

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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*08/21/2023*  
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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

MONDAY, AUGUST 21, 2023

9:30 a.m.

1) 7 Tonya R. Perkins 21-30398 Hearing on Motion of Nationstar  
Mortgage LLC for Relief from Stay  
(63); Trustee's Response (64)

HANDS  
SHUFORD, TR.  
TOMASIC

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2) 7 G and W Industrial 23-30454 Hearing on Trustee's Application for  
Properties, LLC Authority to Retain and Employ  
William B. Lilly, Jr. of Iron Horse  
Auction Co. as Auctioneer for Estate  
(37)

HENDERSON  
SHUFORD, TR.

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3) 7 John S. Wilson, II 23-30129 Hearing on Debtor's Verified Motion for Sanctions for Violations of Automatic Stay and Discharge Injunction (17); Response of the North Carolina Division of Employment Security (19)

DiMATTEO / CULP  
MARTIN

*CONT 9/25*

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4) 7 Tyler C. Reavis 23-30304 Continued hearing on Trustee's Motion for Turnover (9)

FLIPPIN  
HAYES, TR.

*CONT TO 9/25*

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5) 7 N935JC, LLC 23-30458 Hearing on Trustee's Motion for Approval of Auction Marketing Agreement and to Sell Free and Clear of any Interests in Property (26)

HENDERSON  
HAYES, TR.

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6) Adv Michelle G. Zeller 22-03022 3rd continued hearing for Compliance  
v. Ch. 7 on Order Granting Attorney's Fees and  
Lakesha N. Legree 22-30010 Costs (48)

LEWIS / BARFIELD  
JOHNSON

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7) 7 Faryn C. Wilson 23-30374 Court Order for Debtor to Appear and Show Cause for Dismissal of Case (21, 7)

PRO SE  
WRIGHT, TR.

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10:30 a.m.

- 8) 7 Paul Hemingfield 21-30490 10th continued hearing on Motion of the Bankruptcy Administrator for Sanctions (91); Response and Answer of Joseph M. Bochicchio, et al. (105)

BRANNEN  
CULP, TR., HAYES  
ABEL  
HOUSTON

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1:00 p.m.

- 9) Adv Claude Mumpower, 23-03005 Hearing on Motion of Defendant  
et al. Ch. 7 Wilmington Trust, National Association  
v. 22-50228 Association as Trustee for SLSLT  
Power Home Solar, LLC, Underlying Trust 2020-1 Trust to Compel  
et al. Arbitration (109); Memorandum of  
Wilmington Trust, National Association  
in Support of its Motion to Compel  
Arbitration (110); Plaintiffs' Opposition  
Memorandum to Defendant Wilmington  
Trust, National Association's Motion to  
Compel Arbitration (118); Defendant  
Wilmington Trust, National Association's  
Reply in Support of its Motion to Compel  
Arbitration (126)
- Hearing on Trustee's Motion to (A) Deny  
Class Certification and (B) Dismiss First  
Amended Adversary Class Action  
Complaint (112); Plaintiffs' Opposition  
Memorandum to Trustee's Motion to (A)  
Deny Class Certification and (B) Dismiss  
First Amended Adversary Class Action  
Complaint (115)
- Hearing on Addition Financial Credit  
Union's Motion to Dismiss or,  
Alternatively, to Stay the Litigation and  
Compel Arbitration (47); Addition  
Financial Credit Union's Brief in Support  
of its Motion to Dismiss or, Alternatively,  
to Stay the Litigation and Compel  
Arbitration (42)

Hearing on Defendant Jayson Waller's Motion to Dismiss the Plaintiffs' Adversary Class Action Complaint (49); Plaintiffs' Opposition Memorandum to Defendant Jayson Waller's Motion to Dismiss (60); Defendant Jayson Waller's Reply to Plaintiffs' Opposition to his Motion to Dismiss (97)

Hearing on Addition Financial Credit Union's Motion to Dismiss the Amended Complaint or, Alternatively, to Stay the Litigation and Compel Arbitration (57); Addition Financial Credit Union's Brief in Support of its Motion to Dismiss the Amended Complaint or, Alternatively, to Stay the Litigation and Compel Arbitration (58); Plaintiffs' Opposition Memorandum to Defendant Addition Financial Credit Union's Motion to Compel Arbitration (63)

