

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

ROANOKE CALENDAR - JUNE 23, 2003

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

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

Attys: Debtors: Case Nos.: Trustees:

9:30 A. M. - CHAPTER 13 CONFIRMATIONS

Pro se BRENDA ROSS-ch13 7-03-01399 Connelly/S

Plan filed 4/3, d/e # 6

Obj: MLI Capital Group (Sasser) filed 5/13, d/e # 13

Obj: Mortgage Electronic Registration Systems Inc (Higgs) filed 6/9; d/e # 17

Trustee Report, Objection & Showcause: Convert/Dismiss filed 6/2, d/e # 16

Giles FRANK & BARBARA MOTTESHEARD-ch13 7-03-01410 Connelly/GR

Amended Plan filed 6/11; d/e # 24, 25, scheduled for hrg 7/28 @ 9:30

Trustee Report, Objection & Showcause: Convert/Dismiss filed 5/23, d/e #2 1

Valuation Motion: filed 4/23, d/e # 16, 2002 Dodge Caravan: Tech Fed Cr.Union
(*Amended Notice filed 5/30, d/e # 22*)

Valuation Motion: Filed 4/23, d/e # 17; 1992 Dodge Caravan: Amer.Gen. Finance
(*Amended Notice filed 5/30; d/e # 23*)

Shelor SAHZUDIN & SENIJA VUGDALIC 7-03-01401 Connelly/GR

Plan filed 4/3, D/e # 6, *contd from 6/23*

Obj: Salem BK & Trust NA (Stark)

Trustee Report, Objection & Showcause: Convert/Dismiss filed 5/23, d/e # 15

Shelor DEBORAH COULTER-ch13 7-03-01402 Connelly/SJ

Shelor ANNA WINFREY 7-02-04773 Connelly/VS
Mod Plan filed 4/17; d/e # 29
Trustee report and showcause on dismissal or conversion filed 1/9; d/e # 14
Trustee report and showcause on dismissal or conversion filed 1/28; d/e # 17
Trustee report and showcause on dismissal or conversion filed 2/5 ; d/e # 20
–trustee showcause motions contd from 4/7 to hear w/mod plan when set

Roanoke Calendar - 6/23/03

9:30 A. M. - CHAPTER 13 CONFIRMATIONS

Spencer PATRICIA ABBOTT 7-02-00123 Connelly/GR
Post Conf Mod Plan filed 2/11; d/e # 28, 28 & 30
–Note: No Trustee showcause pending; none filed since filing of the Post-Conf. Modification
– contd from 5/12 to hear plan filed 2/11 unless mod plan filed prior thereto

Show Cause for counsel's failure to tender order within time allowed by Local Rule 9072-1
[d/e # 46]

Krippend. JOSEPH & LINDA SIMMONS-ch13 7-02-03300 Connelly/SO
Janney *-Note: Mod Plan #3 filed 5/22, d/e # 66, scheduled for 7/14 @ 9:30*

Obj: *(re: prior plan #2) Citifinancial Mortgage (Zimm) filed 5/12, d/e # 63*

Motion #1: relief - filed 1/28; d/e # 51, *contd from 2/24 & 4/7* [d/e # 57]
Citifinancial Mortgage (Zimm/Fleischhauer/Huebschman) v. debtors & trustee
Response filed by Debtors [d/e # 52]
=contd further from 5/12 to hear w/mod plan

–see also 11:00 a.m. confirmations

11:00 A. M. - CHAPTER 13 CONFIRMATIONS

Janney JANET CLEMENT-KAMARA 7-03-00594 Connelly/S
Plan filed 2/12, d/e # 6 *–contd from 5/27; waive dbtr appearance IF current*
Trustee Report, Objection & Showcause: Dismiss/convert, filed 3/21, d/e # 20

