

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

Honorable Rebecca B. Connelly

Wednesday, April 24, 2013

Current as of 4/23/2013 at 4:17 PM

Harrisonburg

Courtroom, 3rd Flr., US Courthouse

116 N. Main St.

Hearing

Harrisonburg, VA 22802

10:00 AM

Moving:

Opposing:

Debtor or Plaintiff Attorney:

Matter: **ADMISSION TO PRACTICE: Stephen K. Strosnider**

10:00 AM **04-01023**

Stillwater, Inc.

Ch 7

Trustee: Wolfe(84)

Moving: Dale A. Davenport

Opposing:

Debtor or Plaintiff Attorney: Dale A. Davenport

Matter: **Doc# 161 Motion to Avoid Lien v. Salem Fasteners, Inc. and Richard Martin, Respondent (void as automatic stay violation) Filed by Debtor Stillwater, Inc.**

10:00 AM **04-01023**

Stillwater, Inc.

Ch 7

Trustee: Wolfe(84)

Moving: Dale A. Davenport

Opposing:

Debtor or Plaintiff Attorney: Dale A. Davenport

Matter: **Doc# 162 Motion to Avoid Lien v. Fibro Chem Inc., Respondent (void as automatic stay violation) Filed by Debtor Stillwater, Inc.**

10:00 AM **04-01023**

Stillwater, Inc.

Ch 7

Trustee: Wolfe(84)

Moving: Dale A. Davenport

Opposing:

Debtor or Plaintiff Attorney: Dale A. Davenport

Matter: **Doc# 163 Motion to Avoid Lien v. Stockhausen, Inc., Respondent (void as automatic stay violation) Filed by Debtor Stillwater, Inc.**

10:00 AM **10-50629** Ervin Jay Kinsinger
Ch 7
Trustee: Allen(69)

Moving:

Opposing:

Debtor or Plaintiff Attorney: Roland S. Carlton

Matter: [Doc# 20 19\) Motion for Turnover Order filed by Trustee Charles R Allen\(69\)](#)).

Courtroom Deputy Notes:

MR. ALLEN TO PARTICIPATE BY DIALING IN TO COURT CONFERENCE #540-769-8744

10:00 AM **12-51500** Jeremy Derrick Burroughs and
Ch 7 Natasha Ann Burroughs
Trustee: Vogel(74)

Moving:

Opposing:

Debtor or Plaintiff Attorney: Jonathan Stanger Woodruff

Matter: [Doc# 21 17\) Reaffirmation Agreement filed by Debtor Jeremy Derrick Burroughs, Joint Debtor Natasha Ann Burroughs\) WITH CITY NATIONAL BANK, AKA COMMUNITY BANK](#)

10:00 AM **12-51515** Charles Ronald Cooper
Ch 7
Trustee: Stevens (384920)

Moving:

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

Matter: [Doc# 22 Notice of Hearing 20\) Reaffirmation Agreement filed by Creditor Wells Fargo Dealer Services\)indicating presumption of undue hardship;](#)

10:00 AM **12-51525** Jeffrey Lane Davis and
Ch 7 Melissa Sue Davis
Trustee: Scott(80)

Moving:

Opposing:

Debtor or Plaintiff Attorney: Roland S. Carlton

Matter: [Doc# 12 Notice of Hearing 11\) Reaffirmation Agreement filed by Creditor Vanderbilt Mortgage and Finance, Inc.\)](#)

10:00 AM **12-51609** Sharon E. Chu
Ch 7
Trustee: Stevens (384920)

Moving:

Opposing:

Debtor or Plaintiff Attorney: Bryan Moss Cave

Matter: [Doc# 18 Notice of Hearing 17\) Reaffirmation Agreement filed by Creditor Toyota Motor Credit Corporation\)](#)

10:00 AM **13-50095** Valeria Jane Knotts
Ch 7
Trustee: Stevens (384920)

Moving:

Opposing:

Debtor or Plaintiff Attorney: Daryl Lee Funk

Matter: **Doc# 10 Notice of Hearing**
9) Reaffirmation Agreement filed by Creditor Beneficial Financial I Inc.)indicating presumption of undue hardship,

Courtroom Deputy Notes:

MR. FUNK TO PARTICIPATE BY DIALING IN TO COURT CONFERENCE #540-769-8744

10:00 AM **13-50115** Mabel Fisher Stevers
Ch 7
Trustee: Stevens (384920)

Moving:

Opposing:

Debtor or Plaintiff Attorney: Kay Adrian

Matter: **Doc# 10 Notice of Hearing**
9) Reaffirmation Agreement filed by Creditor Ford Motor Credit Company LLC)

Courtroom Deputy Notes:

10:00 AM **13-50119** Gary Edward Hoffman
Ch 7
Trustee: Callahan(76)

Moving:

Opposing:

Debtor or Plaintiff Attorney: Roland S. Carlton

Matter: **Doc# 10 Notice of Hearing**
9) Reaffirmation Agreement filed by Creditor The Law Office of Sheila R. Keesee)

Courtroom Deputy Notes:

NOT ENDORSED BY COUNSEL FOR DEBTOR

ORDER IN CMORDERS

10:00 AM **13-50155** Barry Robert Bland and
Ch 7 Holly Ann Bland
Trustee: Allen(69)

Moving:

Opposing:

Debtor or Plaintiff Attorney: Preston B. Hicks

Matter: **Doc# 15 Notice of Hearing**
14) Reaffirmation Agreement filed by Creditor Household Realty Corporation)indicating presumption of undue hardship.

