

8/13/01

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

BIG STONE GAP CALENDAR - AUGUST 14, 2001

(The Honorable William F. Stone Jr. Presiding)

(Start Recess / Stop Trials: Proceedings)

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

Call at 1:00 P. M. - PRE-TRIALS IN COURTROOM

Pro se JOHN & JANET HAYES -CH 13 7-97-04643 Widener/SO
A/P No. 7-01-00065: Disbarment of James Daniel Kilgore
W. Clarkson McDown, Jr., U.S.Trustee (Garber) v. James Daniel Kilgore
–**Motion of U. S. Trustee to strike paragraphs 4 & 5 of Answer of Defendant–d/e #7**

10:00 A.M. - MISCELLANEOUS HEARINGS

Hutchinson BILLY SPEARS JR-ch7 7-01-00420 Wick/SJ
Motion to Re-Open Case and Waive Filing Fee d/e # 15, filed 7/25

Antenucci REBECCA FIELDS - Ch. 7 7-01-00510 Callahan /VS
Motion for Valuation filed by Associates Commercial (Huebschmann)
of 1995 Mack truck and 1998 USTS trailer – d/e #29 (**filed prior to conversion**)

CONVERTED to Chapter 7 on 7/20; \$15 conversion fee paid 8/1

See also 11:00 p.m. hearing contd from 7/9

**contd for amended motion for service upon Chapter 7 trustee or for Mot/Ord to withdraw valuation mot.

Lamie RONNA DAUGHERTY - Ch. 7 7-01-02696 Callahan/JJ
Motion # 1: Relief
Conseco Finance servicing Corp. (Chappell) v. Debtor & Trustee – d/e # 11
AGREED order entered 8/13 granting relief

11:00 A.M. - MISCELLANEOUS HEARINGS

Copeland MARK & EMILY STURGILL1-ch7 7-01-00012 Wick/SJ
Motion of U. S. Trustee (Garber) to dismiss case for substantial abuse, filed 7/2; d/e # 38
–notice/motion filed 7/17, d/e # 40, to reschedule to 7/25 @ 10:00

Hearing cancelled; Heard on 7/25; final ptc set 10/24 @ 10 with interim discovery deadlines

Pro se JAMES D KILGORE-ch * 7-00-02310 /VS
*mot to convert to ch 13 filed
Motion of Debtor for hearing on violation of stay by AT & T (Esposito)
& Verizon (Harris) # 78 & # 111; Motion & Notice Refiled 6/8/01; d/e # 125
RESPONSE filed by AT&T 3/30/01 d/e # 117
–contd fr 4/17 & 6/6

ORDER to be tendered by Elsey Harris continuing motion to quash by Verizon to 9/26 @ 11 ; will include continuance of AT & T matter as well

A/P 7-01-00067: CONTD PRETRIAL: Violation of Stay
J. Daniel Kilgore (pro se) v. Wise Co. Treasurer's Office (Keuling-Stout)

ORDER (agreed) to be tendered by Kilgore continuing pre-trial to _____*
***several dates provided; parties to select agreeable date & provide in proposed ord.**

Alan DARRELL COOK - Ch. 11 7-96-2231 DIP/VS
Show cause for debtor & counsel for failure to comply w/Local
Rule 3022-1 (d/e # 188)

Motion of Jean Cook (Kennedy) to intervene filed 8/6, d/e # 195

Adkins CREDIA BAKER - Ch. 7 7-01-02331 Callahan/VS
Trustee's Motion to Dismiss Case – d/e # 12

11:00 A.M. - MISCELLANEOUS HEARINGS

Adams CLARENCE & SHIRLEY ORR-ch7 7-99-03584 Callahan/AF
Motion of Wm. Callahan, Trustee, for compensation & expenses of \$11,172.85 &
\$470.83 filed 7/19; d/e # 106, & Ntc filed 7/20; d/e/ # 113

Motion of Kings & Higgs for compensation as counsel for Trustee in amount of
\$10,217.15 and expenses of \$1,099.73 filed 7/19; d/e # 108 & ntc filed 7/20; d/e # 113

Kalista BETTY FALIN - Ch. 7 7-01-02353 Callahan/PR
Trustee's Motion to Dismiss Case – d/e # 11
ORDER of 8/13 entered withdrawing motiuon

Copeland LEE COAL MINING, INC.-Ch7 7-98-03282 Callahan/SJ
IRS Mot for allow.of adm.claim in amt of \$448,563.52 filed 7/18; d/e # 145(Pat Genis)

*Note: Objection to Claim #27 of Internal Revenue Service in amount of \$448,563.52
(Scheduled for hrg 7/9; contd to 7/25 ?)*

SETTLED (both mot. & order) BY ORDER ENTERED 7/26 (w/preudice)

