

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

**Charles R. Jonas Federal Courthouse  
401 W. Trade Street  
Charlotte, NC 28202  
Customer Service: (704) 350-7500**

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***PLEASE SCROLL DOWN TO VIEW THE COURT CALENDAR(S)  
FOR THE WEEK OF JULY 22-26, 2024***

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07/22/24

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

MONDAY, JULY 22, 2024

9:30 a.m.

- 1) 7 Roman Lyamin 23-30802 Hearing on Motion of Santander  
Consumer USA, Inc. for Relief from  
Automatic Stay (25)

DUNCAN  
CULP, TR.  
LEACH

*CONSENT ORDER CIRC.*

- 2) Adv William B. Lilly, Jr. 24-03019 Hearing on Defendant's Motion  
Ch. 7 Trustee Ch. 7 to Dismiss Plaintiff's Complaint (25);  
v. 23-40082 Plaintiff's Response in  
Global Merchant Cash, Inc. Opposition to Defendant's Motion (27)

WOODMAN / COOK  
D'ANDREA / LATHROP / CRABTREE / CAMPANA  
*(Telephonic appearances by D'Andrea and Campana)*

- 3) 7 Roxann L. Constransitch 17-31964 Hearing on Motion of SN Servicing  
Corporation, servicing agent for U.S.  
Bank Trust National Association, for  
Relief from Stay or Adequate  
Protection (61); Trustee's Response (62)

Y. TAYLOR  
SHUFORD, TR.  
FLETCHER

*CONT TO 10/7*

- |       |   |  |          |  |
|-------|---|--|----------|--|
| 4)    | 7 | Johanna Pulido                               | 24-30370 | Court Order for Debtor to Appear and Show Cause for Dismissal of Case (12, 4)  |
|       |   | BLOSSOM<br>SHUFORD, TR.                      |          | <i><b>SATISFIED</b></i>  |
| ----- |   |  |          |  |
| 5)    | 7 | Dominique West                               | 20-30831 | Court Order for Debtor to Appear and Show Cause for Dismissal of Case (46, 41)   |
|       |   | SHEEK<br>RAUBACH, TR.                        |          |  |
| ----- |   |  |          |  |
| 6)    | 7 | Brown's Women's Care, P.A.                   | 24-30544 | Hearing on the Bankruptcy Administrator's Objection to Order Directing the Bankruptcy Administrator to Appoint Ombudsman (9); Order Directing Appointment of Ombudsman (3) |
|       |   | B. HAYES<br>RAUBACH, TR.<br>ABEL             |          |  |
| ----- |   |  |          |  |
| 7)    | 7 | Denver Marine Sales<br><br>and Service, Inc. | 24-40047 | Hearing on Trustee's Motion to Release Funds Received Post-Petition (71)   |
|       |   | JOHNSON<br>HAYES, TR.                        |          |  |
| ----- |   |  |          |  |

8) 7 Applied Machinery Rentals, LLC 23-30461 6th continued compliance hearing on Third Order Allowing In Part and Continuing In Part Trustee's Motion to Hold Parties in Contempt and Compel Production of Documents (420)

Hearing on Trustee's Motion for Authority to Disburse Funds to Woodforest National Bank (439); Limited Objection of First National Bank of Pennsylvania (449)

HENDERSON  
HAYES, TR. / MARTIN  
SUMNER

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9) Adv. Cole Hayes,  
Ch. 7 Trustee  
v. 23-03032  
Garth E. McGillewie, Sr., 23-30461  
et al. Hearing on Plaintiff's Motion for Partial Summary Judgment (32); Plaintiff's Memorandum of Law in Support of Motion (33)

**CONT TO 9/20**

MARTIN  
BAYNARD / EDWARDS

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10) Adv Cole Hayes,  
Ch. 7 Trustee  
v. 23-03042  
Fusion Funding, LLC 23-30461 4th continued compliance hearing on Consent Order Regarding Order Granting Plaintiff's Rule 37 Motion to Compel Fusion Funding, LLC to Produce Documents (47)

MARTIN  
PRO SE

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**CONT TO 9/10**

- 11) Adv Cole Hayes,  
Ch. 7 Trustee  
v.  
Square Funding, LLC
- 23-03043  
Ch. 7  
23-30461
- Hearing on Motion of Square Funding, LLC to Quash Subpoena (12); Plaintiff's Response in Opposition to the Motion (26)
- Hearing on Defendant's Motion to Vacate and Set Aside Entry of Default and Default Judgment (13); Declaration of Elliot Siegel in Support of the Motion (14); Supplement to Defendant's Motion (21); Plaintiff's Response in Opposition to the Motion (22)
- Hearing on Trustee's Motion to Hold Optimum Bank in Contempt, Compel Compliance with Writ of Execution, or Order to Appear and Show Cause, and *Ex Parte* Order Freezing Accounts Pending Hearing (16); Response and Objection of Square Funding, LLC to the Motion (19)
- Hearing on Plaintiff's Motion for Entry of an Order (I) Granting Preliminary Injunctive Relief and (II) Granting Related Relief Under 11 U.S.C. § 105(a) and Fed. R. Bankr. P. 7064 and 7065 (23)
- Hearing on Plaintiff's *Ex Parte* Application for Temporary Restraining Order (27) and Declaration in Support of Temporary Restraining Order (28); Objection by Square Funding, LLC (30)

