3099

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

11:30 AM **17-51928** Vicky Gonzales Pascual

Ch 13

Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Ronda N. Edgar

Matter: [Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307\(c\) Filed by Devin Derham-Burk \(73\)](#)

***Opposition filed by Debtor (75)**

Comment Tentative Ruling: Plan must be confirmed by 1/10/2019 or case will be dismissed.

11:30 AM **18-50229** Gabriel Diaz Palacio and

Ch 13

Stella H Palacio

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 \(39\)](#)

***Opposition filed by Debtors (41)**

Comment Tentative Ruling: Plan must be confirmed by 1/10/2019 or case will be dismissed.

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11:30 AM **18-50456** Dennis Lawrence Custard
Ch 13
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Aaron Lipton

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Matter: **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (58)**

***Opposition filed by Debtor (60)**

Comment **Tentative Ruling: This case is very close to being dismissed. No substantive activity on docket despite opposition. Plan must be confirmed by 1/10/2019 or case will be dismissed.**

11:30 AM **18-50484** Tina B. Viglizzo
Ch 13
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Renee C. Mendoza

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Matter: **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (31)**

***Opposition filed by Debtor (34)**

Comment **Tentative Ruling: Plan must be confirmed by 2/14/2019 or case will be dismissed.**

11:30 AM **18-50513** Zujey Monroy Perez
Ch 13
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Ronda N. Edgar

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Matter: **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (26)**

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

Comment **Tentative Ruling: Plan must be confirmed by 1/10/2019 or case will be dismissed.**

11:30 AM **18-50546** Angel Rangel Lopez
Ch 13
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 (30)**

***Opposition filed by Debtor (32)**

***Response and opposition filed by Debtor (36)**

Comment **Tentative Ruling: Plan must be confirmed by 1/10/2019 or case will be dismissed.**

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11:30 AM **18-50558** Oscar Armando Echegoyen
Ch 13
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Norma L. Hammes

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 (23)**

Comment **Tentative Ruling: Plan must be confirmed by 1/10/2019 or case will be dismissed. If debtor requires a trial on the motion to value it should be calendared for hearing immediately.**

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11:30 AM **18-50596** Dean Illya Montoya and
Ch 13 Shannon Elizabeth Montoya
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Norma L. Hammes

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

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

Comment **Tentative Ruling: Plan must be confirmed by 1/10/2019 or case will be dismissed. Opposition arguments re balancing debtor's interests overruled. See In re Malek, 2018 WL 4354035 (Bankr. N.D.Cal. Sept 12, 2018).**

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11:30 AM **18-50612** Marie Anderson
Ch 13
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: W. Kirk Moore

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Matter: [Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307\(c\) Filed by Devin Derham-Burk \(41\)](#)

[*Opposition filed by Debtor \(47\)](#)

Comment **Tentative Ruling:** Plan must be confirmed by 1/10/2019 or case will be dismissed.

11:30 AM **18-50642** Manuel Joseph Garcia, Jr.
Ch 13
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Jason Vogelpohl

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Matter: [Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307\(c\) Filed by Devin Derham-Burk \(33\)](#)

[*Opposition filed by Debtor \(35\)](#)

[*Withdrawal Opposition filed by Debtor \(42\)](#)

Comment **Tentative Ruling:** Debtor has moved to dismiss case and w/drawn opposition to trustee's motion. Case dismissed. Trustee to upload order.

11:30 AM **18-50684** Jennifer K. Trinh and
Ch 13 Tung Van Le
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Jon G. Brooks

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Matter: [Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307\(c\) Filed by Devin Derham-Burk \(34\)](#)

[*Opposition filed by Debtors \(36\)](#)

Comment **Tentative Ruling:** Plan must be confirmed by 1/10/2019 or case will be dismissed.

11:30 AM **18-50738** Brandon James Morton
Ch 13
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Aaron Lipton

Matter: **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (46)**

***Opposition filed by Debtor (49)**

***Supplemental Opposition filed by Debtor (53)**

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

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11:30 AM **18-50874** Trinidad Alicia Serna Pino
Ch 13
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Paul Seabrook

Matter: **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (36)**

***Opposition filed by Debtor (38)**

Comment **Tentative Ruling: Plan must be confirmed by 1/10/2019 or case will be dismissed.**

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