

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

ABINGDON CALENDAR - JULY 23, 2002

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

(Start                      Recess                      /                      Stop                      Trials:                      Proceedings                      )

Attys:                      Debtors:                      Case Nos.:                      Trustees:

9:30 A. M. -PRE-TRIAL CONFERENCES

Copeland                      WALTER S. MCKINNON\_ch7                      7-98-04022                      Smith(Shortridge)/S  
A/P 7-02-00019: sale of interest in estate and of co-owner in property  
W. Alan Smith Jr., Trustee (Shortridge) v. Waive S. McKinnon, co-owner (                      )

Largen                      MARK & LEE PRESCOTT-ch7                      7-02-00962                      Wick/LM  
A/P 7-02-00064: Det. Dischargeability  
Capital One Bank (Sinesi) v. female petitioner, Lee A. Prescott (Largen)  
-NEW SUMMONS REQUESTED 7/12; set new ptc on 9/4 @ 9:30

Carmody                      HERBERT & LORINE ROBERTS-ch7                      7-02-01436                      Wick/SO  
A/P 7-02-00060: Det. Dischargeability  
Debtors v. USA/IRS  
-AGREED ORD entered 6/20, cancels ptc

A/P 7-02-00061: Det. Dischargeability  
Debtors v. Va.Dept of Taxation

Copeland                      G AND A COAL COMPANY-ch7                      7-99-02321                      Callahan/SO  
A/P 7-01-00126: Recover money or property; summons reissued 12/5/01; contd ptc  
Wm E. Callahan Jr., Trustee (Stark/Goldstein) v. Gauley Sales Co t/a Gauley-\  
Robertson(                      )And Credit Mediators, Inc (                      )  
-Mot for default filed 6/10, d/e # 17; Ord/ntc of hrg 6/11, d/e # 18 contd fr 7/3

**10:00 A. M. - MISCELLANEOUS HEARINGS**

Lamie DEWEY GORE 7-01-01408 Wick/AF  
Motion of Debtor to waive appearance at creditors meeting (previously examined; no objection to turning over equipment to trustee), filed 6/27; d/e # 81

Large JASON & VELMA PRINCE- 7-02-00720 Callahan/SJ  
Motion of Trustee to dismiss case; failure to attend 341 meeting of creditors cont'd from 6/5 [d/e # 14, 15] *contd fr 7/3*

Farthing FREDDIE & PATRICIA DELBY-ch7 7-02-00748 Callahan/AF  
Motion filed 5/14, d/e # 14, for Contempt: Violation of Stay: re: U. S. Dept of Agriculture  
RESPONSE filed by U. S. Dept. of Agriculture (Eckert) [d/e # 17]  
**-AGREED ord to chambers 7/19**

Carmody JERRY & ELSIE JACKSON-ch13 7-97-00851 Widener/VS  
Motion of Debtors to Showcause for Contempt: Violation of Stay: Commonwealth of Va. Dept of Taxation - filed 3/14, d/e # 135; contd from 4/10 for ntc to counsel for Va. Dept of Taxation (Becky Miner) contd from 6/5

Slavin EARL & SANDRA SAWYERS-ch7 7-02-00099 Callahan/S  
*case converted 6/6 to Ch 7 ; mot #1 contd from 6/5 to add trustee or obtain trustee endorsement on agreed order*  
Motion #1: Modify Stay to Permit Foreclosure of D/T [d/e #29]  
Chase Manhattan Mortgage (Wood/Gifford ) v. Debtors  
*-amended Mot for Relief filed 6/17, d/e # 39; contd by ord of 6/20*

Abingdon Calendar - 7/23/02

**10:00 A. M. - MISCELLANEOUS HEARINGS**

Widener JAMES CARVER-ch7 7-01-05314 Callahan/VS

Motion of U. S. Trustee to Dismiss case (Garber) filed 5/21, d/e # 22

Copeland      CHRISTA POTTER-ch7      7-02-01723      Callahan/MC  
Motion #1: Avoid lien - filed 6/7; d/e # 13, 14  
Debtor v. Citifinancial Inc

Carmody      GREGORY & NORMA BOWMAN - Ch. 7      7-02-01940      Wick/LM  
Motion # 1: Relief [d/e # 24]  
Bank of New York (Sasser) v. Debtors & Trustee

