

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

Today's hearings will be held telephonically. All parties and counsel, including individuals not represented by counsel ("Pro Se Parties") may appear telephonically. Represented parties wishing to participate in the hearing should call in with their counsel on a single telephone line.

Dial-in Information.

Please connect by 9:15 a.m. When court is open the phone line will be locked.

AT&T Teleconference Service: 1-888-684-8852

Access Code: 7389051#

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UNTIL YOUR CASE IS CALLED, please activate the mute button, and do not place the call on hold as it causes a disruption on the phone line and in the courtroom.

For questions regarding telephonic hearings, please contact Judge Whitley's chambers at 704-350-7570 or email whitley_hearings@ncwb.uscourts.gov.

***PLEASE SCROLL DOWN TO VIEW THE COURT CALENDAR
FOR FRIDAY, JANUARY 28, 2022***

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
SHELBY DIVISION

J. CRAIG WHITLEY, JUDGE PRESIDING

FRIDAY, JANUARY 28, 2022

Steven G. Tate, Trustee

9:30 a.m. (Telephonic Hearings)

- 1) 13 Donald W. Price 14-40183 3rd continued Status Conference regarding Debtor's Motion for Reconsideration of Claim of Mortgage Servicer and for Contempt of the Discharge Order and Order Deeming Mortgage Loan Current (82/117); Response of NewRez LLC (89)
- 3rd continued Status Conference regarding Notice of Deemed Admissions (83/117)
- 3rd continued Status Conference regarding Motion of NewRez, LLC for Protective Order or, in the Alternative, to Extend Time to Respond and Limit the First Requests from Admissions of Fact from the Debtor to Respondents (90/117); Debtor's Objection (92)
- 3rd continued hearing on Debtor's Objection to Notice of Mortgage Payment Change (99); Notice of Mortgage Payment Change filed 03/09/2021; Notice of Withdrawal of Notice of Mortgage Payment Change (102); Debtor's Motion to Strike Withdrawal of Notice of Mortgage Payment Change (104)

O. MAX GARDNER
PETTIT

- 2) 13 Kimberly D. Flack 19-40445 Hearing on Trustee's Motion to Dismiss Case (72)
Y. TAYLOR

- 3) 13 Timothy B. Holman 20-40029 Hearing on Debtor's Motion for Partial Moratorium in Plan Payments (76); Trustee's Response (77)
Olga D. Holman
CUMMINGS

- 4) 13 Patty L. Joaquin 20-40088 4th continued hearing on Trustee's Motion to Dismiss Case (45)
FLIPPIN

- 5) 12 Jeffery L. Benfield 21-40009 Hearing on Motion of Kubota Credit Corporation for Relief from Stay or Adequate Protection (90); Debtors' Response (91)
April E. Benfield
JOHNSON
LAMB

- 6) 13 Royce D. Hensley, Jr. 21-40146 Hearing on Trustee's Motion to Dismiss Case (20)
BEN PITTS

- 7) 13 Paul M. Huffman 19-40271 3rd continued hearing on Trustee's Motion to Dismiss (24)
Leslie N. Huffman

Hearing on Debtors' Motion for Loan Modification Management (29); Trustee's Response (32); Response of Wells Fargo Bank, N.A. (33)

FARMER
VINING

- 8) 13 Robert A. Leahey 19-40309 Hearing on Trustee's Motion to Dismiss Case (54)
Stephanie L. Leahey
- FARMER
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- 9) 13 James K. Bryant 21-40032 Continued hearing on Trustee's Motion to Dismiss Case (38)
- FARMER
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- 10) 13 Kevin L. Fillenwarth 17-40127 Hearing on Debtors' Motion to Sell Residential Realty, to Claim Exemptions, to Provide for Disbursement of Sale Proceeds, and to Order the Shut-Down of Secured Mortgage Claims of Freedom Mortgage Corp. (105); Trustee's Response (106); Response of Freedom Mortgage Corp. in Support of Debtors' Motion (107); Debtors' Amended Motion to Sell (108)
Millie E. Fillenwarth
- PLANER
HEDRICK
-
- 11) 13 Joanna Rybczyk 18-40247 Continued hearing on Debtor's Motion for an Accounting and for Sanctions for Failure to Comply with the Conduit Credit Duties of the Confirmed Plan and Relevant FRBP and Local Rules (52)
- PLANER
-
- 12) 13 William T. Tallent 19-40133 Hearing on Motion of Unifour Financial Services for Relief from Automatic Stay/Co-Debtor Stay (77); Debtors' Response (78)
Margaret N. Tallent
- PLANER
SUMMERLIN
-

13) 13 Kimberly D. Rush 21-40051 Hearing on Motion of Nissan Motor Acceptance Corporation for Relief from Stay and Relief from Co-Debtor Stay or Adequate Protection (16); Debtor's Response (17)

PLANER
LAMB

14) 13 Spencer O. Elliott 17-40378 Hearing on Trustee's Motion to Dismiss Case (24)

WILLCOX

15) 13 Sarah L. McCauley 20-40233 Continued hearing on Trustee's Motion to Dismiss Case (31)

WILLCOX

16) 13 Carolyn D. Surratt 21-40003 Hearing on Trustee's Motion to Dismiss Case (38)

WILLCOX

17) 13 Jane A. Abernathy 21-40152 Continued hearing on Objection of SN Servicing Corporation to Confirmation of Plan (15); Plan (10)

