

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA

THE TELEPHONE NUMBER FOR THE
U.S. BANKRUPTCY COURT, WDNC IS
(704) 350-7500

CALENDARS CAN BE FOUND ON THE COURT'S WEBSITE AT
WWW.NCWB.USCOURTS.GOV

04/28/2016

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA

CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

THURSDAY, APRIL 28, 2016

9:30 a.m.

- | | | | | |
|----|------|--|------------------------------|--|
| 1) | 7 | Apryl L. McCoy | 15-31753 | Continued for Compliance Hearing as to Order Granting Motion for Contempt of Subpoena Duces Tecum Against Diverse Global Suppliers, LLC (21) |
| | | SCHWILM
MITCHELL, TR., TAYLOR | | |
| | | ----- | | |
| 2) | 7 | Elizabeth J. Mcphaul | 15-31808 | Hearing on Trustee's Amendment to Objection to Exemption Elections (37) |
| | | PRO SE
HENDERSON, TR. | | |
| | | ----- | | |
| 3) | Adv. | Deidre W. Francis, Tr.
of the Winnie Welborn
Trust
v.
Vincent D. Shelton | 15-3043
Ch. 7
14-31975 | Continued Pre-Trial Conference (22) |
| | | KERN-FULLER, ROBERTSON
PRO SE | | |

4) Adv Peter J. Brennan 15-3149 Hearing on Plaintiff's Amended Motion for
v. Ch. 7 Summary Judgment (16, 14)
Keri M. Hagler 15-30545

HENDERSON
PRO SE

5) 7 Employee-Services.net, 14-30584 7th continued hearing on Motion of BB&T
Inc. to Quash Objection to Subpoena Duces Tecum
(139)

PRO SE
SIGMON & HENDERSON, TR., SUMMERALL, WALDREP, TOWERY, YOUNG
VAUGHAN

6) 7 EEPAYROLLSERVICES, 14-30621 6th continued hearing on Motion of BB&T
LLC to Quash and Objection to Subpoena Duces
Tecum (197)

SHUFORD
SIGMON & HENDERSON, TR., SUMMERALL, WALDREP
VAUGHAN

7) 7 William N. Adkins 12-31050 Continued hearing on Response of
International Fidelity Insurance Company to
Trustee's Second Omnibus Objection to
Claims (98); Trustee's Second Omnibus
Objection to Claims (94);

GORMAN, GRIER
JOHNSON, TR.
GROGAN

8) 7 Shalese M. Simpson 15-31521 3rd continued hearing on Motion of Wells
 Fargo Bank, N.A. for Relief from Stay (6);
Trustee's Response (8)

HALL
JOHNSON, TR.
WADSWORTH

9) 7 Top of the Rock, LLC 16-30313 Court Order for Debtor and its officers to
Appear and Show Cause (9); Petitioning
Creditors' Response (10)

PRO SE
JOHNSON

- 10) 7 Brian J. Spiers 11-32345 Continued hearing on Trustee's Objection to Claims and Motion to Determine Claims (232); Response of MJ Larian, LLC (237); Exhibits (238)
- NARDONE
TAYLOR, TR., SHADDOCK
-
- 11) Adv Larry M. Stiles 13-3210 Hearing on Plaintiff's Motion for Extension
v. Ch. 7 of Time in which to Respond to Defendants'
Joseph A. Reale, et al. 11-33041 First Set of Interrogatories and Request for Admissions (73)
- SHADDOCK, TAYLOR
HOUSTON
THOMPSON
JOHNSON
DAVIS
-
- 12) 7 Larry C. Trevathan 15-30970 3rd continued hearing on Motion of Wells
Lisa L. Trevathan Fargo Bank, N.A. for Relief from Stay (16); Trustee's Response (18)
- CULP
TAYLOR, TR.
STEWART
-
- 13) 7 Bryan Dormer 11-32322 Continued Compliance Hearing. Re: Order Finding Debtor in Civil Contempt (110), Re: Order to Show Cause (107)
- Continued Court Order for Debtor to Appear and Show Cause (111)
- PRO SE
TAYLOR, TR.
-
- 14) 7 Ellen K. Hughes 15-30572 Hearing on Trustee's Fifth Motion for Extension of Time to File Objection to Exemptions (42)
- JOHNSON
SHUFORD, TR.
-
- 15) 7 Joe H. Martin 15-31690 Hearing on Trustee's Motion to Turnover Documentation (39)
- HOUSTON
SHUFORD, TR.
-

16) 7 Chad A. Cooke 12-32647 Continued hearing on Joint Motion of the Trustee and Creditor Rebecca Cooke for Civil Contempt (448)

PRO SE
SHUFORD, TR.