Slavin      JEFFERY MCCLINTOCK - Ch. 7      7-02-01451      Wick/VS  
Motion # 1: Relief–filed 6/10 [d/e # 11]  
Wells Fargo Home Mortgage, Inc. (Sasser) v. Debtor & Trustee

Farthing      JANE BASSETTI - Ch. 7      7-02-01784      Wick/AF  
Motion # 1: Avoid lien [d/e # 10]  
Debtor v. American General Finance (      )

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**10:00 A. M. - MISCELLANEOUS HEARINGS**

Jessee      SHANTA STINSON - Ch. 7      7-02-01038      Callahan/AF

Motion #1: Avoid lien; contd fr 6/19 to amend scheds to include items in motion Debtor v. Beneficial Discount Co. of Virginia & Commonwealth Legal Services Corp., R.A. [d/e # 14]  
–**ORDER entered 7/2 ; cancels hearing**

Motion #2: Avoid lien; contd fr 6/19 to amend scheds to include items in motion Debtor v. Citifinancial Services, Inc. & A. James Kauffman, RA [d/e # 15]  
–**ORDER entered 7/2 ; cancels hearing**

Kelly RICKY MORIN-ch7 7-02-02332 Wick/SJ  
Motion #1: relief filed 6/27; d/e # 11, 12  
Arcadia Financial Ltd (Sublett) v. debtor & trustee  
–**Agreed ORDER entered 7/18, cancels hearing**

Farthing HOPE MOREFIELD-ch7 7-02-02138 Callahan/AF  
Motion #1: relief - file 6/27; d/e # 10, 11  
Nissan Motor Acceptance Corp (VanBeek) v. debtor & trustee  
–**ORDER of 7/15 (agreed) granted relief, cancels hearing**

Timoney TAMMY MCGRADY-Ch7 7-00-03607 Wick/NS  
Motion #2: Relief - filed 6/25; d/e #51, 52  
Alliance Bank (Neyhart) v. debtor & trustee  
*-movant certification filed 7/5, d/e # 53*  
  
–**Note: Case converted to Ch 7 on 7/11/02; Wick now Ch 7 trustee**

J. Jessee JACQUELYN FOSTER-ch7 7-02-00818 Callahan/AF  
Motion #2: Relief - filed 6/26; d/e # 33, 34  
Highlands Union Bank (Hutton) v. debtor & trustee  
–**ORDER granting relief entered 7/12, cancels hearing**

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**10:00 A. M. - MISCELLANEOUS HEARINGS**

Farthing EDWARD & WANDA HAWKS-ch7 7-02-02330 Wick/PR-MC  
Motion #1: Relief - filed 7/1; d/e # 11 12, 13



filed 4/15, d/e # 50 for 6/5 hearing without Ord contg. Stay of §362  
United Leasing Corp (Kane) v. debtors ; response filed 4/4; d/e # 45; pho entd 4/15[#51]  
-contd from 6/5 & 6/19

Copeland JAMES & MARGARET WILLIAMS - Ch. 11 7-02-00939 DIP/PR/MC  
Motion #3: Relief - filed 5/17; d/e # 32 , 33;  
Owner-Operator Finance Company (Zimm) v. debtors  
Response filed 5/24 d/e # 35  
-contd fr 6/5 & 6/19 for ntc to 20 largest creditors of proposed adeq.prot ord.  
**-ORDER (consent) of 7/16 provided adeq. prot.W/default provisions, cancels hrg**

Widener DANNY & SHEILA WIDNER - Ch. 7 7-01-03810 Wick O/C  
A/P #7-01-00179: Determine dischargeability of debt ; JM 8/22  
First North American Nat'l Bank (Fleischhauer/Harman) v. Sheila Widner  
---**parties advised ct no Mot for Summ. Jdgt to be filed**  
**-COURTS ORD of 6/26 set TRIAL 8/22 @ 9:30 (special Abg date 1/2 day)**

Goldstein ABSHER REALTY INC-chll 7-97-01759 DIP/SL  
Confirmation of Amended Plan filed 12./21, d/e # 313; *contd from 6/5 on joint request of counsel; mediation of USDC matter remains unresolved*);  
**Objection:** of FNB Southeast, Successor to Black Diamond Savings Bank (Esposito) filed 2/4, d/e # 322 contd from 4/23

