

10/28

U. S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON CALENDAR - OCTOBER 30, 2002

(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

Gifford STEPHEN & PENNEE WILSON-ch13 7-02-00801 Widener/LM
A/P 7-02-00058: Removal - *(summons re-issued as to newly added defendants on amended complaint inadvertently scheduled pre-trial at 1:00 instead of 9:30; re-scheduled by court's order of 10/22 to 9:30 as to all defendants*
Debtors v. Kenneth G. Buchanan (J Lyle), Jo S. Widener (); & Levi & Lizzie Fisher (Huffman*)
Answer of Defendants/Fisher filed 10/8, d/e # 15; exhibits to answer filed 10/16, d/e # 17

****Mot for jdgt on pleadings filed by defendant Buchanan (Lyle) contd from 10/15**

Note trustee's Motion to dismiss/convert case set at 2:00 p.m @pg 10.

Arkema WOODTECH INC-ch11 7-02-02451 DIP/
A/P 7-02-00123: Recover money or property
Debtor (McCullagh) v. Atlantic Coast Industries Inc

note: status hrg scheduled 11/13 @ 11 in Woodtech CASE file

Largen LILLIE FISHER-ch7 7-02-02186 Wick/S
A/P 7-01-00131: Det. Dischargeability
GE Capital Corp (Fitzpatrick) v. Debtor
-- **ORDER OF RECUSAL 9/26/02**(parties to contact chamber of Judge Krumm to reschedule pretrial conference).

10:00 A. M. - MISCELLANEOUS

Copeland COVER GIRL SEEDING INC - Ch. 7 7-00-01332 Callahan/SJ
Motion Of Trustee for Approval of Settlement on Claim of Preference in re:
A/P 7-02-46 (*pulled case file and AP file*)

Jessee LEROY M. HULL COMPANY, INC. - Ch. 7 7-01-03786 Wick/ JJ
Motion Of Trustee (Callahan)for Approval of Settlement on Claim of Preference
in re: A/P 7-01000169 (*case file and AP file pulled; see proposed final ord in AP*
File also)

Proctor JACQUELYN RENE FOSTER–ch7* 7-02-00818 Callahan/AF
**Motion to Dismiss Ch 7Case filed by counsel, B. Proctor (deficiency notice:
Counsel filing Motion not substituted as counsel of record in case; counsel
filing motion is counsel in debtor’s subsequent joint case of Jerry B & Jacquelyn R
Foster , Ch. 13, #7-02004035; deficiency notice in that case as well and \$30 adm. Fee
due) ; Conf set 1/8/03 in the joint Ch 13 case*

Mot/Proposed agreed ord to substitute atty recd 10/28

Lamie NED & VEDA BALDWIN-ch7 7-99-03684 Callahan/AF
Motion of Attorney (Lamie) for compensation of \$1,000.00 and \$10.86 expense
filed 9/16; d/e # 34

Money MICHAEL & JACQUELINE COOPER-ch7 7-02-03627 Wick/NS
Motion #1: Relief filed 9/26; d/e # 10
Deutsche Bank Trust Co (Sasser) v. debtor & trustee
Movant’s certif filed 10/9; d/e # 14
–ORDER of 10/25 granted relief (consent)

11:00 A. M. - MISCELLANEOUS

Copeland G AND A COAL CO-ch7 7-9-02321 Callahan/VS
Application (2nd) of Counsel for Trustee (Goldstein) for compensation of
\$2,352.50 and \$423.24 expense filed 10/8;l d/e # 258

Copeland S T & J, INC. - Ch. 11 7-01-03411 DIP/VS
Adequacy of Discl. Stmt., filed 9/16; d/e # 103

Motion of Debtor to Rehear Motion to Require Assumption/Rejection of
Executory Contract (re: Burger King) & Motion for Enlargement of Time, d/e # 88, 94,
96 and Response of Coleman Oil (Beck) filed 9/20; d/e #106- contd from 10/1

Copeland HARMAN MINING CORP-ch11 7-98-01988 AF
Contd hearing on applications of UMWA Health & Retirement for payment
of expenses (Kieffer) d/e # 238, 240, 241 *contd to ABG by agr of parties*
-see 10/29 hearings at BSG re: fee applications