MARTIN  
BRUTON

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12)	7	Ebony S. Moore	24-30362	Court Order for Debtor to Appear and Show Cause for Dismissal of Case (20)
		PRO SE SHUFORD, TR.		
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13)	7	LaShonda Caldwell	24-30542	Court Order for Debtor to Appear and Show Cause for Dismissal of Case (7, 1)
		PRO SE RAUBACH, TR.		
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14)	7	Sherita Rayford	24-30570	Court Order Directing Debtor to Appear and Show Cause for Dismissal of Case (19, 6)
				Court Order Directing Debtor to Appear and Show Cause for Dismissal of Case [Filing Fee] (7)
				Court Order Directing Debtor to Appear and Show Cause for Dismissal of Case [Previous Filings] (8)
		PRO SE WRIGHT, TR.		
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15)	7	Joshua A. Hubbard	24-30016	5th continued hearing on Order Finding Cause for Dismissal (13)
		PRO SE HAYES, TR.		<i>CONT TO 8/19</i>
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16)	7	Melviera L. Hill	24-30485	Continued Court Order for Debtor to Appear and Show Cause for Dismissal of Case (19)
		PRO SE HAYES, TR.		

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07/23/24

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

TUESDAY, JULY 23, 2024

9:00 a.m.

1)	11	Calvin R Kennedy Cynthia M. Kennedy	20-30208	3rd continued hearing on Motion of Wilmington Savings Fund Society to Appoint Limited Receiver and Alternatively to Convert or Dismiss (252); Bankruptcy Administrator's Joinder to the Motion (253)
				3rd continued hearing on Debtors' Ex Parte Motion for Order Continuing Hearing Set for July 9, 2024 and Treating Hearing as a Status and Scheduling Hearing (255); Response of Wilmington Savings Fund Society, FSB (262)

HENDERSON  
PETTIT  
ABEL

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9:30 a.m.

2)	Adv	Matthew W. Smith v. Darrin L. Payne, et al.	23-03030 Ch. 11 18-30241	3rd continued hearing on Plaintiff's Motion to Compel (43); Defendants' Brief in Response to Plaintiff's Motion to Compel (47)
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HOUSTON / BROWN  
SHOOK / MATHLESS  
ANDERSON

**CON'T TO 8/6**

3)	11	Aetius Companies, LLC	23-30470	Compliance hearing on Order Denying Motion for Protective Order (296)
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WINER / RAUGACH / COX  
ABEL  
HAYES

**CON'T TO 8/6**

4)	11	C.B. Honeycutt Grading, Inc.	20-30658	5th continued hearing on Motion of Deere Credit, Inc. for Relief from Automatic Stay (347); Debtor's Response (349)
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**WOODMAN  
LEONARD**

**CON'T. PARTIES WILL RENOTICE  
HEARING**

5)	11	Ronda Carson	22-30256	5th continued status hearing (148)
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DiMATTEO / WOODMAN  
RAUBACH, TR.

**CON'T TO 8/20**

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**10:30 a.m.**

- 6) Adv Matthew W. Smith 20-03007 4th continued hearing on Defendant's  
v. Ch. 11 Motion Under Fed.R.Civ.P.52 and 59  
Nancy J. O'Haro 18-30241 (145, Brief 150); Plaintiff's Omnibus  
Brief in Opposition to Defendant's  
Post-Trial Motions (151); Defendant's  
Reply to Plaintiff's Omnibus Brief in  
Opposition to Defendant's Post-Trial  
Motions (152) - **CONT TO 8/20**
- 4th continued hearing on Defendant's  
Motion Under Fed.R.Civ.P.52 and 60  
(146, Brief 149); Plaintiff's Omnibus  
Brief in Opposition to Defendant's  
Post-Trial Motions (151); Defendant's  
Reply to Plaintiff's Omnibus Brief in  
Opposition to Defendant's Post-Trial  
Motions (152) - **CONT TO 8/20**
- Continued hearing on Objection of  
Non-Party The Coppola Firm, PLC to  
Plaintiff's Subpoena Duces Tecum and  
Motion to Quash (169); Brief in  
Support of Objection (170) - **CONT TO 8/20**
- Continued hearing on Defendant's  
Motion to Quash (171); Plaintiff's  
Omnibus Response to Motions to  
Quash Subpoenas Duces Tecum and  
Cross-Motion to Compel Production of  
Documents (178) - **CONT TO 8/20**
- Continued hearing on Plaintiff's  
Motion to Compel Compliance with  
Subpoenas Duces Tecum and to  
Compel the Production of Documents  
(173) - **CONT TO 8/20**

HOUSTON / BROWN  
COPPOLA / GALLETTA

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07/26/24

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
SHELBY DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

FRIDAY, JULY 26, 2024

9:30 a.m.

