

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

100 Otis Street
Asheville, NC 28801
Customer Service: (828) 771-7300

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.

Hearings scheduled for November 15 - 19, 2021 will be held telephonically. Below is the weekly calendar of hearings. 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.

***PLEASE SCROLL DOWN TO VIEW THE WEEKLY CALENDARS FOR
NOVEMBER 15 - 19, 2021***

11/16/2021

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

THE HONORABLE GEORGE R. HODGES, PRESIDING

TUESDAY, NOVEMBER 16, 2021

Trustee Steven G. Tate

9:30 a.m. (Telephonic Hearings)

1) 13 Charles J. Bryant 20-10309 Continued hearing on Trustee's Motion
Christina L. Bryant to Dismiss Case (20)

PRO SE
PRO SE

2) Adv Lynda Keever 21-01004 Hearing on Motion of Educational
v. Ch. 7 Credit Management Corporation to
Nelnet 21-10087 Intervene (4)

PRO SE
PRO SE
SUMNER

3) 7 Trudy A. Brackett 21-20021 Hearing on Reaffirmation Agreement
Between Debtor and Ally Bank (21)

PRO SE

4) 13 Frederick F. Smartt 17-10050 Hearing on Trustee's Motion to Dismiss
Marian E. Smartt Case (27)

RADEY

- 5) 13 Andrew F. Stor 17-20021 Continued hearing on Trustee's Motion to Dismiss or Modify (25)
LEONARD

- 6) 13 Sandra K. Reese 20-10222 Continued hearing on Trustee's Motion to Modify Plan (24); Debtor's Response (25)
HILLIER

- 7) 13 John H. Muchetti 20-10324 Hearing on Debtor's Motion to Approve Settlement and Pay Insurance Proceeds to Trustee (23); Trustee's Response (24)
WOOD

CONSENT ORDER entered 11-3-21
- 8) 13 Robert C. Leitch 21-20020 Hearing on Motion of Mitch Auto Sales to Reconsider Order for Treatment Claim (27)
Robin R. Leitch
WOOD
CALLOWAY

- 9) 13 Danny F. McCurry, II 21-10151 Hearing on Debtors' Motion for Authority to Sell Real Estate and Make Early Case Payoff (17); Trustee's Response (19)
Theresa M. Johnson
WOOD

- 10) 13 Grayson S. Gibby 20-20023 Hearing on Debtor's Motion for Moratorium (44)
HOLLOWAY

- 11) 13 James Herbert 18-10107 Hearing on Debtor's Motion to Sell Real Estate (44); Trustee's Response (45); Response of Select Portfolio Servicing, Inc. (46)
- PELTZ
VINING
-
- 12) 7 Linda Mahan 21-10107 Hearing on Trustee's Objection to Exemptions (15); Debtor's Response (16)
- PELTZ
MAYS, TR.
-
- 13) 13 Sherry Frost 21-20023 Continued hearing on Debtor's Objection to Claim [Proof of Claim of Sherie A. Case and Neita R. White] (18)
- Continued hearing on Objection of Sherie A. Case and Neita R. White to Confirmation of Debtor's Chapter 13 Plan (19/15/4/2); Debtor's Response (20)
- Hearing on Objection of Sherie A. Case and Neita R. White to Debtor's Exemptions (21)
- Hearing on Trustee's Objection to Claim (17); Response of Sherie A. Case and Neita R. White (23)
- PELTZ
PINKSTON
-
- 14) 13 John W. Ensley, III 18-20084 Hearing on Debtor's Motion for Approval of Administrative Expenses (37); Trustee's Response (38)
- MOSLEY
-

15) 13 Tonya M. Moneymaker 19-10009 Continued hearing on Trustee's Motion to Modify Plan (40); Debtor's Objection (42)

Continued hearing on Debtor's Objection to Claim of Wilmington Savings Fund Society [Proof of Claim No. 11] (41); Response of Wilmington Savings Fund Society (44)

MOSLEY

16) 13 Jeffrey R. Gazda 21-10074 2nd continued hearing on Debtors' Motion to Determine Validity of Mortgage Payment Change (20); Notice of Mortgage Payment Change filed 07/30/2021; Response of MidFirst Bank (26)

2nd continued hearing on Debtors' Objection to Trustee's Notice of Plan Modification (21/19)