Copeland S T & J INC-chll 7-01-03411 DIP/VS  
Status Hearing /d-e#6 - contd from 12/10 & 3/27; bar date hrg set 1/30)

Abingdon Calendar - 7/23/02

**11:00 A. M. - MISCELLANEOUS HEARINGS**

Copeland GEORGE S. PATTON-chll 7-02-01131 DIP/VS  
Status Hearing - ch 11 case filed 3/18

Copeland HARMAN MINING CORP-chll 7-98-01988 AF  
Contd hearing on application of UMWA Health & Retirement for payment of expenses (Kieffer) d/e 238, 240, 241 from 11/7 to hear w/Mot to Consolidate due by 12/31 IF plans/disclosures not filed in each case  
-contd fr 4/23

Lamie LAUREL CREEK ENTERPRISES-chll 7-02-01295 DIP/SL  
Motion of U. S. Trustee to convert to Ch 7 or Dismiss (Garber) filed 6/24, d/e # 34  
**-DEBTOR filed Motion to Convert on 6/26; filing fee pd. 7/3**  
**-CONVERTED ON 7/19/02**

McAfee ROBERT RUSSELL RASH-chll 7-02-01215 DIP/MC  
Status hearing - new ch 11 case

Copeland CHILDRESS CHIROPRACTIC CLINIC PC-chll 7-02-02787 DIP/NS  
Motion of DIP to use cash collateral upon which First Bank & Trust holds a lien ( ) and Mot to shorten notice therefor, filed 7/3; d/3 # 7, 8

Motion (Emergency) to Incur Debt; **filed 7/16** d/e # 19

Motion to Deem Disclosure Statement Adequate and Permit hearing on Adequacy of Disclosure and Confirmation Simultaneously, **filed 7/16**, d/e # 20

Abingdon Calendar - 7/23/02

**1:00 P. M. -CHAPTER 13 CONFIRMATIONS**

Pro se RICKY HAMPTON-chl3 7-02-01308 Widener/AF  
**CASE DISMISSD without prejudice by ord of 4/18; failure to comply w/4-1 order.**

Via NORMAN & RITA TEASTER - Ch. 13 7-02-01319 Widener/VS  
Mod Plan filed 6/6, d/e # 38, 39 (*per hrg 7/3, atty expects to file fur. Mod of plan*)  
**Objection:** Highlands Union Bank (Hutton) filed 6/18, d/e # 40  
DaimlerChrysler Services No.Amer (Higgs) filed 6/21, d/e # 42  
  
(*ord of 6/28 withdrew obj of GMAC filed 5/21 to prior plan*)

Timoney CHAD & MISTY RECTOR- 7-02-01627 Widener/NS  
Mod Plan filed 5/31, d/e # 17, 18  
  
Trustee Showcause: Convert/Dismiss, filed 5/30, d/e # 16, *contd fr 7/3*

Copeland DAVID & AMELIA RUTHERFORD - Ch. 13 7-01-02194 Widener/S  
3<sup>rd</sup> Mod Plan filed 5/30; d/e # 40, 41, 42

Lamie EARNEST BOLEN-ch13 7-02-00304 Widener/SO  
Mod Plan #1 filed 5/28; d/e # 37, 38  
  
Trustee Showcause on Dismissal filed 4/25; d/e # 31 *contd from 6/5*

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**1:00 P. M. - MISCELLANEOUS**

Timoney JOSEPH & DOROTHY BURNETTE 7-01-03138 Widener/AF  
Motion of Trustee to dismiss or convert filed 5/17, d/e # 31 *contd fr 7/3*

**-Ord to chambers 7/19 to withdraw tr mot**

Hutchinson THOMAS & MELISSA HENSLEY 7-02-01929 Widener/SJ  
Trustee's report, Objection and showcause; dismiss or convert - filed 6/20;d /e # 18  
(Note: Mod Plan filed 7/17; set conf 9/4 @ 1)

Largen GREGG & YDILIFONSA JONES 7-02-01908 Widener/AF  
( Conf scheduled 8/7)  
Trustee report, objection and showcause: Dismiss or convert, filed 6/20, d/e # 16

Timoney TIMOTHY & TAMMY FIELDS 7-02-01756 Widener/JJ  
( Conf scheduled 8/7)  
Trustee Report, OBJECTION and showcause: dismiss/convert filed 6/26; d/e # 17