*Steven G. Tate, Trustee*

- 1) 13 Contina N. Pressley 19-40066 Hearing on Debtor's Motion to Avoid  
Lien Against Midland Funding LLC  
(59); Trustee's Response (60)

Y. TAYLOR

**CONSENT ORDER**

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- 2) 13 Thomas L. Howard 24-40024 2nd continued hearing on Trustee's  
Sandra W. Howard Objection to Confirmation of Plan;  
Motion to Dismiss (11)

B. PITTS

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- 3) 13 Robert B. Wensil 24-40125 Hearing on Objection of First Federal  
Savings Bank of Lincolnton to  
Confirmation (7, 3)

Hearing on Trustee's Objection to  
Confirmation of Plan; Motion to  
Dismiss (9, 3)

SHEEK  
DEATON

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4)	13	Javon D. Patterson PENNEBAKER -----	20-40059	Hearing on Trustee's Motion to Dismiss Case (71)
5)	13	Carlos M. Clarke Tanya T. Clarke PENNEBAKER -----	23-40040	Continued hearing on Trustee's Motion to Modify Plan (47); Debtors' Response (49)
6)	13	Kathy D. Watts PLANER -----	21-40022	Hearing on Trustee's Motion to Dismiss Case (23)
7)	13	Heather A. Beason PLANER -----	24-40041	Hearing on Trustee's Motion to Dismiss Case (10)
8)	13	Scottie Posey Regina D. Posey FARMER -----	19-40252	Hearing on Trustee's Motion to Dismiss Case (52)
9)	13	Debra L. Thornton FARMER -----	22-40030	Hearing on Trustee's Motion to Dismiss Case (33)
10)	13	Thomas H. Truesdale Rachel A. Truesdale FARMER -----	24-40087	Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (15, 13)

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|-----|----|---------------------------------------|----------|--|
| 11) | 13 | Jackie L. Laws                        | 23-40023 | Continued hearing on Trustee's Motion to Dismiss Case (19)   |
|     |    | WILLCOX                               |          |  |
|     |    | -----                                 |          |  |
| 12) | 13 | Garry A. White                        | 24-40050 | Hearing on Trustee's Motion to Dismiss Case (7)  |
|     |    | WILLCOX                               |          |  |
|     |    | -----                                 |          |  |
| 13) | 13 | Michael B. Waycaster                  | 24-40059 | Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (11, 10, 2)                      |
|     |    | WILLCOX                               |          |  |
|     |    | -----                                 |          |  |
| 14) | 13 | Margaret L. Freeman                   | 19-40467 | Hearing on Trustee's Motion to Dismiss Case (74)   |
|     |    | LUTZ                                  |          |  |
|     |    | -----                                 |          |  |
| 15) | 13 | Larry B. Ware                         | 20-40035 | Hearing on Motion of Wells Fargo Bank to Compel Debtor to Pay Property Taxes (54); Debtor's Objection (55) |
|     |    | LUTZ                                  |          |  |
|     |    | HOGAN                                 |          |  |
|     |    | -----                                 |          |  |
| 16) | 13 | James P. Toole, III<br>Karen R. Toole | 21-40159 | Hearing on Trustee's Motion to Dismiss Case (43)   |
|     |    | LUTZ                                  |          |  |
|     |    | -----                                 |          |  |

*CONT TO 8/23*

17)	13	William S. Eubanks Michelle D. Eubanks	23-40008	Hearing on Trustee's Motion to Dismiss Case (17)
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LUTZ

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18)	13	Thomas R. Lawrence	24-40071	Hearing on Trustee's Motion to Dismiss Case (7)
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LUTZ

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10:30 a.m.

19)	11	Carolina Sleep Shoppe, LLC	24-40057	Confirmation hearing (54)  Continued hearing on Debtor's Motion to Use Cash Collateral (10); Third Interim Order Authorizing Use of Cash Collateral (55)  Hearing on Debtor's Motion to Value Collateral (65)
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WRIGHT  
NAVE, TR.

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**ADD-ON CALENDAR**

**9:30 a.m.**

20)	13	Javier A. Medrano	22-40122	Hearing on Trustee's Motion to Modify Plan (47); Debtor's Response (48)
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**BLOSSOM**

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***NO COURT***

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**HONORABLE J. CRAIG WHITLEY**

**THERE ARE NO HEARINGS SCHEDULED FOR  
JULY 24 -25, 2024**

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