

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA

SHELBY DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

FRIDAY, AUGUST 26, 2016

*Steven G. Tate, Trustee*

9:30 a.m.

- |    |    |                                      |          |   |
|----|----|--------------------------------------|----------|---|
| 1) | 12 | Andrew M. Boggs<br>Virginia A. Boggs | 11-40473 | 2nd continued hearing on Debtors' Application to Employ Professional Donald L. Peeler and Re/Max Select (200)<br><br>2nd continued hearing on Debtors' Motion for Authority to Sell Commercial Property (202); Response of Bank of the Ozarks (203) |
|    |    | O.M. GARDNER<br>ACKERMAN             |          |   |
|    |    | -----                                |          |   |
| 2) | 13 | Tiffany N. Carson                    | 15-40110 | Court Order for Debtor and Counsel to Appear (30)<br><br>Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (28)   |
|    |    | CALLOWAY                             |          |   |
|    |    | -----                                |          |   |
| 3) | 13 | James A. Roberts, Jr.                | 15-40266 | Hearing on Attorney's Motion to Withdraw From Representation (34)   |
|    |    | TAYLOR, R.                           |          |   |
|    |    | -----                                |          |   |

4) 13 Brian K. Ellis 15-40419 Trustee's Notice of Status Hearing  
Nancy L. Ellis [to determine if plan payments are  
sufficient] (27); Order Confirming  
Plan (24)

TAYLOR, Y.

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5) 13 Patricia A. Wilson 15-40495 Hearing on Trustee's Motion to  
Modify Plan (19); Debtor's Response  
(20)

BULL

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6) 13 Cynthia M. Staben 16-40055 Continued hearing on Debtor's  
Motion to Seal Details of Chapter  
13 Plan for Cases Filed on or After  
June 1, 2015 (14)

Hearing on Debtor's Motion to Seal  
Information (24)

HAY

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7) 13 Ronald M. Needham 16-40167 Continued hearing on Objection of  
Specialized Loan Servicing, LLC  
Servicing Agent to Confirmation of  
Plan (14); Plan (7)

GOUDES

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8) 13 Billy J. Largent 16-40178 Hearing on Debtors' Motion to Waive  
Anita B. Largent Appearance at 341 Meeting for Male  
Debtor (12)

WILLCOX

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- 9) 13 Julius S. Funderburk 13-40350 3rd continued hearing on Trustee's  
Jenna C. Funderburk Motion to Dismiss Case (52)
- FARMER
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- 10) 13 Pherson H. Weatherman 14-40411 2nd continued hearing on Trustee's  
Carolyn W. Weatherman Motion to Dismiss Case or to Modify  
Plan (26)
- FARMER
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- 11) 13 Christopher E. Brantley 15-40442 Hearing on Trustee's Motion to Strike  
Ashley D. Brantley Objection to Claim (37)
- FARMER
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- 12) 13 Rickey Parsley 15-40152 2nd continued status hearing on  
Kathryn M. Parsley Order Confirming Chapter 13 Plan  
(15)
- Continued hearing on Motion of  
Caliber Home Loans, Inc. to Allow  
Loan Modification (27); Trustee's  
Response (29); Debtors' Response (30)
- Hearing on Debtors' Motion to  
Modify Plan (31); Trustee's Response  
(34)
- CARTER
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- 13) 13 Frank Norman 16-40059 Hearing on Debtors' Motion to  
Georgia M. Norman Modify Plan and for Approval of  
Mortgage Modification (17); Trustee's  
Response (19)
- CARTER
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- 14) 13 Robert D. Shuford 16-40145 Continued hearing on Trustee's  
Objection to Confirmation of Plan;  
Motion to Dismiss (10); Plan 5)  
  
CARTER  
  
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- 15) 13 Charles D. Surby 10-40532 5th continued hearing on Debtors'  
Lisa D. Surby Motion for Contempt and Sanctions  
Against Nationstar Mortgage, LLC  
(51)  
  
PLANER  
  
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- 16) 13 Harold A. Davidson 10-40537 5th continued hearing on Debtors'  
Laura K. Davidson Motion for Sanctions Against  
Nationstar Mortgage, LLC (74);  
Amendment (76)  
  
PLANER  
  
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- 17) 13 Sue M. Gibson 14-40145 5th continued hearing on Debtor's  
Motion for Sanctions Against  
Nationstar Mortgage, LLC for  
Violation of Automatic Stay (36)  
  
PLANER  
  
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- 18) 13 Virginia H. Burns 15-40103 Continued hearing on Trustee's  
Motion to Dismiss Case or to Modify  
Plan (22)  
  
PLANER  
  
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- 19) 13 Samuel L. Green 15-40250 Hearing on Trustee's Motion to  
Dismiss Case or to Modify Plan (33)  
  
PLANER  
  
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20) 13 Shirley M. Lynn 15-40277 Continued hearing for OCWEN to Appear. Re: Debtor's Motion for Order in Aid of Case Administration (18)

PLANER

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21) 13 Larry E. Hamrick 13-40053 Hearing on Debtor's Motion to Modify Plan (37); Trustee's Response (38)