Motion #1: relief - filed 5/8, d/e # 21, 22, 23 *contd from 5/27*

and contd for status of disability application

Krippend. HEATHER BLY-RUSH-ch13 7-01-02958 Connelly/AF
Motion of Debtors for Temporary Suspension of Plan Payments from 5/9 through 8/9/03
filed 5/23, d/e # 47

P Brown KRISTY GUSLER-ch13 7-02-02576 Connelly/JJ
Motion of Debtor to Suspend Payments for Months June to Nov. 2003 filed 5/23, d/e # 35

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11:00 A. M. - MISCELLANEOUS

Krippend. STEPHEN KEATON-ch7 7-03-00577 Allen/NS
Motion of Debtor to RECONVERT back to Ch 13 (originally filed as Ch 13)
filed 5/9; noticed 5/27; d/e # 11, 12, 13

Krippend. BERTHA BROOKS-ch13 7-97-02454 CLOSED/SL
Motion of Debtor to Re-Open Case filed 5/27 with Notice and filing fee of \$155.00
for purpose of hearing an avoid lien motion filed on the same date as follows:

Motion #4: Avoid Lien: filed 5/27
Debtor v. Suntrust Bank fka Crestar Bank

Krippendorf
Janney JAMES BLACKBURN-ch13 7-02-01405 Connelly/SL
Motion /Notice of Debtor filed 5/1, d/e # 84 **for hearing on Notice of Default** filed
(amended) filed 4/25, d/e # 83, by Wells Fargo Bank Minnesota in re: Motion #2: d/e # 55 &
Order d/e#63,
*–contd from 5/27 (for entry of order to permit sale of residence in 30 days to pay
Mortgage lien creditor OR relief be granted if fails to do without further hearing)*

M. Hart JACKIE CLARK - Ch. 13 7-02-04660 Connelly/JJ
 Debtor's Objection to Claim # 14 of Tico Credit () [d/e # 34]

Giles HARVEY & SHARON FITZGERALD-chl3 7-02-05123 Connelly/VS
 Motion #1: relief - filed 5/28; d/e # 23, 25
 DaimlerChrysler Services NA LLC (Higgs) v. debtors & trustee
 Response filed by debtors 6/4, d/e # 26
 -by consent of parties, Ord to be tendered by Giles to cont motion to 7/14 @ 11:00

Giles LISA CALDWELL-chl3 7-02-03089 Connelly/AF
 Motion #1: Relief - filed 5/27; d/e # 32, 34
 Chase Manhattan Mortgage Corp (Wood) v. debtor & trustee
 Response of Debtor, filed 6/6; d/e # 35
 -agreed order to be tendered in court (per Giles office)

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11:00 A. M. - MISCELLANEOUS

Hart JAMES HAGINS-chl3 7-03-01081 Connelly/GR
 Debtor's Obj to Claim #4 of IRS
 note: conf hrg scheduled 7/14 @ 9:30

Krippend. MICHAEL & ROXANE HILL-chl3 7-02-01744 Connelly/SO
 Motion of Debtor to Reconsider Order Vacating Stay re :
 Motion #1: John Kosko , Trustee under John Kosko Living Trust (McLean)
 V. Debtor & trustee;
 -ord not yet tendered/entered: mot granted @ 5/12 hearing thereon; cont fr 6/23

Shelor MACK TROUT-chl3 7-03-01803 Connelly/VS
 Motion #1: Relief - filed 5/29; d/e # 16, 17
 George Summers Jr (Oddo) v. debtor & trustee
 -Order of 6/19 granted relief (Default)

Giles WILLIAM & ELIZABETH TUCKER 7-03-01714 Connelly/GR
 Motion #1: Relief - filed 5/30; d/e # 17, 18

National Bank of Commerce (Higgs) v. debtors & trustee
– **Order entered 6/5**

Janney MORRIS & CYNTHIA MILLER-ch13 7-02-03163 Connelly/VS
Debtor Motion/Notice for Hearing on Default Notice re: Motion #1: First Union Home Equity
v. Debtors(Clarke)

