

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA

SHELBY DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

FRIDAY, FEBRUARY 24, 2017

Steven G. Tate, Trustee

9:30 a.m.

- 1) 12 Andrew M. Boggs, Jr. 11-40473 2nd continued hearing on Debtors' Motion to Modify Plan to Add Tax Debt (217)

Hearing on Debtors' Motion for Approval of Assignment of Option Agreement for Purchase of Real Estate and Intent to Exercise Option and Motion to Approve Sale of Real Property (237)

O. M. GARDNER

- 2) 13 Harold W. Anders, Jr. 11-40637 Continued hearing on Trustee's Motion to Deem Mortgage Loan Account Current (46); Supplement to Response of Ditech Financial, LLC (filed 12/16/2016)

HAMBY
STALEY

- 3) 13 Christopher E. Robinson 15-40095 Hearing on Trustee's Motion to Modify Plan (31); Debtors' Response (35)
Toni R. Robinson
- Hearing on Debtors' Motion to Reconsider Order Sustaining Objection to Claim and Order Granting Motion of trustee for Claims Determination as to the Claim of Aaron's Sales and Lease (34); Order Granting Trustee's Motion (28); Order Sustaining Objection to Claim (20)

SIGMON

- 4) 13 Charles H. Owensby 15-40133 3rd continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (21)
Mary A. Owensby
- 2nd continued hearing on Debtors' Motion to Modify Plan (25); f15-3010Trustee's Response (26); Interim Order Granting Motion (28)

LEONARD

- 5) 13 Jeremy R. Terry 16-40011 2nd continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (16)
Elizabeth R. Conn
- Continued hearing on Debtors' Motion to Modify Plan (36); Trustee's Response (37)

PITTS, BEN

- 6) 13 Cynthia M. Staben 16-40055 2nd continued hearing on Trustee's Motion for Status Hearing (34)

HAY

7) 13 Kenneth R. Pritchard 16-40120 Hearing on Debtors' Motion to
Linda B. Pritchard Approve Settlement of Physical
Damage Insurance Settlement
Regarding Motor Vehicle with Net
Proceeds Payable to Debtors (29);
Trustee's Response (32)

VUJOVIC

8) 13 Ronald M. Needham 16-40167 Continued hearing on Trustee's
Motion for Status Hearing (30)

Continued for Status Review (26 / 25)

GOUDES

9) 13 Robin L. Trent 16-40170 2nd continued hearing on Debtor's
Motion for Sanctions Against Marty E.
Heesch, DDS for Violation of
Automatic Stay (15)

BLOSSOM

10) 13 Brian M. Wright 16-40198 Continued for Status Hearing. Re:
Order Granting Motion; Approving
Direct Payment of Mortgage Trial
Payments (27)

Continued Hearing on Trustee's
Motion to Dismiss Case or to Modify
Plan (28)

WOOD

11) 13 Jennifer Mitchell 16-40333 Continued hearing on Debtor's
Motion to Amend Exemption
Elections (30); Trustee's Response (31)

SHEEK

- 12) 13 Douglas J. Adams 16-40449 Hearing on Debtors' Motion for
Myralene E. Adams Approval of Sale of Inherited
Property *Nunc Pro Tunc* (19);
Trustee's Response (20)

NACHAMIE

- 13) 13 Greetle B. Beach 13-40477 3rd continued hearing on Debtor's
Motion to Compel CashCall, Inc. to
Disgorge and Refund Payments Made
on Proof of Claim and Granting Other
Related Relief (44); Objection of
CashCall, Inc. (56)

SUMMERLIN

- 14) 13 Jason A. Jarrett 14-40185 2nd continued hearing on Trustee's
Motion to Dismiss Case or to Modify
Plan (26); Debtor's Response (27)

SUMMERLIN

- 15) 13 Paul L. Hicks 16-40108 Continued hearing on Trustee's
Melanie D. Hicks Motion to Dismiss Case or to Modify
Plan (21)

WILLCOX

- 16) 13 Terry W. Massingill 16-40429 Hearing on Debtors' Motion for
Hannah K. Massingill Extension of Time to Make Chapter 13
Payment (15); Trustee's Response (16)

WILLCOX

MENK

17) 13 Gladys H. Houk 15-40003 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (35)

CARTER

18) 13 Pamela L. Coker 16-40114 Hearing on Trustee's Motion for Status Hearing (17)

CARTER

19) 13 Peter A. Degregory
April S. Degregory 16-40353 Hearing on Debtors' Motion to Modify Plan (39); Trustee's Response (40)

CARTER

20) 13 Bailey A. Gainey 16-40383 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (14)

CARTER

21) 13 Rodney B. England
Cynthia G. England 14-40322 Hearing on Motion of Bank of the Ozarks for Relief from Stay (51); Debtors' Objection (52)

