

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

Beginning **July 6, 2021**, the Court will conduct all Charlotte Chapter 7 and 11 hearings, asbestos hearings, and special settings (for all divisions) **IN-PERSON**. All other matters, including those in Statesville, Asheville, and Shelby will continue to be conducted virtually until further notice by Court order. For all in-person hearings, the Court will observe current CDC and Judicial Branch guidelines and all individuals should continue to comply with CDC guidance for face coverings and social distancing.

***PLEASE SCROLL DOWN TO VIEW THE COURT CALENDARS FOR
OCTOBER 25 - 29, 2021***

10/25/2021

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

MONDAY, OCTOBER 25, 2021

9:30 a.m. (In-Person)

- 1) 7 MFC Enterprises, LLC 21-30133 Continued hearing on Debtor's Motion
For Attorney Fees and Damages
Pursuant to Section 303(i) (52/53)
ANNOUNCEMENT OF DECISION

CORDES - *Telephonic Appearance*

JOHNSON - *Telephonic Appearance*

- 2) 7 John N. Anderson 20-30553 Hearing on Trustee's Motion to
Approve Settlement Pursuant to
Bankruptcy Rule 9019 (57)

GRIER

CULP, TR./HAYES

- 3) 7 Brian J. Spiers 11-32345 Hearing on Trustee's Motion to Except
Asset From Abandonment Upon
Closing of Case and for Authority to
Reopen Case with Deferred Filing Fee
(306)

NARDONE/DILLENBECK

TAYLOR, TR./SHADDOCK/TISSUE/RICHMOND

- 4) Adv Shaf International, Inc. 19-03067 2nd continued pre-trial conference (48)
v. Ch. 7
Jaffer Sait Mohammed 19-30646 2nd continued hearing on Plaintiff's
Motion to Modify Pre-Trial Consent
Scheduling Order to Extend the
Dispositive Motion Filing Deadline
(51); Defendant's Response (52)
- Continued hearing on Plaintiff's
Motion to Compel Discovery and
Continue Hearing on Dispositive
Motion (54)
- Hearing on Defendant's Motion for
Summary Judgment (50)

WELLS/UMBERGER
TAYLOR

- 5) 7 Shannel McKenzie 21-30350 Compliance hearing regarding debtor's
appearance at 341 meeting (30)
- PRO SE
SHUFORD, TR.

2:00 p.m.

- 6) 11 LTL Management LLC 21-30589 Telephonic conference call ON THE
RECORD

GORDON / HAMILTON / JONES
ABEL, BA
CRABTREE
WEITZ
WOODMAN / MCLAIN
WALDREP / LYDAY
BLOCK
POSIN

10/26/2021

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

TUESDAY, OCTOBER 26, 2021

9:30 a.m. (In-Person)

- 1) Adv Matthew W. Smith, 20-03012 Hearing on Plaintiff's Motion to
Sole Manager for Ch. 11 Compel (31)
BK Racing, LLC 18-30241
v.
Race Engines Plus, LLC

HOUSTON / BROWN
DANTINNE

- 2) Adv Matthew W. Smith, 20-03016 Continued for Status and Scheduling
Sole Manager for Ch. 11 Conference (33)
BK Racing, LLC 18-30241
v.
Brian Castel

HOUSTON
DiMATTEO / WOODMAN

- 3) 11 Daniel Business 20-30298 6th continued status hearing (86/80)
Enterprises, LLC

Hearing on Interim and Final
Application for Compensation to
Michael T. Bowers, Subchapter V
Trustee (113)

DiMATTEO/WOODMAN

4) 11 Sein Divine, LLC 21-30468 Hearing on Motion of First National Bank of Pennsylvania (1) to Determine Proceeding Single Asset Real Estate Case, (2) to Enjoin Use of Cash Collateral, and (3) Alternatively for Relief from Stay (19)

WOODMAN
PETTIT

5) 11 Aarna Hotels, LLC 21-30249 9th continued hearing on Debtor's Motion to Use Cash Collateral (6); Eighth Interim Order Authorizing Use of Cash Collateral (141)

Continued hearing on Motion of M2 Charlotte Airport, LLC for Relief from Stay, Including the Application of 11 USC § 362(e) (89)

Final Sale Hearing (134)

Hearing on Debtor's Motion to Extend Exclusivity (154)

Confirmation hearing (156/82)

WRIGHT
EDWARDS
MAY

6) 11 Sri Vari CRE Development LLC 21-30250 9th continued hearing on Debtor's Motion to Use Cash Collateral (6); Eighth Interim Order Authorizing Use of Cash Collateral (142)

