

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

ABINGDON CALENDAR - OCTOBER 8, 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

Carmody JAMES A DYE, JR & PAMELA DYE -ch13 7-03-01479 Widener/SO

A/P 7-03-00053: Determine liens or other interest -

-contd fr 9/3 for argument on motions as may be filed by 9/30

Debtor s James & Pamela Dye v. American General Finance (Hutton);
Jo Wikle, Manager/American General(Hutton) and David
Hutton , Trustee(Hutton)

Motion filed 10/1 in A/P by American General Finance (Hutton) to set valuation
date

-see also 1:00 p.m. confirmation matters

Carroll LONNIE & ALICE JOHNSON-ch7 7-03-01785 Shortridge/SO

A/P 7-03-00139: Det. Dischargeability

MBNA America Bank NA (Fitzpatrick) v. debtors

See also case file Mot set at 10:00

Copeland ARTHUR H, III & BOBBIE GAYE GREGORY 7-03-00442 Wick/SO

A/P 7-03-00067: Revoke or object to discharge & det. Dischargeability; *final pretrial*

William C. Baker Jr (J Jessee) & Chad William Baker (J Jessee) v. Arthur H
Gregory III (Copeland)

--Order entered 9/9 dismissing A/P

–see also 10:00 a.m. hearing in case file

Farthing ANTHONY & CAROL CONLEY - Ch. 7 7-02-05116 Krippendorf/S

A/P No. 7-03-00135: Recover money or property

Evelyn K. Krippendorf, Trustee v. Debtors & Bland County Pharmacy, Inc. ()

–ORDER of 10/3 dismissed AP with prejudice

A/P No. 7-03-00136: Recover money or property

Evelyn K. Krippendorf, Trustee v. Debtors & NAPA Auto Parts ()

–ORDER of 10/3 dismissed AP ; claim paid in amt of \$900

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

Farthing CHARLES & BELINDA MATNEY - Ch. 7 7-02-04796 Krippendorf/LM
A/P No. 7-03-00138: Recover money or property
Evelyn K. Krippendorf, Trustee v. Debtors & Coalfield Services, Inc. ()
-ORDER of 10/3 dismissed AP on plaintiff motion

Farthing ANTHONY & CAROL CONLEY-ch7 7-02-05116 Krippend/ JM
A/P 7-03-00137: Recover money or property
Evelyn K. Krippendorf, Trustee (Krippendorf) v. debtors (Farthing) & Ann Kinser,
Transferee()

10:00 A. M. - MISCELLANEOUS

Copeland ARTHUR H, III & BOBBIE GAYE GREGORY 7-03-00442 Wick/SJ
Motion to Approve Post-Discharge Reaffirmation agreement with First Bank &
Trust Co on 1995 Infinity , filed 9/22; d/e # 26, 27

Farthing CHRISTOPHER & CRYSTAL SAGE-ch7 7-03-03300 Wick/SO
Motion #1: relief - filed 8/26; d/e # 10, 11 contd from 9/17
First Community Bank NA (Kieffer) v. debtors & trustee

*Note: Mot.#2 filed 10/1 by Greenpoint Credit - set on Roanoke 10/27 date in error;
being renoticed for 10/22 @ 2:00 p.m. (Twery/Lynchburg atty)*

Fleming JEFFREY & MELISSA STEVENS-ch7 7-03-01732 Shortridge/SJ
Trustee's Motion to Dismiss (Shortridge) filed 9/15; d/e # 15

Abingdon Calendar - 10/8/03

10:00 A. M. - MISCELLANEOUS

Carroll LONNIE & ALICE JOHNSON-ch7 7-03-01785 Shortridge/SO
Motion of Trustee to approve settlement and abandonment of estate's interests in
certain asset, filed 9/12; d/e #22

Rhue JAMES C. BALL-ch7 7-99-02518 Callahan/AF
Motion to compel IRS to comply with Pre-Trial Order of 7/7 (d/e# 88) and to continue
deadlines, filed by trustee (Callahan) on 9/11; d/e # 89
Re: Obj to Claim #2 of IRS and IRS Motion to Dismiss Same

