

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

**ABINGDON CALENDAR - SEPTEMBER 3, 2003**

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

(Start: \_\_\_\_\_ Recess: \_\_\_\_\_ ♦Resume: \_\_\_\_\_ Stop: \_\_\_\_\_ ♦Trials: \_\_\_\_\_ Proceedings \_\_\_\_\_)

Attys:                      Debtors:                                      Case Nos.:                                      Trustees:

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

Copeland	ARTHUR H, III & BOBBIE GAYE GREGORY A/P 7-03-00065: Det dischargeability; <i>FINAL PRE-TRIAL</i> Wheels Automobiles Inc, dba Phil Bachman Honda(Reecher) v. debtors <b>-HEARD by telephone conference on 8/22 @ 11:30 a.m.</b>	7-03-00442	Wick/SO
Copeland	GENE & MARY BODDIFORD - Ch. 7 A/P 7-03-00083: Obtain declaratory judgment - <i>ptc contd fr 8/6 by 7/15 ord.</i> Debtors v. USA/IRS (                      ) <b>-HEARD by telephone conference on 8/26 @ 11:00 a.m.</b>	7-02-00369	Wick/S
Snodgrass	RAYMOND & LINDA SHAFFNER - Ch. 13 A/P 7-03-00091: Determine validity, priority or extent of lien Debtors v. Beneficial Mortgage Co. of Va. (Kim Taylor) - contd fr 8/6	7-03-00867	Widener/NS

**2:30 P.M. - TRIAL**

(Reserve approx 1-1/2 hours)

Farthing	MICHAEL DARIN HAYNES-ch7 A/P 7-03-00055: Det. Dischargeability; Deidre N. Bryant (Hutton) v. debtor	7-03-00602	Wick/LM
Carmody	JAMES A DYE, JR & PAMELA DYE -ch13 A/P 7-03-00053: Determine liens or other interest - <i>final pre-trial conference</i> Debtor s James & Pamela Dye v. American General Finance ( Hutton                      );	7-03-01479	Widener/SO

Jo Wikle, Manager/American General( Hutton ) and David  
Hutton , Trustee( Hutton )  
*-see also 1:00 p.m. confirmation matters*

Abingdon Calendar - 9/3/03

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

G AND A COAL COMPANY, INC. - Ch. 7                      7-99-02321                      Callahan/GR  
A/P 7-03-00013: Trustee's Motion to Compel Production and Show Cause &  
Motion for Continuance  
William E. Callahan, Jr., Trustee (Fennell) v. The Estate of Edward  
Eugene Bard (                      )

Lamie                      GEORGE MARSHALL - CH7                      7-01-02972                      Callahan/SJ  
Motion of Debtor by counsel for Credit Against Judgment of Trustee, filed 4/23, d/e#131  
– *contd from 5/21 & 7/23*

Carmody                      DANNY SWARTZ JR-ch7                      7-03-02157                      Shortridge/NS  
Motion of Debtor to fix value and approve Redemption of Property filed 7/23, d/e # 23

Gifford                      JAMES & TERESA GOODMAN-ch7                      7-02-02144                      Callahan/SO  
Motion of Trustee for Approval of Compromise and settlement, filed 7/31; d/e # 22

Pro se BOBBY BLAIR-ch7 7-02-04921 Krippend/GR  
Showcause: Sherry Ketchum, Bankruptcy Petition Preparer to appear and showcause why she should not be taken into custody and held until contempt is purged by return of fee to U. S. Trustee for benefit of Debtor (Garber)

Abingdon Calendar - 9/3/03

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

M Black GORDAN & DEBORRAH JONAS-ch7 7-02-02287 Wick/NS  
Obj of Trustee to Claim #3: Community National Bank \$24,250.44 filed 7/21, d/e # 35

Obj of Trustee to Claim #5: Bank of America in amt of \$4,974.21 filed 7/21, d/e #36

Obj of Trustee to Claim #6: Bk of America: \$10,676.72, filed 7/21, d/e #37

Trustee's Motion for Compensation in the amount of \$1,250.03 for fees & expenses of \$296.44 [d/e # 41]

Trustee's Motion for Compensation in the amount of \$639.06 for fees & expenses of \$154.23 [d/e # 42]

Arey JAMES ABEL-ch7 7-03-01446 Krippend/JJ  
Motion of Trustee to Dismiss case filed 7/17; d/e # 17

Carmody MYRTLE DUFF-ch7 7-02-01023 Wick/VS  
Obj of Trustee to Claim #4: First Sentinel Bank, filed 7/21, d/e #48



