

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA

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THE TELEPHONE NUMBER FOR THE  
BANKRUPTCY COURT IS (704) 350-7500

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10/22/19

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

THE HONORABLE GEORGE R. HODGES, PRESIDING

TUESDAY, OCTOBER 22, 2019

9:30 a.m.

1) 7 Glen E. Donahue 18-10254 2nd continued hearing on Motion of  
Lillie H. Donahue Vanderbilt Mortgage and Finance, Inc. for  
Relief from Stay or Adequate Protection  
(35); Trustee's Response (40)

PRO SE (Male Debtor)  
PITTS, Ben  
MAYS, TR.

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2) 7 Albert J. Fortuner 18-10299 Status hearing regarding Order Granting  
Motion Directing Turnover Assets (28)

Status hearing regarding Order Granting  
Motion to Turnover Property and Records  
(30)

PRO SE  
PITTS, TR.

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3) 11 Four Jays Development, Inc. 12-10025 5th continued hearing on Debtor's Motion to Compel Compliance with Terms of the Confirmed Chapter 11 Plan (127); Response of U.S. Bank National Association Solely as a Trustee for the RMAC Trust, Series 2016-CTT (129); Response of Nationstar Mortgage, LLC (131)

D. GRAY  
BAKER  
BERNARDINI

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4) 7 Jerry L. Tucker 14-10490 Hearing on Debtor's Motion to Reconsider Disallowance and Administrative Priority Claim, and to Require Trustee to Disburse Exemption Proceeds (161/154)

KIGHT  
COOPER, TR.

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5) 13 Juan Figueroa 18-10188 3rd continued hearing on Debtor's Motion for Approval of Physical Damage Insurance Settlement and Allowing Debtor to Use Funds to Repair Real Property (22); Response of BB&T (24); Trustee's Response (25)

CARRUTHERS  
JONAS

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6) 7 Jon D. Bowman 19-10106 Continued hearing on Debtor's Motion to Sell Real Property (13); Response of Wells Fargo Bank, N.A. (14); Trustee's Response (17); Response of Quicken Loans Inc. (21)

D. GRAY  
TAYLOR, TR.  
JONAS  
VONNEGUT

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- 7) Adv Susan L. Stockham 17-1008 Trial - 3rd continuance (32)  
v. Elizabeth R. Platter, Ch. 7  
Robert M. Pitts 16-10320
- PINKSTON  
D. GRAY/N. GRAY
- 
- 8) 7 Jim S. McCleese 19-10312 Continued hearing regarding Court's  
Rose M, McCleese Order for Debtors to Appear and Show  
Cause for Dismissal of Case (4/2)
- CRONQUIST
- 
- 9) 7 Robert B. Lee 19-20038 Hearing on Motion of David R. Hillier  
Janet R. Lee for Order Allowing Entry of Discharge for  
Deceased Debtor (15)
- HILLIER  
MAYS, TR.
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- 10) 13 Anthony L. Wait 15-10319 Continued hearing on Motion of  
Candace L Wait Specialized Loan Servicing, LLC for  
Relief from Automatic Stay (Property) or,  
in the Alternative, Adequate Protection  
(53); Debtors' Response and Objection (55)
- RADEY  
JONAS
- 
- 11) 13 Richard B. Short 17-10155 Hearing on Motion of USA/IRS to Dismiss  
Beth K. Short or Convert (54)
- RADEY  
GRAY, TR.  
BECK
-

