

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.

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 COURT CALENDARS FOR
DECEMBER 13 - 17, 2021***

12/13/2021

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

MONDAY, DECEMBER 13, 2021

9:30 a.m. (In Person)

1) 7 Dale E. Johnson 21-30569 Hearing on Reaffirmation Agreement
Suzanne T. Johnson Between Debtors and Ally Bank (10)

Hearing on Reaffirmation Agreement
Between Debtors and Bank of America,
N.A. (13)

LAYTON

2) 7 James K. Montgomery 21-30493 Continued hearing on Trustee's
Motion to Compel Production of
Documents (12)

PLANER
CULP, TR./DiMATTEO

3) 7 Tonya T. Hoermann 19-30282 Hearing on Trustee's Motion to Sell
Real Property Free and Clear of Liens,
Claims, Interests, or Encumbrances (90)

Y. TAYLOR
HAYES, TR.

4) 7 AJT Technology Designs 21-30421 Inc. Hearing on Motion of The Ohio Casualty Insurance Company for Relief from Stay (31); Debtor's Response (32); Trustee's Response and Objection (33); The Ohio Casualty Insurance Company's Reply to the Response and Objection (36)

WILLIAMS
HAYES, TR.
BRUCKMANN

CON'T TO 1/24/22

5) 7 Richard A. Smith 21-30592 Hearing on Motion of Nationstar Mortgage d/b/a Mr. Cooper for Relief from Stay (11); Trustee's Objection (12)

DUNCAN
HAYES, TR.
HEDRICK

6) 7 Khaled Ahmed 19-31248 Manel Dias Ahmed Compliance hearing regarding Order Granting Trustee's Motion to Determine Refund Due to Estate (52)

HANDS
SHUFORD, TR.

7) 7 Richard W. Garrison 20-30067 Angela S. Garrison Compliance hearing regarding Consent Order Granting Trustee's Motion for Determination of Tax Refunds (115)

SATISFIED

CORDES
CULP, TR. / DiMATTEO / ESSER

8) 7 Jude S. Colnagelo 19-30878 Status hearing regarding Order Granting Trustee's Motion to Determine Refund Due to Estate (81)

WRIGHT
SHUFORD, TR.

SATISFIED

9) 7 Khosrow Gharavi 20-30538 Compliance hearing regarding Order
Maryam Zangeneh Granting Trustee's Motion to
Determine Refund Due to Estate (37)

JOHNSON
SHUFORD, TR.

SATISFIED

10) 7 Justin M. Treadway 19-31701 Compliance hearing regarding Order
Granting Trustee's Motion to
Determine Refund Due to Estate (47)

GRIER
HAYES, TR.

SATISFIED

11) 7 Ronald H. Peeler 20-30614 Compliance hearing regarding Order
Paige Peeler Granting Trustee's Motion to
Determine Refund Due to Estate (64)

CARTER
HAYES, TR.

SATISFIED

12) 7 Jennifer M. Ferrell 19-30518 Compliance hearing regarding Order
Granting Trustee's Motion for
Determination of Tax Refunds (51)

PRO SE
CULP, TR.

SATISFIED

13) 7 John B. Ivey 19-31133 Status hearing regarding Order
Granting Trustee's Motion for
Determination of Tax Refunds (78)

PRO SE
CULP, TR.

SATISFIED

14) Adv Brixmor SPE 4, LP 21-03020 Pretrial Conference (10)
v. Ch. 7
Jesus Marrero Jr. 21-30057
Elfrida Marrero

BRUCKMANN
PRO SE

15) 7 Michael R. Jones 21-30537 Hearing on Reaffirmation Agreement
Carla J. Jones Between Debtors and Star One Credit
Union (10)

PRO SE
PRO SE

12/14/2021

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

TUESDAY, DECEMBER 14, 2021

9:30 a.m. (In Person)

1) 11 Schletter Inc. 18-40169 2nd continued Status hearing
Regarding Court Order in Aid of
Consummation
(495/471)

GHIDINA / CRABTREE / OEBKER / FAWKES
JOHNSTON / ROSALUK / MARTIN
ABEL, TR.