Janney DANNY UPDIKE-ch13 7-02-03467 Connelly/NS
Motion of Debtor for Hearing on Affidavit of Default filed by Bank of America
(In re: Motion #1: Relief - filed 12/13, d/e # 27) filed 6/13, d/e # 62

M Black ROLAND MACHER-ch11 7-00-3659 DIP/SL
Confirmation of Amended Plan #2: filed 11/12; d/e # 167, 168 contd fr 4/21 to 6/23@11
Objection: Internal Revenue Service (Eckert)

Roanoke Calendar - 6/23/03

2:00 P.M. - ADVERSARY PROCEEDING PRETRIAL CONFERENCES

Keesee JOSEPH L. MILLER-ch7 7-03-00469 Krippend/JM
A/P 7-03-00056: Determine dischargeability
Phyllis Yvonne W. Miller (Stark) v. Debtor
–**ORDER of 6/9, d/e # 4, dismissed AP as settled**

M Hart KIM LYLES-ch7 7-03-01645 Allen/LM
A/P 7-03-00058: Det dischargeability
Debtor v Internal Revenue Service () & Charles R. Allen, Trustee()

Krippendorf MARY SIMPSON - Ch.7 7-02-03665 Allen/S
A/P 7-03-00012: Avoid fraudulent transfer
Charles R. Allen, Trustee v. Clarence Fleshman ()
-contd from 5/12 by P/T Ord granting to 6/20 to file responsive pleading & granting
defendant opportunity to engage counsel.

Goldstein A & E INTERNATIONAL, LLC - Ch. 11 7-02-02760 DIP/

–see aso miscellaneous matters on next page

A/P No. 7-03-00021: Recover money or property *final ptc* SO
American Door and Glass, Southwest Va (Biddle) v. Debtor (Goldstein) & Gulf Insurance Co. (D Layman)

A/P 7-03-00022: Recover money or property *final ptc* S
American Door & Glass SWVA, Inc. V. A & E International LLC (Goldstein) and Gulf Insurance Co (D Layman)

A/P No. 7-03-00019: Obtain declaratory judgment
Bank of Botetourt(Rainsbury/Oddo) & Gulf Insurance Co (Layman)) v. Debtor(Magee)
D P Lodging LLC(Ballou); Montgomery County School Board (Vance); National Bank of Commerce (McGraw) ; Patrick Co. School Board (Buxbaum)

1) ***Defendant/Debtor Motion to Approve Compromise between Debtor & School Board of Montgomery Co. filed 5/21 on behalf of Defendant [d/e # 23, 24]***

–note: *Compromise Mot appears to be filed/docketed in AP only?*

A) **OBJ:** National Bk of Commerce (McGraw) filed 6/9; d/e # 129

2) **Joint Mot of Plaintiffs, Gulf Insurance (Layman) & Bk of Botetourt (Oddo) for Summary Judgment filed 5/27, d/e # 26 with Memorandum and Affidavits d/e#'s 27, 28, 29**

3) **Motion of defendant, National Bank of Commerce (McGraw) to Dismiss Complaint as it relates to Gulf Insurance Co filed 5/27; d/e # 25**

Roanoke Calendar - 6/23/03

2:00 P.M. - MISCELLANEOUS HEARINGS

Goldstein A & E INTERNATIONAL, LLC - Ch. 11 7-02-02760 DIP/
Confirmation of Plan filed 1/24/03, d/e # 95, 119 (*objs due by 5/5*)
- *contd from 5/12 ; First Amended Plan filed 6/13 d/e # 130*
Objection: Nat'l Bank of Commerce (McGraw) [d/e # 131]

Motion 2: Relief from Stay and Mot for Order Granting Possession
Nottingham Properties LC (King) v. debtor
Movant certification filed 6/10; d/e # 128
Response filed 6/6; d/e # 127