BALENTINE
ACKERMAN

22) 13 John E. Bowen
Vickie H. Bowen 15-40174 Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (36)

BALENTINE

23) 13 Mary L. Conner 15-40320 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (28)
BALENTINE

24) 13 Lakeisha S. Clemmons 14-40474 Hearing on Debtor's Motion to Approve Loan Modification Agreement (57); Trustee's Response (58)
BALENTINE

25) 13 Tony P. Stroud 15-40494 Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (25)
Patricia H. Stroud

BALENTINE

26) 13 Jerome B. Hamer, III 13-40664 Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (36)
PLANER

27) 13 Sue M. Gibson 14-40145 10th continued hearing on Debtor's Motion for Sanctions Against Nationstar Mortgage, LLC for Violation of Automatic Stay (36)

2nd continued hearing on Debtor's Motion to Incur Debt (48); Trustee's Response (55)

2nd continued hearing on Debtor's Motion to Approve Settlement Agreement and Release (50); Trustee's Response (54)

PLANER

28) 13 Betsy S. Badeaux 16-40060 Continued hearing on Trustee's Motion for Status (35)

Continued for Status Hearing; Plan Confirmed (30);

PLANER

29) 13 Wayne E. Goode, Jr. 16-40480 Continued hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (18)

PLANER

30) 13 Charles W. May 12-40211 Continued Status Hearing. Re: Order Granting Debtors' Motion to Modify Plan (81; Motion 79)
Jennifer Q. May

FARMER

31) 13 Karl W. Brace 15-40530 2nd continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (32); Response of Bennett Building Systems, LLC (33)

FARMER

32) 13 Daniel M. Bearden 16-40141 Continued Motion of Trustee for Status Hearing (36)

FARMER

33) 13 Matthew E. Bright 16-40471 Hearing on Debtor's Motion to Extend Time for Plan Payment (16); Trustee's Response (19)

Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (20)

FARMER

34) 13 Yee Thao 16-40527 Hearing on Objection of Telco
Mee Lor Thao Community Credit Union to Confirmation of Plan (18)

FARMER

35) 13 George T. Huffstetler 16-40544 Hearing on Objection of Sharonview
Melissa O. Huffstetler Federal Credit Union to Confirmation of Plan (16)

FARMER
KEENAN

36) 13 Bryce D. Lee 12-40267 Hearing on Trustee's Motion to
Tammy C. Lee Dismiss Case or to Modify Plan (56)

LUTZ

37) 13 Robert L. Williams 15-40229 Hearing on Debtor's Motion to
Modify Plan (27); Trustee's Response (28)

LUTZ

38) 13 Mischonda R. Perkins 15-40363 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (45)

LUTZ

39) 13 Diane K. Lunsford 16-40179 Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (19)

LUTZ

40) 13 Cathy C. Summerall 16-40474 Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (14)

LUTZ

41) 13 Jay E. Gell 16-40511 Hearing on Amended Objection of Fifth Third Bank to Confirmation of Plan (20, 19)

LUTZ

42) 13 Janice T. McIver 16-40516 Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (9)

LUTZ

43) 13 Anthony J. Dawkins 13-40192 Hearing on Trustee's Motion to Dismiss Case or Modify Plan (53)

W. S. GARDNER

44) 13 Michael D. Smith 13-40297 Continued for Status. Re: Motion for Moratorium (34)

W. S. GARDNER

45) 13 Adrian K. Fowler 13-40468 Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (26)
Nina B. Fowler

W. S. GARDNER
FLETCHER

46) 13 Michael F. Reid 13-40643 7th continuance for Status. Re: Order Approving Motion to Modify Plan (44)
Dallas R. Reid

W. S. GARDNER

47) 13 Timothy J. Carter 14-40138 Continued hearing on Debtors' Motion to Approve Loan Modification and Account for Payments Made (47); Trustee's Response (48)
Sharon A. Carter

5th continued status hearing Re: Order Partially Approving Motion to Modify Chapter 13 Plan and Reduce Plan Payment (42)

Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (52)

W. S. GARDNER

48) 13 Joseph S. Meadows 14-40203 Hearing on Motion to Withdraw as Attorney of Record (52)
Bobbie D. Meadows

W. S. GARDNER

- 49) 13 Jeffery G Warlick 14-40589 Hearing on Debtor's Motion for Authority to Use Funds (44/46); Trustee's Response (48)
- W. S. GARDNER
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- 50) 13 Robert B. Devoe 15-40242 2nd continued hearing on Debtor's Amended Motion to Modify Chapter 13 Plan (63); Trustee's Response (64)
- W. S. GARDNER
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- 51) 12 Donna Khan 15-40270 Hearing on Debtor's Motion to Modify Plan (44)
- W. S. GARDNER
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- 52) 13 Georgia A. Wilson 15-40399 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (47)
- W. S. GARDNER
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- 53) 13 Jennifer M. Walls 15-40422 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (25)
- W. S. GARDNER
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- 54) 13 Patsy M. Gold 16-40380 Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (35)
- W. S. GARDNER
-

