

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA

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THE TELEPHONE NUMBER FOR THE  
U.S. BANKRUPTCY COURT, WDNC IS  
(704) 350-7500

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CALENDARS CAN BE FOUND ON THE COURT'S WEBSITE AT  
[WWW.NCWB.USCOURTS.GOV](http://WWW.NCWB.USCOURTS.GOV)

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THE U.S. BANKRUPTCY COURT WILL CLOSE  
MONDAY, FEBRUARY 20, 2017  
IN OBSERVANCE OF PRESIDENTS' DAY

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02/21/17

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA

CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

TUESDAY, FEBRUARY 21, 2017

9:30 a.m.

- |    |    |                                     |          |  |
|----|----|-------------------------------------|----------|--|
| 1) | 11 | Madison Construction<br>Group, Inc. | 16-32006 | Continued hearing on Motion of the Estate<br>of Jershon Mahomar Villatoro Barahona<br>for Relief from Stay (44); Debtor's<br>Response (57) |
|----|----|-------------------------------------|----------|--|

RAUBACH  
CORDES

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- |    |     |   |                               |  |
|----|-----|---|-------------------------------|--|
| 2) | Adv | Jeff Benfield Nursery,<br>Inc., et al.<br>v.<br>SiteOne Landscape<br>Supply, Inc., et al. | 16-3337<br>Ch. 11<br>16-40375 | Hearing on Plaintiff's Motion to Substitute<br>Party and/or Amend Pleadings (10) |
|    |     |   |                               | Hearing on Plaintiff's Motion to Substitute<br>Party and/or Amend Pleadings (12) |

WRIGHT  
TARR, SCHILLI  
PARRISH

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- |    |    |                             |          |  |
|----|----|-----------------------------|----------|--|
| 3) | 11 | Jeff Benfield Nursery, Inc. | 16-40375 | <p>5th continued hearing on Debtor's Motion for Authority to Use Cash Collateral (2); Objection of PNC Bank, National Association (10); Limited Objection and Reservation of Rights of Century Services, Inc. (36); PNC Bank, National Association's Response to Limited Objection and Reservation of Rights of Century Services, Inc. (45); Century Services, L.P.'s Statement Regarding First-Priority Lien in Debtor's Assets; and Limited Objection and Reservation of Right to Motion of the Debtor for Authority to Use Cash Collateral (67); Response of the United States to Debtor's Motion for Third Interim Order Authorizing Use of Cash Collateral (68); Fifth Interim Order (187)</p> <p>Hearing on Debtor's Motion to Reject Executory Contract (192); Limited Response by SiteOne Landscape Supply, LLC (202)</p> <p>Hearing on Debtor's Motion for Extension of Exclusivity (201)</p> |
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WRIGHT  
YOUNG  
PARRISH  
SULLIVAN  
SCHILLI

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02/22/17

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA

CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

WEDNESDAY, FEBRUARY 22, 2017

9:30 a.m.

7 TSI Holdings, LLC

17-30132

Continued for status hearing. Re:  
Emergency Motion by Petitioning Creditors for  
Order to Appoint Interim Trustee (5)

PRO SE  
GRIER, TR., GORMAN, MARTINEZ  
MONNETT, HENDERSON

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02/24/17

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA

SHELBY DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

FRIDAY, FEBRUARY 24, 2017

*Steven G. Tate, Trustee*

9:30 a.m.

- |       |    |   |          |  |
|-------|----|---|----------|--|
| 1)    | 12 | Andrew M. Boggs, Jr.<br>Virginia A. Boggs   | 11-40473 | 2nd continued hearing on Debtors' Motion to Modify Plan to Add Tax Debt (217)  |
|       |    |   |          | Hearing on Debtors' Motion for Approval of Assignment of Option Agreement for Purchase of Real Estate and Intent to Exercise Option and Motion to Approve Sale of Real Property (237)  |
|       |    | O. M. GARDNER                               |          |  |
| ----- |    |   |          |  |
| 2)    | 13 | Harold W. Anders, Jr.<br>Angela M. Anders   | 11-40637 | Continued hearing on Trustee's Motion to Deem Mortgage Loan Account Current (46); Supplement to Response of Ditech Financial, LLC (filed 12/16/2016)   |
|       |    | HAMBY<br>STALEY                             |          |  |
| ----- |    |   |          |  |
| 3)    | 13 | Christopher E. Robinson<br>Toni R. Robinson | 15-40095 | Hearing on Trustee's Motion to Modify Plan (31); Debtors' Response (35)  |
|       |    |   |          | Hearing on Debtors' Motion to Reconsider Order Sustaining Objection to Claim and Order Granting Motion of trustee for Claims Determination as to the Claim of Aaron's Sales and Lease (34); Order Granting Trustee's Motion (28); Order Sustaining Objection to Claim (20) |