Arkema WOODTECH, INC-ch7 7-02-02451 Krippendorf/GR
Motion #14: Relief - filed 7/7; d/e # 232, 233; less than 20-day ntc; no p/h ord. entered
Tazewell County VA (Lamie) v. debtor & trustee
RESPONSE filed by Trustee 7/11 [d/e # 235] *contd from 10/8*

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
Response of Amsouth Bank (Fleischhauer/Huebschmann) filed 9/5; d/e # 279
-contd from 10/8

Parks JUDY LUNDY-ch7 7-03-02876 Callahan/JJ
Motion #1: Relief - fled 8/26; d/e # 12, 13, 14, 15
Merrill Lynch Security (Bierman) v debtor & trustee

Carmody AARON & RHONDA THOMASON-CH7 7-03-01963 Callahan/VS
Motion #1: Avoid lien - filed 8/25; d/e # 14, 15
Debtors v. Citifinancial Inc, c/o Mike Knapp, President
-ORDER (Default) entered avoiding lien, cancels hearing

Abingdon Calendar - 10/8/03

10:00 A. M. - MISCELLANEOUS

Snodgrass DOUGLAS & CHRISTINA VIARS-ch7 7-03-02826 Callahan/JJ
Motion #1: Avoid lien filed 8/12; d/e # 17, 18
Debtors v. Beneficial Va. Inc c/o Commonwealth Legal Services Corp/RA
-amended notice of hearing filed 9/3 re-scheduled from 1:00 to 10:00 a.m.

Motion # 2: Avoid lien--filed 9/3 [d/e # 23]
Debtors v. Twin County Regional Healthcare, Inc., d/b/a Twin County
Regional Hospital ()

Hutchinson DAVIN & MARGARET LAMBERT-ch7 7-03-02534 Wick/VS
Motion #2: relief - filed 9/9; d/e # 16, 18
ABN AMRO Mortgage Group (Christine Patterson) v. debtors & trustee

Largen RICKY & LAURA HOLCOMB-ch7 7-01-00355 Callahan/SL
Motion #2: Avoid lien - filed 9/9; d/e # 31, 32
Debtors v. F & M Construction Corp.

Motion #3: Avoid lien - filed 9/9; d/e # 33, 34
Debtors v. Ready Mix Concrete of Galax, ficticioius name for Jennings Leasing
Company, Inc.

Motion #4: Avoid lien - filed 9/9; d/e # 35, 36
Debtors v. Salem Stone Corp

McDaniel ROGER & MIRIAM ANO-chl3 7-03-03077 Widener/NS
Motion #1: Relief - filed 9/10; d/e # 16, 17, 18; *contd from 10/8 to await cred. Mtg hrg
scheduled on 10/10*

Washington Mutual Bank FA (Gershen/F Harman) v. debtors & trustee
Answer filed 9/18; d/e # 22

Arey JAMES ABEL-ch7 7-03-01446 Krippend/JJ
Motion to Dismiss case filed by Debtor's counsel (failure to appear at creditors meetings/failure to cooperate with trustee) *see letter - motion filed by debtor atty at request of trustee*

Abingdon Calendar - 10/8/03

10:00 A. M. - MISCELLANEOUS

Carroll ERNEST & CYNTHIA HUNT-ch7- 7-03-03426 Shortridge/JJ
Motion #1: Relief - filed 9/11; d/e # 10, 11
Va. Housig Development Authority (Wade) v debtors & trustee
movant certification filed 9/16 d/e # 12

Largen TAMMY LAFFERTY 7-02-01158 CallahanAF
Motion #2: Relief - filed 9/10 ; d/e # 43, 44
WFS Financial Inc (Epps) v. debtor & trustee
-ORDER of 9/26 (consent) granting relief

