

8/27

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

ROANOKE CALENDAR - AUGUST 30 , 2004

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

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

Attys: Debtors: Case Nos.: Trustees:

admission of attorney Lloyd H. Griffin IV by Compton Biddle

9:30 A.M. - CONFIRMATIONS

M Hart JERRY ST CLAIR 7-04-02525 Connelly/SL
CASE DISMISSED 7/22; failure to file schedules & plan

Krippend. TERESA ANDES 7-04-02168 Connelly/SL
Mod Plan filed 7/26, d/e # 24, (*Mot to waive notice filed /granted; contd fr 8/30*)
Trustee's Report, Objection & Show Cause on Dismissal or Conversion [d/e # 22]

M Hart SANDRA THOMPSON 7-04-02391 Connelly/NS
---**Mod Plan filed 8/26 set for 10/18 @ 9:30**
Trustee's Report, Objection & Show Cause on Dismissal or Conversion [d/e # 14]
Obj.: Countrywide Home Loans, Inc. (Sasser) [d/e # 18]

Valuation: 2000 Dodge Neon: Ford Motor Credit, filed 6/21; d/e # 13
-**Order entered 7/26 that fair market value of 2000 Dodge Neon is \$4,600**

M Hart KAREN SUE CAVE 7-04-02167 Connelly/SL
Plan filed 5/13; d/e # 6 - *contd from 7/26*
Trustee's Report, Objection & Show Cause on Dismissal or Conversion [d/e # 16]

M Hart VICKIE VAUGHN 7-03-02071 Connelly/SL
Mod Plan#3 filed 7/16, d/e #63, 64 *contd from 8/30*

M Hart DENNIS & PATRICIA HARDY-chl3 7-02-05049 Connelly/JJ
Mod Plan filed 7/2; d/e # 108, 109 (previously confirmed 7/28/03) *contd from 8/30*

Roanoke Calendar - 8/30/04

9:30 A.M. - CONFIRMATIONS

M Hart ROSE NEWSOME 7-03-03216 Connelly/SO
Post-conf. Mod Plan filed 7/7; d/e # 40, 41 (prev.confirmed 11/25/03)

P Brown DARRICE PRICE 7-04-02467 Connelly/SL
Motion # 1: Relief & Co-Debtor Stay Relief—filed 8/6 [d/e # 17]
Chase Manhattan Mortgage Corp. (Clarke) v. Debtor and Co-Debtors,
Charlene W. Price and Grover C. Price, Jr., & Trustee
Answer of respondent filed 8/10; d/e # 19; contd from 8/30

Krippendorf ALICE COLLINS 7-04-02372 Connelly/SL
Plan filed 6/24; d/e # 18, with c/s to creditors
Trustee's Obj. & Show Cause to Dismiss or Convert filed 7/23; d/e # 22

—note: valuation motion (Citifinancial) is scheduled for 9/27 @ 11:00

Krippendorf RICHARD, SR., & KAREN TERRY - Ch. 13 7-04-02371 Connelly/SL
Plan filed 7/6 [d/e # 13]
Trustee's Obj. & Show Cause to Dismiss or Convert filed 7/23; d/e # 16

M. Hart JAMES & SHANNON BREEDEN - Ch. 13 7-04-01366 Connelly/SL
Mod. Plan filed 7/2 [d/e # 29, 30]
Trustee's Obj. & Show Cause to Dismiss or Convert [d/e # 20] *cont'd from 6/14*

Valuation: Snap-On Credit LLC : Tools, in amt of \$800, filed 7/22 d/e # 32

Roanoke Calendar - 8/30/04

9:30 A.M. - CONFIRMATIONS

M. Hart BRYAN & WANDA FITZGERALD - Ch. 13 7-04-00337 Connelly/AF
Mod. Plan filed 7/9 [d/e # 44, 45] *contd from 8/30*
Obj.: First North American Nat'l Bank (Huebschman) *d/e # 43, contd from 7/12&8/30*
Trustee's Showcause: Dismiss/Convert *cont'd from 4/19, 7/12 & 8/30*

Krippendorf BRADLEY BUNNER - Ch. 13 7-04-02530 Connelly/AF
Plan filed 6/15; d/e # 6 - *contd from 8/30*
Trustee's Report, Objection & Show Cause on Dismissal or Conversion [d/e # 17]