Lamie FINE'S JEWELERS, INC.-ch11 7-02-03384 DIP/AF
Note: status hearing in new ch 11 set 12/11 @ 11:00

Motion for Order Approving Employment of Mark S. Durkee, CPA, accountant
filed 9/23; d/e # 15

Motion for Adequate Protection filed by Highlands Union Bank (Hutton) on 10/3 [#18]

11:00 A. M. - MISCELLANEOUS

Copeland T & M TRANSPORT, INC - chl1 7-02-00938 DIP/AF
Adequacy of Discl. Stmt.

Motion #1: Relief - filed 8/20; d/e # 29 30, 31, 32, 33
Citicapital Commercial Corp (Huebschman) v. debtor
Response of Debtor w/Cross Motoin for Valuation, Interrogatories & Motion for
Production of Documents filed 8/29, d/e # 34

Copeland JAMES & MARGARET WILLIAMS-chll 7-02-00939 DIP/PR
Adequacy of Discl. Stmt.

Copeland GEORGE PATTON-chll 7-02-01131 DIP/VS
Disclosure Statement, d/e # 68, 70

J Jessee HOLSTON FURN OF VA INC 7-01-01181 DIP/VS
Motion of Special Counsel (Jos. Lyle) for compensation of \$16,419.00 and
expense of \$468.89 filed 10/25, d/e # 66, 67 *with mot to shorten notice

1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Fleenor RUFUS & BETTY MURRAY-chl3 7-01-04667 Widener/NS
Mod Plan filed 8/5; d/e # 50, 51 ; *contd from 10/1*
Trustee's motions (d/e #17, 23, 31, 37) contd from 6/5 & 8/7 to hear w/mod plan

Hutchinson EDWARD & MELISSA GARRETT-chl3 7-02-02251 Widener/VS
Mod Plan filed 9/9, d/e # 18, 19
Contd trustee Motion to convert/dismiss from 9/3; 9/5 ord d/e # 16, 17
Trustee's Report, OBJECTION and Showcause: Dismiss/convert filed 9/25; d/e # 22

Valuation Mot: Various furn: Grand Home Furnishings: filed 9/19; d/e # 21

Hutchinson GREGORY & CATHY FERGUSON 7-01-05346 Widener/JJ
Amended Plan#3 filed 9/5; d/e # 35, 36
-New Mod. Plan filed 10/23-cont'd to 12/11 @ 1:00 p.m.

1:00 P. M. - CHAPTER 13 CONFIRMATIONS

J Jessee DARRELL BREEDING 7-02-03003 Widener/PR
Plan filed 7/23; d/e # 6 contd from 10/1 with:
Trustee Obj and Showcause: Dismiss/convert, filed 8/21, d/e #
(Obj of Citicapital Commercial resolved 10/1 by Agr Ord tendered)

Motion #1: relief - filed 10/2; d/e # 28, 30
Citicapital Commercial Corp (Drescher) v. debtor & trustee
-**ORDER (Default) entered 10/24**

Largen LARRY & LINDA RIGGINS - chl3 7-02-02202 Widener/SJ
Mod Plan filed 8/29; d/e #15, 16; contd from 10/15; cert. of service 10/21 [d/e # 27]
Trustee showcause: Dismiss or convert, filed 8/7; d/e # 14 *contd from 9/4 & 10/15*

Motion for valuation: Heilig Meyers Master Trust; furn/appliances: filed 9/25; d/e #21

Motion for Valuation: First Natl Bank: '97 GMC Safari Van: filed 9/25; d/e # 22

Motion for valuation: Washington Mutual Finance c/o Commonwealth Legal
Services: furniture; filed 9/25; d/e # 23

Dickey HEATH & MISTY SNOW-chl3 7-00-01956 Widener/JJ
Mod Plan filed 9/3; d/e # 44, 45, 46