2) 11 Ballantyne Brands, LLC, 19-30083 4th continued status hearing regarding
a Delaware limited liability
company
Order in Aid of Consummation (203/
182)

BROWN / WRIGHT

3) 11 Aarna Hotels, LLC 21-30249 10th continued hearing on Debtor's
Motion to Use Cash Collateral (6);
Ninth Interim Order Authorizing Use
of Cash Collateral (173)

2nd continued hearing on Motion of
M2 Charlotte Airport, LLC for Relief
from Stay, Including the Application
of 11 USC § 362(e) (89)

Hearing on Motion of Non-Party Georgia's Own Credit Union to Quash Subpoena and Enter Protective Order, and Objection to Document Production Request (186); Debtor's Response (196)

Hearing on Debtor's Motion to Assume and Assign Executory Contracts (188)

Hearing on Debtor's Motion for Authorization to Pay Trailing Expenses in the Ordinary Course and to Set Related Bar Dates (193)

WRIGHT
EDWARDS
RUSHER

4) 11 Sri Vari CRE 21-30250 10th continued hearing on Debtor's Motion to Use Cash Collateral (6); Ninth Interim Order Authorizing Use of Cash Collateral (175)

2nd continued hearing on Motion of M2 Steele Creek CY LLC for Relief from Stay, Including the Application of 11 USC § 362(e) (89)

Hearing on Motion of Non-Party Georgia's Own Credit Union to Quash Subpoena and Enter Protective Order, and Objection to Document Production Request (189); Debtor's Response (199)

Hearing on Debtor's Motion to Assume and Assign Executory Contracts (191)

Hearing on Debtor's Motion for Authorization to Pay Trailing Expenses in the Ordinary Course and to Set Related Bar Dates (196)

WRIGHT
EDWARDS
RUSHER

5) Adv Matthew W. Smith, 20-03016 3rd continued hearing for Status and
Sole Manager for Ch. 11 Scheduling Conference (33)
BK Racing, LLC 18-30241
v.
Brian Castel

HOUSTON
DiMATTEO / WOODMAN

6) Adv Matthew W. Smith, 20-03012 2nd continued hearing on Plaintiff's
Sole Manager for Ch. 11 Motion to Compel (31)
BK Racing, LLC 18-30241
v.
Race Engines Plus, LLC

HOUSTON / BROWN
DANTINNE

7) Adv Matthew W. Smith 20-03033 Continued hearing on Plaintiff's
Sole Manager for Ch. 11 Motion to Compel (24)
BK Racing, LLC 18-30241
v.
GGR Enterprises, Inc.,
et al.

HOUSTON / BROWN
THOMPSON / DANTINNE

8) Adv Matthew W. Smith, 20-03014 Continued hearing on Plaintiff's
Sole Manager for Ch. 11 Motion for Protective Order (48);
BK Racing, LLC 18-30241 Defendants (1) Response to Plaintiff's
v. Motion for Protective Order; and (2)
Ronald C. Devine, et al. Motion to Compel Discovery
Responses (49)

HOUSTON / BROWN
DiMATTEO / WOODMAN

9) 11 Sein Divine, LLC 21-30468 2nd continued 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); Debtor's Response (30)

Hearing on Debtor's Motion for Authority to Sell Property Free and Clear of All Liens, Claims, Interests, or Encumbrances (29)

Hearing on Debtor's Motion to Reject Lease (33)

DiMATTEO/WOODMAN
PETTIT

10) 11 Avivar Hospitality, LLC 20-30789 12th 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) Motion of Access Point Financial for Adequate Protection or, in the Alternative, Relief from Stay, Including the Application of 11 USC 362(e) (185)

12th 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 Financials Amendment to (1) American Lending Center's Motion for Adequate Protection or, in the Alternative, Relief from Stay and (2) Access Point Financials Motion for Adequate Protection or, in the Alternative, Relief from Stay, Including the Application of 11 USC 362(e) (185)