Marino DHS OF VIRGINIA LP 7-02-02717 Creasy/NS
Motion of Woods, Rogers & Hazelgrove, attorney for trustee, for
Compensation in amt of \$10,962.00 and \$53.94 expense, d/e # 54, 55, 56
--Notification by Trustee that no objections were filed & ord/notice self-executing

Doss JOHN E. HOSTETTER JR-Ch7 5-03-00780 RWK Wolfe/ Hburg case
Motion #1: Relief from Stay , d/e # 9 *contd from 5/27 & 6/9*

Wilson	CHARLES & SAMANTHA HIGGINS-ch7 Motion #1: Relief from Stay , Wachovia Bank, successor to First Union Natl Bank (Mason) v. debtors & Trustee	5-03-00713RWK	Wolfe/ Hburg case
Szathmary	SYBIL BROWN-ch7 Motion #1: relief - filed 5/23, d/e # 12, 13, 14 Mortgage Electronic Registration systems Inc(Gershen) v. debtor & trustee	7-03-01670	Vogel/NS
Hart	PEGGY SIMMS Motion #1: Relief - filed 5/27; d/e # 14, 15 First Bank NA Trust (Clarke) v. debtor & trustee	7-03-01907	Krippend/NS
Krippend.	MARK & TRACY ANDERSON-ch7 Motion #1: Relief - filed 6/2, d/e # 13, 14 Ford Motor Credit Co (Eason) v. debtors & trustee -ORDER of 6/20 resolved motion, cancels hearing	7-03-01912	McLean/SJ

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2:30 P. M. - MISCELLANEOUS

Atty Adm: Brian Brydges

Pro se	KERMIT GILES-ch13 * <i>*case converted to Ch 13 on 5/21 on debtor motion (5/27 hrg noticed thereon cancelled)</i> Motion of U. S. Trustee to Re-Convert to Ch 7 filed 6/4, d/e # 64 (Garber) <i>NOTE: former Ch7 Trustee filed Obj to conversion and Motion to Reconvert & scheduled for hearing on 7/14 @ 2:00 p.m.</i> Objection: Debtor (pro se) filed 6/18; d/e # 77 Motion of Debtor for Continuance of All Matters until such time as Rebecca Connelly can appear for hearings filed 6/12 d/e # 74 (pro se) Objection of Debtor to Taking of Deposition in Lieu of Testimony by Rebecca Connelly (pro se) filed 6/12, d/e # 72 Debtor Motion (Pro se) for Contempt against Evelyn Krippendorf and Margaret Garber, filed 6/12, d/e # 73	7-03-01084	Connelly/AF
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Oral Motion of U. S. Trustee continued by order of 5/27 d/e # 61, for extension of deadline to 6/23 for debtor to pay filing fee (Garber)

Motion of Former Chapter 7 Trustee (Krippendorf) to approve Compromise Settlement filed 5/23, d/e # 62 - *case converted on 5/21 to Ch 13 on Debtor Mot.*

Debtor's Motion to Dismiss Trustee's Motion to Approve Compromise filed 6/5: d/e#68

Motion of Debtor (Pro se) to Remove Evelyn Krippendorf as Chapter 7 Trustee filed /2 d/e #39 *contd from 5/12*

****case converted to Ch 13 on 5/21 on debtor motion***

Motion of U. S. Trustee (Garber) to impose following sanctions, d/e # 45

Objection: debtor(pro se_ filed 6/18; d/e # 76

- 1) Require debtor to pay all outstanding filing fees owed the U.S.Bankruptcy Court

- 2) Prohibit Debtor from filing any petition in bankruptcy in any district for 5 years unless he has obtained express approval in advance to so do

- 3) that court order any application for express approval to be served on the Office of the U. S.Trustee with list of any pending matters that would be stopped by entry of automatic stay

- 4) that Clerk of U. S. Bkcy Ct be authorized not to accept any petition from debtor absent compliance with these provision and

- 5) such other relief as Court may deem just