Shankman DAVID & VIRGINIA MARTIN-ch7 7-03-02641 Shortridge/GR
Motion #1: Relief - filed 9/10; d/e # 16, 17, 18
National Bank of Commerce (Higgs) v. debtors & trustee
-Order entered 9/30 granting relief

Jessee LINDA BAILEY - Ch. 7 7-03-02907 Callahan/NS
Motion # 1: Avoid Lien filed 9/16 [d/e # 12]

Antenucci MELINDA STEWART - Ch. 7 7-03-03299 Wick/LM
Motion # 1: Relief-filed 9/15 [d/e # 11]
New Peoples Bank, Inc.(Hutton) v. Debtor & Trustee

Abingdon Calendar - 10/8/03

10:00 A. M. - MISCELLANEOUS

M Black GORDON & DEBORRAH JONAS 7-02-02287 Wick/NS
Motion for additional compensation for debtor's counsel, Brumberg Mackey & Wall
in amt of \$1,220.00, filed 9/17; d/e # 48

Copeland CHRISTOPHER COLEY-ch7 7-03-03664 Shortridge/JJ
Motion #1: Relief - filed 9/18; d/e # 11, 12; *movant certif d/e # 13*
Vanderbilt Mortgage & Finance (Eason) v. debtor & trustee
-ORDER (default) entered 10/2 granted relief

Money HERSHIEL RUSSELL - Ch. 7 7-03-02679 Shortridge/NS
Trustee's Motion to Extend Deadline for Objecting to Discharge of Debtor [d/e # 19]
-filed 9/29

Trustee's Objection to Claim of Exemptions filed 9/26 [d/e # 18]

11:00 A. M. - MISCELLANEOUS

Copeland GEORGE S. PATTON-ch11 7-02-01131 DIP/GR
Confirmation of Amended Plan (1st) filed 8/25; d/e # 140, 141
(*Ord of 9/9 dismissed IRS obj to confirmation, d/e # 144*)

Motion #7: Relief - filed 9/18; d/e #146
Eun-Hyun Park (Maxwell) v. debtor
–*filed with Mot. To approve Stipulation and Agreed Order and Notice and Opportunity to Object*
–**NOTIFICATION being filed 10/3 by movant atty or no objs filed & request for entry of stipulated/agreed relief order**

Copeland G & A COAL COMPANY 7-99-02321 DIP/GR
Motion Andrew Goldstein for Compensation (5th Interim) of counsel for Ch 7 Trustee, In amt of \$7,491 and \$680.41 expense filed 9/19; d/e #308

Copeland HARMAN MINING 7-98-01988 DIP/AF
8th Interim Fee Appl of counsel for Unsecured Creditors Committee in the amt of \$2,009.60 & expense of \$205.63 filed 9/19; d/e # 810

Abingdon Calendar - 10/8/03

11:00 A. M. - MISCELLANEOUS

Lawson/ Leonard LAMBERT OIL CO., INC. - Ch. 7 7-03-01183 Callahan/VS
Show Cause if Debtor fails to file Disclosure Stmt & Plan by 9/30 as required by agreement with office of the U. S. Trustee
–**ORDER OF 9/16 CONVERTED CASE TO CH 7 ON DEBTOR MOTION**

Copeland JERRY & CATHY STURGILL-chll 7-03-00093 DIP/VS
Adequacy of Disclosure Statement, d/e # 62, 64, 65 *contd from 10/8*

11:00 A. M. - CHAPTER 13 CONFIRMATION

(1/2 hour reserved)

Jessee EDDIE & MELODY MATNEY - Ch. 13 7-02-05093 Widener/VS
Notice of hearing filed 9/16; d/e # 23, by debtor's for confirmation on Plan filed 12/16; d/e # 6 (Trustee Motion pending filed 2/18; d/e # 16)
–*see also Debtor's Memorandum filed 3/10 , d/e # 20, pursuant to hearing of 3/5 and subsequent briefing order, d/e # 21 , entered 3/13/03; no response to debtor's memorandum filed.*

