

U. S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

ABINGDON CALENDAR - MAY 7, 2003

(The Honorable William F. Stone, Jr. Presiding)

(Start: _____ Recess: _____ ♦Resume: _____ Stop: _____ ♦Trials: _____ Proceedings _____)

Attys: **Debtors:** **Case Nos.:** **Trustees:**

9:30 A.M. - PRETRIAL CONFERENCES

Money	JAMES & LORIE ROBINSON - Ch. 7 A/P 7-03-00030: Determine dischargeability of debt James Robinson v. U. S. Dept. of Education (Eckert) and Tri-County Driving Academy () <i>-Answer of U.S.Dept of Education & MOTION to dismiss as party defendant</i>	7-02-04828	Krippendorf/ LM
Gifford	STEPHEN & PENNEE WILSON-ch13 A/P 7-02-00058: Removal - <i>fur ptc fixed in pt ord.</i> Debtors v. Kenneth G. Buchanan (J Lyle),; & Levi & Lizzie Fisher (Huffman)& Jo S. Widener () <i>! mediation pending before Judge Sargent</i>	7-02-00801	Widener/LM
Money	JERRY & DELORES MITCHELL - Ch. 7 A/P 7-03-00033: Determine dischargeability of debt Delores Mitchell v. U. S. Dept of Education (Eckert) <u>-Answer of defendant and MOTION TO DISMISS (failure to exhaust administrative remedies)</u>	7-02-05092	Krippendorf/ JM
Large	GARY & ANGELA ROSENBAUM-CH7 A/P 7-03-00037: Object to or revoke discharge (11USC§727) W. Clarkson McDow Jr, U. S. Trustee (Garber) v. Debtors -SUMMONS RE-ISSUED for 6/18 @ 9:30 at request of plaintiff	7-00-04193	Callahan/LM
Cody	DONNA & PAULA SEWELL-ch7 A/P 7-03-00039: Recover money or property	7-02-04351	Callahan/SO

–note: U.S.Trustee to ten. Ord to withdraw motion

Lowman VANDER S JONES-ch7 7-02-04887 Callahan/NS
Mot of U S. Trustee to review atty fees
–note: U.S.Trustee to ten. Ord to withdraw motion

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10:00 A.M. - MISCELLANEOUS HEARINGS

Carmody BENNY & ALICE KINDER-ch7 7-03-01005 Callahan/SL
Motion #1: Avoid lien - filed 3/18; d/e # 10, 11
Debtors v. Beneficial Va. Inc.

Copeland JOSEPH JENKINS - Ch. 7 7-03-00031 Callahan/GR
Trustee’s Objection to Debtor’s Claim of Exemption and Motion for order
directing turnover of property of the estate and extending deadline for
objecting to discharge of Debtor [d/e # 14]

Carmody TERRY TACKETT - Ch. 7 7-01-02434 Wick/VS
Amended Motion No. 1: Avoid Lien [d/e # 27]
Debtor v. Stephen D. Lutz, DDS ()
–**Order avoiding lien entered 4/22, d/e # 33**

Amended Motion No. 2: Avoid Lien [d/e # 28]
Debtor v. Capital One Bank ()
–**Order dismissing Motion No. 2 entered 4/14** [d/e 31]

Copeland MARSHALL, JR., & ALLISON LINEBERRY - Ch. 7 7-03-00313 Wick/VS
Debtors’ Motion for Order of Contempt against Blue Ridge Bank (),
David Sheeves (), Patrick Wolford (),
and Town of Wytheville ()
Answer of Blue Ridge Bank & David Sheaves (Gregory) filed 4/17; d/e # 19

Hutchinson JAMES & JOYCE DAVIDSON - Ch. 7 7-03-00733 Callahan/VS
Trustee’s Motion to Extend Deadline for Objecting to Discharge [d/e # 12]

Copeland DAVID & JENNIFER LUNSFORD-ch7 7-03-00314 Wick/GR
Motion #1: relief - filed 4/3, d/e # 12, 13, 14, 15
Bank of America Mortgage (Sasser) v. debtors & trustee
-ORDER of 4/17 granted relief (agreed) , cancels hearing

Debtors Motion to Redeem Property–American General Financial Serv. ()
d/e # 16

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10:00 A.M. - MISCELLANEOUS HEARINGS

Snodgrass ROBBIE & KATHRYN POOLE-ch7 7-03-01047 Wick/NS
Motion #1: relief - filed 4/9; d/e # 11, 12
Ford Motor Credit Co (Eason) v. debtors & trustee
-Order (Default) entered 4/28 granting relief, cancels hearing