17) 7 Paul B. Pazzaglini 14-30042 Continued hearing on Motion of Fay Servicing, LLC for Relief from Stay (123); Debtor's Objection (124)

PRO SE
SHUFORD, TR.
STALEY

18) 7 Ann C. Jenkins 16-30560 Court Order for Debtor to Appear and Show Cause for Dismissal of Case (7)

PRO SE
SHUFORD, TR.

11:00 a.m.

19) 7 Employee-Services.net, Inc. 14-30584 Scheduling hearing (376) with regard to the Motion of Charleston's Rigging & Marine Hardware, Inc., Tilson Machine, Inc., and Etak Systems, Inc. to Compel Abandonment of Claims in the IRS Avoidance Proceedings (370)

PRO SE
ESSER

04/29/2016

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA

SHELBY DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

FRIDAY, APRIL 29, 2016

Steven G. Tate, Trustee

9:30 a.m.

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|-------|----|---|----------|--|
| 1) | 12 | Andrew M. Boggs
Virginia A. Boggs
O. M. GARDNER | 11-40473 | Hearing on Debtors' Motion to Approve
Option to Purchase Agreement (193) |
| ----- | | | | |
| 2) | 13 | Rheta A. Lail

WOOD | 13-40608 | 2nd continued hearing on Trustee's Amended
Motion to Dismiss Case or to Modify Plan (33,
31) |
| ----- | | | | |
| 3) | 13 | Charles H. Simpson, Jr.
Michelle K. Simpson

POE | 14-40060 | Hearing on Trustee's Motion to Dismiss Case
or to Modify Plan (45) |
| ----- | | | | |
| 4) | 13 | Richard Warech
Jean T. Warech
HAY | 14-40593 | Hearing on Debtors' Motion for Hardship
Discharge (17); Trustee's Response (18) |
| ----- | | | | |
| 5) | 13 | Randy E. Smith

HENDERSON | 14-40594 | Hearing on Trustee's Motion for
Determination of Status of Claims in
Confirmed Plan (44); Debtor's Response (46) |
| ----- | | | | |
| 6) | 13 | Wendy S. Seagle

ELLIOTT | 15-40013 | Hearing on Debtor's Motion to Approve
Attorney Fees (26) |
| ----- | | | | |

- 7) 13 Richard C. Alexander 15-40341 Hearing on Trustee's Motion to Set Liability of the Debtors as to Claims (19); Debtors' Response (22)
Teresa D. Alexander
SIGMON

- 8) 13 Sao Nmn Xiong 11-40003 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (22)
Nhia Nmn Lee
WILLCOX

- 9) 13 Cecil N. Bare 11-40234 Hearing on Debtors' Motion to Deem Mortgage Current (39); Response of HSBC Consumer Lending Mortgage Servicing (42)
Patricia B. Bare
WILLCOX
EMREY

- 10) 13 Alfred D. Shires 11-40389 5th continued hearing on Motion of Bayview Loan Servicing to Incur Debt and for Approval of Loan Modification (68); Trustee's Response (71)
Christy G. Shires

2nd continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (74)
FARMER
JONAS

- 11) 13 Julius S. Funderburk 13-40350 Continued hearing on Trustee's Motion to Dismiss Case (52)
Jenna C. Funderburk
FARMER

- 12) 13 Karl W. Brace 15-40530 Hearing on Motion of ACAR Leasing Ltd dba GM Financial Leasing for Relief from Stay (22); Debtor's Response (24)
FARMER
WHITE

- 13) 13 Gladys H. Houk 15-40003 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (25)
CARTER

