

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, October 20, 2016

Hearing Room 304

10:00 AM

6:16-11360 Karen Denise Nemo

Chapter 7

#1.00 Motion for relief from stay

WELLS FARGO BANK VS DEBTOR

Property: 7703 Vineyard Ave, Rancho Cucamonga, California 91730-2015
[Real Prop] Gilbert R. Yabes, attorney/movant

Docket 42

Tentative Ruling:

10/20/2016:

None.

Final Ruling. This motion for relief from the automatic stay has been set for hearing on regular notice pursuant to Rule 9013-1(d)(2) of the Local Bankruptcy Rules. Pursuant to Rule 9013-1(h), the failure of the trustee, the debtor and other parties in interest to file written opposition at least fourteen days prior to the hearing is construed as consent to the granting of the motion. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Furthermore, because the court is granting the relief requested by the moving party and for which a *prima facie* case has been established, an actual hearing is not necessary. *See Boone v. Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006). Parties who have been properly served with the motion are considered in default and, as a consequence, the matter will be resolved without oral argument. *See* Rule 9013-1(j)(3). **No appearance is necessary.**

For the reasons set forth in the motion, the Court hereby finds that sufficient grounds exist to grant the motion pursuant to 11 U.S.C. § 362(d)(1) with the following relief:

(1) Termination of the stay to allow movant (and any successors or assigns) to proceed under applicable non-bankruptcy law to enforce its remedies to obtain possession of the property, foreclose its lien upon the property and to sell the property.

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, October 20, 2016

Hearing Room 304

10:00 AM

CONT... Karen Denise Nemo

Chapter 7

(2) Waiver of the 14-day stay prescribed by Bankruptcy Rule 4001(a)(3).

(3) The creditor or counsel for the creditor may communicate with the debtor or counsel for the debtor regarding the property that is the subject of this motion and the debt owed to the creditor.

Counsel for the moving party shall prepare and upload a proposed order within seven days.

Party Information

Debtor(s):

Karen Denise Nemo

Represented By
Paul Y Lee

Trustee(s):

Robert Whitmore (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, October 20, 2016

Hearing Room 304

10:15 AM

6:16-18952 Mabel A Albarracin

Chapter 13

#1.01 Hrg re status conference

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mabel A Albarracin

Pro Se

Trustee(s):

Rod (WJ) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, October 20, 2016

Hearing Room 304

10:15 AM

6:16-19030 Isaiah Culpepper

Chapter 13

#1.02 Hrg re status conference

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Isaiah Culpepper

Pro Se

Trustee(s):

Rod (WJ) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, October 20, 2016

Hearing Room 304

10:15 AM

6:16-19076 Jung Hwan Ryu

Chapter 13

#1.03 Hrg re status conference

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jung Hwan Ryu

Pro Se

Trustee(s):

Rod (WJ) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, October 20, 2016

Hearing Room 304

10:15 AM

6:16-19078 Maria Castellanos

Chapter 13

#1.04 Hrg re status conference

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Maria Castellanos

Pro Se

Trustee(s):

Rod (WJ) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, October 20, 2016

Hearing Room 304

10:30 AM

6:09-39042 Kari G Sharp

Chapter 13

Adv#: 6:16-01201 Sharp v. GMAC MORTGAGE et al

#2.00 Status conference re: Complaint to avoid junior lien on principal residence

[Property: 12280 Vista Hermosa Drive, Moreno Valley, CA 92557]

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kari G Sharp

Represented By
David A Akintimoye

Defendant(s):

Grassy Meadows II, LLC

Pro Se

OCWEN LOAN SERVICING

Pro Se

GMAC MORTGAGE

Pro Se

Plaintiff(s):

Kari G Sharp

Represented By
Daniel King

Trustee(s):

Rod (WJ) Danielson (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, October 20, 2016

Hearing Room 304

10:30 AM

6:10-45061 Salustio Navarro, Jr

Chapter 13

Adv#: 6:16-01207 Navarro, Jr et al v. BAC Home Loans Servicing LP

#3.00 Status conference re: Complaint for unconditional order finding that junior lien is invalid, void and unenforceable

[Property: 28668 Chaucer Dr., Menifee, CA 92584]

Docket 1

***** VACATED *** REASON: ORDER OF DISMISSAL ENTERED 10-18
-16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Salustio Navarro Jr

Represented By
Chris A Mullen

Defendant(s):

BAC Home Loans Servicing LP

Pro Se

Joint Debtor(s):

Maria Aurora Navarro

Represented By
Chris A Mullen

Plaintiff(s):

Maria Aurora Navarro

Represented By
Chris A Mullen

Salustio Navarro Jr

Represented By
Chris A Mullen

Trustee(s):

Rod (WJ) Danielson (TR)

Represented By
Rod (WJ) Danielson (TR)

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, October 20, 2016

Hearing Room 304

10:30 AM

CONT... Salustio Navarro, Jr

Chapter 13

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, October 20, 2016

Hearing Room 304

10:30 AM

6:11-19357 Roger Alan Bauby

Chapter 13

Adv#: 6:16-01198 Bauby et al v. CIT Group Consumer Finance Inc et al

#4.00 Status conference re: Complaint to avoid lien on real property

[Property: 1658 Goldenrod Avenue, Redlands, CA 92373]

Docket 1

***** VACATED *** REASON: ADVERSARY DISMISSED 10-12-16**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Roger Alan Bauby

Represented By
Dana Travis

Defendant(s):

MERS

Pro Se

Citimortgage Inc

Pro Se

CIT Group Consumer Finance Inc

Pro Se

CIT Credit Group USA Inc

Pro Se

Joint Debtor(s):

Arlene Antonio Bauby

Represented By
Dana Travis

Plaintiff(s):

Arlene Antonio Bauby

Represented By
Dana Travis

Roger Alan Bauby

Represented By
Dana Travis

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, October 20, 2016

Hearing Room 304

10:30 AM

CONT... Roger Alan Bauby

Chapter 13

Trustee(s):

Rod (WJ) Danielson (TR)

Represented By

Rod (WJ) Danielson (TR)

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, October 20, 2016

Hearing Room 304

10:30 AM

6:14-18984 Paul Merrigan

Chapter 7

Adv#: 6:16-01196 Sussman v. Image Lab, Inc. et al

#5.00 Status conference re: Complaint for declaratory relief, fraudulent conveyance

Docket 1

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Paul Merrigan

Represented By
Mary Der-Parseghian

Defendant(s):

Greystone Fiduciary Services, LLC

Pro Se

Image Lab, Inc.