Magee **LEE CO. COMMUNITY HOSPITAL -chll 7-00-02304 DIP/BP
Motion # 2: Relief **d/e # 143, 144, 151**
The People's Bank of Ewing (Keuling-Stout) v. Debtor
Response filed 10/20 d/e # 157
AMENDED Relief Mot filed 1/23/01 - d/e # 350
–contd fr 10/25, 11/28, 12/19, 1/16 & 2/6 & 3/7 & 4/17 & 7/9

1:00 P.M. - CONFIRMATION HEARINGS

Kendrick	RICKY & DIANE JENKINS Plan filed 5/4; d/e # 5 Trustee Report, Objection and Showcause: Dismiss/convert filed 6/21; d/e # 14 Objection: First Vantage Bank (Feldman) filed 8/6; d/e # 17	7-01-01991	Widener/VS
Hutchinson	STEVEN & SHEILA PRINCE - Ch. 13 Mod. Plan filed 6/19 – d/e ## 55, 56	7-00-03321	Widener/VS
Hutchinson	PATRICIA AUSTIN Plan - filed 6/11 w/c-s; d/e # 15 Trustee Report, Objection and Showcause on Dismissal or conversion d/e # 18, filed 6/21 Motion for valuation: GMAC - 97 Geo Tracker; filed 6/21; d/e # 19 Motion for valuation; Shaffer TV Inc on furn.; filed 6/21; d/e # 20 Motion for valuation; Consumer finance: '96 Dodge Caravan - filed 6/21; d/e # 21	7-01-02086	Widener/JJ
Hutchinson	RUSSELL & JO ELLA DALES - Ch. 13 Mod. Plan filed 6/28 – d/e ##23, 24 OBJECTION, and notice to showcause for dismissal or conversion of Trustee #27 (8/7/01)	7-00-01030	Widener/PR
Pro Se	DONNA KILGORE - Ch. 13 Plan filed 7/9 – d/e #25 Trustee (<u>Connelly</u>) Report OBJECTION and Motion to Dismiss filed 7/12; d/e # 26 –CASE DISMISSED 8/1/01 (ON DEBTOR MOTION)	7-01-02020	CONNELLY/SJ

1:00 P. M. - MISCELLANEOUS HEARINGS

Kilgore	LEE & DEBORAH MUMPOWER-ch13 (Now lives in GA) Trustee showcause motion; convert/dismiss filed 5/31; d/e/ # 28 ANSWER filed by Debtors - d/e # 29 ; contd from 7/25	7-96-01271	Widener/VS
J Kilgore	MICHAEL & JULIE RITCHIE-ch13 Motion of Trustee to convert/dismiss filed 6/21; d/e # 46 –contd fr 7/25 (deduct ord now in effect) – ORDER entered 8/13 dismissing motion	7-97-02856	Widener/JJ
Proctor	JAMES & GLENNA BELLAMY-ch13 Trustee Report, Objection: and Motion to Dismiss filed 7/23, d/e # 13 – <i>note: confirmation hearing is scheduled on 9/11</i>	7-01-02734	Widener/PR
Hutchinson	MARK SEXTON-ch13 Trustee Report, Objection: and Motion to Dismiss filed 7/23, d/e # 13 – <i>note: confirmation hearing is scheduled on 9/11</i>	7-01-02675	Widener/MC
Hutchinson	DOUGLAS HAYES - Ch. 13 Trustee’s Motion to Dismiss Case or Convert to Ch. 7 – d/e #38	7-99-03967	Widener/VS

1:00 P. M. - MISCELLANEOUS HEARINGS

Gifford MARK & ANGELIA MARTIN-ch13 7-00-01448 Widener/AF
Trustee's Motion to Dismiss Case or Convert to Ch. 7 – d/e #31

–Note: Mod plan filed 7/16 set for 9/11 @ 1

Copeland BILLY & BARBARA VANDYKE-ch13 7-99-04094 Widener/S
Motion #1: Motion filed 7/17, d/e # 51, for entry of order granting relief
Superior Mortgage Co (Neyhart) v. Debtors

Agreed Order to be tendered by Neyhart to cont motion to 9/11 @ 1:00

Hutchinson RONALD CHILDRESS-ch13 7-01-01680 Widener/AF
Motion #1: relief - filed 7/20; d/e # 17, 17
Oakwood Acceptance Corp (P.Lake) v. debtor & trustee
NOTE: CASE DISMISSED on 7/16 on trustee's motion

Hutchinson HARLAND & ROSA ERVIN - Ch. 13 7-00-03317 Widener/NS
Trustee's Report w/Objection & Show Cause on Dismissal or Conversion – d/e # 36

Mod Plan filed & scheduled for 10/10 hearing

Hutchinson JOHN & RHONDA NUNLEY - Ch. 7 7-01-01382 Wick/SJ
Motion # 3: Relief
Bank One/Valley Nat'l Financial Services (Neyhart) v. Debtors & Trustee – d/e # 39