Hearing on Defendant Jayson Waller's Motion to Dismiss the Plaintiffs' Amended Adversary Class Action Complaint (64); Defendant Jayson Waller's Memorandum of Law in Support of his Motion to Dismiss the Plaintiffs' Amended Adversary Class Action Complaint (65)

Hearing on Defendant Goodleap, LLC's Motion to Compel Arbitration (68); Defendant Goodleap, LLC's Memorandum in Support of its Motion to Compel Arbitration (69); Plaintiffs' Opposition Memorandum to Defendant Goodleap, LLC's Motion to Compel Arbitration (117); Defendant Goodleap, LLC Reply in Support of its Motion to Compel Arbitration (125)

Hearing on Joint Motion of Sunlight Financial LLC and Cross River Bank to Compel Arbitration and Motion to Dismiss the First Amended Adversary Class Action Complaint (72); Defendants Sunlight Financial LLC and Cross River Bank's Memorandum in Support of Their Joint Motion to Compel Arbitration and Motion to Dismiss the First Amended Adversary Class Action Complaint (73); Plaintiffs' Opposition Memorandum to Defendants Sunlight Financial LLC and Cross River Bank's Motion to Compel Arbitration and Motion to Dismiss (116); Reply Memorandum in Support of Sunlight Financial LLC and Cross River Bank's Joint Motion to Compel Arbitration and Motion to Dismiss (128)

Hearing on Dividend Solar Finance, LLC's Motion to Dismiss (76) Brief in Support of Dividend Solar Finance, LLC's Motion to Dismiss the First Amended Adversary Class Action Complaint (77); Plaintiffs Opposition Memorandum to Defendant Dividend and Solar Finance, LLC's Motion to Dismiss (120); Reply Brief in Further Support of Dividend Solar Finance, LLC's Motion to Dismiss the First Amended Adversary Class Action Complaint (123)

Hearing on Motion of Defendant Technology Credit Union to Compel Arbitration and to Stay (79); Defendant Technology Credit Union's Memorandum in Support of its Motion to Compel Arbitration (86, 87); Defendant Technology Credit Union's Motion and Objection to the Entry of Final Orders and Judgment (113); Plaintiffs' Opposition Memorandum to Defendant Technology Credit Union's Motion to Compel Arbitration (121); Defendant Technology Credit Union's Reply to Plaintiffs' Response to Motion to Compel Arbitration and to Stay (129)

Hearing on Motion of Defendant Solar Mosaic LLC to Compel Arbitration and Stay (80); Memorandum of Law in Support of Defendant Solar Mosaic LLC's Motion to Compel Arbitration and Stay (81); Plaintiffs' Opposition Memorandum to Defendant Solar Mosaic, LLC's Motion to Compel Arbitration (122); Joint Reply Brief in Support of Defendant Solar Mosaic LLC's and Digital Federal Credit Union's Motions to Compel Arbitration and Stay (130)

Hearing on Motion of Defendant Digital Federal Credit Union to Compel Arbitration and Stay (83); Memorandum of Law in Support of Defendant Digital Federal Credit Union's Motion to Compel Arbitration and Stay (84); Plaintiffs' Opposition Memorandum to Defendant Digital Federal Credit Union's Motion to Compel Arbitration (119); Joint Reply Brief in Support of Defendant Solar Mosaic LLC and Digital Federal Credit Union's Motions to Compel Arbitration and Stay (130)

BLOSSOM  
SUMMERLIN  
WATSON  
KUYKENDAL  
BRADLOW  
HANLEY  
BEATTY  
MITCHELL  
THOMPSON  
WILLIAMS

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08/22/2023

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

TUESDAY, AUGUST 8, 2023

9:30 a.m.

1) 11 Ronda Carson 22-30256 Status hearing on Order Confirming  
Amended Chapter 11 Plan (148, 135)

DIMATTEO / WOODMAN  
RAUBACH, TR.