Farthing FOSTER & ANITTA ROBERTS 7-03-01255 Krippend/SL
Motion #1: Avoid lien - filed 4/8; d/e # 10, 11
Debtors v. Citifinancial Services Inc

Jessee DARRELL BREEDING-ch7 7-02-03003 Callahan/VS
Motion #2: Relief - filed 12/24, contd from 1/22, 2/19 & 3/19; d/e # 45 49
Ford Motor Credit Co (Black) v. debtor & trustee
Response of Trustee filed 1/6; d/e # 47 contd from 5/7

Motion # 4: Relief–filed 4/14 [d/e # 82]
New Holland Credit Co. (Black) v. Debtor & Trustee

Carmody DAVID & RENEA DUPUIE 7-03-00631 Callahan/GR
Motion #1: Avoid lien - filed 4/10; d/e # 17, 18
Debtors (Carmody) v. Equity One c/o Harry Porterfield, CEO
-Order of 4/24, d/e/ # 21, avoided lien, cancels hearing

Copeland VIRGIL & MARY BODDIFORD-ch7 7-02-00369 Wick/JJ
Motion to Re-Open case for purpose of filing complaint to determine
declaratory relief against IRS filed 4/11;d /e #40 (cert of serv filed 4/15)

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10:00 A.M. - MISCELLANEOUS HEARINGS

Snodgrass AMY WAGNER-ch7 7-03-01126 Wick/JJ
Motion #1: Relief - filed 4/10; d/e # 9, 10
Nissan Motor Acceptance Corp (VanBeek) v. debtor & trustee

Fleenor DONALD MURRAY-ch7 7-03-00352 Wick/SJ
Motion #1: Avoid lien - filed 4/10; d/e # 13, 14
Debtor v. Beneficial Discount Co of Va

Harman TAMMY BRINKLEY-ch7 7-03-00900 Callahan/SO
Motion #1: relief - filed 4/10, d/e # 11, 12
DaimlerChrysler Services NA LLC (Higgs) v. debtor & trustee
-Order of 4/23, d/e # 15, granted relief, cancels hearing

Jessee TIMOTHY & DEBRA GAMINDE-ch7 7-03-00195 Wick/SL
Motion #2: Relief - filed 3/25, d/e # 17, 18 *contd from 4/16*
Ford Motor Credit Co (Hale) v. debtors & Trustee
movant's certification filed 3/31, d/e # 19
Response of Debtors filed 4/4, d/e # 20

Harman DANNY & VICKI ADDISON-ch7 7-03-01085 Wick/SL
 Motion #1: Relief - filed 4/17; d/e # 13, 14
 Manufacturers & Traders Trust Co (Clarke) v. debtors & trustee

Harman ROBY & JENNIFER WHITE 7-03-01195 Wick/SL
 Motion #1: Relief - filed 4/17; d/e # 10, 11
 Bank One NA (Neyhart) v. debtors & trustee
 -movant certification filed 4/25, d/e # 12

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10:00 A.M. - MISCELLANEOUS HEARINGS

Beck ANTAEUS TECHNICAL SERVICES INC-ch7 7-99-02114 Copeland
 Obj of Trustee (Copeland) to Claim of NCOG TRAN
 Answer filed 4/16, d/e # 299 (Reecher)

 Mot. For Leave to Amend Secured Proof of Claim and Motion to Shorten Notice
 filed by NCOG TRAN on 5/2, d/e # 300 (Reecher)

11:00 A.M. - MISCELLANEOUS HEARINGS

Copeland JERRY & CATHY STURGILL - Ch. 11 7-03-00093 DIP/VS
 Motion # 2: Relief-filed 4/7/03 [d/e # 34]
 PeoplesFirst Finance, LLC (Huebschman) v. Debtors
 RESPONSE filed by Debtors [d/e # 38]

Copeland GEORGE S PATTON-ch11 7-02-01131 DIP/GR
 Notice of Hearing on Amended Plan (written objections due by 3/26) , d/e # 114
 (Plan filed 2/18; d/e # 107) *contd from 4/2 for atty to solicit ballot from unsecureds*

Lamie WYTHE PRECISION MACHINE CO., INC. - 11 7-02-04520 DIP/SJ
Status hearing *-contd from 3/5*

Showcause: IF debtor fails to file Disclosure Stmt and Plan as directed in order of 3/11, d/e # 36

Copeland E-CON PARTNERS, INC. - Ch. 11 7-02-04727 DIP/NS
Amended Disclosure Statement filed 3/4; d/e # 41, 47

-note: re: tel. Conf hrg of 3/28: D/S tentatively approved w/o prejudice; discovery cut-offs , etc., fixed & conf of plan and additional matters scheduled for special hearing (full day) tomorrow 5/8 @ 9:00 a.m.

