

CHAPTER 7 MOTIONS

Date December 1, 2016 8:30 a.m.

JUDGE PAT E. MORGENSTERN-CLARREN

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Unless otherwise specifically stated, these are initial hearings and evidence will not be taken. Counsel do not need to bring witnesses. See Bankruptcy Rule 9014 (e). Questions may be addressed to Greg Nunn at 615-4431.

JON AXELROD

16-15015
ANNA/DANIEL CECCARDI

Motion of debtors to avoid judicial lien of City of Eastlake. [#11] (Seven day clause)
AMENDED MOTION filed 10/18/16. [#14]
Amended motion denied - see order 10/27/16

BOOHER & ASSOCIATES

16-14071
KAY F. SCOTT

Hearing on approval of reaffirmation agreement between debtor and Embrace Home Loans, Inc. [#10]
AMENDED AGREEMENT filed 11/29/16. [#13]
Hearing not held - approved as amended on 11/29/16

VIRGIL BROWN JR.

16-14249
ERIC VON FLETCHER

Motion of trustee to dismiss case. [#13]
(Seven day clause)
Filed by Virgil Brown, Jr.
(216) 851-3304

OBJECTION of debtor filed 11/14/16. [#16]

CARLISLE, McNELLIE

16-14581
URSULA VANDAL

Motion of Third Federal Savings and Loan Association of Cleveland, aka Third Federal Savings and Loan Association for relief from stay and abandonment. [#14] (Seven day clause)
Filed by Phyllis Ulrich
(216) 360-7200

Withdrawn 11/29/16

OBJECTION of debtor filed 11/23/16. [#19]

Moot

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KATHLEEN DONNELLY

15-11902
DAVID P. VASCEK

Omnibus motion of debtor to avoid judgment liens of Capital One Bank, Citibank South Dakota, NA, Cuyahoga Court of Common Pleas, FIA Card Services, Midland Funding, Ohio Receivables LLC and Unifund CCR Partners. [#33]
(Seven day clause)

Motion denied as to Capital One Bank and Citibank South Dakota, NA - Motion granted as to Cuyahoga Court of Common Pleas, FIA Card Services, Midland Funding, Ohio Receivables LLC and Unifund CCR Partners

ANTOINETTE FREEBURG

16-14867
VERONICA L. FOSTER

1) Order on debtor to appear and show cause for failure to pay filing fee as required - \$100.00 due 10/31/16. [#13]

2) Hearing on approval of reaffirmation agreement between debtor and Westlake Financial Services. [#11]
AMENDED AGREEMENT filed 11/3/16. [#15]
Hearing not held - approved as amended on 11/3/16

SARAH GRAHAM

16-15708
TIA M. NAILS-BANKS

Motion of SPP Properties, LLC for relief from stay and abandonment. [#11] (Clause)
Filed by Sarah Graham
(216) 514-1180
No response - motion granted

LAUREN HELBLING

16-15053
BRIAN M. MANGELLUZZI

Motion of trustee for an extension of time to file objection to discharge. [#15] (Seven day clause)
Filed by Lauren Helbling
(216) 781-1164
No response - motion granted

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16-1103 (16-11940)
(William/Debra Golson - Debtors)
LAUREN A. HELBLING, Trustee
Plaintiff

Motion of plaintiff for default judgment against
defendants William Golson, Debra L. Golson,
Linda E. Wright, John Doe (unknown spouse of
Linda E. Wright), Darion Smith and Jane Doe
(unknown spouse of Darion Smith). [#24]
(Seven day clause)

Filed by Lauren Helbling
(216) 781-1164

vs.

WILLIAM GOLSON, et al.,
Defendants

OPPOSITION of defendant, Linda E.
Wright filed 11/9/16. [#28]

STEPHEN HOBT

16-14606
KENNETH/JESSICA KIRK

Motion of U.S. Trustee to dismiss for abuse
pursuant to 11 U.S.C. §§707(b)(1), (b)(2) &
(b)(3). [#21] (Clause)

Filed by Derrick Rippy
(216) 522-7800

OBJECTION of debtors filed 11/22/16. [#26]

ALLEN HUFFORD

16-15144
RASHOD PENNYMAN/
THOMAS SIMS

Motion of debtors for order on Progressive
Insurance to appear and show cause for failure
to return garnished wages to debtors. [#21]

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LEE KRAVITZ

16-13643
RAYMOND/KAREN METTS

Continued hearing on approval of reaffirmation agreement between debtors and Coastal Credit, LLC. [#12]
AMENDED AGREEMENT filed 10/13/16. [#18]

