

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA

SHELBY DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

FRIDAY, JULY 29, 2016

Steven G. Tate, Trustee

9:30 a.m.

- 1) 13 Rhonda W. Lovelace 11-40191 Hearing on Trustee's Motion to Deem Mortgage Loan Account Current (40); Response of Ditech Financial, LLC filed 6/29/2016

SIGMON

- 2) 12 Andrew M. Boggs 11-40473 Hearing on Debtors' Application to Employ Professional Donald L. Peeler and Re/Max Select (200)

Hearing on Debtors' Motion for Authority to Sell Commercial Property (202); Response of Bank of the Ozarks (203)

O.M. GARDNER
ACKERMAN

- 3) 13 Pamela M. Huskins 14-40427 Continued Status Hearing. Re: Consent Order Allowing Motion to Modify Plan and Moratorium of Payments to Secured Creditor (19)

PITTS, BEN

- 4) 13 James M. Wyatt 15-40019 7th continued hearing on Debtor's Amended Motion to Extend Temporary Extension of Time to Remit Chapter 13 Plan Payment (20); Trustee's Response (21)
- 4th continued Status Hearing as to Trustee's Objection to Confirmation of Chapter 13 Plan; Motion to Dismiss (22); Plan (9)
- Hearing on Debtor's Objection to Proof of Claim (36)

ELKINS

- 5) 13 Tiffany N. Carson 15-40110 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (28)

CALLOWAY

- 6) 13 August R. Zurenda 15-40167 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (26)

DILLENBECK

- 7) 13 Brian K. Ellis 15-40419 Trustee's Notice of Status Hearing [to determine if plan payments are sufficient] (27); Order Confirming Plan (24)
- Nancy L. Ellis

TAYLOR, Y.

- 8) 13 Ronald M. Needham 16-40167 Hearing on Objection of Specialized Loan Servicing, LLC Servicing Agent to Confirmation of Plan (14); Plan (7)

GOUDES

9) 13 Rickey Parsley 15-40152 Hearing on Motion of Caliber Home
Kathryn M. Parsley Loans, Inc. to Allow Loan
Modification (27); Trustee's Response
(29)

CARTER

10) 13 Robert D. Shuford 16-40145 Hearing on Trustee's Objection to
Confirmation of Plan; Motion to
Dismiss (10); Plan 5)

CARTER

11) 13 Rheta A. Lail 13-40608 5th continued hearing on Trustee's
Amended Motion to Dismiss Case or
to Modify Plan (33, 31)

3rd continued hearing on Trustee's
Motion to Dismiss Case or to Modify
Plan (37)

WOOD

12) 13 Brain K. Finch 14-40540 Hearing on Trustee's Motion to
Patricia S. Finch Dismiss Case or to Modify Plan (33)

WOOD

13) 13 Brian M. Wright 16-40198 Hearing on Objection of Nationstar
Mortgage, LLC to Confirmation of
Plan (15); Plan (12)

WOOD
EMREY

14) 13 Bradley G. Blake 13-40674 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (42)
Sherry L. Blake

HAY

15) 13 Kimberly B. Reel 13-40696 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (26)

HAY

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

HAY

17) 13 Tony R. McDonald, Jr. 12-40180 Hearing on Motion of Progressive SE Insurance Company for Allowance of Post-Petition Claim (41); Trustee's Response (42)
Amanda E. McDonald

BALENTINE
OGBURN

18) 13 Douglas W. Grondahl, II 15-40203 Continued Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (55)

BALENTINE

19) 13 Milton F. Huskey 15-40445 Hearing on Trustee's Motion to Modify Plan (22); Debtor's Response (24)

BALENTINE

20) 13 Bernice R. Smith 15-40471 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (57)

BALENTINE

21) 13 Freddy W. Hoyle 15-40509 3rd continued Status Hearing as to Debtors' Motion to Modify Plan (21); Ann L. Hoyle Trustee's Response (25); Order Granting Motion (26)

BALENTINE

22) 13 Julius S. Funderburk 13-40350 2nd continued hearing on Trustee's Jenna C. Funderburk Motion to Dismiss Case (52)