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11:00 A.M. - MISCELLANEOUS HEARINGS

Copeland JAMES & MARGARET WILLIAMS-ch11 7-02-00939 DIP/VS
Obj of Debtors to Claim #2: Citicapital Commercial Corp, filed 3/12, d/e # 87
ANSWER filed by Citicapital Commercial [d/e # 95]

Obj of Debtors to Claiim #6 of VA Dept of Taxation filed 3/12, d/e # 88

Obj of Debtors to Claim #7 of Va. Dept of Taxation filed 3/12, d/e # 89

Lamie SAMUEL BANKS - Ch. 11 7-96-01240 DIP/LM
ShowCause to Debtor & counsel as to why Final Report &
Application for Final Decree have not been submitted [d/e # 299]

1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Hutchinson RICHARD & TAMMY ALDEN-ch13 7-02-03643 Widener/VS

Mod Plan filed 12/31; d/e # 20 , 21; (#25 further notice) ; contd from 4/16

Via KEVIN & REBECCA MCCRACKEN-ch13 7-03-00248 Widener/AF
Plan filed 1/23, d/e # 6

Valuation: Oakwood Acceptance Corp: Single Wide Mobile Home attached to
r/e @ 7483 Rich Valley Rd., Bristol, VA filed 4/4, d/e # 20

Slavin FRANK NEWBERRY 7-03-00414 Widener/GR
Plan filed 2/21, d/e #12, with c/s
Trustee Report, Objection & Showcause: Dismiss or Convert filed 3/11; d/e #14

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1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Lamie JACKSON & LAURA KISER 7-03-00001 Widener/GR
Plan 1/2/03; d/e # 6 –*contd pending appearance @ creditors mtg 4/4 ; if debtors
fail to appear on 4/4 for creditors mtg, to appear this date & show cause why case
should not be dismissed* [d/e # 25]
Trustee OBJ, report & Showcause: Dismiss/convert, filed 2/26; d/e # 17;

Via KENA & TRACY BARBER-ch13 7-03-00282 Widener/SJ
Plan filed 2/10; d/e # d/e # 22
Trustee Report, Objection & Showcause: Dismiss or convert, filed 4/18; d/e # 27

Objection to Claim # 1 of Nova Star Mortgage in the amount of \$104,805.23,
including \$8,523.45 arrearage (payments misapplied by creditor) [d/e # 26]

Snodgrass WILBERT & PALFALENE CHANDLER 7-03-00166 Widener/JJ
Plan filed 1/31, d/e # 11

Valuation: 1997 dodge Grand Caravan: Floyd Dodge-Chrysler-Plymouth-Jeep Inc

filed 3/27; d/e # 15

Lamie DAVID & WANDA JACKSON 7-02-05148 Widener/AF
Plan filed 12/20; d/e # 6; *contd fr 4/2 to cure 1 pmt due to trustee*
Trustee Report, Objection & Showcause: Dismiss/convert filed 2/26; d/e # 17

filed 4/17, d/e # 31; for 1:30 p.m. hearing?:

Debtor's Motion for Order permitting sale of real estate by Auction free and clear of liens and Entry of Order permitting employ of Woltz & Associates as Auctioneers for sale; d/e # 31, 32, 33

-amended Mot to Employ Auctioneer filed 4/28, d/e # 34

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1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Timoney ANTHONY & TERESA ISOM 7-03-00540 Widener/LM
Plan filed 2/10, d/e # 6

Valuation: Conesco finance Servicing Corp: 1993 Imperial Mobile Home, filed 3/17; d/e # 16

Valuation: WFS Financial Inc: 1996 Nissan Pathfinder; filed 3/17; d/e # 17

Valuation: TICO Credit Co: 1996 Chevy Lumina: filed 3/17; d/e # 18

Carmody PATRICK & KIMBERLY JAMESON-chl3 7-03-00548 Widener/AF
Plan filed 3/7; d/e # 11; amended plan filed 3/12, d/e # 15 with c/s all creditors
Trustee Report, Objection and Showcause: Dismiss/convert, filed 3/11; d/e # 14
Obj: Ford Motor Credit, filed 4/25, d/e #23

Valuation: Ford Motor Credit;2003 Ford, filed 3/27; d/e #17

Obj: Ford Motor Credit, filed 4/25, d/e #23

Proctor DIXIE MITCHELL-chl3 7-03-00490 Widener/LM
Plan filed 2/5; d/e # 6
Trustee Report, Objection & Showcause: Dismiss or Convert filed 3/11; d/e #16