- 12) 7 Keith A. Chandler 19-10168 3rd continued hearing on Debtors' Motion to Avoid Judicial Lien of Telco Community Credit Union (8); Response of Telco Community Credit Union (9)  
Cassandra L. Chandler
- MOSLEY  
MAYS, TR.  
PINKSTON
- 
- 13) 13 Gardner M. Bridges 19-10301 Hearing on Motion of Benchmark Auto Sales, Inc. to Compel Assumption or Rejection of Unexpired Lease (12)  
Lenora H. Bridges
- Hearing on Objection of Benchmark Auto Sales, Inc. to Confirmation of Chapter 13 Plan (13/8)
- MOSLEY  
DECHANT
- 
- 14) 13 S. W. Silvers 17-10104 2nd continued hearing on Debtors' Motion to Allow Sale of Real Property Free and Clear of Liens (73); Objection of Lois D. Herb (75)  
Mildred B. Silvers
- LEONARD  
FARLEY
- 
- 15) 13 Donnie L. Wallin 17-10293 Hearing on Debtor's Objection to Claim (70); Response and Amended Response of Carrington Mortgage Services, LLC (72/73)
- LEONARD  
VINING
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- 16) 13 Edward A. Broughan 18-10532 Hearing on Debtor's Motion to Modify Plan (25); Trustee's Response (29)
- LEONARD
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- 17) 13 Katherine M. Watson 18-10536 Continued hearing on Debtor's Motion to Modify Plan (23); Trustee's Response (24); Debtor's Amended Motion to Modify Plan (25); Trustee's Response (26)
- LEONARD
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- 18) 7 David E. Wilkes 19-10045 Hearing on Trustee's Motion for Limited Authority to Operate Real Estate Rental Business (66)
- LEONARD  
STALZER, TR.
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- 19) 7 Loretta G. Hoilman 19-10111 3rd continued hearing on Debtor's Motion to Convert Case to Chapter 13 (12); Trustee's Response (14)
- 4th continued hearing on Trustee's Objection to Exemptions (15)
- LEONARD  
MAYS, TR.
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- 20) 7 David B. Johnson  
Sharie N. Johnson 13-10398 Hearing on Debtors' Motion for Order Avoiding Judgment and Judgment Lien (24)
- HAY  
COOPER, TR.
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- 21) 13 Kathy W. Duncan 17-10029 Hearing on Motion of Kensington Court Condominium Owners Association for Relief from the Automatic Stay (27); Debtor's Response (28)
- HAY  
GRAY, TR.
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22) 13 David E. Wilkie 18-10453 Hearing on Motion of Merrick Bank Marine RV to Vacate Order Sustaining Objection to Claim and Order Imposing Sanctions (28/19)

HAY  
CARLSON

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23) 13 Sharon L. Davis 18-10537 2nd continued hearing on Debtor's Objection to Claim (16); Response of USA/IRS (19)

HAY  
BECK

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24) 13 Michael A. Mollica 19-10093 Hearing on Trustee's Motion for Determination of Status of Claims in Confirmed Plan (11); Objection of the Department of Education (12)

HAY  
BECK

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25) 7 David E. Pickartz 18-20104 Bonnie S. Pickartz 3rd continued hearing on Motion of Sun Trust Bank for Relief from Stay or, in the Alternative, Adequate Protection (94); Debtors' Response (103); Trustee's Response (105)

2nd continued Notice of Intention of Standing Chapter 13 Trustee to Disburse Funds in Converted Case (106); Objection of Andrew G. Oosterbaan (108); Objection of Benjamin E. Boren (110); Objection of Patrick and Deborah Esposito (111)

Continued hearing on Motion of Creditors Robert and Debra Morgan to Extend Deadline to Object to Discharge (124)

HAY  
GRAY, TR.  
JONAS  
DECHANT  
MARTIN  
PINKSTON  
ROERSON

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26) 13 Scott A. J. Latell 19-10238 Hearing on Objection of First Bank to Debtors' Exemptions (13)  
Adele Latell  
  
Hearing on Trustee's Objections to Exemptions and Valuations Claimed by Debtors (15)

HAY  
TAYLOR, TR.  
McCLELLAN

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27) 13 Jerry L. Dickey 19-20032 2nd continued hearing on Motion of Peachtree Note, LLC for Relief from Automatic Stay or, in the Alternative, Motion for Comfort Order (16); Debtor's Response (18); Response of Peoples Bank of East Tennessee (21)

Continued hearing on Objection of Peoples Bank of East Tennessee to Confirmation of Plan (24/15/2)