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4)	13	Charles H. Owensby Mary A. Owensby	15-40133	3rd continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (21)
				2nd continued hearing on Debtors' Motion to Modify Plan (25); f15-3010Trustee's Response (26); Interim Order Granting Motion (28)
		LEONARD		
		-----		
5)	13	Jeremy R. Terry Elizabeth R. Conn	16-40011	2nd continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (16)
				Continued hearing on Debtors' Motion to Modify Plan (36); Trustee's Response (37)
		PITTS, BEN		
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6)	13	Cynthia M. Staben	16-40055	2nd continued hearing on Trustee's Motion for Status Hearing (34)
		HAY		
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7)	13	Kenneth R. Pritchard Linda B. Pritchard	16-40120	Hearing on Debtors' Motion to Approve Settlement of Physical Damage Insurance Settlement Regarding Motor Vehicle with Net Proceeds Payable to Debtors (29); Trustee's Response (32)
		VUJOVIC		
		-----		
8)	13	Ronald M. Needham	16-40167	Continued hearing on Trustee's Motion for Status Hearing (30)
				Continued for Status Review (26 / 25)
		GOUDES		
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9)	13	Robin L. Trent	16-40170	2nd continued hearing on Debtor's Motion for Sanctions Against Marty E. Heesch, DDS for Violation of Automatic Stay (15)
		BLOSSOM		
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10)	13	Brian M. Wright	16-40198	Continued for Status Hearing. Re: Order Granting Motion; Approving Direct Payment of Mortgage Trial Payments (27)
				Continued Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (28)
		WOOD		
		-----		
11)	13	Jennifer Mitchell	16-40333	Continued hearing on Debtor's Motion to Amend Exemption Elections (30); Trustee's Response (31)
		SHEEK		
		-----		
12)	13	Douglas J. Adams Myralene E. Adams	16-40449	Hearing on Debtors' Motion for Approval of Sale of Inherited Property <i>Nunc Pro Tunc</i> (19); Trustee's Response (20)
		NACHAMIE		
		-----		
13)	13	Greetle B. Beach	13-40477	3rd continued hearing on Debtor's Motion to Compel CashCall, Inc. to Disgorge and Refund Payments Made on Proof of Claim and Granting Other Related Relief (44); Objection of CashCall, Inc. (56)
		SUMMERLIN		
		-----		
14)	13	Jason A. Jarrett	14-40185	2nd continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (26); Debtor's Response (27)
		SUMMERLIN		
		-----		
15)	13	Paul L. Hicks Melanie D. Hicks	16-40108	Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (21)
		WILLCOX		
		-----		
16)	13	Terry W. Massingill Hannah K. Massingill	16-40429	Hearing on Debtors' Motion for Extension of Time to Make Chapter 13 Payment (15); Trustee's Response (16)
		WILLCOX MENK		
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17)	13	Gladys H. Houk	15-40003	Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (35)
		CARTER		
		-----		
18)	13	Pamela L. Coker	16-40114	Hearing on Trustee's Motion for Status Hearing (17)
		CARTER		
		-----		
19)	13	Peter A. Degregory April S. Degregory	16-40353	Hearing on Debtors' Motion to Modify Modify Plan (39); Trustee's Response (40)
		CARTER		
		-----		
20)	13	Bailey A. Gainey	16-40383	Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (14)
		CARTER		
		-----		
21)	13	Rodney B. England Cynthia G. England	14-40322	Hearing on Motion of Bank of the Ozarks for Relief from Stay (51); Debtors' Objection (52)
		BALENTINE ACKERMAN		
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22)	13	John E. Bowen Vickie H. Bowen	15-40174	Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (36)
		BALENTINE		
		-----		
23)	13	Mary L. Conner	15-40320	Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (28)
		BALENTINE		
		-----		
24)	13	Lakeisha S. Clemmons	14-40474	Hearing on Debtor's Motion to Approve Loan Modification Agreement (57); Trustee's Response (58)
		BALENTINE		
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25)	13	Tony P. Stroud Patricia H. Stroud	15-40494	Continued hearing on Trustee's Motion Motion to Dismiss Case or to Modify Plan (25)
		BALENTINE		
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26)	13	Jerome B. Hamer, III	13-40664	Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (36)
		PLANER		
		-----		
27)	13	Sue M. Gibson	14-40145	10th continued hearing on Debtor's Motion for Sanctions Against Nationstar Mortgage, LLC for Violation of Automatic Stay (36)
				2nd continued hearing on Debtor's Motion to Incur Debt (48); Trustee's Response (55)
				2nd continued hearing on Debtor's Motion to Approve Settlement Agreement and Release (50); Trustee's Response (54)
		PLANER		
		-----		
28)	13	Betsy S. Badeaux	16-40060	Continued hearing on Trustee's Motion for Status (35)
				Continued for Status Hearing; Plan Confirmed (30);
		PLANER		
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29)	13	Wayne E. Goode, Jr.	16-40480	Continued hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (18)
		PLANER		
		-----		
30)	13	Charles W. May Jennifer Q. May	12-40211	Continued Status Hearing. Re: Order Granting Debtors' Motion to Modify Plan (81; Motion 79)