Continued hearing on Motion of M2 Steele Creek CY LLC for Relief from Stay, Including the Application of 11 USC § 362(e) (89)

Final sale hearing (135)

Hearing on Debtor's Motion to Extend Exclusivity (156)

Confirmation hearing (159/82)

WRIGHT
EDWARDS
MAY

7) 11 Avivar Hospitality, LLC 20-30789 11th 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); Order Granting Adequate Protection and Temporarily Staying Guaranty Litigation (123); Amendment of Access Point Financial 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)

11th 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)

7th continued hearing on Debtor's Motion to Extend Exclusivity (139/98)

6th continued hearing on Disclosure Statement (98); First Amended Disclosure Statement (167); Second Amended Disclosure Statement (260); 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); Objection of Access Point Financial, LLC to Second Amended Disclosure Statement of Debtor (266)

6th 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)

6th 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)

6th 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 to Amended Motion of Access Point Financial to Equitably Recharacterize Asserted Claim of Sterling Holdings (267)

6th continued hearing on Debtor's Motion for Authority to Sell Real Property Free and Clear (254); Objection of Access Point Financial (262)

4th 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 to Designate Votes (263); Debtor's Amendment to Motion

to Designate Votes Under 11 U.S.C. § 1126 (e) (269)

4th continued hearing on Debtor's Motion for Ruling on Admissibility of Evidence (273)

ESSER / FAJGENBAUM
ABEL, BA
WRIGHT
WHELEHAN
TARR
GARDNER

2:00 p.m. (Microsoft Teams)

8)	Adv Carol Black v. Russell Schmit, et al.	20-03061 Ch. 11 18-40169	Continued hearing on Motion of Defendant Dennis Brice to Dismiss the First Amended Adversary Complaint (39/40); Plan Administrator's Opposition to the Motion to Dismiss the First Amended Adversary Complaint filed by Dennis Brice (50)
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Hearing on Motion of Defendant Russell Schmit to Dismiss First Amended Adversary Complaint (44/45);
Plan Administrator's Opposition to the Motion to Dismiss the First Amended Adversary Complaint filed by Russell Schmit (50); Reply in Support of Defendant Russell Schmit's Motion to Dismiss First Amended Adversary Complaint (52)

CRABTREE / OEBKER / FAWKES
LINNARTZ
MUEHLHAUSEN/SIMS

10/28/2021

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

THURSDAY, OCTOBER 28, 2021

9:30 a.m. (MICROSOFT TEAMS)

11 Aldrich Pump LLC, et al. 20-30608 6th continued hearing on Joint Motion of the Debtors and the Future Claimants' Representative for an Order (I) Establishing a Bar Date for Certain Known Asbestos Claims, (II) Approving Proof of Claim Form, (III) Approving Personal Injury Questionnaire, (IV) Approving Notice to Claimants, and (V) Granting Related Relief (471); Objection of the Official Committee of Asbestos Personal Injury Claimants (502); Future Asbestos Claimants' Representative's Reply in Support of the Joint Bar Date Motion (552); Debtors' Reply in Support of Joint Motion for Bar Date and Personal Injury Questionnaire (553)

Hearing on Debtors' Motion for Estimation of Prepetition Asbestos Claims (833)

Hearing on Debtors' Motion for an Order Authorizing Establishment of a Qualified Settlement Fund for Payment of Asbestos Claims (834)

MILLER
THOMPSON
WRIGHT

10/29/2021

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
SHELBY DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

FRIDAY, OCTOBER 29, 2021

Steven G. Tate, Trustee

9:30 a.m. (Telephonic Hearings)

- 1) 13 Donald W. Price 14-40183 2nd continued hearing for Status Conference regarding Debtor's Motion for Reconsideration of Claim of Mortgage Servicer and for Contempt of the Discharge Order and Order Deeming Mortgage Loan Current (110/82); Response of NewRez LLC (89)
- 2nd continued hearing for Status Conference regarding Notice of Deemed Admissions (110/83)
- 2nd continued hearing on Debtor's Objection to Notice of Mortgage Payment Change (99); Notice of Mortgage Payment Change filed 03/09/2021; Notice of Withdrawal of Notice of Mortgage Payment Change (102); Debtor's Motion to Strike Withdrawal of Notice of Mortgage Payment Change (104)
- Continued for Status Conference regarding Motion of NewRez, LLC for Protective Order or, in the Alternative, to Extend Time to Respond and Limit the First Requests from Admissions of Fact from the Debtor to Respondents (110/90); Debtor's Objection (92)