7th 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)

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

7th 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)

7th 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)

7th 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)

7th continued hearing on Debtor's Motion for Authority to Sell Real Property Free and Clear (254); Objection of Access Point Financial (262)

5th 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)

5th continued hearing on Debtor's
Motion for Ruling on Admissibility of
Evidence (273)

ESSER / FAJGENBAUM
ABEL, BA
WRIGHT
WHELEHAN
TARR
GARDNER

11:00 a.m. (In Person)

- 11) Adv Matthew W. Smith, 20-03007 Continued hearing on Plaintiff's
Sole Manager for Ch. 11 Motion for Status and Scheduling
BK Racing, LLC 18-30241 Conference (36)
v.
Nancy O'Haro

HOUSTON / BROWN
WOODMAN

- 12) Adv Matthew W. Smith, 20-03014 Continued hearing on Plaintiff's
Sole Manager for Ch. 11 Motion for Status and Scheduling
BK Racing, LLC 18-30241 Conference (41)
v.
Ronald C. Devine, et al.

HOUSTON / BROWN
DiMATTEO / WOODMAN

- 13) Adv Matthew W. Smith 20-03057 Continued hearing on Plaintiff's
Sole Manager for Ch. 11 Motion for Status and Scheduling
BK Racing, LLC 18-30241 Conference (26)
v.
Michael Diserveria et al.

HOUSTON / BROWN
DiMATTEO / WOODMAN

12/15/2021

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

WEDNESDAY, DECEMBER 15, 2021

9:00 a.m. (Conference Call on the Record)

- 1) 11 Aldrich Pump LLC 20-30608 Continued hearing on Motion of David J. Gordon, [Trustee of the Oakfabco Liquidating Trust] for Relief from the Automatic Stay (889/890)

MILLER
HOUSTON

9:30 a.m. (In Person)

- 2) 11 Shailesh Patel 20-30455 5th continued hearing on Debtors' Objection to Claim 6 [United States Small Business Administration] (68); Response of the United States Small Business Administration (86); Debtor's Supplement to Their Objection to Claim 6 of the Small Business Administration (130)

2nd continued hearing on Motion of the Small Business Administration for Summary Judgment (111); Small Business Administration's Reply Brief in Support of its Motion for Summary Judgment (172)

Continued hearing on Debtors' Motion for Summary Judgment on Their Statute of Limitations Objection to the Claim of the United States Small Business Administration (156/157); Debtors' Brief in Support of Their Motion for Summary Judgment on Their Supplemental Objection to the Claim of the United States Small Business Administration (160); Response of the Small Business Administration to Debtors' Motion for Summary Judgment (172); Debtors' Reply Brief (174)

PEARCE
MARTINEZ, TR.
SULLIVAN

12/16/2021

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

THURSDAY, DECEMBER 16, 2021

9:30 a.m. (In Person)

1) 11 DBMP LLC 20-30080 Hearing on The Official Committee
of Asbestos Personal Injury
Claimants to Substitute a Committee
Member (1229)

CASSADA
THOMPSON

2) Adv Official Committee of 21-03023 Hearing on Motion of the Debtor
Asbestos Personal Ch. 11 [Defendant] to Dismiss the Adversary
Injury Claimants, et al. 20-30080 Complaint (21/22); Plaintiffs'
v. Opposition (25)
DBMP LLC and
CertainTeed LLC Hearing on Motion of CertainTeed
LLC to Dismiss Complaint (20)

HARDMAN / NEIER / WRIGHT / THOMPSON / LIESEMER / MACLAY / RAMSEY / PHILLIPS
CASSADA
MILLER

12/17/2021

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
SHELBY DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

FRIDAY, DECEMBER 17, 2021

Steven G. Tate, Trustee

9:30 a.m. (Telephonic Hearings)