2nd continued hearing on Debtor's Objection to Claim [MidFirst Bank Claim #21] (22)

MOSLEY
JONAS

17) 13 Donnie L. Wallin 20-10009 Hearing on Debtor's Motion to Modify or Find Substantial Compliance with Consent Order (82/46)

CALLOWAY

18) 13 Michael G. Wood 20-10057 Hearing on Trustee's Motion for Review (62)

CALLOWAY

19) 13 Richard J. Mosley 20-10143 Continued hearing on Trustee's Motion
Michell N. Mosley to Dismiss Case (64); Debtors' Objection
(65)

CALLOWAY

20) 13 Bruce K. Phail 17-10235 Continued hearing on Trustee's Motion
to Dismiss Case (52)

CARRUTHERS

21) 13 Thomas J. McDowell 17-10517 Continued hearing on Trustee's Motion
to Modify Plan (53); Debtor's Response
(57)

CARRUTHERS

22) 13 Jennifer H. Kennedy 18-10142 Continued hearing on Trustee's Motion
to Dismiss Case (43)

Status hearing regarding Order
Granting Motion to Modify Confirmed
Chapter 13 Plan (48)

CARRUTHERS

23) 13 Maria G. Botello 18-10363 Hearing on Trustee's Motion to Dismiss
Case (41)

CARRUTHERS

24) 13 Jeffrey S. Hart 15-10020 2nd continued hearing on Trustee's
Karen B. Hart Motion to Dismiss Case (58); Debtors'
Response (61)

BEN PITTS

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| 25) | 13 | Patricia M. Bell | 17-10015 | 2nd continued hearing on Trustee's Motion for Review (35) |
| | | BEN PITTS | | |
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| 26) | 13 | James P. Winker, Jr.
Stephanie A. Winker | 19-10263 | Hearing on Trustee's Motion to Dismiss Case (17) |
| | | BEN PITTS | | |
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| 27) | 13 | Doloros S. Paschall | 21-10170 | Hearing on Objection of Cenlar, FSB to Confirmation of Debtor's Proposed Plan (13/2) |
| | | BEN PITTS
HEDRICK | | |
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| 28) | 13 | Richard H. Morgan | 21-20013 | Hearing on Trustee's Motion to Dismiss Case (15) |
| | | BEN PITTS | | |
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| 29) | 13 | Eric E. Robinson | 16-10387 | Continued hearing on Trustee's Motion to Dismiss or to Modify Plan (41) |
| | | MOORE | | |
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| 30) | 13 | Kymberley S. Tolley | 19-10012 | Continued hearing on Trustee's Motion to Dismiss or Modify Plan (29) |
| | | MOORE | | |
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| 31) | 13 | Gerald Kanyok | 19-10411 | 8th continued hearing on Motion of Reverse Mortgage Funding, LLC for Relief from the Automatic Stay and Co-Debtor Stay or, in the Alternative, Adequate Protection (52); Debtor's Response (53) |
| | | | | Continued hearing on Trustee's Motion to Dismiss Case (61) |
| | | MOORE
HARRIS | | |
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| 32) | 13 | David D. Forbes | 21-10070 | Continued hearing on Trustee's Motion to Dismiss Case (20) |
| | | MOORE | | |
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| 33) | 13 | Cynthia G. Gibson | 21-20006 | 2nd continued hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (21/3) |
| | | MOORE | | |
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| 34) | 13 | April B. Ledford | 17-10250 | Hearing on Trustee's Motion to Modify Plan (58); Response of Nationstar Mortgage, LLC d/b/a Mr. Cooper (59) |
| | | HAY | | |
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| 35) | 13 | Vernon R. Branson | 17-20010 | Hearing on Trustee's Motion to Dismiss Case (32) |
| | | HAY | | |
| | | ----- | | |
| 36) | 13 | Carl M. Anderson | 19-10271 | Hearing on Trustee's Motion to Dismiss or Modify Plan (24) |
| | | HAY | | |
| | | ----- | | |

37) 13 Erwin D. Sims 19-20010 2nd continued hearing on Trustee's Motion to Dismiss Case (34)
HAY

38) 13 Preston L. Tinsley 20-10139 Hearing on Trustee's Motion for Review (43)
Suzanne L. Tinsley
Hearing on Debtors' Application for Approval of Real Estate Transaction (44); Trustee's Response (46)