Motion for Valuation of 1997 Dodge Neon—lienholder Ford Motor
Credit Co. [d/e # 18, 19]

McDaniel DONNIE & SALLY HALL 7-03-00454 Widener/SL
Plan filed 2/19; d/e # 13 with c/s
Trustee Report, Objectin & Showcause: Dismiss or convert, filed 3/11; d/e # 17
Obj: IRS (Eckert) filed 4/7; d/e # 19

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1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Timoney FRANKLIN & BARBARA SKIPPER 7-03-00467 Widener/NS
Plan filed 2/3; d/e # 6
Trustee Report, Objection & Showcause: Dismiss or convert, filed 3/11; d/e # 15

Valuation: 1999 Chev. Cavalier: Transouth Financial, filed 3/17; d/e # 16

Timoney GREGORY & TAMMY ROWE-ch13 7-02-04759 Widener/SL
Amende dPlan filed 4/8; d/e # 36, with C/S to creditors
Objection: Grundy National Bank (Shortridge) [d/e # 35] filed 4/1

Note: Court's 3/28 OMOP contd GNB's M#1 for final hrg on date of mod plan conf.
Motion #1: Relief : Grundy National Bank (Shortridge)

Largen EDDIE & AMANDA RANKIN 7-01-04717 Widener/NS
Mod Plan filed 3/6; d/e # 46, 48 (w/amended scheds, d/e # 47)

Gifford JAMES HATCHER-ch13 7-01-05304 Widener/JM
Mod Plan filed 3/11; d/e # 37, 38

Lamie JANET SMITH-ch13 7-00-02496 Widener/JJ
Mod Plan filed 2/7; d/e # 40, 41 (*contd fr 4/2 to cure arrearage of 3 pmts; provide documents; can be confirmed prior thereto if Tr. Can recommend conf*)
Trustee Report, Objection & Showcause: Convert/dismiss; filed 3/20; d/e # 44

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1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Gifford PETER JUPINO-ch13 7-02-05000 Widener/SO
Plan filed 1/2; d/e # 16, *contd from 3/5 & 4/2 for documents to be provided to tr*
Trustee report, Objection and Showcause: Dismiss or convert filed 2/18; d/e # 29
[d/e # 39]

Cody FRANK & EYVONNE HURD 7-03-00038 Widener/AF
Mod Plan filed 3/13 d/e # 24, 25
Trustee Showcause: Convert/Dismiss; filed 2/21, d/e # 19 *contd from 4/2*

Debtors' Motion for Valuation on 2000 Ford Pickup Truck w/First Bank & Trust Co.
Lienholder [d/e # 20] *contd fr 4/2 for proper service; new notice filed 4/7, d/e #31*

Debtors' Motion for Valuation on 2002 Mercury Mountaineer w/Ford Motor Credit
Lienholder [d/e # 21] *contd from 42 for proper service; new notice filed 4/7, d/e #30*

Motion #1: Relief - filed 4/17; d/e # 33, 35
ABN AMRO Mortgage Group (Patterson) v. debtors & trustee

-CASE DISMISSED without prejudice Order 4/21 due to non-compliance

Timoney CHADWICK & STEPHANIE THOMAS 7-03-00539 Widener/VS
Plan filed 2/10; d/e # 6
--f.f. paid 4/15

1:00 P.M. - MISCELLAENOUS

Pro Se BOBBY WEBB-chl3 7-03-00689 Widener/AF
Trustee report, Objection and Showcause on Dismissal or conversion filed 4/18; d/e
#14, (*note: confirmation hearing is scheduled on 6/4*)
(*No Plan filed*)

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1:00 P. M. - MISCELLANEOUS

Hutchinson ROBERT, JR., & LOVINIA SALTZ - Ch. 13 7-02-00625 Widener/SL
*Contd fr 4/2 for filing of Ord to withdraw Mot for extension to file plan
and scheduling of Motion to Dismiss case or RE-CONVERT back to Ch 7
(Note: Mot filed 4/24 to extend to 4/25 to file amended plan :noticed on 5/21 @ 1:30)*

Largen JESSE & DARLENE REEVES-chl3 7-01-00051 Widener/GR
Notice of Hearing filed 4/18; d/e # 46; to Default Notice filed 4/9/03, d/e # 45, by
Chase Manhattan Mortgage (Clarke) in re: conditional order in Motion #2