1:00 P. M. - CONFIRMATIONS

Snodgrass RICKY MCPEAK- 7-03-02792 Widener/SJ
Mod Plan filed 9/12; d/e # 14, 15; set for 10/22 @ 1:00

Timoney ELLIS & TRACI LEONARD 7-03-02484 Widener/AF
-Mod Plan filed 10/6, d/e #30, set for hearing on 11/19 @ 1
Objection: EMC Mortgage Corp. (Sasser) [d/e # 29]

Abingdon Calendar - 10/8/03

1:00 P. M. - CONFIRMATIONS

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

Farthing JOHN & DONA DODSON-ch13 7-03-02968 Widener/AF
Plan filed 7/9; d/e # 6

Valuation: 1993 Ford Aerostar Van; First Community Bank, filed 8/25; d/e # 14

Hutchinson GARY & SUSAN WALLACE - ch13 7-03-03003 Widener/VS
Plan filed 7/14; d/e # 6

Valuation: 2000 Subaru: Bank One; filed 8/25; d/e # 20

Hutchinson ROBERT & LOVINIA SALTZ-ch13 7-02-00625 Widener/SL
3rd Modified Plan, filed 8/21; d/e # 78, 79

Carmody JAMES & PAMELA DYE 7-03-01479 Widener/NS
Plan filed 4/9, d/e # 6 *contd from 7/2 & 9/3 (d/e # 26, 27) (re: AP pending @ 9:30)*

Abingdon Calendar - 10/8/03

1:00 P. M. - CONFIRMATIONS

Largen DAVID TAYLOR 7-02-02797 Widener/NS
Mod Plan filed 8/27; d/e # 32, 33

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]

Valuation: '92 Fleetwood mobile home: Greenpoint Credit LLC, filed 9/4; d/e # 17

Valuation: 1997 Ford Escort; Ford Motor Credit, filed 9/4; d/e # 16

Hutchinson JOSEPH & MICHELE BREWSTER - Ch. 13 7-03-02533 Widener/VS

Timoney ANTHONY & MELISSA MCMILLIAN 7-03-02895 Widener/SL
–*AMENDED PLAN filed 9/30 & scheduled for 11/19 @ 1:00*
Trustee’s report OBJ and Showcause: Dismiss/convert filed 8/21; d/e # 18

Motion for Valuation: Security Financial Corp; 1989 Toyota Corolla & 1994 Ford
Aerostar, filed 8/25; d/e #19

Fleenor KENNETH & RHONDA VENABLE-chl3 7-03-02575 Widener/SL
Plan filed 6/16; d/e #6
Trustee’s report OBJ and Showcause: Dismiss/convert filed 8/21; d/e # 18

Valuation: 1997 GMC Jimmy : Household Automotive Finance, filed 8/15; d/e # 15

Motion #1: Avoid lien - filed 9/8; d/e # 22, 23
Debtors v. Tico Credit Company

Snodgrass KENNETH & NANCY BARRETT 7-03-02007 Widener/NS
Amended Plan filed 6/6; d/e # 14, - contd from 10/8 (*AP pending against Shelby
Casualty/hasn’t released lien on d/t of property lost in fire*)

Abingdon Calendar - 10/8/03

1:00 P. M. - CONFIRMATIONS

Snodgrass EDDIE & MELISSA FARISS 7-03-00844 Widener/SO
Plan filed 4/18, d/e # 14 - *contd from 10/8*

Motion of former Ch 7 Trustee to Reconvert to Ch 7 and Response
to Chapter 13 Plan filed 6/5, d/e # 26, 28 *contd from 10/8*

Fleenor WILBUR HOLMES 7-03-02856 Widener/JJ
Plan filed 7/1; d/e # 6
Trustee’s report OBJ and Showcause: Dismiss/convert filed 8/21; d/e # 16