FARMER

23) 13 Terry L. Jackson 14-40409 Hearing on Trustee's Motion to Maira A. Jackson Dismiss Case or to Modify Plan (46)

FARMER

24) 13 Buford A. Williams 15-40035 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (58)

Hearing on Debtor's Motion to Modify Chapter 13 Plan to Surrender Motor Vehicle (62); Trustee's Response (67)

FARMER

25) 13 John G. Toms 16-40066 Continued hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (8); Plan (3)

FARMER

- 26) 13 Patsy A. Stratton 16-40115 Hearing on Trustee's Objection to Claim [Kimbrells Furniture] (21); Response of Kimbrells Furniture (24 and 28)
- FARMER
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- 27) 13 Brenda K. Greene 16-40202 Hearing on Objection of Vanderbilt Mortgage and Finance, Inc. to Confirmation of Plan (8); Plan (3)
- FARMER
FLETCHER
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- 28) 13 Gerald G. Burris 11-40480 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (27)
- LUTZ
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- 29) 13 Tracy A. Lee 14-40028 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (30)
- LUTZ
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- 30) 13 Baxter L. Hollis 14-40118 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (30)
- LUTZ
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- 31) 13 Amy K. Derreberry 14-40215 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (25)
- LUTZ
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32) 13 Dominick G. Barbieri 14-40484 Hearing on Debtors' Objection to Notice of Mortgage Payment Changed filed by Wells Fargo Bank, NA (40); Rebecca A. Barbieri Trustee's Response (41); Notice of Mortgage Payment Change (filed 3/29/2016, doc. No. 99999)

LUTZ

33) 13 Arthur J. Burkhalter 15-40051 2nd continued Status Hearing as to Hester A. Burkhalter Motion for Relief from Stay and Co-Debtor Stay (24)

LUTZ

34) 13 Jeremy C. Spurling 15-40081 Hearing on Trustee's Motion to Araine L. Spurling Dismiss Case or to Modify Plan (32)

LUTZ

35) 13 Joan Fletcher 15-40438 Hearing on Debtor's Motion to Sell Property Free and Clear of Liens (16); Trustee's Response (17); Exhibit (18)

LUTZ

36) 13 Gary B. Cobb 16-40135 Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (12); Plan (2); Amended Plan (8)

LUTZ

37) 13 Michael N. Long 15-40225 Hearing on Trustee's Motion to Alison B. Long Dismiss Case or to Modify Plan (27)

POE

38) 13 Leland H. Gorecki 14-40537 2nd continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (31)

Hearing on Debtor's Motion to Sell Real Estate (38)

POE, WILLCOX

39) 13 Connie P. Ollis 14-40188 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (28)

WILLCOX

40) 13 Jonathan A. Hager 15-40514 Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (28)

WILLCOX

41) 13 George B. Hemmings 16-40032 Continued hearing on Trustee's Objection to Confirmation of Chapter 13 Plan; Motion to Dismiss (16); Plan (2)

WILLCOX

42) 13 Harold O. Colvin Patricia C. Colvin 16-40074 Hearing on Debtors' Amended Motion to Excuse Male Debtor From Appearance at 341 Meeting of Creditors (29)

WILLCOX

43) 13 Chris A. Parlier Lorrie M. Parlier 16-40125 Hearing on Debtors' Amended Motion to Reconsider Dismissal of Case (17); Order of Dismissal (12)

WILLCOX

44) 13 Walter G. Church, Jr. 16-40128 Hearing on Motion of Emily B. Church, et al. for Conversion or Dismissal and Motion for Relief from Stay (13)

Hearing on Motion of Emily B. Church, et al. to Convert Case from Chapter 13 to Chapter 7 (14)

WILLCOX
THOMAS

45) 13 Michael K. Boeke 16-40174 Hearing on Debtor's Motion to Extend Extension of Time (10); Trustee's Response (14)

WILLCOX

46) 13 Jerry S. Reed 16-40177 Hearing on Debtors' Motion to Extend Time to Make Plan Payment (13); Melisha C. Reed Trustee's Response (15)

WILLCOX

47) 13 Donald L. Barlowe 16-40255 Hearing on Objection of World Financial Corp. to Confirmation of Lou Anne Barlowe Plan (17); Plan (2)