Fleenor            MICHAEL & SHEILA ADAMS - Ch. 7                            7-03-02151                            Shortridge/GR  
                          Motion # 1: Avoid lien filed 8/4 [d/e # 14]  
                          Debtors v. Superior Financial Services # 6 (                            )

Copeland            BILL GREEVER, SR., - Ch. 7                            7-98-00088                            Wick/AF  
                          Trustee's Objection to Claim # 4 of American Express Travel (                            )

Abingdon Calendar - 9/3/03

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

Jessee            LEROY M. HULL CO INC-ch7                            7-01-03786                            Wick/JJ  
                          Motion of Claas of America LLC (King) for order authorizing payment of allowed  
                          Secured Claim filed 6/11, d/e # 221  
                          **Obj:** Kubota Tractor Corp (Kirstein)  
                          Response of Trustee filed 6/27; d/e # 229  
                          ***-Per phone call, counsel (Kirstein & Maxwell) will treat as "status" hearing only***  
  
                          Obj of Trustee to Claim#1: Bk of America; filed 8/4; d/e # 239  
  
                          Obj of Trustee to Claim #3: Snapper Inc filed 8/4; d/e # 240  
  
                          Obj of Trustee to Claim #5: Highlands Union Bank ( c/oBressler) filed 8/4; d/e # 241  
  
                          Obj of Trustee to Cl.#7: Advanta Business Services ( c/o Struck,Esq)filed 8/4;d/e#242  
  
                          Obj of Trustee to Cl. #8: Great Plains Capital Corp ( c/oLyle); filed 8/4; d/e # 243  
                          **-Response filed 8/29; d/e # 273 (Lyle)**  
  
                          Obj of Trustee to Cl#9: E.J.Smith Group Inc( c/oKerstein) filed 8/4,d/e #244  
  
                          Obj of Trustee to Cl.#10; Daewoo Heavy Industries; filed 8/4; d/e #245

Obj of Trustee to Cl.#11: Carswell Distributing Co; filed 8/4; d/e # 246

Obj of Trustee to Cl. #12: Long Agribusiness LLC ( c/o A. White) filed 8/4;d/e#247

Obj of Trustee to Cl.#13: Bush Hog LLC c/o J.Bradwell filed 8/4; d/e # 248

Obj of Trustee to Cl.#17 of Carswell Distributing Co filed 8/4; d/e # 249

Obj of Trustee to Claim #16: of FM94; WMEV in amt of \$1,315.17 filed 8/5;d/e#250

Jessee LEROY M. HULL CO INC-ch7 7-01-03786 Wick/JJ  
Obj of Trustee to Claim#19; AmSouth Bank ( c/oF leischhauer)filed 8/5; d/e # 251  
–contd from 9/3; Hutton appeared for Fleischhauer

Abingdon Calendar - 9/3/03

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

Jessee DARRELL BREEDING - Ch. 7 7-02-03003 Callahan/VS  
Motion # 2: Relief–cont'd by order entered 8/5 [d/e # 45, # 108]  
Ford Motor Credit Co. (Black) v. Debtor & Trustee

Hendricks JEFFREY & RITA ELKINS 7-03-02080 Callahan/AF  
Motion #1: Relief - filed 7/11; d/e # 11, 12 - contd from 8/6 & 9/3  
First Community Bank NA (Kieffer) v. Jeffrey Elkins (only) & trustee  
RESPONSE filed by Trustee 7/22 [d/e # 13]

Jessee ANITA HOLBROOK-ch7 7-03-02481 Wick/GR  
Motion #1: relief - filed 8/7; d/e # 12, 13  
Nissan Motor Acceptance Corp (VanBeek) v. debtor & trustee

Jackson            MICHAEL & MELONY CARICO-ch7            7-03-01861            Shortridge/GR  
Motion #1: relief - filed 8/7; d/e # 15, 16  
Chase Manhattan Mortgage Corp (Sasser) v. debtors & trustee

Copeland            DAVID & ANNIE GRAVELY -ch7            7-03-02459            Wick/SL  
Motion of Debtors to Redeem Property (household furniture); creditor,  
Mike's TV & Appliance [d/e # 12]

Snodgrass            BRIAN IRVIN - Ch. 7            7-03-01868            Shortridge/AF  
Trustee's Motion to Extend Deadline for Objecting to Discharge of Debtor [d/e # 17]  
**-ORDER of 8/22 granted extension to 10/10; cancels hearing**