Taylor/
Gibson JO-ANNE WOODY - Ch. 13 7-04-02497 Connelly/NS
Plan filed 6/10; d/e # 6
Trustee's Report, Objection & Show Cause on Dismissal or Conversion [d/e # 13]

M. Hart DANIEL & CHARLENE CASTELLUZZO - 13 7-04-02392 Connelly/NS
Plan filed 6/16; d/e # 14
Trustee's Report, Objection & Show Cause on Dismissal or Conversion [d/e # 16]

M. Hart BYRON & DEBORAH WHITT - Ch. 13 7-04-01134 Connelly/AF
Mod. Plan filed 7/1 [d/e # 39, 40, 41] *contd from 8/30*
Trustee's Obj. & Show Cause to Dismiss/Convert case *cont'd from 6/14 & 8/30*

–see also 11:00 a.m. and 11:30 a.m. confirmation hearings

Roanoke Calendar - 8/30/04

10:00 A. M. - MISCELLANEOUS

Huffman BRUCE RAYL 7-04-03130 Connelly/AF
Motion #1: Relief - filed 8/20 for 8/30 hearing; (to pursue child support appeal in Botetourt County Circuit Court) ; no pre-hrg ord entered
Carla Fosbre (Goldstein) v. debtor & trustee

11:00 A.M. - CONFIRMATIONS

Delafield JON BAUGESS - Ch. 13 7-04-00439 Connelly/AF
--Mod. Plan filed 8/18; d/e # 32, 33, 34 set for conf hrg on 9/27 @ 9:30
Trustee's Show Cause: Dismiss or Convert *cont'd from 4/19 & 8/30*

Valuation: personal property excluding tax refunds and ERISA qualified Retirement Plan, \$2,035.00 ; creditor Internal Revenue Service: filed 7/12; d/e # 26

Obj of Debtor to Claim #1: of IRS - filed 7/15; d/e # 29

11:00 A. M. - MISCELLANEOUS

Krippendorf STEVE & SALLY HARRIS - Ch. 13 7-03-02253 Connelly/SJ
Trustee's Motion to Dismiss for debtor's default in plan payments [d/e # 42]

Spencer DOREEN MERCHANT 7-03-00565 Connelly/SL
Motion of Trustee to Dismiss or convert case filed 7/27; d/e # 42

P Brown VERA STUART 7-02-03982 Connelly/GR
Motion of Trustee to Dismiss or Convert, filed 7/27; d/e # 39

Roanoke Calendar - 8/30/04

11:00 A. M. - MISCELLANEOUS

Ludwig EDDIE ANTOINE, III - Ch. 13 7-02-03849 Connelly/JJ
Trustee's Motion to Dismiss [d/e # 31]

T Giles MARVIN & BRENDA RANDOLPH 7-01-04569 Connelly/SL
Motion of Debtor to Incur Debt to Refinance Mortgage/lower interest rate,
filed 7/22; d/e # 41

H Brown RENE HORNE 7-04-01065 Connelly/SL
Obj to Claim #2: Washington Mutual Bank, filed 7/23, d/e # 28
Answer filed 8/23; d/e # 37 (Patterson); contd from 8/30

Showcause of Trustee filed 4/16; d/e # 14, and Washington Mutual Bank (Christine
Patterson) d/e # 17 contd from 7/26 to hear w/Obj to Claim #2 above
-contd from 8/30

Janney MORRIS, JR., & CYNTHIA MILLER - Ch. 13 7-04-01973 Connelly/SL
Motion #1: Relief - filed 7/29; d/e # 28, 29 *contd from 8/30*
JPMorgan Chase Bank (Clarke) v. debtors & trustee
Response filed by Debtors 8/4 [d/e # 31]

Delafield PATRICIA FENDERSON-ch13 7-04-02578 Connelly/GR
Motion #1: Relief - filed 7/30; d/e # 20, 21
R & L Properties Inc (Vogel) v. Debtor & trustee
-ORDER of 8/19 granted relief, cancels hearing

Roanoke Calendar - 8/30/04

11:00 A. M. - MISCELLANEOUS

Delafield REBECCA CHANDLER 7-04-01387 Connelly/GR
Motion #2: Relief - from co-debtor stay filed 8/2; d/e # 34, 35\
Wachovia Bank NA (Zimm) v. debtor & Cosby E. Kemp, co-debtor, & trustee
-Order entered 8/17 dismissing case without prejudice