Continued hearing on Objection of Peachtree Note, LLC and WNC Credit Company, Inc. to Confirmation of Plan; Motion to Dismiss (26/2)

HAY  
PINKSTON  
SPENCER

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28) Adv P. Wayne Sigmon, Ch. 7 15-1007 Continued for status hearing (179)  
Trustee for Headwaters Ch. 7  
at Banner Elk, LLC 15-10289  
v.  
Headwaters Property  
Owners Association, Inc.,  
et al

HOUSTON  
THOMPSON/DANTINNE/RACINE

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29) Adv P. Wayne Sigmon, *Trustee* 18-1001 8th continued hearing on Plaintiff's  
for Headwaters at Banner Ch. 7 Motion for Summary Judgment as to all  
Elk, LLC 15-10289 Claims/Objections Against Paul R. Ashe,  
v. B. Jace Capital Group, Inc., First American  
Paul R. Ashe, et al. Companies, and PSI Capital Inc. (56)

5th continued Pretrial Conference (90)

HOUSTON/HAYES  
ASHE  
MARTIN  
BOLTON

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30) Adv KFJ Limited Partnership, 18-1007 Continued for Status and Scheduling  
et al. Ch. 7 Conference (53)  
v. 15-10289  
Robert Heffron, et al.

HOUSTON/MANCE/SCHERER  
RACINE  
MCCONNELL  
SBARRA/BROMBERGER  
THOMPSONDANTINNE

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31) 7 Headwaters at Banner Elk, 15-10289 6th continued hearing on Trustee's Motion  
LLC for Award of Attorneys' Fees and Costs  
(602); Response of B. Jace Capital Group,  
Inc. (610)

PRO SE  
SIGMON, TR./HOUSTON  
BOLTON

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10/23/19

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

THE HONORABLE GEORGE R. HODGES, PRESIDING

WEDNESDAY, OCTOBER 23, 2019

9:30 a.m.

- 1) 11 Smoky Mountain Country 19-10286 Hearing on First Application of  
Club Property Owners Association Rayburn Cooper & Durham, P.A. for  
Allowance of Compensation and  
Reimbursement of Expenses for the Period  
from July 26, 2019 Through August 31,  
2019 (77); Reservation of SMCC  
Clubhouse, LLC, et al. for the Right to  
Object to Interim Applications of Rayburn  
Cooper & Durham, P.A. for Allowance of  
Compensation and Reimbursement of  
Expenses (85)
- Hearing on Second Application of  
Rayburn Cooper & Durham, P.A. for  
Allowance of Compensation and  
Reimbursement of Expenses for the Period  
from September 1, 2019 Through  
September 30, 2019 (84); Reservation of  
SMCC Clubhouse, LLC, et al. for the Right  
to Object to Interim Applications of  
Rayburn Cooper & Durham, P.A. for  
Allowance of Compensation and  
Reimbursement of Expenses (85)

MILLER  
HAY

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2) 11 Bon Worth, Inc.

19-10317

Debtor's Notice of Possible Assumption and Proposed Cure Amounts (105); Response of Lazy B. Cattle Venture, Ltd. to Debtor's Notice (124); Objection of Gettysburg Outlet Center CMBS, LLC to Debtor's Notice (129); Limited Objection of VF Outlet, Inc. to Debtor's Notice (131); Objection of Lake Village Station LLC, et al. to Debtor's Notice (132)

Hearing on Debtor's Motion for Entry of an Order (A) Approving Sale of Substantially All of the Debtor's Assets Free and Clear of All Liens, Claims, Interests, and Encumbrances; (B) Approving the Agreement; (C) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases; and (D) Granting Related Relief (118); Protective Objection of Cigna Health and Life Insurance Company, et al. to Debtor's Motion (134)

HUNT/BAYNARD  
EWING  
MAYS  
MORSE  
DECHANT

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***NO COURT***

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***HONORABLE GEORGE R. HODGES***

***THERE ARE NO HEARINGS SCHEDULED FOR  
OCTOBER 21 AND 24 – 25, 2019***

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