Abingdon Calendar - 9/3/03

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

Slavin            BRYAN & HEATHER SHREWSBERRY - Ch. 7            7-03-01791            Shortridge/GR  
Trustee's Motion to Extend Deadline for Objection to Discharge [de # 15]  
**Ord (agreed) granted trustee's motion, extended date to 10/10/03, cancels hearing**

Sturgill            VIRGIE CASTLE - Ch. 7            7-03-01702            Shortridge/SJ  
Trustee's Motion to Extend Deadline for Objecting to the Discharge (an  
additional 60 days) [d/e # 19]  
**-ORDER of 8/22 granted extension to 10/10; cancels hearing**

Hutchinson            GARY & SUSAN WALLACE - ch13            7-03-03003            Widener/VS  
Motion #1: relief - filed 8/8; d/e # 13, 14  
Bank One/Valley National Financial Services (Kieffer) v. debtors & trustee  
*note: plan hrg scheduled 10/8 w/ valuation motion on 2000 Subaru w/Bank One*

Hutchinson            DAVIS & MARGARET LAMBERT-ch7            7-03-02534            Wick/VS  
Motion #1: Relief - filed 8/8; d/e # 12, 13  
First Community Bank NA (Kieffer) v. Debtors & trustee

Farthing	LAWRENCE & REGINA TURNER-ch7 Motion #1: Relief - filed 8/8; d/e # 12, 14 Transouth Financial Corp (Zimm) v. debtors & trustee <b>-ORDER granting relief (default) entered 8/22; cancels hearing</b>	7-03-02512	Wick/SJ
Carroll	LONNIE, JR., & ALICE JOHNSON - Ch. 7 Trustee's Motion to Extend Deadline for Objecting to the Discharge [d/e # 17]	7-03-01785	Shortridge/SL
Carroll	CHARLOTTE MASON - Ch. 7 Motion # 1: Relief-filed 8/8 [d/e # 14] Ford Motor Credit Co. (Eason) v. Debtor & Trustee <b>-Order (Default) entered 8/26; cancels hearing</b>	7-03-01947	Callahan/NS
Abingdon Calendar - 9/3/03			
<b><u>10:00 A. M. - MISCELLANEOUS</u></b>			
Hutchinson	DARREL & LINDA ASHBY Motion #1: relief - filed 8/8; d/e # 13, 14 Bank One (Neyhart) v debtors & trustee	7-03-02732	Widener/SJ
Fleenor	SHERRILL GRIFFIN-ch7 Motion of Trustee to Extend deadline to Object to Discharge, filed 8/8; d/e # 20 <b>-ORDER of 8/22 granted extension to 10/10; cancels hearing</b>	7-03-01678	Shortridge/AF
Farthing	BOBBY BAKER SR-ch7 Motion #1: Relief - filed 8/11; d/e # 10 11	7-03-02704	Shortridge/JM



Status hearing

Evidentiary hearing on U. S. Trustee's Motion to Convert from Ch. 11 to Ch. 7 or Dismiss Case [d/e # 65, 67] *contd from 8/20 w/conditions to cease operations*

Motion #3: Relief filed 8/11; d/e # 70, 71, 72 ;

Atlantic National Trust LLC (Terry) v. debtor

*-otbt from 8/20 hearing to either grant relief or cont hrg to 9/3*

*note: call last @ 11:00 and reserve some time for UST's evidentiary hearing*

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

Lamie                    JAMES & ALICIA PLASTER - Ch. 13                    7-03-02134                    Widener/VS  
Plan filed d5/19; d/e # 6

Motion for Valuation : Rifle; Knight Muzzleloader; Roto Tiller; Computer; Sylvania TV; RCA VCR: American General Financial Services; filed 8/7 ;d/e # 16

Lamie                    BRENDA OWENS                    7-03-02210                    Widener/GR  
Amended Plan filed 7/21, d/e # 18, 19

*Note: valuation motion being filed & set 9/17 @ 1:00*

Abingdon Calendar - 9/3/03

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

McDaniel                DONNIE & SALLY HALL-ch13                    7-03-02367                    Widener/NS  
Plan filed 6/4; d/e # 6, 8 *contd from 9/3*  
**Obj:** IRS (Eckert) filed 8/13 d/e # 15

Snodgrass                RAYMOND & LINDA SHAFFNER - Ch. 13                    7-03-00867                    Widener/NS

Mod Plan filed 5/9, d/e # 21, 22 *contd from 7/2 & 8/6*

**Obj:** Va.Housing Development authority (Wade) filed 4/9; d/e # 20

*Valuation motion was approved on 7/23; may need to notice plan @ 51%; not 70*

Hutchinson DONALD & RITA GUFFEY 7-03-01865 Widener/SL  
Plan filed 5/1, d/e # 6; *contd from 8/6 to hear w/val. Mot*  
**Obj:** Bank of America Mortgage (Sasser/Hutton ) filed 7/2, d/e # 15  
**(Ord of 8/12, d/e # 22, withdrew Obj of Bank of America to Plan)**