		FARMER		
		-----		
31)	13	Karl W. Brace	15-40530	2nd continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (32); Response of Bennett Building Systems, LLC (33)
		FARMER		
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32)	13	Daniel M. Bearden	16-40141	Continued Motion of Trustee for Status Hearing (36)
		FARMER		
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33)	13	Matthew E. Bright	16-40471	Hearing on Debtor's Motion to Extend Time for Plan Payment (16); Trustee's Response (19)
				Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (20)
		FARMER		
		-----		
34)	13	Yee Thao Mee Lor Thao	16-40527	Hearing on Objection of Telco Community Credit Union to Confirmation of Plan (18)
		FARMER		
		-----		
35)	13	George T. Huffstetler Melissa O. Huffstetler	16-40544	Hearing on Objection of Sharonview Federal Credit Union to Confirmation of Plan (16)
		FARMER		
		KEENAN		
		-----		
36)	13	Bryce D. Lee Tammy C. Lee	12-40267	Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (56)
		LUTZ		
		-----		
37)	13	Robert L. Williams	15-40229	Hearing on Debtor's Motion to Modify Plan (27); Trustee's Response (28)
		LUTZ		
		-----		
38)	13	Mischonda R. Perkins	15-40363	Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (45)
		LUTZ		
		-----		
39)	13	Diane K. Lunsford	16-40179	Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (19)
		LUTZ		
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40)	13	Cathy C. Summerall	16-40474	Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (14)
		LUTZ		
		-----		
41)	13	Jay E. Gell	16-40511	Hearing on Amended Objection of Fifth Third Bank to Confirmation of Plan (20, 19)
		LUTZ		
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42)	13	Janice T. McIver	16-40516	Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (9)
		LUTZ		
		-----		
43)	13	Anthony J. Dawkins	13-40192	Hearing on Trustee's Motion to Dismiss Case or Modify Plan (53)
		W. S. GARDNER		
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44)	13	Michael D. Smith	13-40297	Continued for Status. Re: Motion for Moratorium (34)
		W. S. GARDNER		
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45)	13	Adrian K. Fowler Nina B. Fowler	13-40468	Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (26)
		W. S. GARDNER FLETCHER		
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46)	13	Michael F. Reid Dallas R. Reid	13-40643	7th continuance for Status. Re: Order Approving Motion to Modify Plan (44)
		W. S. GARDNER		
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47)	13	Timothy J. Carter Sharon A. Carter	14-40138	Continued hearing on Debtors' Motion Motion to Approve Loan Modification and Account for Payments Made (47); Trustee's Response (48)
				5th continued status hearing Re: Order Partially Approving Motion to Modify Chapter 13 Plan and Reduce Plan Payment (42)
				Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (52)
		W. S. GARDNER		
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48)	13	Joseph S. Meadows Bobbie D. Meadows	14-40203	Hearing on Motion to Withdraw as Attorney of Record (52)
		W. S. GARDNER		
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49)	13	Jeffery G Warlick	14-40589	Hearing on Debtor's Motion for Authority to Use Funds (44/46); Trustee's Response (48)
		W. S. GARDNER		
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50)	13	Robert B. Devoe	15-40242	2nd continued hearing on Debtor's Amended Motion to Modify Chapter 13 Plan (63); Trustee's Response (64)
		W. S. GARDNER		
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51)	12	Donna Khan	15-40270	Hearing on Debtor's Motion to Modify Plan (44)
		W. S. GARDNER		
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52)	13	Georgia A. Wilson	15-40399	Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (47)
		W. S. GARDNER		
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53)	13	Jennifer M. Walls	15-40422	Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (25)
		W. S. GARDNER		
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54)	13	Patsy M. Gold	16-40380	Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (35)
		W. S. GARDNER		
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55)	13	Stacy T. Henson	16-40388	Hearing on Objection of Wells Fargo Bank, N.A. to Confirmation of Plan (25)
		W. S. GARDNER		Hearing on Trustee's Objection to Confirmation of Plan (31)
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56)	13	Michael R. Payne	16-40416	Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (13)
		W. S. GARDNER		
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57)	13	Bernice F. Smith	16-40491	Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (14)
		W. S. GARDNER		
		-----		
58)	13	Stephanie Falls	16-40542	Continued hearing on Debtor's Motion to Extend Automatic Stay (10); Response of Louise S. Beal (14)
				Hearing on Objection of Louise S. Beal to Confirmation of Plan (15)
				Hearing on Trustee's Objection to Confirmation; Motion to Dismiss (19)
		W. S. GARDNER		
		DEATON		