Krippend. SAMUEL NICHOLS JR 7-04-01487 Connelly/GR
Motion #1: Relief - filed 8/2; d/e # 32, 33
Aurora Loan Services Inc (Jaffe) v. debtor & trustee
Response filed 8/19 by debtor, d/e # 36

M. Hart MARSHAL MCADEN - Ch. 13 7-04-00900 Connelly/S
Motion # 1: Relief-filed 8/4 [d/e #27, 28]
GRP Financial Corp. (Goldberg) v. Debtor
Answer of Debtor filed 8/6; d/e # 30
(Proposed order attached)

jM Hart EDNA SILER-ch13 7-04-00037 Connelly/AF
Motion #1: Relief - filed 8/5; d/e # 37 38
Wells Fargo Bank NA (Clarke) v. debtor
Answer filed 8/9; d/e # 39

T. Giles FRANK & BARBARA MOTTESHEARD - Ch. 13 7-03-01410 Connelly/JM

Trustee Motion to Dismiss (plan payments are in default \$2,910) [d/e # 58]
–Note: Mod Plan filed 8/6 set for conf 9/27 @ 9:30 d/e # 59, 61, 62

M. Giles GARY & SUSAN JENNINGS - Ch. 13 7-03-02182 Connelly/GR
Motion # 1: Relief–filed 8/6 [d/e # 38]
GMAC Mortgage (McQuiddy) v. Debtors & Trustee
Response filed by Debtors 8/11 [d/e # 40]

Roanoke Calendar - 8/30/04

11:00 A. M. - MISCELLANEOUS

Delafield RODNEY & PEGGY AKERS - Ch. 13 7-04-02272 Connelly/SL
Motion # 2: Avoid lien–filed 8/9 [d/e # 19]
Debtors v. TICO Credit Co., Inc., TICO Credit Co., Inc., & TICO Credit Co.
of Va., Inc. () & Trustee

M Hart PATRICK BEATTY-chl3 7-02-04493 Connelly/NS
Motion to Shorten Notice Requirement for Hearing and

Motion #1: Sell Property free & Clear of Liens filed 8/18; d/e # 20, 21
Debtor v. Suntrust Bank (): Scott B. Hansen, D.O.T. Trustee()
And Phillip M. Webb, D.O.T. Trustee ()

M Hart RICHARD & MARGARET HARRIS 7-04-00826 Connelly/SJ
Obj of Debtor to Claim #15 of Ocwen Federal Bank, FSB in amt of \$884.73 filed
6/9; d/e # 26 - *contd from 7/26 & 8/16 for creditor to assemble pmt records*
Response filed by Ocwen Federal Bank (Bierman) on 7/6 [d/e # 28]

*Note: Ord has been tendered by debtor counsel to dismiss Obj to Claim; awaiting
Judge return and endorsement.*

11:30 A.M. - CONFIRMATIONS

Hale RODNEY GRAHAM 7-03-04420 Connelly/SO

3rd Mod Plan filed 6/29, d/e # 108, 109; contd all items from 8/16

***Obj:** Roger A. Lilly (Creasy) filed 7/22; d/e # 113 to 3rd plan

* *Response to Trustee Certification for Dismissal by Trustee heard on 6/14 & contd with Trustee's Showcause, d/e # 33, to be heard on conf date set on new plan when filed*

*Obj of Debtor to Claim #8 of Snap-On-Credit, LLC , d/e # 83, contd from 7/26 for further notice; contd further from 8/16 – no notice

*Motion # 3: Relief and Co-Debtor Stay Relief–filed 4/26; *cont'd from 6/14 Deutsche Bank Trust Co. (Sasser) v. Debtor, Trustee & Lori Derbin Graham*

Roanoke Calendar - 8/30/04

2:00 P. M. - PRE-TRIAL CONFERENCES

Allen JUBB'S MAIL SERVICE - Ch. 7 7-02-05074 Vogel/JM
A/P 7-04-00070: Lien avoidance; **final pre-trial**
George Vogel, II, Trustee v. B. J. Trucking Co., Inc. (LeClair Ryan)
–*Answer & MOT TO DISMISS COMPLAINT filed by defendant 8/6; d/e # 4 (Scott)*

Motion of BJ Trucking Inc (Scott) for pmt of secured claim filed 3/29;
d/e # 124, 131; 133 contd from 7/12 **final -pre=trial**
-obj of IRS withdrawn by o/e 6/4;