Valuation: Bank One: Kia Sportage 1999; filed 7/29; d/e # 19

Proctor GARY HAMMER-ch13 7-00-04114 Widener/GR  
Mod Plan filed 7/15  
Motion of Trustee to Convert/Dismiss , d/e # 51, *contd fr. 4/16, 5/21, 6/4, 7/2 & 7/23*

Snodgrass BOBBY & REBECCA PRATT-ch13 7-03-02346 Widener/JJ  
Plan filed 6/4, d/e # 6, Amended Plan filed 6/18; d/e # 13; c/s filed 6/20 d/e#14  
Trustee Report, Objection and Showcause: Convert/dismiss filed 7/14; d/e # 16  
**-Case CONVERTED to Ch7 on debtor's Motion 8/4/03**

Abingdon Calendar - 9/3/03

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

Snodgrass VICTOR & DONNA FELTY 7-03-01380 Widener/AF  
Mod plan filed 6/9; d/e # 16 *contd from 7/23*  
**OBJ:** to prior plan: SLM Financial Corp (Hutton) d/e # 14

Motion for Valuation on 1985 Subaru and 1988 Chevy Corsica w/CitiFinancial,  
Inc. [d/e # 23]

Motion for valuation: Catnaper Sectional Sofa: Citizens Savings & Loan, filed 7/29[#24]



Lamie CHRISTOPHER & DEIRDRE EVANS 7-03-01742 Widener/SJ  
Mod Plan filed 8/28; d/e # 40; 43  
**Objs to prior plan contd from 9/3** : Former Ch 7 Trustee Michael Shortridge (Shortridge)  
filed 7/29; d/e # 36 and Trustee Objection & Showcause: Dismiss; filed 7/14; d/e # 34

Motion of Former Ch 7 Trustee to Reconvert or Reconsider Order of Conversion and  
Motion of Former Ch 7 Trustee for Allowance of Adm. Expense filed 7/9; d/e # 32  
(Shortridge) *contd from 9/3*

M. Hart CHRISTOPHER & ANGEL TODD - Ch. 13 7-02-04451 Widener/GR  
Mod. Plan filed 7/9 [d/e # 60, 61  
Trustee Showcause contd from previous calendars; d/e # 44, filed 3/20/03

Snodgrass HURLEY & LINDA WILSON 7-03-02499 Widener/S  
***Mod Plan filed 7/31; d/e # 16, 17 - set for 9/17 @ 1:00***

McDaniel BARNEY, JR., & CHARLOTTE RASH - Ch. 13 7-03-02327 Widener/NS  
Mod Plan filed 9/4; d/e # 19, 20

Valuation on jewelry–Freidman’s Jewelers, creditor [d/e # 12]

Valuation on living room furniture in the amount of \$1,247.97– [d/e # 13]

Abingdon Calendar - 9/3/03

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

Graham RONALD PORTER - Ch. 13 7-03-02334 Widener/VS  
Plan filed 6/3; d/e # 5 *contd from 9/3*  
Trustee’s Report, Objection & Show Cause on Dismissal/Conversion [d/e # 13]

Hutchinson      JOSEPH & MICHELE BREWSTER - Ch. 13      7-03-02533      Widener/VS  
Plan filed 6/12, d/e # 6  
Trustee's Report, Objection & Show Cause on Dismissal/Conversion [d/e # 13]

*Note: Valuation motion filed 8/25 scheduled for hearing on 10/8 (F150 Pickup)*

Snodgrass      TERRY HOLIDAY - Ch. 13      7-03-02489      Widener/AF  
Plan filed 7/31; d/e # 14 with c/s  
Trustee's Report, Objection & Show Cause on Dismissal/Conversion [d/e # 13]  
**Obj:** Rural Housing Serv; U.S.Dept of Agriculture (Eckert) filed 8/22; d/e # 18

*Note: Debtor filed Motion to Dismiss on 8/15; deficiency notice issued 8/22; d/e # 20 failure to pay \$155.00 filing fee due.*

Gifford      BETTY REYNOLDS - Ch. 13      7-03-02415      Widener/SL  
Plan filed 6/24 [d/e # 11] *contd from 9/3*  
Trustee's Report, Objection and Show Cause on Dismissal/Conversion [d/e # 15]