- | | | | | |
|-----|----|---|----------|--|
| 14) | 13 | Rickey Parsley
Kathryn M. Parsley | 15-40152 | Status Hearing as to debtors' loan modification (24); Order Confirming Chapter 13 Plan (15) |
| | | CARTER | | |
| | | ----- | | |
| 15) | 13 | Douglas S. Miller
Myra S. Miller | 15-40251 | Hearing on Trustee's Motion for Determination of Status of Claims in Confirmed Plan (55); Response of Chris S. Miller (57) |
| | | CARTER | | Hearing on Trustee's Motion to Set Liability of the Debtors as to Claims (56); Response of Chris S. Miller (57) |
| | | ----- | | |
| 16) | 13 | Charles D. Surby
Lisa D. Surby | 10-40532 | Continued hearing on Debtors' Motion for Contempt and Sanctions Against Nationstar Mortgage, LLC (51) |
| | | PLANER | | |
| | | ----- | | |
| 17) | 13 | Harold A. Davidson
Laura K. Davidson | 10-40537 | Continued hearing on Debtors' Motion for Sanctions Against Nationstar Mortgage, LLC (74); Amendment (76) |
| | | PLANER | | |
| | | ----- | | |
| 18) | 13 | Sue M. Gibson | 14-40145 | Continued hearing on Debtor's Motion for Sanctions Against Nationstar Mortgage, LLC for Violation of Automatic Stay (36) |
| | | PLANER | | |
| | | ----- | | |
| 19) | 13 | Betsy S. Badeaux | 15-40055 | 2nd continued hearing for status as to Trustee's Motion to Dismiss, Convert Case, or to Modify Plan (22) |
| | | PLANER | | |
| | | ----- | | |
| 20) | 13 | Paulo Marquez | 15-40218 | Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (23) |
| | | PLANER | | Hearing on Debtor's Objection to Proof of Claim of Lincoln County Tax Collector (27) |
| | | ----- | | |

- 21) 13 Shirley M. Lynn 15-40277 Hearing on Debtor's Motion for Order in Aid of Case Administration (18)
PLANER

- 22) 13 Bryce D. Lee 12-40267 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (49)
Tammy C. Lee
BALENTINE

- 23) 13 Bruce E. Prince 12-40469 Hearing on Debtors' Motion to Allow Late Filed Claim (38); Trustee's Response (39)
Ruth G. Prince
BALENTINE

- 24) 13 Michael D. Stilwill 13-40570 Hearing on Debtor's Motion to Modify Plan to Surrender Motor Vehicle and Reduce Plan Payments (21); Trustee's Response (24)
BALENTINE

- 25) 13 Ruth G. Horne 14-40010 Hearing on Debtor's Motion for Moratorium (39); Objection of Carolina Trust Bank (40)

Hearing on Motion of Carolina Trust Bank for Relief from Stay and Co-Debtor Stay (41); Debtor's Response (43)

BALENTINE
SUMMERLIN

- 26) 13 Donald H. Thompson 14-40442 Hearing on Debtors' Objection to Proof of Claim of the IRS (59)
Londa J. Von Weter
BALENTINE

- 27) 13 Franklin M. Eskridge 14-40464 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (40)
Yolandra H. Eskridge
BALENTINE

- 28) 13 Douglas W. Grondahl, II 15-40203 Hearing on Debtor's Motion to Modify Plan to Surrender Real Property (43); Trustee's Response (46)
- Hearing on Debtor's Motion for Approval of Disbursement of Funds (45); Trustee's Response (47)
- BALENTINE
-
- 29) 13 Trisa G. Carpenter 15-40350 Continued hearing on Debtor's Motion to Modify Plan (22); Trustee's Response (23)
- BALENTINE
-
- 30) 13 Freddy W. Hoyle 15-40509 Hearing on Debtors' Motion to Modify Plan (21); Trustee's Response (25)
- Ann L. Hoyle
- BALENTINE
-
- 31) 13 Edwin E. Eskew 12-40428 Hearing on Motion of Consumer Portfolio Services, Inc. for Relief from Stay (40); Debtors' Objection (43)
- Gay H. Eskew
- LUTZ
- HIMES
-
- 32) 13 Jeffrey W. Wright 13-40139 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (73)
- Phyllis K. Wright
- LUTZ
-
- 33) 13 Glenda F. McClinton 14-40465 Hearing on Motion of Carolina Lease Management Group, LLC for Relief from Stay (35)
- LUTZ
-
- 34) 13 Danielle D. Nix 14-40560 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (18)
- LUTZ
-