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2) 11 Robbins Service Group, 23-40082 Hearing on Motion of SiteOne  
LLC Landscape Supply, LLC for Allowance  
and Payment of Administrative  
Expense Claim (79)

OLDFIELD / TOMSIC  
ROBERTSON

*CON'T TO 9/12*

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3) 11 Global Care Administrators, 23-30160 Continued hearing on the Bankruptcy  
Inc. Administrator's Motion to Dismiss  
(31); Kevin Sullivan's Joinder in  
Motion to Dismiss (43); Debtor's  
Response (44)

WOODMAN  
ABEL  
FENNELL

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4) 7 Power Home Solar, LLC 22-50228

Continued hearing on Motion of Goodleap, LLC f/k/a LoanPal, LLC for an Order Confirming that the Proceeds of Certain Insurance Policies in Debtor's Name are Not Property of its Bankruptcy Estate and for Relief from the Automatic Stay to Pursue Available Coverage Under Those Policies (512); Declaration of Matt Dawson in Support of Goodleap, LLC's Motion (513); Trustee's Response Goodleap, LLC's Motion (517); Dividend Solar Finance, LLC's Limited Objection and Reservation of Rights to Goodleap, LLC's Motion (522); Trustee's Supplement Objection to Motion of Goodleap, LLC (539)

GORMAN / GRIER  
SUMMERLIN, TR. / RAUBACH  
SAINTSING  
MITCHELL

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2:00 p.m.

5) 11 Aetius Companies, LLC 23-30470

Continued hearing on Debtors' Motion for Entry of an Order Authorizing the Debtors to Honor Certain Prepetition Obligations to Customers and to Otherwise Continue Certain Prepetition Customer Practices and Program in the Ordinary Course of Business (5); Interim Order (21)

Continued hearing on Debtors' Motion for an Order Authorizing and Approving (I) Interim Authority to Use Cash Collateral and (II) Setting Final Hearing on Authority to Use Cash Collateral (6)

WINER / COX

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08/25/2023  
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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
SHELBY DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

FRIDAY, AUGUST 25, 2023

9:30 a.m.

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|----|----|--|----------|--|
| 1) | 13 | Kimberly D. Flack<br>Y. TAYLOR<br>-----                  | 19-40445 | Hearing on Trustee's Motion to Dismiss Case (91)   |
| 2) | 13 | Timothy B. Holman<br>Olga D. Holman<br>CUMMINGS<br>----- | 20-40029 | Hearing on Debtors' Motion for Partial Moratorium in Plan Payments (109)   |
| 3) | 13 | Patty L. Joaquin<br>FLIPPIN<br>-----                     | 20-40088 | Continued hearing on Trustee's Motion to Dismiss Case (84)   |
| 4) | 13 | Randy L. Smith<br>SUMMERLIN<br>TOMASIC<br>-----          | 21-40178 | Hearing on Debtor's Motion to Allow Late Filed Claim of NC Division of Employment Security (35)<br><br>Hearing on Trustee's Objection to Claim [Amerihome Mortgage Company LLC] (36); Response of ServiceMac, LLC to Trustee's Objection to Notice of Post- Petition Mortgage Fees, Expenses, and Charges (37) |

5) 13 Ronald E. Bair 21-40190 Hearing on Trustee's Motion to  
Marilynn Bair Dismiss Case (33)

WILLCOX

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6) 13 Chris M. Hodge 23-40090 Hearing on Trustee's Objection to  
Shaina M. Hodge Confirmation of Plan; Motion to  
Dismiss (14, 2)

HAY

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7) 13 Quakina M. Tucker 23-40101 Hearing on Trustee's Objection to  
Confirmation of Plan; Motion to  
Dismiss (7)

PLANER

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8) 13 Christopher R. Howie 22-40065 Hearing on Trustee's Motion to Rehear  
Evie L. Howie Motion of Affordable Autos at the  
Lake, Inc. to Convert Case to Chapter 7  
and for Allowance of Administrative  
Expense Claim because no order has  
yet been entered (74, 50)

Hearing on Trustee's Motion to Rehear  
Motion of Affordable Autos at the  
Lake, Inc. for Order Terminating  
Automatic Stay because no order has  
yet been entered (74, 51)

SHEEK  
JOHNSON

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9) 13 Cashae N. Butler 23-40003 Hearing on Trustee's Motion to  
Dismiss Case (20)

