

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

Telephonic Hearings

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

Dial-in Information

Teleconference Number: 1-888-684-8852

Access Code: 7389051#

Security Code: 8591#

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.

Virtual Hearings

Please contact Ursula Hamilton by email ursula_c_hamilton@ncwb.uscourts.gov **not later than April 5, 2021 by 5:00 p.m.** to request the needed link, codes and dial-in information.

For questions regarding telephonic or virtual 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 APRIL 6, 2021***

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

TUESDAY, APRIL 6, 2021

9:30 a.m. (Telephonic Hearings)

- 1) 11 Osprea Logistics USA 21-30087 Status Conference (8); Pre-Status
LLC Conference Report (46)

WRIGHT
BOWERS, TR.

- 2) 11 CMC Holding Corp. 06-31496 Hearing on Motion of the
Administrator to Extend Liquidating
Trust (270)

Hearing on Motion of the
Administrator to Close Chapter 11
Case (271)

WRIGHT

- 3) 11 Redf Marketing, LLC 12-32462 Continued hearing on Motion of The
Finley Group for Status Hearing or, in
the Alternative, to Enforce Settlement
Agreement and Settlement Order (672)

HOUSTON

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|----|---|-------------------------------|--|
| 4) | Adv. Matthew W. Smith,
<i>Ch. 11 Trustee for
BK Racing, LLC</i>
v.
Nancy J. O'Haro | 20-3007
Ch. 11
18-30241 | Continued hearing on Plaintiff's
Motion for Order Directing Mediation
(15) |
|----|---|-------------------------------|--|

HOUSTON
WOODMAN

- | | | | |
|----|---|-------------------------------|--|
| 5) | Adv. Matthew W. Smith,
<i>Chapter 11 Trustee for
BK Racing, LLC</i>
v.
Lena Pitrelli | 20-3008
Ch. 11
18-30241 | Continued hearing on Plaintiff's
Motion for Order Directing Mediation
(15) |
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HOUSTON/BROWN
WOODMAN

- | | | | |
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| 6) | Adv Matthew W. Smith
v.
Iowa City Capital
Partners, LC | 20-03009
Ch. 11
18-30241 | 3rd continued hearing on Defendant's
Motion to Compel (25/26); Plaintiff's
Reply Brief (32); Defendant's Reply
Brief Supporting its Motion to Compel
(34) |
|----|---|--------------------------------|---|

3rd continued hearing on Plaintiff's
Motion to Compel (27); Defendant's
Objection (31)

2nd continued hearing on Plaintiff's
Motion for Protective Order (33)

HOUSTON / BROWN / WRIGHT
WEINER / CARLS

- 7) Adv. Matthew W. Smith 20-3010 2nd continued hearing on Plaintiff's
v. Ch. 11 Motion to Extend Pretrial Deadlines
H.A.F. Real Estate I, LLC 18-30241 and for Scheduling Conference (11)
H.A.F. Real Estate West, LLC

HOUSTON/BROWN
BAYNARD

- 8) Adv. Matthew W. Smith, 20-3014 Continued hearing on Plaintiff's
Chapter 11 Trustee for Ch. 11 Motion for Order Directing Mediation
BK Racing, LLC 18-30241 (15)
v.
Ronald C. Devine, et al.

HOUSTON / BROWN
WOODMAN

- 9) Adv. Matthew W. Smith, 20-3016 Continued hearing on Plaintiff's
Chapter 11 Trustee for Ch. 11 Motion for Order Directing Mediation
BK Racing, LLC 18-30241 (23)
v.
Brian Castel, et al.

HOUSTON
DiMATTEO / WOODMAN

- 10) Adv. Matthew W. Smith, 20-3057 Continued hearing on Plaintiff's
Chapter 11 Trustee for Ch. 11 Motion for Order Directing Mediation
BK Racing, LLC 18-30241 (10)
v.
Michael Diserveria, et al.

HOUSTON / BROWN
DiMATTEO

2:00 p.m. (Virtual Hearing)

11 Avivar Hospitality, LLC 20-30789

6th continued and final hearing on Motion of Access Point Financial for Adequate Protection or, in the Alternative, Relief from Stay (49/66); Debtor's Response (61); American Lending Center's Response (62); Reply in Support of Motion of Access Point Financial (106); Amendment to (1) American Lending Center's Motion for Adequate Protection or, in the Alternative, Relief from Stay and (2) Access Point Financial's Motion for Adequate Protection or, in the Alternative, Relief from Stay Including the Application of 11 USC 362(e) (185)

5th continued hearing on Motion of American Lending Center for Adequate Protection or, in the Alternative, Relief From Stay (104) Debtor's Objection (121); Limited Objection of Live Oak Banking Company (122); Substitution of Access Point Financial as Party in Interest to American Lending Center's Motion (137); Amended Objection of Live Oak Banking Company to American Lending Center's Motion (140); Debtor's Memorandum in Opposition to American Lending's Motion (141); Amendment to (1) American Lending Center's Motion for Adequate Protection or, in the Alternative, Relief from Stay and (2) Access Point Financial's Motion for Adequate Protection or, in the Alternative, Relief from Stay Including the Application of 11 USC 362(e) (185)

2nd continued Disclosure Statement hearing to consider when to set a hearing on First Amended Disclosure Statement and related deadlines; Disclosure Statement (98/100); First Amended Disclosure Statement (167)

2nd continued hearing on Debtor's Motion to Extend the Exclusive Period(s) for the Court to consider when to set a hearing on the First Amended Disclosure Statement, related deadlines, and any further extension of the exclusive periods (139)

Continued hearing on Objection of Access Point to Claim / Motion to Disallow Asserted Claim of Sterling Holdings, LLC (149)

Continued hearing on Motion of Sterling Holdings, LLC for *Ex Parte* Order to Extend Time to File Response to Claim Objection and to Continue Hearing Thereon (162/168)

Continued hearing on Motion of Access Point Financial for Appointment of Chapter 11 Trustee (188); Response of the Bankruptcy Administrator to Motion for Appointment of Chapter 11 Trustee and Request for Alternative Relief (203); Debtor's Objection to the Motion for Appointment of Chapter 11 Trustee (205)

WRIGHT
ABEL, BA
PETTIT
ESSER
WHELEHAN
TARR/DRISCOLL