Snodgrassd JERRY & REBECCA WALTERS 7-03-02952 Widener/SJ
--Mod Plan filed 9/9; d/e # 16, 17; set for 10/22 @ 1:00
Trustee's report OBJ and Showcause: Dismiss/convert filed 8/21; d/e # 13

Valuation: '88 Chev. S-10 Pickup (wrecked); Citifinancial Investment Recovery,
filed 9/3; d/e # 15

Hutchinson JEFFREY & MELISSA SPROLES-chl3 7-03-03001 Widener/GR
Mod Plan filed 9/9; noticed for conf 10/22 @ 1:00
Trustee Report, Objection & Showcause; Dismiss/convert, filed 8/21, d/e # 15

Oglebay CHARLIE PRUITT 7-03-02576 Widener/JJ
-Mod Plan filed 9/25, d/e #17, set for hearing on 11/19 @ 1
Trustee's report OBJ and Showcause: Dismiss/convert filed 8/21; d/e # 14 Abingdon

Abingdon Calendar - 10/8/03

1:00 P. M. - CONFIRMATIONS

Snodgrass GREGORY & BELINDA PRUITT-chl3 7-03-02623 Widener/VS
Plan filed 6/18; d/e # 6
Obj: First Citizens Bank (Zimm) filed 7/7; d/e # 12

Lamie JACKSON & LAURA KISER-chl3 7-03-00001 Widener/GR
Mod Plan filed 6/6; d/e # 34, 35 (amendment to schedules I & J d/e# 36) *cont fr 7/23*
Obj: Builders Supermarket Inc (Bragg) filed 6/26, d/e # 38
Trustee Report, Objection & Showcause: Dismiss/convert, filed 7/30; d/e # 41

Hutchinson JOHNNY & MELISSA CLARK-chl3 7-03-03002 Widener/SJ
Plan filed 7/28; d/e # 11 with c/s

Snodgrass PAULA MEDDERS-chl3 7-03-03026 Widener/JJ
CASE DISMISSED 9/30/03 without prejudice on debtor motion

M Hart ROBERT & CHRISTINE WEBB-chl3 7-03-03052 Widener/SJ
Mod Plan filed 10/3; set for hearing 11/19 @ 1:00
Trustee's report OBJ and Showcause: Dismiss/convert filed 8/21; d/e # 14
*-Debtor's counsel Filed Motion to Continue Trustee Report/Motion (10/2, d/e # 20) as
Dbtr filed Mot Suspend pmts 10/2 & set same 11/19 @ 2 : d/e # 20, 21*

Valuation: Transouth Financial Corp: '97 Subaru, filed 7/28; d/e # 13
Order of 9/9 fixed value of vehicle at \$7,000, cancels hearing

Abingdon Calendar - 10/8/03

1:00 P. M. - CONFIRMATIONS

Via KENA & TRACY BARBER - Ch. 13 7-03-00282 Widener/SJ
Mod. Plan filed 8/5 [d/e # 59, 60]

Motion #3: Relief - filed 9/9/03; d/e # 62, 63
Novastar Mortgage (Bierman) v. debtors & trustee

Lamie JASON & FARRAH WHITE-chl3 7-03-00932 Widener/SJ
Mod Plan filed 4/23, d/e # 25, 26
-see also 2:00 p.m. relief motion

Trustee's Motion to Dismiss w/prejudice [d/e # 16] *contd fr 8/20; returns ready to file*
Objection: IRS () [d/e # 31]
Commonwealth of Va., Dept. Of Taxation (Miner) [d/e # 47]

Copeland BRIAN MITCHELL 7-01-03831 Widener/GR
Mod Plan filed 8/19; d/e # 106, 109 *contd from 10/8*
Objection (amended): USA/IRS (Eckert) filed 9/29 [d/e # 118]
Trustee Report, objection & Showcause: Dismiss/convert filed 9/24; d/e # 116
Objs: IRS (Fogg) filed 12/3 & Trustee w/showcause: Dismiss/convert, filed 10/24; d/e # 21
contd from prior hearings to hear w/mod plan