SHEEK

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|-----|----|--|----------|--|
| 10) | 13 | Paul C. Kadanec                              | 19-40019 | Continued hearing on Trustee's Motion to Dismiss Case (37)   |
|     |    | FARMER                                       |          |  |
|     |    | -----  |          |  |
| 11) | 13 | Gregory A. Freeman                           | 19-40106 | 3rd continued hearing on Trustee's Motion for Status Hearing (96)  |
|     |    | FARMER                                       |          |  |
|     |    | -----  |          |  |
| 12) | 13 | Kevin L. Roberts                             | 19-40295 | Hearing on Trustee's Motion to Dismiss Case (56)   |
|     |    | FARMER                                       |          |  |
|     |    | -----  |          |  |
| 13) | 13 | Robert A. Leahey<br>Stephanie L. Leahey      | 19-40309 | Continued hearing on Trustee's Motion to Dismiss Case (71)   |
|     |    | FARMER                                       |          |  |
|     |    | -----  |          |  |
| 14) | 13 | Michael B. Loesekann<br>Katrina L. Loesekann | 22-40095 | Hearing on Motion of InFirst Federal Credit Union for Relief from Stay or Adequate Protection (48); Debtors' Response and Objection (52) |
|     |    | FARMER<br>BAKER                              |          |  |
|     |    | -----  |          |  |
| 15) | 13 | Leslie H. Meeks, Jr.                         | 23-40053 | Continued hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (16, 13, 3)  |
|     |    | FARMER                                       |          |  |
|     |    | -----  |          |  |
| 16) | 13 | Stanley Moss                                 | 23-40071 | Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (11, 3)  |
|     |    | FARMER                                       |          |  |
|     |    | -----  |          |  |

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|-----|----|--|----------|---|
| 17) | 13 | Scottie R. Epley<br>Kimberly S. Epley      | 23-40079 | Hearing on Trustee's Motion to Dismiss Case (20)  |
|     |    | FARMER                                     |          |   |
|     |    | -----                                      |          |   |
| 18) | 13 | Gary W. Philbeck                           | 23-40080 | Continued hearing on Motion of Carolina Lease Management Group, LLC for Relief from Automatic Stay (16); Debtor's Response and Objection (20) |
|     |    |  |          | Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (23, 14)  |
|     |    | FARMER<br>WILLIAMS                         |          |   |
|     |    | -----                                      |          |   |
| 19) | 13 | Sandra R. Sherrill                         | 23-40100 | Continued hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (10, 5)   |
|     |    | FARMER                                     |          |   |
|     |    | -----                                      |          |   |
| 20) | 13 | Robert E. Gorlach<br>Thelma L. Gorlach     | 23-40112 | Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (12, 11)  |
|     |    | FARMER                                     |          |   |
|     |    | -----                                      |          |   |
| 21) | 13 | Peter W. DeLucca                           | 23-40113 | Hearing on Trustee's Objection to Confirmation; Motion to Dismiss (10, 9)   |
|     |    | FARMER                                     |          |   |
|     |    | -----                                      |          |   |
| 22) | 13 | Mark E. Lattimore<br>Michelle A. Lattimore | 18-40447 | Hearing on Trustee's Motion to Dismiss Case (49); Debtors' Response and Amended Response (53)   |
|     |    | LUTZ                                       |          |   |
|     |    | -----                                      |          |   |

- 23) 13 Paulette M. Walker 18-40466 Hearing on Trustee's Motion to Dismiss Case (46)  
LUTZ  
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- 24) 13 Kay W. Walker 19-40078 Hearing on Trustee's Motion to Dismiss Case (32)  
LUTZ  
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- 25) 13 Lila M. Wilson 19-40305 Hearing on Trustee's Motion to Modify Plan (36)  
LUTZ  
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- 26) 13 Desiree L. Harris 19-40466 4th continued hearing on Trustee's Motion for Review (72); Response of Carrington Mortgage Services, LLC (73)  
  
Hearing on Debtor's Motion for Authority to Modify Mortgage Loan (82); Trustee's Response (83)  
  