16-15963
TONITA D. BYBEE

Motion of debtor for an order on GCB Properties III Ltd. dba RealEstatePros.com to appear and show cause as to why they shall not be held in contempt of court for violating the automatic stay. [#8]
(Seven day clause)

OBJECTION of GCB Properties III, Ltd
filed by Stephen Hobt. [#12]

16-15045
KATHLEEN M. ALBANNA

Hearing on approval of reaffirmation agreement debtor and Hyundai Capital America dba Kia Motors Finance. [#11]
AMENDED AGREEMENT filed 11/18/16. [#18]
Hearing not held - approved as amended on 11/18/16

WALTER LANDOW

16-15764
JENNIFER J. FOLEY

Application of debtor to have filing fee waived. [#2]
Withdrawn 11/7/16

OBJECTION of trustee filed 10/21/16
by Lauren Helbling. [#7]

Moot

LAURITO & LAURITO LLC

16-15254
TERRANCE/SHERI TERRELL

Motion of U.S. Bank National Association for relief from stay and abandonment. [#9]
(Seven day clause)

Filed by Nicholas O'Bryan
(937) 743-4878

Motion denied - amended motion not timely filed

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LERNER, SAMPSON & ROTHFUSS

16-10579
DAVID WONG

Motion of JPMorgan Chase Bank, National Association for relief from stay and abandonment. [#30]
(Seven day clause)

Filed by Edward Boll
(513) 241-3100

No response - motion granted

16-15301
EDWARD/BETTY FRIDENSTINE

Motion of Fifth Third Mortgage Company for relief from stay and abandonment. [#9]
(Seven day clause)

Filed by Edward Boll
(513) 241-3100

LIMITED OBJECTION of trustee filed
by Lauren Helbling. [#14]

MANLEY DEAS KOCHALSKI LLC

16-14219
TIANDREA R. HUDSON

Motion of Bank of America, N.A. for relief from stay and abandonment. [#11] (Seven day clause)

Filed by Daniel Wolters
(614) 220-5611

No response - motion granted

16-14296
KEVIN A. BRYANT

Motion of Ocwen Loan Servicing, LLC for relief from stay and abandonment (first mortgage). [#15]
(Seven day clause)

Filed by Daniel Wolters

No response - motion granted

CHRIS MANOLIS

16-15430
ANTHONY F. HENDERSHOT

Motion of Nationstar Mortgage LLC for relief from stay and abandonment. [#17] (Seven day clause)

Filed by Chris Manolis
(513) 396-8100

No response - motion granted

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JAMES McCLAIN

16-14369
WILLIAM C. GRANTHAM, JR.

Motion of U.S. Trustee to examine services rendered by and fees paid to James M. McClain, Dennis D. D'Amato Law LLC, BK Net Systems, Inc. and/or BK Net Legal Systesms, Inc. and for an order directing the disgorgement of fees and other fines, sanctions and damages as may be warranted. [#14] (Clause)

Filed by Amy Good
(216) 522-7800

RESPONSE of James McClain filed
11/8/16. [#17]

OPPOSITION of Dennis D'Amato filed
11/29/16. [#22]

MARGARET MONTANO

16-15112
DAWN/BERNARD BENTON

Motion of debtors to avoid judgment lien of The Huntington National Bank pursuant to §522(f)(1)(A) of the bankruptcy code. [#16] (Clause)

No response - motion granted

SCOTT PARIS

16-13823
STEPHANIE G. HALL

Continued order on debtor to appear and show cause for failure to pay filing fee as required - \$83.00 due 10/12/16. [#18]

JULIE RABIN

16-12975
JAN/LAURICE GOLDBERG

Motion of U.S. Trustee for an extension of time to file a motion to dismiss or a complaint objecting to discharge. [#20] (Clause)

Filed by Maria Giannirakis
(216) 522-7800

No response - motion granted

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RAUSER & ASSOCIATES

16-11316
CANDACE M. PRICE

Motion of debtor to reopen case. [#14]
(Seven day clause)
No response - motion granted

16-13136
ERIC/KAMI DUNHAM

1) Order on debtors to appear and show cause for failure to pay filing fee as required - \$50.00 due 10/21/16. [#43]

2) Motion of Roxie Douglas to dismiss debtors' case. [#47]

16-1073 (16-11071)
(Denitra M. Larkin - Debtor)
DOUG WOODS,
Plaintiff

Motion of debtor to reopen adversary proceeding and for an order holding execution on judgment in abeyance. [#20] (Seven day clause)
Filed by Alexander Sarady
(216) 263-6200

vs.