Motion of CitiCapital Commercial Corporation (Drescher) to compel Trustee to
release funds or to Convert/Dismiss Case *contd from 8/20; d/e # 88, 108 & 111*
-contd from 10/8

Lamie MELISSA CARTER - Ch. 13 7-03-03080 Widener/AF
Plan filed 7/21; d/e # 6

Trustee's Motion to Dismiss w/Prejudice [d/e # 13] *contd from 9/3*

Snodgrass BARBARA TRIVETT 7-03-02923 Widener/VS
Plan filed 7/7; d/e # 6
note: trustee's s/c set for 10/22 @ 1:00

Abingdon Calendar - 10/8/03

1:00 P. M. - CONFIRMATIONS

Snodgrass JERRY & REBECCA WALTERS 7-03-02952 Widener/SJ
Amended Plan filed 9/9; set 10/22 @ 1
Trustee's report, objection & showcause: Dismiss/convert filed 8/21; d/e # 13

Valuation Motion: Citifinancial Investment Recovery S-10 Pickup(Wrecked) filed
9/3; d/e # 15

1:00 P. M. - MISCELLANEOUS

Snodgrass CHRISTOPHER & CHAMA ROBERTS-ch7 7-03-02354 Wick/SL
Motion #2: Avoid lien - filed 8/12; d/e # 18, 19
Debtors v. Beneficial Virginia Inc

Carmody BRIAN & BRANDI TULLOCK-ch13 7-02-00126 Widener/JJ
Fee Application Counsel for Debtor in amount of \$595.50 (representing
\$1,535.50 less \$940.00 previously paid), d/e # 36
Noticed 10/7 in error; to be renoticed for 10/8 [d/e # 37]

1:00 P. M. - MISCELLANEOUS

Slavin MICHELE DEMETRIADES-ch13 7-03-03204 Widener/JM
Motion #1: Relief - filed 9/9/03; d/e # 13, 14
First Va Bank SW (Hutton) v. debtor & trustee
Answer filed 9/17; d/e # 16

Tr. Mot dismiss/conv. Set 10/22 @ 1; conf set 11/5 @ 1

Abingdon Calendar - 10/8/03

1:30 P. M. - MISCELLANEOUS

Hutchinson JASON & RACHEL GLASS 7-03-00515 Wick/SL
Motion to ReOpen Case, waive fees, to add creditors omitted from bankruptcy
schedules, filed 8/27; d/e # 16
-Order of 9/2 reopened case ; waiving fees & directing pleadings filed in 30 days

From date of 9/2 order.

2:00 P. M. - MISCELLANEOUS HEARINGS

Lamie FRED HICKS JR-chl3 7-02-04483 Widener/VS
Motion of Trustee to Dismiss or Convert case to Ch 7, filed 9/18; d/e # 55 *cont fr 10/8*

*Note: re: 10/8 hrg; Lamie to p/o contg issues re: obj to claim of PSA to this date/time
also unless ord is tendered in interim to withdraw the objection*

Farthing WILLIAM HAYWOOD III 7-03-02500 Widener/SO
Motion #2: Relief - filed 9/10; d/e # 40, 41, 42
Standard Federal Bank (Christine Patterson) v. debtor & trustee
–see also 1:00 p.m confirmation

Lamie JASON & FARRAH WHITE-chl3 7-03-00932 Widener/SJ
Motion #2: Relief - filed 9/11; d/e # 54, 55, *movant certif d/e # 56*
VW Credit Inc (Neyhart) v. debtors & trustee
–see also 1:00 p.m confirmation
–ORDER (original default) in transit - cc: will be faxed (Neyhart)

Gifford ROBERT & MARY BREWER 7-02-02462 Widener/SJ
Motion of Trustee to Dismiss or convert (4 pmts arrears) filed 7/30; d/e # 48
contd from 9/3

Abingdon Calendar - 10/8/03

2:00 P. M. - MISCELLANEOUS HEARINGS