WILLCOX

48) 13 Charles D. Surby 10-40532 4th continued hearing on Debtors' Motion for Contempt and Sanctions Lisa D. Surby Against Nationstar Mortgage, LLC (51)

PLANER

49) 13 Harold A. Davidson 10-40537 4th continued hearing on Debtors' Motion for Sanctions Against Nationstar Mortgage, LLC (74); Amendment (76)

PLANER

50) 13 Charles R. Gladden 11-40757 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (45)

PLANER

51) 13 Billy T. Zimmerman, Jr. 14-40099 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (38)

PLANER

52) 13 Sue M. Gibson 14-40145 4th continued hearing on Debtor's Motion for Sanctions Against Nationstar Mortgage, LLC for Violation of Automatic Stay (36)

PLANER

53) 13 Orawan C. Lin 14-40174 Hearing on Debtor's Motion to Approve Specific Provisions of NC Foreclosure Prevention Fund Mortgage Payment Program Agreement; to Modify Debtor's Chapter 13 Plan (49); Trustee's Response (51)

3rd Continued Status Hearing. Re: Order Granting Motion to Incur Debt (45)

PLANER

- 54) 13 Virginia H. Burns 15-40103 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (22)
- PLANER
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- 55) 13 Shirley M. Lynn 15-40277 Continued hearing on Debtor's Motion for Order in Aid of Case Administration (18)
- PLANER
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- 56) 13 Shane S. Spry 15-40439 Hearing on Trustee's Motion for Determination of Status of Claims in Confirmed Plan (22); Response of Lisa A. Spry Poole Motor Company, Inc. (23)
- PLANER
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- 57) 13 Betsy S. Badeaux 16-40060 Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (21); Plan (2); Amended Plan (13)
- PLANER
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- 58) 13 Wayne E. Goode, Jr. 16-40140 Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (14); Plan (2)
- PLANER
-
- 59) 13 Daniel R. Mitchell 11-40809 Hearing on Debtors' Motion to Approve Settlement of Reverse Betty W. Mitchell Mortgage Loan (39)
- W. S. GARDNER
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- 60) 13 Jerry R. Bishop 12-40114 Continued hearing on Trustee's
Betty D. Bishop Motion to Dismiss Case or to Modify
Plan (58)
W. S. GARDNER

- 61) 12 Katherine M. Pfaff 12-40126 Hearing on Trustee's Motion to
Dismiss Case or to Modify Plan (73)
W. S. GARDNER

- 62) 13 Gerald T. Haynes, Sr. 13-40046 Hearing on Trustee's Motion to
Gloria G. Haynes Dismiss Case or to Modify Plan (77)
W. S. GARDNER

- 63) 13 Annie W. Mobley 13-40516 5th continued status hearing. Re:
Order for Motion to Modify Plan (44)
W. S. GARDNER

- 64) 13 Michael F. Dix Reid 13-40643 Hearing on Debtors' Motion to
Dallas R. Reid Modify Plan to Approve Loan
Modification (47); Trustee's Response
(48)
W. S. GARDNER

- 65) 13 Robert L. Green 13-40688 Hearing on Trustee's Motion to
Martha B. Green Dismiss Case or to Modify Plan (53)
W. S. GARDNER

66) 13 Amelia J. McGinnis 14-40358 Hearing on Debtor's Motion to Approve Insurance Settlement (34); Trustee's Response (35)

W. S. GARDNER

67) 13 Coy B. Duncan 14-40493 Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (29)

Teresa R. Duncan

Hearing on Debtors' Motion to Modify Chapter 13 Plan to Surrender Motor Vehicle and Reduce Plan Payment (36); Trustee's Response (37)

W. S. GARDNER

68) 13 Robert S. Terry, Jr. 14-40559 Continued hearing on Debtors' Motion for Moratorium on Plan Payments, June, July, August 2016 (34); Trustee's Response (35)

Pamela J. Terry

Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (38)

W. S. GARDNER

69) 13 Jerry E. Bowen 15-40190 Hearing on Debtor's Motion to Extend Future Default Provision (92)

W. S. GARDNER

70) 13 Jonathan J. Surratt 15-40197 Hearing on Debtor's Motion to Use Property of the Bankruptcy Estate (89); Trustee's Response (91)