HAY

39) 13 William N. Stewart 21-20016 2nd continued hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (12/11/2); Order Regarding Objection to Confirmation and Motion to Dismiss (17)

2nd continued hearing on Objection of First Southwestern Financial Services, LLC to Confirmation of Plan (13/11/2)

Hearing on Motion of First Southwestern Financial Services, LLC for Relief from the Automatic Stay, for Application of 11 U.S.C. § 362(e) and/or, in the Alternative, for Adequate Protection and Motion for Relief from Co-Debtor Stay (19)

HAY
PINKSTON

40) 13 Alexis C. McCoy 21-20022 Continued hearing on Trustee's Motion to Dismiss Case (24)

Continued hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (25/9)

Continued hearing on Objection of Tobacco Branch Village Property Owners Association to Confirmation of Debtor's Chapter 13 Plan (28/9)

Hearing on Motion of Tobacco Branch Village Property Owners Association for Adequate Protection and Relief from the Automatic Stay (30)

HAY
PINKSTON

11/17/2021

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

THE HONORABLE GEORGE R. HODGES, PRESIDING

WEDNESDAY, NOVEMBER 17, 2021

9:30 a.m. (Telephonic Hearings)

- 1) Adv Flexible Funding LTD 21-02000 Hearing on Plaintiff's Motion for
Liability Co. Prejudgment Attachment (54);
v. Objection of Caterpillar Financial
Graham County Land Services Corporation (62); Objection of
Company, L.L.C., et al. People's United Equipment Finance
Corp. (63); Objection of Defendant
Randy Jordan (64)

Court Order for Flexible Funding and
GCLC to Appear and Show Cause why
this Court should not remand this case
to the North Carolina Business Court
(59)

MARTIN / LEONARD
WALLER / HENDREN / REDWINE / COATES / SPENCER
ESSER
HARDEN
WHELEHAN

- 2) 11 Classic Acquisitions, LLC 21-10164 Continued hearing on Debtor's Motion to Excuse Compliance with Document Production (17)
- Hearing on the Bankruptcy Administrator's Motion to Require Subchapter V Trustee to Perform Duties Specified in 11 U.S.C. § 1106(a)(3) and (a)(4) (33)
- HAY
MARTIN, TR.
KENNY
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- 3) 11 Roumelco Properties, LLC 21-20000 Continued for status hearing regarding Order Confirming Chapter 11 Plan (68/56)
- HAY / DAVIS
NAVE, TR.
-
- 4) 11 18 Brennan Broke Me, LLC 21-10142 Continued hearing on Motion of PS Funding, Inc. for Adequate Protection and Relief from the Automatic Stay (19)
- SIEGMUND / BRUMBAUGH
MARTINEZ, TR.
PINKSTON
-

5) 11 East West AVL Dev, LLC 21-10134 3rd continued final hearing on Debtor's Motion to Use Cash Collateral (18); Interim Objection of Pantheon Capital Advisors, Inc. (28); Third Interim Order Authorizing Use of Cash Collateral (56)

2nd continued hearing on Debtor's Motion for Authority to Enter into Management Contract (23); Trustee's Objection (37); Objection of Pantheon Capital Advisors, Inc. (38)

Continued Subchapter V Status Conference (10); Pre-Status Conference Report (35)

Confirmation hearing (52/51)

SIEGMUND / BRUMBAUGH
MARTINEZ, TR.
BUNDA

6) 11 The Spice Must Flow, LLC 21-10135 3rd continued hearing for final hearing on Debtor's Motion to Use Cash Collateral (19); Response and Objection of PS Funding, Inc. (31); Interim Objection of Pantheon Capital Advisors, Inc. (32); Third Interim Order Authorizing Use of Cash Collateral (56)

2nd continued hearing on Debtor's Motion for Authority to Enter into Management Services Agreement (25); Response and Objection of PS Funding, Inc. (39); Objection of Pantheon Capital Advisors, Inc. (40)

2nd continued hearing for Subchapter V Status Conference (8); Pre-Status Conference Report (37)

Confirmation hearing (51)

SIEGMUND / BRUMBAUGH
MARTINEZ, TR.
PINKSTON
BUNDA

NO COURT

HONORABLE GEORGE R. HODGES

**THERE ARE NO HEARINGS SCHEDULED FOR
NOVEMBER 15 & 18-19, 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.**