

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE, NORTH CAROLINA

The telephone number for the United States Bankruptcy Court is (704) 350-7500

Hearings scheduled before Judge J. Craig Whitley for June 28 - July 2, 2021 will be held telephonically or virtually via Microsoft Teams. **Please see the daily calendars for the dial-in information for telephonic hearings, and the point of contact for the needed link, codes, and dial-in information for virtual hearings.**

Beginning July 6, 2021, the Court will conduct all Charlotte Chapter 7 and 11 hearings, asbestos hearings, and special settings IN_PERSON. All other matters including those in Asheville, Shelby and Statesville will continue to be conducted telephonically or virtually through September 6, 2021.

The United States Bankruptcy Court will be **CLOSED** Monday, July 5, 2021 in observance of Independence Day.

***PLEASE SCROLL DOWN TO VIEW THE
COURT CALENDARS FOR THE WEEK***

06/28/2021

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

MONDAY, JUNE 28, 2021

9:30 a.m. (Telephonic Hearings)

- 1) 7 BAAC Business Solutions, Inc. 21-30114 Continued hearing on Amended Motion of HCBV, LLC to Compel Trustee to Remit Monthly Rent and Other Charges and to Assume or Reject Lease (54/45); Trustee's Response to Landlord's Motion and Trustee's Intent to Reject Indenture to Lease and Lease of HCBV, LLC (50)

CUMMINGS
CULP, TR./WOODMAN
PETTIT

- 2) 7 Perfect Fit Industries, LLC 20-30706 2nd continued hearing on Trustee's Motion to Determine Amounts Owed Pursuant to Order Granting Trustee's Motion to Sell Entered September 3, 2020 (99); Objection of R&M Group, LLC to Motion of the Trustee, and Cross Motion to Compel Trustee to Comply with Sale Order (100); Response of Regal West Corporation to Trustee's Motion (102)

GORMAN/GRIER
TAYLOR, TR.
CHUBAK
JOHNSON

- 3) 7 Daniel J. Fontana 14-30773 Hearing on Motion of Moon Wright & Houston, PLLC to Disburse Funds Held in Trust (211)
- WRIGHT
TAYLOR, TR.
-
- 4) 7 C2 Advisors, LLC 20-30142 3rd continued hearing on Trustee's Motion to Designate Richard J. Covelli Pursuant to Bankruptcy Rule 9001 of the Federal Rule of Bankruptcy Procedure (34); Objection of Richard Covelli (38)
- 3rd continued hearing on Trustee's Motion for Turnover and to Enforce the Automatic Stay (35); Objection of Richard Covelli (39)
- A. HENDERSON
HAYES, TR.
GRIER
-
- 5) 7 Howard S. Bernstein 20-30802 Hearing on Partial Objection of the Trustee to the Claim of the Internal Revenue Service (78); Response of the United States (80)
- Laura E. Bernstein
- CULP
HAYES, TR.
SULLIVAN
- RESOLVED*
-
- 6) 7 Gary L. Mitchell 17-31661 Hearing on Motion of SN Servicing Corporation, servicing agent for U.S. Bank Trust National Association for Relief from Stay or Adequate Protection (122); Trustee's Response and Objection (123)
- PRO SE
HAYES, TR./JOHNSON
FLETCHER

7) Adv Heather W. Culp, 20-3065 3rd continued status hearing (9/1)
Ch. 7 Trustee Ch. 7
v. 20-30588
Dashawn M. Miller

CULP
PRO SE

06/29/2021

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

TUESDAY, JUNE 29, 2021

9:00 a.m. (Telephonic Hearing)

8) 7 Andrew P. Horsey 19-30903 Continued hearing on Trustee's
Objection to Claims and Motion to
Determine Claims of Buckeye
Corrugated, Inc. and Jeffrey D. Allio
(52); Response of Jeffrey Allio (53)

JOHNSON
TAYLOR, TR.