M. Hart      JOSEPH & PAMELA GROSECLOSE - Ch. 13      7-02-05059      Widener/SL  
Mod. Plan filed 7/9 [d/e # 41, 42]  
*(This case had been inadvertently dismissed on 7/31 but the order was rescinded on 8/7 reinstating the case.)* [d/e # 48]

*Note: Trustee's showcase was contd from previous hearings to hear w/mod plan (Filed 2/18; d/e # 18)*

Abingdon Calendar - 9/3/03

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

Snodgrass      BOBBY WEBB - Ch. 13      7-03-02195      Widener/SL  
Plan filed 5/21, d/e # 6  
**Obj.:** GreenTree Servicing, f/k/a Conseco Finance Corp. (McQuiddy)

Trustee's Obj. w/Report, & Show Cause on Dismissal/Conversion [d/e # 13]

Via PHYLLIS CASS - Ch. 13 7-03-02313 Widener/VS  
Plan 6/10; d/e # 16

Motion for valuation of end tables, coffee tables, tv w/Regency Finance [d/e # 17]

Hutchinson RHONDA HAYES - Ch. 13 7-03-02042 Widener/SJ  
Plan filed 5/13, d/e # 6 *contd from 9/3*

Motion # 1: Relief—filed 8/4 [d/e # 14]; *Movant's certification filed 8/19* [d/e # 18]  
Peoples Loan Co. (Harman) v. Debtor & Trustee  
Answer filed by Debtor 8/14 [d/e # 17]

Snodgrass STEPHEN CRESSELL-ch13 7-03-00843 Widener/VS  
Plan filed 5/19, d/e # 21  
**Obj: former Ch 7 Trustee to Plan & Mot to Reconvert (Callahan) filed 5/20 , d/e#23**  
Response of Debtor by counsel to former Ch 7 Trustee's Obj & Motion filed 5/23, d/e#28

Hutchinson DENNY & WANDA FERGUSON 7-03-01517 Widener/NS  
Plan filed 7/7; d/e # 23; c/s filed 7/16; d/e # 26 *contd from 9/3*  
Trustee OBJ, report & Showcause: Dismiss/convert, filed 8/21; d/e # 32

Abingdon Calendar - 9/3/03

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

Hutchinson DANNY & LOUETTA CANTER-ch13 7-03-02209 Widener/JM

Plan filed 5/22, d/e # 6

Motion #1: relief - filed 8/8; d/e # 16, 17, *movant certif d/e # 18*  
Toyota Motor Credit Corp (Higgs) v. debtors & trustee

Snodgrass      REGGIE KEMP      7-03-02496      wIDENER/jj  
Plan filed 6/11; d/e # 6

*-see also 2:00 p.m. confirmation(remand) at page 17*

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

Money      WANDA HINTON-ch13      7-03-01503      Widener/VS  
Obj of former Ch 7 Trustee to conversion and Motion to Reconvert back to  
Chapter 7 (Callahan) filed 7/31; d/e # 26, *contd from 9/3*

Hutchinson      JEFFREY & MELISSA SPROLES-ch13      7-03-03001      Widener/GR  
Motion #1: Relief - filed 8/14; d/e # 14, 15  
Nuvell Financial Services Corp (Eason) v. debtors & trustee

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

Hutchinson      RICKIE & BONICHA ENNIS - Ch. 13      7-03-00184      Widener/AF  
Debtors' Motion for Extension of Time to file amended plan [d/e # 36]  
*-amended plan filed 8/21 & already scheduled for 10/8 @ 1:00 on conf.*



Lamie BOBBY & BRENDA VENCILL - Ch. 13 7-01-04512 Widener/SJ  
Debtors' Motion to sell property free and clear of liens (1987 Barrett Cattle  
Trailer) [d/e # 63]

**2:00 P.M. - CHAPTER 13 CONFIRMATIONS**

Antenucci ANNA LITTON-ch13 7-00-03809 Widener/JM  
Order (agreed ) entered 8/22/03, d/e # 55 setting hearing on Confirmation of Debtor's  
Proposed Chapter 13 Plan pursuant to remand (d/e # 52)  
*Plan filed 11/21/00, d/e # 5; Objection filed 1/21/01: Wachovia Bank, d/e # 20 (Esposito)*

**2:30 P. M. - TRIAL**

Slavin JAMES DONALDSON JR-7 7-02-01861 Wick/SO  
A/P 7-02-00107: Det. Dischargeability/ **TRIAL - allow 2 hours**  
CitiBank South Dakota NA (Chappell) v. debtor (Slavin)