

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

ABINGDON CALENDAR - SEPTEMBER 8, 2004

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

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

Attys: Debtors: Case Nos.: Trustees:

9:15 A. M. - TELEPHONE CONFERENCE IN CHAMBERS

Carmody FRED & BILLIE HOWERY-ch13 7-98-01039 Widener/S
A/P 7-04-00033: Det. Validity, priority or extent of lien or other interest
Debtors v. HomeQ Servicing dba The Money Store (Clarke)
-Clarke will initiate the call on final pre-trial conference

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

Lamie CHARLES & GLENNA HOLMES - Ch. 7 7-04-00843 Callahan/SO
A/P No. 7-04-00058: Determine dischargeability of debt; *final pre-trial*
contd from 7/21
Lee Bank & Trust Co. (Lyle) v. Debtors
-Agreed Order entered 8/17-hearing cancelled

Money WILLIAM SHULER - Ch. 13 7-03-03599 Widener/NS
A/P No. 7-04-00084: Determine validity, priority or extent of lien
Debtor v. The Bank of Marion (Graham), The Town of Marion (),
County of Smyth (), Commonwealth of VA Workers
Compensation Commission (Zimm)

Note: Case file on docket for 2:00 p.m.

10:00 A. M. - MISCELLANEOUS HEARINGS

Carmody WILLIAM & MARGARET ENLOW-ch7 7-01-02022 Callahan/SO
Final Report of Trustee/Proposed Distribution - contd from 7/21 for amendment
to be filed by trustee to reflect change in secured status of creditors whose liens

were avoided; amended final report filed 8/6; d/e # 136; notice and summary of final report and proposed distribution filed 8/11; d/e # 137

Objection of Debtor will be withdrawn by OTBT (Carmody)

Abingdon Calendar - 9/8/04

10:00 A. M. - MISCELLANEOUS HEARINGS

Carmody MICHAEL & JOANN ASBURY 7-04-01110 Wick/JM
Motion to Reopen/Waive fee; file motion for sanctions for violation of stay
d/e # 17; (filed with proposed order) - *contd from 8/18*

Motion to Showcause: Contempt for violation of Stay; Imposition of Sanctions
against New Peoples Bank, filed 7/19; d/e # 18
Response to Motion for contempt, etc., filed 8/16, d/e # 19 ; *contd from 8/18*

Large STEVE BALES - Ch. 7 7-01-02446 Callahan/JJ
Motion # 1: Avoid lien—filed 6/1 [d/e # 20] - *contd from 7/21*
Debtor v. CitiBank () & Trustee
—movant certification filed 6/28; d/e # 25

—consent order rec'd 9/3 & placed in file for Judge Stone's endorsement on 9/7 in court

Hutchinson PHYLLIS STANFORD 7-04-03197 Callahan/NS
Motion to extend time to file remaining schedules filed 8/19; d/e # 11

Farthing PAUL & OPAL HARMON 7-01-03610 Callahan/JM
Obj of Trustee to Claim #5: e-CAST Settlement, in amt of \$10,488.22, filed
7/21; d/e # 55, 56

Snodgrass CHARLES & HAZEL HINKLE - Ch. 7 7-02-04327 Callahan/JJ
Amended Motion #1: Avoid lien [d/e # 22] - Amended Mot d/e # 25, filed 7/26
Debtors v. Shands Teaching Hospital and Clinics () [d/e # 22]
(Case re-opened 8/2 and \$155 f.f. paid)
--note: pre-hearing to registered agent returned "Attempted - Not Known" ;
--ltr of counsel received 8/26 w/mail return receipts evidencing service to Billy
Tobris for Charles Koval & Greg Odum for Shands Teaching Hospital &
Clinics

Abingdon Calendar - 9/8/04

10:00 A. M. - MISCELLANEOUS HEARINGS

Sutherland MICHELLE ORR - Ch. 7 7-04-02741 Callahan/JJ
Motion # 1: Relief--filed 8/3--Ord of 8/5 extended stay [d/e # 12, 13, 14, 16]
Amsouth Bank (Huebschman) v. Debtor & Trustee

Widener GARY MCMURRAY - Ch. 7 7-04-01715 Callahan/LM
Trustee's Motion to Dismiss Case or Extend Deadline for Objecting
to Discharge of Debtor [d/e # 23]