35)	13	Arthur J. Burkhalter Hester A. Burkhalter	15-40051	Continued for Status Hearing (50); Re: Motion of Stephen and Jessica Brown for Relief from Stay and Co-Debtor Stay (24); Debtors' Response (27)
		LUTZ MORGAN		

36)	13	Michael S. Misenheimer Martha G. Misenheimer	15-40254	Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (24)
		LUTZ		

37)	13	Timothy K. Splawn Jennifer M. Davis	15-40420	Hearing on Motion of JPMorgan Chase Bank N.A. for Relief from Stay (25); Debtors' Response (28)
		LUTZ STEWART		

38)	13	Hope B. Edwards	15-40441	Hearing on Debtor's Motion for Moratorium (18); Trustee's Response (19)
		LUTZ		

39)	13	Richard W. Wright, Sr. Sherry B. Wright	16-40035	Hearing on Objection of Wells Fargo Bank, N.A. to Confirmation of Plan (12); Plan (2); Debtors' Response (14)
		LUTZ STEWART		

40)	13	Lucinda Peaks	16-40045	Hearing on Objection of BB&T to Confirmation of Plan (10); Plan (2)
		LUTZ STALEY		

41)	13	Amanda G. Flynn	10-40254	3rd continued hearing on Debtor's Motion for Sanctions Against Caliber Home Loans, Inc. (76); Response of Caliber Home Loans (77)
		W. S. GARDNER STALEY		

42)	13	Gerald T. Haynes, Sr. Gloria G. Haynes	13-40046	Hearing on Motion of U. S. Bank National Association for Relief from Stay (74); Debtors' Objection (75)
		W. S. GARDNER MCKEE		

43)	13	Anthony J. Dawkins	13-40192	Hearing on Debtor's Motion to Modify Plan to Surrender Collateral and Reduce Plan Payment (41); Trustee's Response (43)
		W. S. GARDNER		

44)	13	Mark J. Mode	14-40374	Hearing on Debtor's Motion for Moratorium on Plan Payments (31); Trustee's Response (32)
		W. S. GARDNER		

45)	13	Jonathan Surratt	15-40197	Hearing on Trustee's Notice of Hearing (66) as to the Consent Order Settling Objection to Confirmation of Debtor's Proposed Plan (37)
		W. S. GARDNER		

46)	12	Donna Khan	15-40270	4th continued hearing on Trustee's Motion to Dismiss (11)
				Continued hearing on Second Chapter 12 Bankruptcy Plan (29, 28)
		W. S. GARDNER		

47)	13	James E. Jackson	15-40368	2nd continued hearing for status as to Order Overruling Trustee's Objection to Confirmation and Denying Motion to Dismiss (14)
		W. S. GARDNER		

48)	13	Champ W. Allen, Jr. Laura E. Allen	16-40008	Hearing on Trustee's Motion to Strike Schedules and Amended Plan (12); Amended Plan (10); Amended Statement of Financial Affairs (9)
		W. S. GARDNER		

49) 13 Fred T. Tessneer, Jr. 16-40026 Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (17); Plan (10); Amended Plan (14)
Elaine M. Tessneer

Hearing on Motion of Sharonview Federal Credit Union for Relief from Stay (18); Debtors' Response (20)

W. S. GARDNER
KEENAN

50) 13 George T. Lattimore 16-40048 Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (9); Plan (4)

W. S. GARDNER

51) 13 William J. Gold 16-40071 Hearing on Objection of Bank of the Ozarks to Confirmation of Plan (8); Plan (4)
Patsy M. Gold

W. S. GARDNER
ACKERMAN

52) 13 Winfred Roseboro 16-40103 Hearing on Debtors' Motion to Impose Automatic Stay (7)
Judy D. Roseboro

W. S. GARDNER

53) 13 Phil Morehead 12-40409 2nd continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (33)
Martha F. Morehead

PRO SE
W. S. GARDNER

10:30 a.m.