Carmody CLIFFORD & MONIKA WILLIAMS-chl3 7-02-01751 Widener/VS  
Trustee's report, Objection and showcause; dismiss or convert - filed 6/20;d /e # 15  
(Note: Conf of plan is scheduled on 8/7 @ 1)

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**1:00 P. M. - MISCELLANEOUS**

Carmody MAURICE & GENEVA WALTERS-chl3 7-02-00265 Widener/SL  
*note: mod plan due 20-days from 6/19*  
Motion #1: relief - filed 3/6; d/e # 22, 23  
New Peoples Bank (Hutton) v. debtors & trustee  
Answer filed 3/14, d/e # 25

-contd fr 4/23 & 6/19

Valuation Motion: New Peoples Bank: '99 Currahee Lowboy & Terramite Backhoe  
filed 4/24; d/e # 41 & #52

Gifford           STEPHEN & PENNEE WILSON-ch13                           7-02-00801                           LM  
A/P 7-02-00058: Motion of Pltf for leave to amend complaint\*  
(\*amended complaint filed in court on 6/5/02 w/oral objection thereto TUA)  
Debtor v. Kenneth Buchanan (Lyle) & Levi & Lizzie Fisher(Huffman)

**1:30 P. M. - MISCELLANEOUS**

Copeland           KATHLEEN DEEL-ch13   7-97-01815                           Widener/SL  
Motion to suspend payments  
  
*(See Trustee Motion to convert/dismiss at 2:00 p.m.)*

Beck               ANTAEUS GARY PROJECT-ch7                                   7-00-00077                           Farrell/Hutton  
Motion of Buckshot Processing LLC (Higgs) for entry of order directing  
trustee to execute and deliver deed pursuant to License and Option Agreement or  
direct return of consideration plus cost of Improvements by Buckshot to debtor's  
Preparation Plant and Property, filed 7/3; d/e # 184, 186

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**2:00 P. M. - MISCELLANEOUS**

McDaniel           DAVID & DEBORAH MUMPOWER                               7-98-03334                           Widener/MC  
Trustee Motion to Convert or dismiss filed 6/20; d/e # 36



Carmody	IVEY REED - Ch. 13 Motion # 2: Relief- filed 6/27 [d/e # 40] Option One Mortgage Corp. (Goldberg) v. Debtor & Trustee (Motion to extend automatic stay filed 6/17 w/proposed order) [d/e # 41] <i>-Answer of respondent filed 6/26, d/e # 44</i>	7-00-03959	Widener/SL
Hutchinson	HENRY & TERESA MULLINS-ch13 Motion #1: relief - filed 6/24, d/e # 33, 35 EMC Mortgage Corp (Clarke) v. debtors & trustee <u>-Anwer filed 7/2, d/e # 36</u>	7-01-00669	Widener/JJ
Timoney	PATRICIA WILSON-ch13 Motion #3: Relief from stay & <u>co-debtor stay</u> - filed 5/14; d/e # 33, Contd fr 6/5 DaimlerChrysler Services No.America LLC(Higgs) v. Debtor and Timothy Wilson, co-debtor ( )and Trustee <u>Response of Debtor filed 5/17, d/e # 41 - contd from 7/3</u>	7-00-04051	Widener/VS
Abingdon Calendar - 7/23/02			
<b><u>2:00 - TRIAL</u></b>			
Jessee	LEROY M. HULL COMPANY, INC. - Ch.7 (Converted to Ch7 on 2/1/02) Motion #1: Relief - contd from 4/23 for trial Bush Hog LLC (Bradwell) v. debtor <u>Response of debtor file 1/16, d/e # 102; contd from 2/27</u>	7-01-03786	Wick/JJ

***–Mot of Defendant for Continuance/Mot shorten notice filed 7/18 w/hrg notice***

A/P 7-01-00168: Recover Money or Property

Debtor v. Bush Hog LLC (Bradwell)

***–Mot of Defendant for Continuance/Mot shorten notice filed 7/18 w/hrg notice***

*(Note: contempt motion docketed in AP file removed and filed in case file  
– Filed without hearing notice; deficiency ntc of 7/12 required movant  
to obtain hearing date and file notice)*