Money CHARLES SESSOR, JR. - Ch. 7 7-04-02715 Callahan/LM
Trustee's Motion to Dismiss Case or Extend Deadline for Objecting
to Discharge of Debtor [d/e # 10]
-Order tendered to withdraw t's mot - ord in file for entry

Jessee DARRELL BREEDING - Ch. 7 7-02-03003 Callahan/S
Trustee's Final Report & review by U. S. Trustee [d/e # 130, 131]
Obj. To Proposed Distribution w/notice: First Bank & Trust (Hutton) [d/e # 132]

Fleenor BRAD PAYNE - Ch. 7 7-04-02856 Krippendorf/SJ
Motion # 1: Relief–filed 8/9 [d/e # 14]
DaimlerChrysler Services, NA (Higgs) v. Debtor & Trustee
–Ord of 8/24 granted relief, w/dbtr consent; no response by trustee

Carmody VERNON & TAMMY PRATER - Ch. 7 7-04-02032 Vogel/AF
Motion # 1: Avoid lien–filed 8/9 [d/e # 16]
Tammy Prater v. SunTrust Bank, f/k/a Crestar Bank Bankcard Division ()
–ORDER (default) of 8/24 avoiding lien, cancels hearing

Abingdon Calendar - 9/8/04

10:00 A. M. - MISCELLANEOUS HEARINGS

Money EARLE, JR., & CYNTHIA BULLINGTON - Ch. 7 7-04-02714 Callahan/LM
Motion # 1: Relief–filed 8/9 [d/e # 12]
Wachovia Bank, N.A. (Mason) v. Debtors & Trustee
–ORDER of 8/24 granted relief, cancels hearing

Carmody WILLIAM, JR., & MARTHA WOMACK - Ch. 7 7-04-02569 Krippendorf/SL
Motion # 2: Relief–filed 8/9 [d/e # 18];*movant's cert. filed 8/9*
DaimlerChrysler Services, N.A., LLC (Higgs) v. Debtors & Trustee
–ORDER of 8/24 (agreed) granted relief, cancels hearing

Copeland GARY & CONNIE ARNOLD - Ch. 7 7-04-02609 Krippendorf/JM
Motion # 1: Avoid lien [d/e # 11, 12]
Debtors v. Citifinancial, Inc. ()

Beck ANTAEUS TECHNICAL SERVICES INC-ch7 7-99-02114 Copeland/LM
Motion of Penn,Stuart & Eskridge PC (Esposito) for compensation of Counsel
for Trustee in amt of \$15,041.50 and \$1,013.42 expenses

Lamie WYTHE PRECISION MACHINE CO., INC.-7 7-02-04520 Callahan/SO

Snodgrass RICHARD & TINA DELP 7-03-03352 Widener/JJ
Mod Plan filed 7/9; d/e # 55, 45
Trustee Showcause contd from prior hearings, filed 5/21; d/e # 50

F Harman MICHAEL PERDUE 7-04-00316 Widener/LM
Plan filed 6/25; d/e # 34; certif of service filed 6/29; d/e # 35
Trustee Report, Obj & Showcause: Dismiss/convert, filed 6/14; d/e # 31
contd from 7/7

Carmody ROY SYKES JR 7-04-02255 Widener/SJ
Plan filed 6/8; d/e # 11 (with certificate of service)

Abingdon Calendar - 9/8/04

1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Lamie JACKSON & LAURA KISER - Ch. 13 7-03-00001 Widener/S
Mod. Plan filed 6/23 [d/e # 90] with certif of service
Obj.: Builder's Supermarket, Inc. (Bragg) [d/e # 91]
Obj: New Peoples Bank (Hutton) filed 8/27; d/e # 95
Trustee Report, Obj & Showcause: Dismiss/convert, filed 7/26; d/e # 93

Motion # 3: Relief--filed 12/12 [d/e # 53, 74]
New Peoples Bank (Hutton) v. Debtors
Answer filed by Debtors 12/18 [d/e # 55]
Cont'd from 4/21 to be heard w/Mod. Plan

Snodgrass DOUGLAS & PAMELA SCARBERRY-ch13 7-04-01792 Widener/NS

McDaniel ROGER & MIRIAM ANO - Ch. 13 7-04-01894 Widener/NS
Mod Plan filed 8/18, d/e # 26 (*contd fr 9/8 for new clerks office ntc, d/e # 33*)
Trustee's Objection and Show Cause –*contd from 9/8 for notice on 8/18 plan*