9:30 a.m. (Telephonic Hearings)

9) 11 Ballantyne Brands, LLC 19-30083 3rd continued status hearing regarding
Order in Aid of Consummation
(203/182)

WRIGHT

10) 11 Ace Motor Acceptance 18-30426 3rd continued hearing for status
Corporation regarding Order in Aid of
Consummation (389 / 278)

HENDERSON

11) 11 Calvin R. Kennedy 20-30208 10th continued hearing on Motion of
Cynthia M. Kennedy FSB, d/b/a Christiana Trust to (1)
Enjoin Use of Cash Collateral; (2)
Determine Proceeding Single Asset
Real Estate Case; and (3) Alternatively,
for Relief from Stay (32); Debtors'
Response (34)

HENDERSON
PETTIT
ABEL, BA

12) 11 Daniel Business 20-30298 3rd continued status hearing regarding
Enterprises, LLC Order Confirming Amended Chapter
11 Plan (86/80)

DiMATTEO/WOODMAN

13) 11 C.B. Honeycutt Grading, 20-30658 Continued hearing on Debtor's
Inc. Objection to Claim of Swift Financial
(258); Response of Swift Financial (280)

DiMATTEO/WOODMAN
BECK

11:00 a.m. (MS Teams)

Note: For questions regarding matters scheduled for hearing, please refer to the case docket sheet.

- 14) 11 Avivar Hospitality, LLC 20-30789 9th continued hearing on Amendment to Motion of Access Point Financial for Adequate Protection or, in the Alternative, Relief from Stay, Including the Application of 11 USC 362(e) (49/Exhibits 66); Debtor's Response (61); Response of American Lending Center (62); Declaration of Dilip Petigara (64); Reply in Support of Motion of Access Point Financial for Adequate Protection (106); Access Point Financial's 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)
- 9th continued hearing on Amendment to 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 for Adequate Protection or, in the Alternative, Relief from Stay and Clarification / Amendment to Motion (137); Amended Objection to American Lending Center's (Now Access Point Financial) Motion for Adequate Protection or, in the Alternative, Relief from Stay (140);

Debtor's Memorandum in Opposition to American Lending Center's Motion for Adequate Protection or, in the Alternative, Relief from Stay (141); Access Point Financial's 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); Declaration of Jennifer Wimmer (207)

5th continued hearing on Debtor's Motion to Extend Exclusivity (139)

4th continued hearing on Disclosure Statement (100/98)

4th continued hearing on Objection of Access Point Financial to Claim / Motion to Disallow Asserted Claim of Sterling Holdings (149/35); Amended Motion of Access Point Financial to Equitably Recharacterize Asserted Claim of Sterling Holdings (237); Objection of Sterling Holdings, LLC to Amended Motion (267)

4th continued hearing on Motion of Sterling Holdings for Ex Parte Order to Extend Time to File Response to Claim Objection and to Continue Hearing Thereon (162); Memorandum Regarding Pending Objection to Claim of Sterling Holdings and Appropriate Procedure to Address Objection (168)

4th continued hearing on Motion of Access Point Financial for Appointment of Chapter 11 Trustee (188); Response of the U.S. Bankruptcy Administrator to Motion for Appointment of Chapter 11 Trustee and Request for Alternative Relief (203); Debtor's Objection to Motion for Appointment of Chapter 11 Trustee (205)

4th continued hearing on Debtor's Motion for Authority to Sell Real Property Free and Clear (254); Objection of Access Point Financial (262)

2nd continued hearing on Debtor's Motion to Designate Votes Under 11 U.S.C § 1126 (e) (202); Response of Access Point Financial in Opposition to Debtor's Motion (263); Debtor's Amended Motion to Designate Votes Under 11 U.S.C. § 1126(e) (269)

2nd continued hearing on Limited Objection and Reservation of Rights of Marriott International, Inc. to the Debtor's (I) Second Amended Disclosure Statement and (II) Second Amended Plan of Reorganization (265); Second Amended Disclosure Statement (260); Second Amended Plan of Reorganization (259); Objection of Access Point Financial to Second Amended Disclosure Statement (266)

**2nd continued hearing on Debtor's
Motion for Ruling on Admissibility
of Evidence (273)**

**Hearing on Debtor's Motion for
Approval of Proposed Sale Process
and Final Sale, Free and Clear of
Liens and Interests (275)**

**ESSER / FAJGENBAUM
ABEL, BA
WRIGHT
WHELEHAN
TARR
GARDNER**

NO COURT

HONORABLE J. CRAIG WHITLEY

**THERE ARE NO HEARINGS SCHEDULED FOR
JUNE 30 - JULY 2, 2021**

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