O. MAX GARDNER
PETTIT

- 2) 13 Michael T. Goodman 16-40365 Hearing on Trustee's Motion to Deem
Sinath Goodman Mortgage Loan Account Current (47)
- NACHAMIE
-
- 3) 13 Lee A. Edgerton 16-40423 Hearing on Trustee's Motion to Dismiss
Case (90)
- LEONARD
-
- 4) 13 Clay A. Stephens 19-40397 Hearing on Trustee's Motion to Dismiss
Case (42)
- WOOD
-
- 5) 13 Patty L. Joaquin 20-40088 Continued hearing on Trustee's Motion
to Dismiss Case (45)
- FLIPPIN
-
- 6) 13 Debra S. Smith 13-40602 6th continued hearing for finalized
Settlement regarding Debtor's Motion
for Contempt and for Sanctions
[NewRez Mortgage doing business as
PHH Mortgage Services] (67)
- MCKEE
-
- 7) 13 Nicholas D. Trakas 17-40423 Hearing on Trustee's Motion to Dismiss
Case (73)
- MCKEE
-

8) 13 Raul J. Salinas 16-40163 2nd continued hearing on Trustee's Motion to Dismiss Case (49)

Hearing on Debtors' Motion for Hardship Discharge and Motion to Waive Financial Management Course Requirement (55)

FARMER

9) 13 Paul M. Huffman 19-40271 Hearing on Trustee's Motion to Dismiss Case (24)

FARMER

10) 13 Lawrence E. Jury 19-40386 Hearing on Trustee's Motion to Dismiss Case (36)

FARMER

11) 13 Timothy F. Parks 19-40395 Hearing on Trustee's Motion to Dismiss Case (31)

FARMER

12) 13 Kenneth E. Ervin 19-40399 2nd continued hearing for status (50)

PLANER

13) 13 Kenneth W. Harlow, Jr. 19-40441 3rd continued hearing on Trustee's Motion to Dismiss Case (63)

PLANER

- 14) 13 Garron F. Bradsher, Jr. 20-40065 Hearing on Trustee's Motion to Dismiss Case (41)
Hearing on Debtor's Motion to Modify Plan for Moratorium of Plan Payments and to Extend Plan Term (45)
PLANER

- 15) 13 Demetria M. Martin 21-40020 Hearing on Trustee's Motion to Dismiss Case (20)
Hearing on Debtor's Motion to Modify Plan (22);
PLANER

- 16) 13 Mary H. Myers 21-40087 2nd continued hearing on Objection of Gary Templin to Confirmation of Plan (12/3)
Hearing on Debtor's Motion to Market and Sell Residential Realty (15);
Response of Gary Templin (17)
Hearing on Motion of Geoffrey A. Planer to Withdraw from Representation (18)
PLANER
JOHNSON

- 17) 13 Todd W. Crisp 18-40225 Hearing on Trustee's Motion to Dismiss Case (75)
W. S. GARDNER

- 18) 13 Edward Gndt 19-40459 Hearing on Trustee's Motion to Dismiss Case (40)
Leslie D. Gndt
W. S. GARDNER

- 19) 13 Vernon L. Dusenbury, Jr. 20-40024 Hearing on Trustee's Motion to Dismiss Case (50)
W. S. GARDNER

- 20) 13 Travis L. Parker 21-40121 Hearing on Trustee's Motion to Dismiss Case (16)
Ashley L. Parker
Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (25/20/12)
W. S. GARDNER

- 21) 13 Wayne A. Parker 21-40126 Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (21/18/13)
W. S. GARDNER

- 22) 13 Haywood Homsley, Jr. 18-40338 2nd continued hearing on Trustee's Motion to Dismiss Case (55); Debtor's Response (65)
LUTZ

- 23) 13 Edwin C. Howard 19-40233 Hearing on Trustee's Motion to Dismiss Case (34); Debtors' Response (36)
Linda H. Howard
LUTZ

- 24) 13 David B. Melton 20-40183 Hearing on Debtors' Motion to Modify Based on Sale of Property and to Retain Remaining Proceeds (34); Trustee's Response (38)
Rebecca B. Melton
LUTZ

25) 13 Bobby E. Williams 20-40187 Hearing on Trustee's Motion to Dismiss
Case (24); Debtor's Response (26)

LUTZ

26) 13 Robert A. Charpentier, Jr. 20-40208 Continued hearing on Trustee's Motion
To Dismiss Case (19)

LUTZ

27) 13 Willis D. Migala 21-40077 Hearing on Trustee's Motion to Dismiss
Case (12)

LUTZ

NO COURT

HONORABLE J. CRAIG WHITLEY

**THERE ARE NO HEARINGS SCHEDULED FOR
WEDNESDAY; OCTOBER 27, 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.**