- | | | | | |
|----|----|---------------------------------------|----------|--|
| 1) | 13 | Patty L. Joaquin | 20-40088 | 3rd continued hearing on Trustee's Motion to Dismiss Case (45) |
| | | FLIPPIN | | |
| | | ----- | | |
| 2) | 13 | Dorothy A. Ramseur | 21-40128 | Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (15); Amended Plan (14); Plan (9) |
| | | LAYTON | | |
| | | ----- | | |
| 3) | 13 | Douglas J. Adams
Myralene E. Adams | 16-40449 | Hearing on Trustee's Motion to Deem Mortgage Loan Account Current (51); Response of Natalie E. Lea (Doc. filed 11/16/2021) |
| | | NACHAMIE | | |
| | | ----- | | |
| 4) | 13 | Steven S. Brown | 18-40383 | Hearing on Trustee's Motion to Deem Mortgage Loan Account Current (24) |
| | | LUTZ | | |
| | | ----- | | |

- | | | | | |
|-------|----|---|----------|--|
| 5) | 13 | Harold R. Baker
Diane K. Baker | 21-40133 | Hearing on Objection of Kimberly Harp to Confirmation of Chapter 13 Plan (21); Plan (2) |
| | | LUTZ
W. S. GARDNER | | |
| ----- | | | | |
| 6) | 13 | Gennie F. Thackerson | 21-40186 | Court Order for Debtor to Appear and Show Cause (5) |
| | | LUTZ | | |
| ----- | | | | |
| 7) | 13 | Terry S. Freeman
Kimberly M. Freeman | 18-40276 | Hearing on Trustee's Motion to Dismiss Case (49) |
| | | WILLCOX | | |
| ----- | | | | |
| 8) | 13 | Sarah L. McCauley | 20-40233 | Hearing on Trustee's Motion to Dismiss Case (31) |
| | | WILLCOX | | |
| ----- | | | | |
| 9) | 13 | Jane A. Abernathy | 21-40152 | Hearing on Objection of SN Servicing Corporation to Confirmation of Plan (15); Plan (10) |
| | | WILLCOX
FLETCHER | | |
| ----- | | | | |
| 10) | 13 | Tonya D. Mull | 21-40171 | Hearing on Trustee's Motion to Dismiss Case (17) |
| | | WILLCOX | | |
| ----- | | | | |

11) 13 Alvin A. Johnson 16-40513 Hearing on Trustee's Motion to Dismiss Case (22)
Carolyn R. Johnson

Hearing on Debtors' Motion for Hardship Discharge (24)

FARMER

12) 13 Roger B. Walker 17-40343 Hearing on Trustee's Motion to Dismiss Case (46)
Tammy W. Walker

FARMER

13) 13 Paul M. Huffman 19-40271 2nd continued hearing on Trustee's Motion to Dismiss Case (24)
Leslie Huffman

FARMER

14) 13 Andy G. Williams 20-40101 Continued hearing on Trustee's Motion to Dismiss Case (42)
Dela D. Williams

Hearing on Debtors' Motion to Modify Chapter 13 Plan (45); Trustee's Response (49)

FARMER

15) 13 James K. Bryant 21-40032 Hearing on Trustee's Motion to Dismiss Case (38)

FARMER

16) 12 Jeffery L. Benfield 21-40009 3rd continued hearing on Motion of PNC Bank, National Association to Dismiss Chapter 12 Bankruptcy Case or, in the Alternative, Relief from the Automatic Stay (6); Debtors' Response (20); Consent Order Granting In Part Motion to Dismiss (38)

2nd continued Confirmation Hearing (60/65); Objection of PNC Bank, National Association to Confirmation of Plan (72); Amended Chapter 12 Plan (66)

JOHNSON
EDWARDS

10:30 a.m. (Telephonic Hearing)

17) 7 Samuel C. Houser 21-40095 Continued hearing on Motion of Nationstar Mortgage LLC d/b/a Mr. Cooper for Relief from Stay (37); Debtor's Response (38)

GOURLEY
STALZER, TR.
VONNEGUT

NO COURT

HONORABLE J. CRAIG WHITLEY

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