LUTZ  
PURSER  
-----
- 27) 13 Brandy Buzzell 20-40100 Hearing on Trustee's Motion to Dismiss Case (31); Debtor's Response (32)  
LUTZ  
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- 28) 13 Michael C. Henderson 21-40147 Hearing on Trustee's Motion to Dismiss Case (42); Debtors' Response (44)  
Erica C. Henderson  
LUTZ  
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|-----|----|--|----------|---|
| 29) | 13 | James P. Toole, III<br>Karen R. Toole  | 21-40159 | Hearing on Trustee's Motion to Dismiss Case (36)  |
|     |    | LUTZ                                   |          |   |
|     |    | -----                                  |          |   |
| 30) | 13 | Jonathan D. Towery<br>Angela D. Towery | 21-40167 | Hearing on Debtors' Motion to Retain Insurance Proceeds (20)                            |
|     |    | LUTZ                                   |          |   |
|     |    | -----                                  |          |   |
| 31) | 13 | Todd E. Sharpe                         | 23-40005 | Hearing on Trustee's Motion to Dismiss Case (17)  |
|     |    | LUTZ                                   |          |   |
|     |    | -----                                  |          |   |
| 32) | 13 | Jackie H. Smart                        | 23-40015 | 2nd continued hearing on Motion of the United States to Dismiss or Convert Case (17)    |
|     |    |  |          | Hearing. On Trustee's Motion to Dismiss Case (19)                                       |
|     |    | LUTZ<br>WOOD                           |          |   |
|     |    | -----                                  |          |   |
| 33) | 13 | Anna B. Melton                         | 23-40050 | Hearing on Trustee's Motion to Dismiss Case (13)  |
|     |    | LUTZ                                   |          |   |
|     |    | -----                                  |          |   |
| 34) | 13 | Jason W. Stroup                        | 23-40093 | Hearing on Objection of Sharonview Federal Credit Union to Confirmation of Plan (14, 2) |
|     |    | LUTZ<br>KEENAN                         |          |   |
|     |    | -----                                  |          |   |

- 35) 13 Mary L. McKinney 23-40094 Hearing on Trustee's Motion to Dismiss Case (9)  
LUTZ  
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- 36) 13 Adam D. Smart 23-40125 Hearing on Objection of Warehouse Home Furnishings Distributors, Inc. to Confirmation of Plan (9, 2)  
LUTZ  
KEENAN  
-----
- 37) 13 Foy L. Jones, Jr. 23-40139 Court Order for Debtors to Appear and Show Cause for Dismissal of Case [previous filings] (5)  
Bobbi C. Jones  
LUTZ  
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- 38) 11 J. H. W., Inc. 23-40137 Hearing on Motion of Burke County for (I) an Order that the Automatic Stay Does Not Apply or, in the Alternative, (II) for Relief from the Automatic Stay (20)  
JOHNSON  
NAVE, TR.  
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- 39) 13 Desiree C. Hood 23-40110 Court Order for Debtor to Appear and Show Cause for Dismissal of Case (17, 13)  
Hearing on Trustee's Motion to Dismiss Case (19)  
PRO SE  
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40) 13 Richard C. Fisher 23-40128 Court's Order for Debtor to Appear and Show Cause for Dismissal of Case [failure to timely file the required schedules, statements, and other documents] (12, 1)

Court's Order for Debtor to Appear and Show Cause for Dismissal of Case [failure to timely pay the filing fee] (14, 6)

Hearing on Trustee's Motion to Dismiss Case (16)

PRO SE

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10:30 a.m.

41) 7 Tristan W. Killian 22-40013 Hearing on Trustee's Motion to Reconsider Consent Order Resolving Debtor's Motion to Deem Mortgage Current (36); Consent Order (28); Response of Alabama Housing Finance Authority (40)

WOOD  
SUMMERLIN, TR.  
HOGAN

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42) 7 Gibbs Hardware, LLC 23-40057 Hearing on Motion of the Bankruptcy Administrator to Dismiss (8)

FARMER  
STALZER, TR.

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***NO COURT***

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HONORABLE J. CRAIG WHITLEY

**THERE ARE NO HEARINGS SCHEDULED FOR  
AUGUST 23-24, 2023**

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