W. S. GARDNER

- 71) 13 Robert B. Devoe 15-40242 Trustee's Notice of Status Hearing (49); Re: Order Confirming Plan (34)
- Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (50)
- W. S. GARDNER
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- 72) 13 Arthur P. Earls 15-40466 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (18)
- Jolynne P. Earls
- W. S. GARDNER
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- 73) 13 Gitaben P. Mack 16-40129 Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (15); Plan (4)
- W. S. GARDNER
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- 74) 13 Mary A. Hoey 16-40142 Hearing on Objection of RoundPoint Mortgage Servicing Corporation to Confirmation of Plan (11); Plan (4)
- W. S. GARDNER
KIRK
-
- 75) 13 Clinton E. Epley 16-40192 Hearing on Objection of BB&T to Confirmation of Plan (12); Plan (4)
- W. S. GARDNER
KIRK
-
- 76) 13 David E. Evansek 16-40227 Hearing on Debtors' Motion to Extend Time Within Which to Make First Plan Payment (8); Trustee's Response (9)
- Brenda T. Evansek
- W. S. GARDNER
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77) 13 Ronda K. Coleman 16-40251 Hearing on Objection of Wells Fargo Bank, NA. to Confirmation of Plan (8); Plan (3)

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

W. S. GARDNER
EMREY

78) 7 Billy R. Pressley, Jr. 16-40307 Court Order for Debtor to Appear and Show Cause (6); Bankruptcy Administrator's Response in Support of Court Order (11)

PRO SE
COOPER, TR.

10:30 a.m.

79) 7 Frances D. Whetstine 13-40395 Continued hearing on Debtor's Motion to Enforce Discharge Order Against Unifund CCR Partners (16)

W. S. GARDNER
COOPER, TR.

80) 7 Rebecca A. Blair 13-40587 11th continued hearing on Motion of The Bank of New York Mellon for Relief from Stay (39); Debtor's Response (40)

COOPER, TR.
JONAS

81) 7 Randy J. Silverstine 15-40280 6th continued hearing on Trustee's
Objection to Exemptions (8)
HAY
COOPER, TR.

82) 7 Donald H. Thompson 14-40442 Hearing on Female Debtor's Motion
Londa J. Von Weter to Waive Appearance at 341 Meeting
(78)
BALENTINE
COOPER, TR.

83) 7 Jackie H. Holder 16-40231 Hearing on Trustee's Objection to
Exemptions (9)
BALENTINE
HENDERSON, TR.

84) 7 Brian R. Smith 16-40096 Hearing on Reaffirmation Agreement
Margot L. Smith Between Debtors and Pentagon
Federal Credit Union [Auto Loan] (14)

Hearing on Reaffirmation Agreement
Between Debtors and Pentagon
Federal Credit Union [Credit Card]
(15)
BALENTINE

85) 11 Kee-Ledbetter, Inc. 16-40063 Confirmation Hearing (60); Chapter 11
Small Business Plan (56)
BALENTINE

86) 11 Restoration Properties of 15-40163 5th continued hearing on Motion of
Shelby, LLC BB&T for Relief from Stay (51);
Debtor's Response (54)

Confirmation Hearing (74); Plan and
Disclosure Statement (66)

W. S. GARDNER
KENNY, BA

87) 11 Alive Apparel, Inc. 15-40189 Hearing on Chapter 11 Bankruptcy
Plan (136); Amended Chapter 11 Plan
(135)

6th continuance for Status Hearing as
to Motion of Stephen Carter for
Appointment of Independent Trustee
(88)

Hearing on Objection of Stephen
Carter to Motion 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)

W. S. GARDNER
BALENTINE

88) 11 Glenda K. Hooper 15-40443 Hearing to Dismiss or Convert Case (92)

10th continued Hearing on Debtor's Motion to Allow for Secured Debt Payments (12); Response of HomeTrust Bank (21); Response of the Bankruptcy Administrator (29)

10th continued hearing on the Bankruptcy Administrator's Motion to Appoint Chapter 11 Trustee (25)

W. S. GARDNER
BOWERS, TR.
PINKSTON
KENNY