BALENTINE

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22) 13 Dana P. Petroff 14-40200 Continued for Status Hearing. Re: Order Granting Motion to Modify Plan (26)

BALENTINE

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23) 13 John E. Bowen 15-40174 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (32)  
Vickie H. Bowen

BALENTINE

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24) 13 Douglas W. Grondahl, II 15-40203 Hearing on Debtor's Motion to Modify Plan (61); Trustee's Response (62)

BALENTINE

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25) 13 Inpeng Malaythong 15-40319 Hearing on Debtors' Motion for Moratorium (38)  
Daramy Malaythong

BALENTINE

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- 26) 13 Freddy W. Hoyle 15-40509 Hearing on Debtors' Motion to Modify Plan to Approve Loan Modification Agreement and Add Payment to the Plan as a Conduit Payment (31); Trustee's Response (32)  
Ann L. Hoyle

BALENTINE

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- 27) 13 Robert L. Wilson 12-40244 Hearing on Debtor's Motion for Authority to Disburse Funds (66); Trustee's Response (67)

W. S. GARDNER

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- 28) 13 Gerald T. Haynes, Sr. 13-40046 Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (77)  
Gloria G. Haynes

W. S. GARDNER

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- 29) 13 Michael Reid 13-40643 Status Hearing. Re: Order Granting Motion to Modify Plan (44)  
Dallas R. Reid

Continued hearing on Debtors' Motion to Modify Plan to Approve Loan Modification and to Allow for Reduced Payment During Trial Period and to Disburse Funds (47); Trustee's Response (48)

W. S. GARDNER

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- 30) 13 Timothy J. Carter 14-40138 Hearing on Debtor's Motion to Modify Plan and Reduce Plan Payment (38); Trustee's Response (39)  
Sharon A. Carter

W. S. GARDNER

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- 31) 13 Jerry E. Bowen 15-40190 7th continued hearing as to monthly payments. Order Confirming Plan (88)  
  
Hearing on Debtor's Motion to Sell Property Free and Clear of Liens (93); Trustee's Response (94); Response of HomeTrust Bank (99)  
  
W. S. GARDNER  
PINKSTON  
  
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- 32) 13 Robert B. Devoe 15-40242 Continued Status Hearing (49); Re: Order Confirming Plan (34)  
  
Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (50)  
  
W. S. GARDNER  
  
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- 33) 13 James E. Jackson 15-40368 Hearing on Debtor's Motion to Modify Plan to Approve Loan Modification and to Allow for Reduced Payment During Trial Period (31); Trustee's Response (32)  
  
W. S. GARDNER  
  
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- 34) 13 Arthur P. Earls 15-40466 Hearing on Trustee's Objection to Claim No. 3 (19); Response of Jolynne P. Earls Deutsche Bank National Trust Company (22)  
  
W. S. GARDNER  
  
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- 35) 13 Mary A. Hoey 16-40142 Continued hearing on Objection of RoundPoint Mortgage Servicing Corporation to Confirmation of Plan (11); Plan (4)  
  
W. S. GARDNER  
KIRK  
  
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36) 13 David E. Evansek 16-40227 Continued hearing on Debtors' Motion to Extend Time Within Which to Make First Plan Payment (8); Brenda T. Evansek Trustee's Response (9)

Hearing on Debtors' Motion to Reconsider Dismissal of Case (18); Order of Dismissal (17); Trustee's Response (22)

W. S. GARDNER

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37) 13 Ronda K. Coleman 16-40251 Continued hearing on Objection of Wells Fargo Bank, NA. to Confirmation of Plan (8); Plan (3)

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

W. S. GARDNER  
EMREY

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38) 13 Hoye A. Jones 11-40065 Hearing on Debtor's Motion to Set Aside Court's Order Dismissing Case (43); Order of Dismissal (40)

LUTZ

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39) 13 Reginald J. Perkins 13-40415 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (23)

LUTZ

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40) 13 Jonathan D. Champion 13-40463 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (31)

LUTZ

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- 41) 13 Tonya S. Hillman 13-40485 Hearing on Debtor's Motion to Approve Settlement and Modify Plan (33); Trustee's Response (34)
- LUTZ
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- 42) 13 Baxter L. Hollis 14-40118 Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (30)
- LUTZ
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- 43) 13 Amy K. Derreberry 14-40215 Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (25)
- LUTZ
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- 44) 13 Arthur J. Burkhalter 15-40051 3rd continued hearing on Motion of Stephen Brown and Jessica Brown for Relief from Stay and Co-Debtor Stay (24)
- Hester A. Burkhalter
- LUTZ
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- 45) 13 Jeremy C. Spurling 15-40081 Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (32)
- Araine L. Spurling
- LUTZ
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- 46) 13 Richard L. Ledford 15-40116 Hearing on Motion of Harley-Davidson Credit Corp for Relief from Stay (50); Debtor's Response (54)
- LUTZ
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47) 13 James R. Bridges 15-40358 Hearing on Motion of BB&T to Dismiss Case or, in the alternative, Motion to Convert Case from Chapter 13 to Chapter 7 or, in the alternative, Motion for Relief from Stay and Co-Debtor Stay (26); Debtors' Response (30)  
Helen Y. Bridges