Largen MICHAEL & MARGARET SOBEY-chl3 7-02-00891 Widener/VS
Mod plan filed 6/20; d/e # 18, 19, *contd from 8/21 w/conditions to cure arrears etc*
Objection: IRS (Eckert) filed 8/12, d/e # 23

**ORDER
OF 10/25
DISMISSED
CASE ON
DEBTORS'
MOTION**

Motion for valuation: Xerox Copier: Xerox Corporation; filed 9/18; d/e # 29

Showcause why case should not dismiss if debtors fail to file IRS tax returns as
directed in order of 8/23, d/e # 25

1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Timoney LARRY & PEGGY PARRIS-ch13 7-02-02448 Widener/AF
Mod Plan filed 7/22 with Debtors' orig. signatures , d/e # 15, 20 & 21
Objection: EMC Mortgage Corp (Sasser) d/e # 14

*(Contd from 9/4 for AP 02-128 to be heard (ptc 10/15) for determination of lien of EMC)
AP @10/15: complete discovery by 1/15/03; further ptc set 1/22 @ 9:30)*

Carmody MAURICE & GENEVA WALTERS-ch13 7-02-00265 Widener/SL
Mod Plan filed 9/10, d/e # 91, 93,(deficiency cured; endorsed plan filed 9/18; d/e #98)
Trustee Report, and Showcause on Dismissal or conversion filed 9/25; d/e # 100

Motion of debtor's counsel for compensation of \$1,734.00 *proposed ord tendered*
filed 9/20; d/e # 99

Motion #1: further hearing:Relief - contd by 9/12 order, d/e # 95, original motion d/e #

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New Peoples Bank (Hutton) v. debtors & trustee

Lamie EARNEST BOLEN-ch13 7-02-00304 Widener/SO
Mod Plan #1 filed 5/28, d/e # 37, 38, contd fr 7/23 & 9/18 w/conditions
Trustee Showcause on Dismissal filed 4/25, d/e # 31, contd also

Valuation mot.: furn. & computer: Heilig Meyers claim for \$3500 - (valued \$1,000)
filed 9/19; d/e # 56

*Note: Mot. #1 recused to RWK - BB&T (J Lyle): no contact w/chambers as of 10/11
per Judge's Judicial Asst. J. Lyle notified 10/15*

Gifford ROBERT & MARY BREWER 7-02-02462 Widener/SJ
Plan filed 8/19 d/e # 26, ; contd from 10/1 with:
Trustee Showcause: Dismiss/convert (d/e # 16: and Obj. To Plan by First Va.
Mortgage contd from 9/4 and additional Obj of First Va. Mortgage (Hathaway) filed 9/20
d/e # 34

2:00 P.M. - MISCELLANEOUS HEARINGS

Gifford STEPHEN & PENNEE WILSON-chl3 7-02-00801 Widener/VS
 Motion of Trustee to Dismiss or Convert , d/e # 44
 Note: A/P Pre-trial conference scheduled at 9:30 a.m.

Proctor EUGENE & STELLA YATES -chl3 7-01-01820 Widener/SJ
 Motion of Trustee to dismiss/convert filed 7/5; d/e # 36, contd fr 8/7 & 9/18
 to monitor pmt

Timoney PEGGY CALL-chl3 7-99-03535 Widener/SL
 Trustee Motion to convert or dismiss filed 8/21, d/e # 30 ,31 & 32
 --contd fr 9/18 to monitor pmt

Carmody IVEY REED - Ch. 13 7-00-03959 Widener/SL
 Motion # 2: Relief- filed 6/27 [d/e # 40]; contd from 7/23 & 8/7 & 10/1 [# 47]
 Option One Mortgage Corp. (Goldberg) v. Debtor & Trustee
 (Motion to extend automatic stay filed 6/17 w/proposed order) [d/e # 41]
 -Answer of respondent filed 6/26, d/e # 44'

Lamie KENNETH & PATRICIA PROFFITT-CHL3 7-01-01502 Widener/SJ
 Motion #2: relief filed 9/4; d/e # 22, contd from 10/1
 U S Dept of Agri/Rural Housing (Eckert) v. debtors & trustee
 Answer filed 9/9; d/e # 24