Largen NANCY FARISS-chl3 7-02-00363 Widener/VS
Motion #1: relief - filed 4/10; d/e # 18, 20
Premier Auto Finance LP (Hueschman) v. debtor & trustee

-Order of 4/23, d/e # 21, granted relief (agreed), cancels hearing

1:30 P.M. - MISCELLANEOUS

Hutchinson JEFFERY & SHARON RUSSELL - Ch. 13 7-03-00738 Widener/AF
Debtors' Motion for Extension of Time to File Schedules, Statement of
Financial Affairs & Plan [d/e # 11]
-PLAN, SCHEDULES, ETC., FILED 4/1
-ORDER entered 4/24, d/e # 18, granted mot. For extension, cancels hearing

Davis DANIEL & TINA HOSTETLER-CH7 7-03-00328 Wick/AF
Motion #1: Avoid lien, filed 3/21; d/e # 15, 16
Debtors v. Beneficial Finance & serve Commonwealth Legal Services Corp
& trustee

Lamie FRANK & CHRISTINE MICHAEL - Ch. 12 7-97-01140 Widener/LM
Motion #5: Relief - filed 2/6; d/e # 177,
(Contd fr 3/5 & 4/16; to cure arrears by 5/6 or file modified plan)
United States of America /Rural Housing Service(Eckert) v. debtors & trustee

Abingdon 5/7/03

1:30 P. M. - MISCELLANEOUS

Farthing MICHAEL & MICHELE STUART-ch13 7-03-01157 Widener/NS
Motion #1: Relief - filed 3/28; d/e # 14, 15, 16
Wells Fargo Home Mortgage (Sasser) v. debtor ('s?) And Trustee
Response of debtor filed 4/9; d/e # 21

Carmody MYRTLE DUFF - Ch. 7 7-02-01023 Wick/VS
Debtor's counsel's Motion for Compensation in the amount of \$594 [d/e # 43]

- GRAYSON MOUNTAIN WATER CO-ch7 7-01-03363 Wick/VS

Rhue JAMES BALL -ch7 7-99-02518 Callahan/AF
Obj of Trustee to Claim #2 of IRS - filed 2/28; d/e # 80
-Motion of IRS to Dismiss Obj to Claim filed with Memorandum in Support thereof on 4/3, d/e # 82 (Keen/Eckert) contd fr 4/16 to 7/2 but changed to 5/7; (discovery deadline of 6/30 was directed to be included in continuance order fixing date on 7/2 for scheduling trial but date was changed to 5/7; discovery deadlines were unchanged?)

*D/E made on 4/25/03: hearing of 5/7 fixed in court on 4/16 cancelled and counsel will tender an order as originally directed (6/30 discovery cutoff; 7/2 as hearing for purpose of scheduling trial)

Lamie JAMES & DIANNE WORLEY-chl3 7-02-04298 Widener/AF
Motion #1: Relief from co-debtor stay filed 4/4, d/e # 37, 38
GMAC (Eason) v. Jessica M. Worley, co-debtor

R Foster CHARLES SIMPSON-chl3 7-01-05041 Widener/GR
Motion #1: Relief - filed 4/10; d/e # 31, 33
Vanderbilt Mortgage & Vinance(Higgs) v. debtor & trustee
Response filed by Debtor (Foster) 4/17; d/e # 34; w/certification, d/e # 35

-agreed order circulating (Higgs) -see fax cc of ltr of 5/2

Abingdon Calendar 5/7/03

2:00 P. M. - MISCELLANEOUS

Goldstein JERRY & MILDRED YATES-chl2 7-01-02170 Widener/NS
Motion #1: Relief - filed 3/26, d/e # 65 *;(pho , d/e # 67, entered 3/27
*filed with Memorandum in Support of Motion, d/e # 66 - *contd fr 4/16*
USA/Dept of Agriculture/Farm Service Agency (Eckert) v. debtors & trustee
RESPONSE of Debtor filed 4/7; d/e # 68

2:30 P. M. - TRIAL

Lamie FINE'S JEWELERS INC-chll 7-02-03384 DIP/AF

Obj of Debtor to Claim #12 of Bristol Mall LLC filed 1/21, d/e # 64
RESPONSE filed by Bristol Mall, LLC (Lyle) 2/14 [d/e # 69]

2:30 P. M. - TRIAL

Copeland G & A COAL CO INC-ch7 7-99-02321 Callahan/LM
A/P 7-03-00013: Recover money or property
Wm E. Callahan Jr Trustee (Goldstein) v. Estate of Edward Eugene Ball (Beck)
-- contd from 3/19 for evidentiary hearing on issue of Statute of Limitations