DENITRA M. LARKIN,
Defendant

OBJECTION of plaintiff filed 11/23/16. [#22]

REIMER & ASSOCIATES

16-15029
FRANKLIN/STACEY AZOK

Motion of HSBC Bank USA, National Association for relief from stay and abandonment. [#13]
(Seven day clause)
Filed by Peter O'Grady
(440) 600-5500
No response - motion granted

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16-15140
CONSTANCE J. GORE

Motion of Ally Financial for relief from stay and abandonment. [#12] (Seven day clause)
Filed by Edward Bailey

No response - motion granted

16-15207
MARK G. BUFFORD

Motion of The Huntington National Bank for relief from stay and abandonment. [#9] (Seven day clause)

Filed by Edward Bailey

No response - motion granted

13-13324
ERIC/KATHLEEN GRAHAM

Motion of Santander Consumer USA for relief from stay and abandonment. [#58] (Seven day clause)

Filed by Edward Bailey

(440) 600-5500

Agreed order 11/22/16

OBJECTION of debtors filed 10/25/16. [#63]

MONA RUBINSTEIN

16-15206
DONNA R. BLAKELY

Hearing on approval of reaffirmation agreement debtor and Cab East LLC. [#11]

DAVID SIMON

15-12240
STEPHEN P. FLANNERY

Omnibus objection of trustee to claim #1 of Calvery SPV 1, LLC and claim #4 of NCEP, LLC. [#34] (Seven day clause)

Filed by David Simon

(216) 621-6201

No response - objections sustained

15-13585
RICHARD/CAROL CAZZARIN

Objection of trustee to debtors' amended claim of exemption. [#39] (Seven day clause)

Filed by David Simon

No response - objection sustained

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16-10833
RICHARD E. HOUSE

1) Motion of trustee for authority to sell real property free and clear of liens, encumbrances and interests and notice of intent to sell real property. [#59] (Seven day clause)

Filed by David Simon
(216) 621-6201

Agreed order 11/21/16

RESPONSE (OBJECTION) of Ditech
Financial LLC filed by Edward Bailey. [#63]

2) Expedited second motion of trustee for authority to sell real property free and clear of liens, encumbrances and interests and notice of intent to sell real property. [#66]

No response - motion granted

JUSTIN SMITH

16-15410
ANDREA E. JOHNSON

Order on debtor to appear and show cause for failure to pay filing fee as required - \$112.00 due 11/1/16. [#10]

D. ANTHONY SOTTILE

16-15636
SORIN L. POPA

Motion of Honda Lease Trust for relief from stay and abandonment. [#9] (Seven day clause)

Filed by D. Anthony Sottile
(513) 444-4100

No response - motion granted

15-17050
THEODORE A. PEREZ

Motion of AmeriCredit Financial Services, Inc. dba GM Financial for relief from stay and abandonment. [#38] (Seven day clause)

Filed by D. Anthony Sottile
(513) 444-4100

Motion granted

OBJECTION of debtor filed 10/21/16. [#41]
Withdrawn 11/16/16

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SAM THOMAS

16-14644
FREDERICK L. TUCKER

Order on debtor to appear and show cause for failure to pay filing fee as required - \$112.00 due 10/28/16. [#13]

16-14421
PATRICIA L. VALENTINE

Order on debtor to appear and show cause for failure to pay filing fee as required - \$85.00 due 10/21/16. [#22]

ALAN TREINISH

16-13855
MARC/SHARON DEWERTH

Notice of trustee of intent to sell property at private sale. [#17] (Seven day clause)
Filed by Alan Treinish
(216) 566-7022

No response - granted

16-14415
TARELL DERRY

Notice of trustee of intent to sell personal property at private sale. [#25] (Seven day clause)
Filed by Alan Treinish

No response - granted

CHARLES VAN NESS

16-14409
ELIZABETH R. ADAMS

Hearing on approval of reaffirmation agreement between debtor and Ally Bank. [#8]

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WELTMAN, WEINBERG & REIS

16-14952
SARA A. IBARRA

Motion of Byrider Finance, LLC dba CNAC
for relief from stay and abandonment. [#11]
(Clause)

Filed by Jason Wright
(216) 739-5721

Adjourned to 12/15/16 at 8:30 a.m. -
Amended motion to be filed by 12/5/16 -
See order 11/22/16

MARY WHITMER

16-12889
RAYMOND/LYDIA JAMES

Motion of trustee for order on debtors to turn over
property of the estate. [#19] (Clause)