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

LUTZ  
MARTIN

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48) 13 Marcia H. Lewis 15-40377 Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (26)

LUTZ

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49) 13 Travis E. Arwood 15-40470 Hearing on Motion of Vanderbilt Mortgage and Finance, Inc. for Relief from Stay (25); Debtors' Response (27)  
Lynda V. Arwood

LUTZ  
FLETCHER

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50) 13 Mary E. Curry 16-40036 Hearing on Motion of Nationstar Mortgage, LLC to Allow Loan Modification (18); Trustee's Response (20)

LUTZ

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51) 13 Joshua S. Earley 16-40087 Hearing on Trustee's Objection to Claim No. 12 (17); Response of Cavalry SPV 1, LLC (18)  
Amanda N. Earley

LUTZ  
PETTIT

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52) 13 Gary B. Cobb 16-40135 Continued hearing on Trustee's  
Objection to Confirmation of Plan;  
Motion to Dismiss (12); Plan (2);  
Amended Plan (8)

LUTZ

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10:30 a.m.

53) Adv The Fritz E. Detmers 15-4018 Pre-Trial Conference (15)  
Living Trust, et al. Ch. 7  
v. 15-40237  
Peter C. Capece

SCHULTZE  
HICKMON  
SCOTT  
BADGER

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54) 7 Timothy C. Skipper 14-40066 Hearing on Debtors' Motion to Avoid  
Patty L. Skipper Judgment Lien of BB&T (22)

BALENTINE  
COOPER, TR.

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55) Adv Langdon M. Cooper 15-3010 3rd continued hearing on  
v. Ch. 7 Defendant's Motion to Set Aside  
Allen Langley 13-40034 Judgment (15)

Continued hearing on Defendant's  
Motion to Change Division (20)

COOPER  
O. M. GARDNER, LUTZ

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- 56) 7 Randy J. Silverstine 15-40280 7th continued hearing on Trustee's Objection to Exemptions (8)  
HAY  
COOPER, TR.  
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- 57) 7 Larry D. Smith, Jr. 16-40351 Court Order for Debtor to Appear and Show Cause for Dismissal of Case (8); Bankruptcy Administrator's Response in Support of Show Cause Order (9)  
PRO SE  
HENDERSON, TR.  
SIMPSON, BA  
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- 58) 11 Kee-Ledbetter, Inc. 16-40063 Continued Confirmation Hearing (60); Chapter 11 Small Business Plan (56)  
BALENTINE  
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- 59) 11 Thompson's Mortuary, Inc. 16-40139 Hearing on Debtor's Motion to Extend the Exclusivity Period (41)  
BALENTINE  
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- 60) 11 Watts Perfections, Inc. 16-40173 Confirmation Hearing (44); Chapter 11 Plan (39)  
BALENTINE  
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- 61) 11 Alive Apparel, Inc. 15-40189 Hearing on Amended Chapter 11 Disclosure Statement (134); Amended Disclosure Statement (133)  
W. S. GARDNER  
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62) 11 Leonard J. McNeilly 15-40342 Confirmation Hearing (79); Chapter  
Jo Nell N. McNeilly 11 Liquidation and Reorganization  
Bankruptcy Plan (70)

Hearing on Debtors' Motion for Order  
Extending Time Within Which to  
Confirm the Plan and Setting  
Confirmation Hearing (73)

W. S. GARDNER

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63) 11 Glenda K. Hooper 15-40443 11th continued hearing on Debtor's  
Motion to Allow for Secured Debt  
Payments (12); Response of  
HomeTrust Bank (21); Response of the  
Bankruptcy Administrator (29)

11th continued hearing on the  
Bankruptcy Administrator's Motion to  
Appoint Chapter 11 Trustee (25)

Continued hearing to Dismiss Case or  
to Convert Case (92)

Hearing on Debtor's Motion to  
Transfer Property Deed in Lieu of  
Foreclosure (96)

W. S. GARDNER  
BOWERS, TR.  
PINKSTON  
KENNY

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11:00 a.m.

64) 11 Glenda K. Hooper 15-40443 Continued hearing on Debtor's Motion  
to Disburse Funds (100)

W. S. GARDNER  
BOWERS, TR.

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65) 11 Alive Apparel, Inc. 15-40189 Continued hearing on Debtor's Objection to Motion of Stephen Carter for a 2004 Examination Under Oath and for Issuance of a Subpoena Duces Tecum in Connection Therewith or, in the Alternative, Motion for a Protective Order (140); Motion for 2004 Examination Under Oath and for Issuance of a Subpoena Duces Tecum (126)

Continued hearing on Chapter 11 Small Business Plan (136); Chapter 11 Small Business Plan (135)

6th continued hearing as to Status of Motion for Appointment of Independent Trustee (88)

W. S. GARDNER  
BALENTINE

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