WILLCOX
FLETCHER

18) 13 Jaime L. Bolick 18-40055 Hearing on Trustee's Motion to Dismiss Case (52)

LUTZ

19) 13 John E. Bowen 18-40269 Hearing on Debtors' Motion to Pay
Vickie H. Bowen Insurance Proceeds to Trustee (29);
Amended Motion (31); Trustee's
Response (32)

LUTZ

20) 13 Matthew F. Black 18-40381 Hearing on Trustee's Motion to
Virginia A. Black Dismiss Case (43)

LUTZ

21) 13 Mark D. Dore 18-40420 Hearing on Trustee's Motion to
Dismiss Case (71)

LUTZ

22) 13 Bryce D. Lee 19-40118 Hearing on Trustee's Motion to
Tammy C. Lee Dismiss Case (47)

LUTZ

23) Adv Bambi Watkins 21-04003 Pretrial Conference (7)
v. Ch. 13
Angela J. Fowler 21-40004

W. S. GARDNER

LUTZ

24) 13 Harold R. Baker 21-40133 Continued hearing on Objection of
Diane K. Baker Kimberly Harp to Confirmation of
Plan (21/2)

LUTZ

W. S. GARDNER

25) 13 Sheila A. Dawkins 21-40164 Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (10/7/2)

LUTZ

26) 13 Tommy H. Philbeck 16-40433 Hearing on Motion to Withdraw as Attorney and Substitute Robert Lutz as Attorney for the Debtors (72)

TERESA W. PHILBECK
W. S. GARDNER

27) 13 Dimitrios N. Mantis 17-40031 Hearing on Motion to Withdraw as Attorney and Substitute Robert Lutz as Attorney for the Debtor (45)

W. S. GARDNER

28) 13 John D. Shytle 17-40315 Hearing on Motion to Withdraw as Attorney and Substitute Robert Lutz as Attorney for the Debtor (39)

WANDA K. SHYTLE
W. S. GARDNER

29) 13 Frances L. Simmons 17-40375 Hearing on Motion to Withdraw as Attorney and Substitute Robert Lutz as Attorney for the Debtor (37)

W. S. GARDNER

30) 13 Bobby S. Harrison 17-40419 Hearing on Motion to Withdraw as Attorney and Substitute Robert Lutz as Attorney for the Debtor (35)

W. S. GARDNER

31) 13 Ronnie L. Lukens 18-40005 Hearing on Motion to Withdraw as Attorney and Substitute Robert Lutz as Attorney for the Debtor (60)

W. S. GARDNER

32) 13 Jennifer F. Jackson 18-40043 Hearing on Motion to Withdraw as Attorney and Substitute Robert Lutz as Attorney for the Debtor (34)

W. S. GARDNER

33) 13 Susan E. Christian 18-40102 Hearing on Motion to Withdraw as Attorney and Substitute Robert Lutz as Attorney for the Debtor (50)

W. S. GARDNER

34) 13 Billie L. Mitchell 18-40154 Hearing on Motion to Withdraw as Attorney and Substitute Robert Lutz as Attorney for the Debtor (50)

W. S. GARDNER

35) 13 John A. White 18-40249 Hearing on Motion to Withdraw as Attorney and Substitute Robert Lutz as Attorney for the Debtor (50)

W. S. GARDNER

36) 13 Mary A. Hoey 18-40351 Hearing on Motion to Withdraw as Attorney and Substitute Robert Lutz as Attorney for the Debtor (74)

W. S. GARDNER

37) 13 Sherre L. DeMao 18-40464 Hearing on Motion to Withdraw as Attorney and Substitute Robert Lutz as Attorney for the Debtor (41)

W. S. GARDNER

38) 13 Janice W. Elder 19-40020 Hearing on Motion to Withdraw as Attorney and Substitute Robert Lutz as Attorney for the Debtor (55)

W. S. GARDNER

39) 13 Edward Gnandt 19-40459 Hearing on Motion to Withdraw as Attorney and Substitute Robert Lutz as Attorney for the Debtors (45)
Leslie D. Gnandt

W. S. GARDNER

40) 13 Margaret L. Freeman 19-40467 Hearing on Motion to Withdraw as Attorney and Substitute Robert Lutz as Attorney for the Debtor (56)

W. S. GARDNER

41) 13 Doris B. Clary 20-40043 Hearing on Motion to Withdraw as Attorney and Substitute Robert Lutz as Attorney for the Debtor (67)

W. S. GARDNER

42) 13 Erin A. Miller 20-40074 Hearing on Motion to Withdraw as Attorney and Substitute Robert Lutz as Attorney for the Debtor (25)

W. S. GARDNER

43) 13 Greg L. Hunt 20-40193 Hearing on Motion to Withdraw as Attorney and Substitute Robert Lutz as Attorney for the Debtor (43)

W. S. GARDNER

44) 13 Travis L. Parker 21-40121 Hearing on Motion to Withdraw as Attorney and Substitute Robert Lutz as Attorney for the Debtor (39)
Ashley L. Parker

W. S. GARDNER

45) 13 Wayne A. Parker 21-40126 Hearing on Motion to Withdraw as Attorney and Substitute Robert Lutz as Attorney for the Debtor (29)

W. S. GARDNER

10:30 a.m.

46) 7 Samuel C. Houser 21-40095 2nd continued hearing on Motion of Nationstar Mortgage LLC d/b/a Mr. Cooper for Relief from Stay (37); Debtor's Response (38)

GOURLEY
STALZER, TR.
VONNEGUT