Filed by Mary Whitmer
(216) 771-5056

Agreed order submitted

16-14767
PHILIP J. STASUK

Motion of trustee for order on debtor to turn over
property of the estate. [#17] (Clause)

Filed by Mary Whitmer

Agreed order 11/22/16

PATRICIA WINFIELD

16-14262
JERONDA R. WILLIS

Motion of debtor to redeem property under
11 U.S.C. §722. [#11] (Seven day clause)

No response - motion granted

WALDEMAR WOJCIK

16-11572
RICK S. BROUMAN

Motion of trustee for authority to settle foreign
litigation claim and judgment as property of this
bankruptcy estate and to authorize direct payment
of litigation costs in the Beijing, China court action.
[#41] (Seven day clause)

Filed by Waldemar Wojcik
(216) 241-2628

No response - motion granted

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16-14421
PATRICIA L. VALENTINE

Motion of trustee to dismiss case. [#27]
(Seven day clause)
Filed by Waldemar Wojcik
No response - motion granted

PRO SE

16-13485
HERNANDO HARGE

Continued motion of U.S. Trustee to dismiss for
abuse pursuant to 11 U.S.C. §§707(b)(1), (b)(2)
& (b)(3). [#21] (Clause)
Filed by Derrick Rippy
(216) 522-7800

OBJECTION of debtor filed 9/15/16. [#25]

16-14801
JOSEPH J. FONTANA, JR.

Amended order on debtor to appear and show
cause why this case should not be dismissed for
failure to pay filing fees in a previous case. [#15]

16-16029
TONIA M. HOLT

Application of debtor to have filing fee waived.
[#6]

OBJECTION of trustee filed 11/3/16
by David Simon. [#9]

16-16042
DEMETRIUS TALTON/
ALONNA WEST

Application of debtors to have filing fee waived.
[#5]

OBJECTION of trustee filed 11/2/16
by Lauren Helbling. [#7]

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16-14121
MARKEITH D. BROWN

Order on debtor to appear and show cause for failure to pay filing fee as required - \$105.00 due 10/14/16. [#29]

16-13355
EURCELLE L. JACKSON

Order on debtor to appear and show cause for failure to pay filing fee as required - \$70.00 due 10/14/16. [#34]

16-14347
TIARA E. WEBSTER

Continued order on debtor to appear and show cause why this case should not be dismissed for failure to pay filing fees in previous cases. [#15]

16-15169
DARYL D. BURGE, SR.

1) Order on debtor to appear and show cause for failure to pay filing fee as required - \$85.00 due 10/21/16. [#14]

Moot - case dismissed

2) Motion of debtor to reinstate case. [#22]

FINAL HEARING ON COMPENSATION

<u>Case Number</u>	<u>Debtor Name</u>	<u>Trustee</u>
11-15719	CARDINAL FASTENER & SPECIALTY CO	Sheldon Stein
13-10195	CLARA DRAKE	Mary Whitmer
15-11073	JAMMELAH SHAKIR	Lauren Helbling
15-13708	JEUVON & YVETTE MCMICHAEL	Mary Whitmer
15-14351	TERESA BUTLER	Sheldon Stein

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15-15084	DAVID BILESIMO	Sheldon Stein
15-15196	GREGORY SHIELDS	David Simon
15-15466	CHRISTINE HIGGINS	Richard Baumgart
15-15929	GAIL ANDERSON	Richard Baumgart
15-15997	DERRERE BYRD	Sheldon Stein
15-16278	ANALECIA WHITT	Sheldon Stein
15-16388	MICHAEL TAYLOR SR	David Simon
15-16435	TRACY BURNEY	Richard Baumgart
15-16442	NICHOLAS KOWNACKI	Virgil Brown Jr
15-16447	CHARLES & MARLENE BRADSHAW	Sheldon Stein
15-17284	RICHARD HILL	Marvin Sicherman
15-17356	DIANA SMITH-POLLARD	Lauren Helbling
16-10756	MONIKA VIMPENY	Virgil Brown Jr
16-11022	RANDALL LEVERETT	Lauren Helbling
16-11110	DEBRA SAPLAK	Virgil Brown Jr
16-11386	JAMES BARTLETT JR	Sheldon Stein
16-11559	DENNIS YANKS	David Simon
16-11946	DALE RUSSO	Waldemar Wojcik
16-12032	KEVIN & MARCIE MINERD	Sheldon Stein
16-12151	CHARMAINE POPE	Sheldon Stein
16-12173	RICHARD & CAROLINE STROCK	Sheldon Stein
16-12288	DONNA AUSFLUG	Sheldon Stein