Pro se APRIL JENNINGS-ch7 7-02-03697 McLean/S
A/P 7-04-00074: Object to or Revoke Discharge
W. Clarkson McDow Jr UST Region Four (Cosby) v. debtor

Show cause hearing: Debtor directed by court's 7/12 order d/e # 33, to appear and show cause why she should not be taken into custody and held until such time as she shall comply with the Court's 12/3/04 order or until further order of this court - *contd from 8/16 to hear with A/P*

M Hart SARAH WRIGHT 7-01-02769RKR Connelly/SO
A/P 7-04-00050: **Recusal:** Det. Validity priority or extent of liens or interest in property Debtor v. Finks Jewelers(*dismissed as a party 7/13*); Va. Employment

Commission(Gray); Va. Commission of Labor & Industry(); Central Fidelity Natl Bank/Wachovia???(*default granted*); Daimler Chrysler Financial Corp(K. King); Med Key(*default granted*)) Salem VAMC Federal Credit Union (*default granted*) Va.Workers Comp. Commission(C.Robbins*)

Contd from 8/30 for Oral Argument as to Va. Employment Commission;
Va.Commission of Labor & Industry and Daimler Chrysler

Roanoke Calendar - 8/30/04

2:00 P. M. - PRE-TRIAL CONFERENCES

Szathmary	OSNEL ALEXANDRE-ch7 A/P 7-03-00197: Det. Dischargeability <i>Pltf Mot to compel defendant response to 1st Request for Prod. Of Documents; trial set 9/27 @ 2:30</i> American Express Centurion Bank (Ross Hart) v. debtor	7-03-03931	Creasy/JM
Creasy	KAY HARLOW - Ch. 7 A/P 7-04-00073: Determine dischargeability of certain debts William C. Warren (McNally) v. Debtor <u>Answer filed by Debtor 8/11</u>	7-04-01583	McLean/SO
M Giles	KENNETH POWELL A/P 7-04-00061: Recover real estate fraudulently transferred; <i>contd from 8/16</i> Roy V. Creasy Trustee (Creasy) v. Debtor (M Giles); Kenneth Glenn Powell () And Lorrie G. Powell ()	7-03-03699	Creasy/LM

Krippendorf. PATRICIA SPANGLER-ch7 7-04-02133 Creasy/S
Motion of Debtor to Dismiss Case - filed 7/26; d/e # 17

A/P 7-04-00048: Object to or Revoke Discharge
W.Clarkson McDow Jr UST (Garber) v. debtor - *contd from 7/26*

Roanoke Calendar - 8/30/04

2:00 P. M. - MISCELLANEOUS

Krippendorf GLENN & THELMA HAMBLIN - Ch. 7 7-01-03716 Creasy/ JM
Motion of Debtor filed 7/27 to Dismiss Case, d/e # 58

A/P No. 7-04-00042: Object to or revoke a discharge ; *contd from 7/26*
W. Clarkson McDow, U. S. Trustee (Garber) v. Debtor

Krippendorf MONIQUE MAYO 7-01-01150 Vogel/JM
Motion of Debtor to Dismiss Case filed 6/28; d/e # 46, 47, 48

A/P 7-04-00030: Obj to Discharge; *ord of 7/20 contd from 7/26 to hear w/Mot to Dism*
McDow U S Trustee (Garber) v. Debtor
-Notice of Hearing on Debtor's Answer to Complaint filed 6/28; d/e # 7

Creasy DANIEL & SANDRA MARTIN 7-03-02713 Connelly/LM
Motion #1: Relief - filed 5/21; d/e # 36, 37; *contd from 6/14 , 7/12 & 8/30*
America's Servicing Co (Sasser/BOYLAN) v. debtor & trustee
Answer filed 5/28; d/e # 38

Co., Creditor [d/e # 18]
Objection & Response filed 8/26; d/e # 24 (Zimm)

Motion # 1: Relief–filed 7/22 [d/e # 14]
Hyundai Motor Finance Co. (Zimm/Huebschman) v. Debtor & Trustee
Response filed by Debtor 7/28 [d/e # 17]
contd from 8/16

Magee

LEE COUNTY COMM HOSPITAL

7-00-02304

DIP/S

Motion for Extension of Time to file Final Decree filed 8/13; d/e # 1419, 1421