

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

**Honorable Stephen L. Johnson  
Wednesday, December 5, 2018**

*Current as of 12/4/2018 at 3:01 PM*

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**San Jose Courtroom 3099**

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

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2:30 PM **13-53704** Lourdes Cheryl Nazario Platon  
Ch 13  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

**Debtor or Plaintiff Attorney:** David A. Boone

**Matter:** **Motion to Dismiss Case For Material Default Under Confirmed Plan Filed by Devin Derham-Burk (57)**

**\*Opposition filed by Debtor (59)**

**\*Motion withdrawn by Trustee on 12/3/2018 (68)**

**(fr 11/8, 11/28)**

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

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2:30 PM **13-53704** Lourdes Cheryl Nazario Platon  
Ch 13  
Trustee: Derham-Burk

**Moving:** David A. Boone

**Opposing:**

**Debtor or Plaintiff Attorney:** David A. Boone

**Matter:** **Motion to Allow Time to Cure Chapter 13 Plan Payment Default Filed by Debtor (63)**

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

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

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2:30 PM 18-50238 Thomas Franklin Patterson  
Ch 13  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

**Debtor or Plaintiff Attorney:** David A. Boone

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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 (47)**

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

**Comment** **Tentative Ruling: Case will be dismissed on February 14, 2019 if a plan is not confirmed by that date.**

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2:30 PM 18-50729 Nemesio B. Barcellano, Jr.  
Ch 13  
Trustee: Derham-Burk

**Moving:** Devin L. Pace

**Opposing:**

**Debtor or Plaintiff Attorney:** Lars T. Fuller

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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 (27)**

**\*Opposition filed by Debtor (35)**

**Comment** **Tentative Ruling: Case will be dismissed on February 14, 2019 if a plan is not confirmed by that date.**

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2:30 PM 18-50810 Amy Donna Sanchez  
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 Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c) Filed by Devin Derham-Burk (56)**

**\*Opposition filed by Debtor (59)**

**Comment** **Tentative Ruling: Plan must be confirmed by 2/14/19 or case will be dismissed. Opposition arguments re balancing debtor's interests and need for evidentiary hearing overruled. See In re Malek, 2018 WL 4354035 (Bankr. N.D.Cal. 2018).**

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2:30 PM 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)**

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

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