54) 7 Jamie E. Yelton 12-40742 Hearing on Debtors' Motion for Reconsideration of Order Converting Case and Motion to Convert the Case Back to Chapter 13 (99); Order Granting Trustee's Motion to Convert Case to Chapter 7 (93); Trustee's Response (101)
Dana H. Yelton

W. S. GARDNER
HENDERSON, TR.

55) Adv Richard M. Mitchell 15-4017 Hearing on Plaintiff's Motion to Approve
v. Ch. 7 Settlement with Defendant (14); Response of
Robert G. McGinnis 13-40540 Lewis Ray Thomas, Sr. (15)

MITCHELL
PRO SE

56) 7 Rebecca A. Blair 13-40587 9th continued hearing on Motion of The Bank
of New York Mellon for Relief from Stay (39);
Debtor's Response (40)

HAY
COOPER, TR.
JONAS

57) Adv Langdon M. Cooper 15-3010 Continued hearing on Defendant's Motion
v. Ch. 7 to Set Aside Judgment (15)
Allen Langley 13-40034

COOPER
O. M. GARDNER, LUTZ

58) 7 Randy J. Silverstine 15-40280 4th continued hearing on Trustee's Objection
to Exemptions (8)

HAY
COOPER, TR.

59) 7 Peter C. Capece 15-40327 Hearing on Motion of Peoples Bank for Relief
Kellee D. Capece from Stay (34); Debtors' Response (35);
Trustee's Objection (36)

BADGER
COOPER, TR.
DEATON

60) 11 Kee-Ledbetter, Inc. 16-40063 Hearing on Debtor's Amended Motion to Use
Cash Collateral (41)

BALENTINE

61) 11 Thompson's Mortuary, 16-40139 Hearing on Debtor's Motion for Authority to
Inc. Pay Employees' Wages and Salaries (9)

BALENTINE

Hearing on Debtor's Motion to Assume Verbal
Lease (17)

- 62) 11 Restoration Properties of Shelby, LLC 15-40163 3rd continued hearing on Motion of BB&T for Relief from Stay (51); Debtor's Response (54)
- 5th continued hearing on Confirmation of Plan (38); Plan (29); Bankruptcy Administrator's Objection to Confirmation (41); Objection of BB&T to Confirmation (44)
- W. S. GARDNER
LIVERMON
HOFF
KENNY, BA
-
- 63) 11 Leonard J. McNeilly 15-40342 Continued hearing on Motion of the BA to Require Debtors to Appear and Show Cause (49)
- Jo Nell N. McNeilly
- W. S. GARDNER
KENNY
-
- 64) 11 Alive Apparel, Inc. 15-40189 3rd continued hearing on Motion of Stephen Carter for Appointment of Independent Trustee (88); Response of Broad River Asset Solutions, LLC (91)
- Hearing on Motion of Stephen Carter for Relief from Stay (108); Debtor's Response (113)
- Hearing on Combination Chapter 11 Bankruptcy Plan and Disclosure Statement (116, 111); Objection of the Bankruptcy Administrator to Confirmation of Plan (118)
- W. S. GARDNER
KENNY
BALENTINE
-
- 65) 11 Glenda K. Hooper 15-40443 5th continued Hearing on Debtor's Motion to Allow for Secured Debt payments (12); response of HomeTrust Bank (21); Response of the Bankruptcy Administrator (29)
- 5th continued hearing on the Bankruptcy Administrator's motion to Appoint Chapter 11 Trustee (25);
- Hearing on Debtor's Second Motion to Extend the Exclusivity Period (78)
- W. S. GARDNER
BOWERS, TR.
PINKSTON

11:00 a.m.

66) 13 Jerry E. Bowen 15-40190 5th continued hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (51); Amended Plan (47); Plan (34)

W. S. GARDNER
TATE, TR.

ADDITIONS CALENDAR

9:30 a.m.

67) 13 Anthony R. Webber 16-40122 Hearing on Debtors' Motion to
Sheliah C. Webber Extend Automatic Stay (5)

PLANER

NO COURT

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA**

J. CRAIG WHITLEY, PRESIDING

**THERE ARE NO HEARINGS SCHEDULED FOR
MONDAY - WEDNESDAY,
APRIL 25 – 27, 2016**

**SCHEDULE CHANGES OCCUR DAILY;
PLEASE REFER TO ANY FILED NOTICES,
OR ADVISE THE COURT IF THERE IS A NEED
FOR A SPECIAL HEARING DATE.**