Pro Se

Joint Debtor(s):

Holly Merrigan

Represented By
Mary Der-Parseghian

Plaintiff(s):

Mitchell Reed Sussman

Represented By
Mitchell R Sussman

Trustee(s):

Robert Whitmore (TR)

Represented By
Franklin C Adams
Cathy Ta

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, October 20, 2016

Hearing Room 304

1:30 PM

6:10-37310 Michelle Denise Witherspoon

Chapter 13

Adv#: 6:16-01109 Witherspoon v. NATIONAL CITY BANK ALSO KNOWN AS

#6.00 Hrg re motion for default judgment

Docket 22

Tentative Ruling:

10/20/2016:

None.

Final Ruling. This motion has been set for hearing on regular notice pursuant to Rule 9013-1(d)(2) of the Local Bankruptcy Rules. Pursuant to Rule 9013-1(h), the failure of the trustee, the debtor and other parties in interest to file written opposition at least fourteen days prior to the hearing is construed as consent to the granting of the motion. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Furthermore, because the court is granting the relief requested by the moving party and for which a *prima facie* case has been established, an actual hearing is not necessary. *See Boone v. Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006). Parties who have been properly served with the motion are considered in default and, as a consequence, the matter will be resolved without oral argument. *See* Rule 9013-1(j)(3).

No appearance is necessary.

For the reasons set forth in the motion, the Court hereby finds that sufficient grounds exist to grant the motion and enter judgment finding that the deed of trust executed by Michelle D. Witherspoon in favor of National City Bank, dated February 15, 2007, securing a debt in the original principal amount of \$30,850, and recorded on February 28, 2007 as document number 2007-0138316, in the Official Records of Riverside County, is invalid, void and unenforceable.

Counsel for the moving party shall prepare and upload a proposed order within seven days.

Party Information

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, October 20, 2016

Hearing Room 304

1:30 PM

CONT... Michelle Denise Witherspoon

Chapter 13

Debtor(s):

Michelle Denise Witherspoon

Represented By
George Hanover
Summer M Shaw

Defendant(s):

Dreambuilder Investments, LLC

Pro Se

Wilmington Trust, National

Pro Se

NATIONAL CITY BANK ALSO

Pro Se

PNC Bank, NA, successor by merger

Pro Se

Plaintiff(s):

Michelle Denise Witherspoon

Represented By
Summer M Shaw
George Hanover

Trustee(s):

Rod (WJ) Danielson (TR)

Represented By
Rod (WJ) Danielson (TR)

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, October 20, 2016

Hearing Room 304

1:30 PM

6:10-37310 Michelle Denise Witherspoon

Chapter 13

Adv#: 6:16-01109 Witherspoon v. NATIONAL CITY BANK ALSO KNOWN AS

#7.00 Status conference re: Complaint to avoid junior lien on debtor's principal residence

[Property: 9020 Sea Breeze Rd., Morongo Valley, CA 92256]

FROM: S/C 7-7-16, 8-18-16

Docket 1

Tentative Ruling:

10/20/2016:

None.

Final Ruling. The Court has posted a ruling granting the motion for default judgment filed by the debtor [Calendar #6]. Accordingly, the status conference is unnecessary and hereby taken off calendar. **No appearance is necessary.**

Party Information

Debtor(s):

Michelle Denise Witherspoon

Represented By
George Hanover
Summer Shaw

Defendant(s):

Dreambuilder Investments, LLC	Pro Se
Wilmington Trust, National	Pro Se
NATIONAL CITY BANK ALSO	Pro Se
PNC Bank, NA, successor by merger	Pro Se

**United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar**

Thursday, October 20, 2016

Hearing Room 304

1:30 PM

CONT... Michelle Denise Witherspoon

Chapter 13

Plaintiff(s):

Michelle Denise Witherspoon

Represented By
Summer Shaw
George Hanover

Trustee(s):

Rod (WJ) Danielson (TR)

Represented By
Rod (WJ) Danielson (TR)

Rod (WJ) Danielson (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (RS)

Pro Se

United States Bankruptcy Court
Central District of California
Riverside
Judge Wayne Johnson, Presiding
Courtroom 304 Calendar

Thursday, October 20, 2016

Hearing Room 304

1:30 PM

6:16-12192 Mark Technologies Corporation

Chapter 7

Adv#: 6:16-01131 EDF RENEWABLE ENERGY INC et al v. MARK TECHNOLOGIES

#8.00 Status conference re: Notice of removal

FROM: S/C 6-23-16

Docket 0

*** VACATED *** REASON: ORDER CONT ENTERED 10-14-16;
CONT'D TO 12-22-16 AT 1:30 P.M.

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Mark Technologies Corporation

Represented By
Todd L Turoci

Defendant(s):

Mark Technologies Corporation

Pro Se

Plaintiff(s):

EDF RENEWABLE ENERGY INC

Represented By
J. Barrett Marum

Trustee(s):

Helen R. Frazer (TR)

Pro Se