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**10:30 a.m.**

59)	7	Verna G. McEntire	16-40467	Continued hearing on Trustee's Objection to Exemptions (10)
		W. S. GARDNER		
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60)	7	Peter C. Capece Kellee D. Capece	15-40327	Continued hearing on Motion of Regions Mortgage for Relief from Stay (43); Debtors' Response (44)
		BADGER COOPER, TR. EMREY		
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61)	7	Jan L. McCormick, Jr. Doreen L. McCormick	15-40537	Hearing on Motion of Bank of America, N.A. to Allow Loan Modification (27)
		CARTER COOPER, TR. STALEY		
		-----		
62)	7	Katherine M. Brown	16-40335	3rd continued hearing on Motion of Round Point Mortgage Servicing Corporation for Relief from Stay (10); Debtor's Response (11)
		MOORE HENDERSON, TR. STALEY		
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63)	7	Keith A. Smith	16-40521	Hearing on Debtor's Motion to Avoid Judicial Lien of Discover Bank (8)
		NACHAMIE HENDERSON, TR.		
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64)	11	Farr Enterprises, Inc.	16-40291	<p>Continued hearing on Disclosure Statement; Disclosure Statement (30); Joint Objection of Morganton Federal Savings and Loan Association and Reid and Patsy Scott to Adequacy of Debtor's Disclosure Statement (37); Bankruptcy Administrator's Objection (40)</p> <p>Continued hearing on Chapter 11 Disclosure Statement (33)</p> <p>Hearing on Motion of Reid and Patsy Scott to Enjoin Use of Cash Collateral and Motion for Adequate Protection (38); Debtor's Amended Response (44, 41) - <b>CONDITIONALLY APPROVED; CONSENT ORDER CIRCULATING</b></p> <p>Motion to Enjoin Use of Cash Collateral and Collateral and Motion for Adequate Protection (45); Interim Order (49)</p> <p>Court hearing to determine whether the debtor and/or its principals shall be required to produce items (50)</p> <p>Hearing on Motion of Morganton Savings Bank and Reid and Patsy Scott to Dismiss Chapter 11 or, in the Alternative, Appoint Chapter 11 Trustee (52)</p>
		<p>HAY SUMMERLIN SIMPSON, BA</p> <p>-----</p>		
65)	11	Restoration Properties Of Shelby, LLC	15-40163	<p>Court Ordered Status Hearing (108); (Order in Aid of Consummation (92)</p>
		<p>W. S. GARDNER</p> <p>-----</p>		
66)	11	Alive Apparel, Inc.	15-40189	<p>Confirmation Hearing (163); Amended Plan (164)</p> <p>11th continued Status Hearing as to Motion of Stephen Carter for Appointment of Independent Trustee (88)</p>
		<p>W.S. GARDNER BALENTINE</p> <p>-----</p>		

67)	11	Rutherford County Life Saving & First Aid Crew, Inc.	14-40434	Continued hearing on the Administrator's Motion to Compel Debtor to File Reports and to Pay Quarterly Fees (157)
		BALENTINE SIMPSON, BA		
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68)	11	Thompson's Mortuary, Inc.	16-40139	Continued Confirmation Hearing (57); Amended Chapter 11 Small Business Plan (51)
		BALENTINE SIMPSON		
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69)	11	Kee-Ledbetter, Inc.	16-40063	6th continued hearing for Final Approval of the Disclosure Statement and Hearing on Confirmation of Amended Plan (60); Disclosure Statement (55); Amended Plan (76)
				2nd continued hearing on Objection of HomeTrust Bank to Disclosure Statement and Confirmation of Amended Plan (82); Disclosure Statement (55); Amended Plan (76)
				3rd continued hearing on Motion of Home Trust Bank to Approve Creditor's Plan (87); Creditor's Plan (86)
		BALENTINE KILBOURNE		

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***NO COURT***

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***UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA***

***THERE ARE NO HEARINGS SCHEDULED FOR  
FEBRUARY 23, 2017***

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