1:00 P. M. - MISCELLANEOUS

Largen KEITH & JOELLA JOHNSON 7-04-03059 Widener/SJ
Motion #1: Relief - filed 8/9; d/e # 14, 15
Americredit Financial Services (Epps) v. debtors & trustee
Response filed 8/11, d/e # 16

1:30 P. M. - MISCELLANEOUS

Hutchinson JERRY & SHARON SINGLETON 7-01-01378 Widener/GR
Motion to Shorten Notice/ Motion to Incur Debt, filed 7/13; d/e # 34 *contd fr 7/21*
Obj: Trustee, filed 7/14; d/e # 35
–ORDER of 8/16 dismissed Motion to shorten notice and Motion to incur debt without prejudice

Graham DUANE & JOYCE PRATER-ch13 7-04-00288 Widener/NS
Motion for Valuation of 2000 Nissan Xterra SE; \$7,910; Nissan Motor
Acceptance Corp. [d/e # 62]
Response filed 8/12; d/e # 74 – contd from 8/18

Abingdon Calendar - 9/8/04

1:30 P. M. - MISCELLANEOUS

Lamie CHRISTOPHER & DEIRDRE EVANS 7-03-01742 Widener/JJ
Obj of Debtors to Claim #2: Life Recovery: \$170.00, filed 7/26; d/e # 91

Obj of Debtors to Claim #4: Bank of Marion: \$24,317.16, filed 7/26; d/e # 92

Obj of Dbtrs to Claim #9: American Express Travel: \$7,605.07; filed 7/26; d/e #93

Obj of Debtors to Claim #15: Albano & Associates: \$1,038.50; filed 7/26;d/e # 94

Obj of Debtors to Claim #16: Abingdon Tile & Carpet: \$2,711.92 filed 7/26 #95

McDaniel ROGER & MIRIAM ANO - Ch. 13 7-04-01894 Widener/NS
Motion #2: Relief - filed 8/20; d/e # 28, 29
Washington Mutual Bank FA (CPatterson) v. debtors & trustee
Answer filed 8/25; d/e # 31

2:00 P.M. - MISCELLANEOUS

Antenucci BILLY & BARBARA VANDYKE - Ch. 13 7-99-04094 Widener/NS
-BSG case
Trustee's Motion to Dismiss or Convert [d/e # 59] *contd from 5/19, 7/21 & 8/18*

Money WILLIAM SHULER - 7-03-03599 Widener/NS
Motion # 2: Relief-filed 6/21 [d/e # 54]
Bank of Marion (Graham) v. Debtor & Trustee
cont'd from 7/7 (if pd, movant may tender dismissal ord; if not may cont to
later date if desires more time)
Answer of Debtor, filed 6/29; d/e # 57
Note: Pre-trial of A/P 7-04-00084 on docket for 9:30 a.m.

Abingdon Calendar - 9/8/04

2:00 P. M. - MISCELLANEOUS

Pro se CAMILA ORMAN-SHEETS-ch7 7-04-02537 Krippend/AF
Objection of Trustee to Debtor's Claim of Exemptions filed 8/18; d/e # 16

out of time filed 8/23; d/e #128

Motion of George E. Hunnicutt Jr and Joseph F. Hunnicutt for Leave to file an amended formal proof of claim to informal proof of claim, filed 8/25; d/e # 130 (R.Maxwell)

First Interim Fee Application of Gentry Locke Rakes & Moore, LLP, d/e # 77, filed 5/26, 04 – scheduled for trial by continuance order of 8/17/04, d/e # [123]

Objs: Pepsi Cola Bottling of Norton (Copeland) , filed 6/17/04 D/e # 87
Geo & Jos.Hunnicutt (Maxwell) filed 6/18; d/e # 90
U. S. Trustee 1) Objection to fee application; 2) Motion to Revoke Order of 11/20/03; and 3) Motion to Disgorge filed 6/18; d/e # 91

Response of Debtor to Objections, filed 6/21; d/e # 92

–reserve several hours

3:00 P.M. - MISCELLANEOUS

Snodgrass	DONALD & CYNTHIA GIBSON - Ch. 7	7-04-03030	Vogel/AF
	Motion # 1: Relief–filed 8/16 [d/e # 11, 13]		
	Daimler Chrysler Services, N.A., L.L.C. (Higgs) v. Debtors & Trustee		
	<i>–Default Order of 8/31 granted relief, cancels hearing</i>		