55) 13 Stacy T. Henson 16-40388 Hearing on Objection of Wells Fargo Bank, N.A. to Confirmation of Plan (25)

Hearing on Trustee's Objection to Confirmation of Plan (31)

W. S. GARDNER

56) 13 Michael R. Payne 16-40416 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (13)

W. S. GARDNER

57) 13 Bernice F. Smith 16-40491 Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (14)

W. S. GARDNER

58) 13 Stephanie Falls 16-40542 Continued hearing on Debtor's Motion to Extend Automatic Stay (10); Response of Louise S. Beal (14)

Hearing on Objection of Louise S. Beal to Confirmation of Plan (15)

Hearing on Trustee's Objection to Confirmation; Motion to Dismiss (19)

W. S. GARDNER
DEATON

10:30 a.m.

59) 7 Verna G. McEntire 16-40467 Continued hearing on Trustee's
Objection to Exemptions (10)

W. S. GARDNER

60) 7 Peter C. Capece 15-40327 Continued hearing on Motion of
Kellee D. Capece Regions Mortgage for Relief from
Stay (43); Debtors' Response (44)

BADGER
COOPER, TR.
EMREY

61) 7 Jan L. McCormick, Jr. 15-40537 Hearing on Motion of Bank of
Doreen L. McCormick America, N. A. to Allow Loan
Modification (27)

CARTER
COOPER, TR.
STALEY

62) 7 Katherine M. Brown 16-40335 3rd continued hearing on Motion of
Round Point Mortgage Servicing
Corporation for Relief from Stay
(10); Debtor's Response (11)

MOORE
HENDERSON, TR.
STALEY

63) 7 Keith A. Smith 16-40521 Hearing on Debtor's Motion to Avoid
Judicial Lien of Discover Bank (8)

NACHAMIE
HENDERSON, TR.

- 64) 11 Farr Enterprises, Inc. 16-40291 Continued hearing on Disclosure Statement; Disclosure Statement (30); Joint Objection of Morganton Federal Savings and Loan Association and Reid and Patsy Scott to Adequacy of Debtor's Disclosure Statement (37); Bankruptcy Administrator's Objection (40)
- Continued hearing on Chapter 11 Disclosure Statement (33)
- Hearing on Motion of Reid and Patsy Scott to Enjoin Use of Cash Collateral and Motion for Adequate Protection (38); Debtor's Amended Response (44, 41) - **CONDITIONALLY APPROVED; CONSENT ORDER CIRCULATING**
- Motion to Enjoin Use of Cash Collateral and Motion for Adequate Protection (45); Interim Order (49)
- Court hearing to determine whether the debtor and/or its principals shall be required to produce items (50)
- Hearing on Motion of Morganton Savings Bank and Reid and Patsy Scott to Dismiss Chapter 11 or, in the Alternative, Appoint Chapter 11 Trustee (52)

HAY
SUMMERLIN
SIMPSON, BA

- 65) 11 Restoration Properties 15-40163 Court Ordered Status Hearing (108);
Of Shelby, LLC (Order in Aid of Consummation (92)

W. S. GARDNER

66) 11 Alive Apparel, Inc. 15-40189 Confirmation Hearing (163); Amended Plan (164)

11th continued Status Hearing as to Motion of Stephen Carter for Appointment of Independent Trustee (88)

W.S. GARDNER
BALENTINE

67) 11 Rutherford County Life 14-40434
Saving & First Aid Crew,
Inc.

Continued hearing on the Administrator's Motion to Compel Debtor to File Reports and to Pay Quarterly Fees (157)

BALENTINE
SIMPSON, BA

68) 11 Thompson's Mortuary, 16-40139
Inc.

Continued Confirmation Hearing (57); Amended Chapter 11 Small Business Plan (51)

BALENTINE
SIMPSON

- 69) 11 Kee-Ledbetter, Inc. 16-40063 6th continued hearing for Final Approval of the Disclosure Statement and Hearing on Confirmation of Amended Plan (60); Disclosure Statement (55); Amended Plan (76)
- 2nd continued hearing on Objection of HomeTrust Bank to Disclosure Statement and Confirmation of Amended Plan (82); Disclosure Statement (55); Amended Plan (76)
- 3rd continued hearing on Motion of Home Trust Bank to Approve Creditor's Plan (87); Creditor's Plan (86)

BALENTINE
KILBOURNE