10:00 AM **13-50272** Catherine Tyler
Ch 7
Trustee: Allen(69)

Moving:

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

Matter: **Doc# 8 Notice of Hearing**

4) Application to Proceed in forma pauperis filed by Debtor Catherine Tyler)

10:00 AM **13-50280** Clifford William Balderson
Ch 7
Trustee: Scott(80)

Moving:

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

Matter: **Doc# 16 Order Schedule Hearing**

3) Application to Proceed in forma pauperis filed by Debtor Clifford William Balderson).

10:00 AM **13-50280** Clifford William Balderson
Ch 7
Trustee: Scott(80)

Moving:

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

Matter: **Doc# 17 Notice of Hearing to consider and act upon Certification of Exigent Circumstances**

4) Exigent Circumstance Waiver filed by Debtor Clifford William Balderson)

10:00 AM **13-50305** Patricia Ellsworth Varner
Ch 7
Trustee: Vogel(74)

Moving: Melissa M. Watson Goode

Opposing:

Debtor or Plaintiff Attorney: Heidi B. Shafer

Matter: **Doc# 8 Motion for Relief from Stay with Notice to Parties in Interest Fee Amount Filed by Creditor EverBank**

Courtroom Deputy Notes:

RESOLVED - ORDER CIRCULATING

10:00 AM **13-50305** Patricia Ellsworth Varner
Ch 7
Trustee: Vogel(74)

Moving: George I Vogel(74)

Opposing: Heidi B. Shafer

Debtor or Plaintiff Attorney: Heidi B. Shafer

Matter: **Doc# 15 Response to (8 Motion for Relief From Stay filed by Creditor EverBank) Filed by George I Vogel(74) on behalf of George I Vogel(74)**

10:00 AM **13-50313** Tina Marie Abbott

Ch 7

Trustee: Stevens (384920)

Moving: Frederick Scott Vondy

Opposing:

Debtor or Plaintiff Attorney: Frederick Scott Vondy

Matter: **Doc# 7 Motion to Avoid Lien OF MARINER FINANCE OF VIRGINIA, LLC on Household Goods under Section 522(f)(1)(B)(i)Affidavit; Notice of Motion Filed by Debtor Tina Marie Abbott**

11:00 AM **04-01283** Frank Holland Barnett

Ch 11

Trustee: Debtor-In-Possession

Moving:

Opposing:

Debtor or Plaintiff Attorney: Raymond R. Pring

Matter: **Doc# 347 343) Motion to Convert Case to Chapter 7 filed by U.S. Trustee USTrustee**

Courtroom Deputy Notes:

MR. PRING TO PARTICIPATE BY DIALING IN TO COURT CONFERENCE #540-769-8744

11:00 AM **09-50974** Drs Biery & Paulette PC

Ch 11

Moving:

Opposing:

Debtor or Plaintiff Attorney: David W. Earman

Matter: **Doc# 104 103) Motion to Compel filed by U.S. Trustee USTrustee) Order to be Tendered by Margaret Garber Due by 3/4/2013.**

11:00 AM **09-50974** Drs Biery & Paulette PC

Ch 11

Moving: Roland M. L. Santos

Opposing:

Debtor or Plaintiff Attorney: David W. Earman

Matter: **Doc# 112 Notice of Hearing Filed by Roland M. L. Santos on behalf of Drs Biery & Paulette PC 110) DEBTORS' MOTION FOR Final Decree).**

11:00 AM **09-50974** Drs Biery & Paulette PC

Ch 11

Moving:

Opposing:

Debtor or Plaintiff Attorney: David W. Earman

Matter: **Doc# 113 Objection to Final Decree Filed by L. Todd Garber Rockingham County Treasurer, 110) Motion for Final Decree).**

11:00 AM **09-50974**

Drs Biery & Paulette PC

Ch 11

Moving: Margaret K Garber

Opposing:

Debtor or Plaintiff Attorney: David W. Earman

Matter: **Doc# 114 Objection to (110 Final Decree filed by Debtor Drs Biery & Paulette PC) Filed by USTrustee**

11:00 AM **12-05071**

Vogel v. Ferrieros et al

† Ch 7

10-51939

Natalio Armando Scotto-Lavina and Silvana G. Scotto-Lavina

Initial Pretrial Conferences

Moving:

Opposing: Preston B. Hicks

Debtor or Plaintiff Attorney: George I Vogel

Matter: **Pre-trial Conference**

Courtroom Deputy Notes:

TO RECOVER MONEY OR PROPERTY

MR. VOGEL TO PARTICIPATE BY DIALING IN TO COURT CONFERENCE #540-769-8744

11:00 AM **11-51296**

Mark Richard Secrist and

Ch 11

Mary Rose Secrist

Moving: Christopher Stuart Moffitt

Opposing:

Debtor or Plaintiff Attorney: Christopher Stuart Moffitt

Matter: **Doc# 151 Notice of Hearing Filed by Christopher Stuart Moffitt on behalf of Mark Richard Secrist, Mary Rose Secrist. DOC #153 - CONFIRMATION OF THIRD AMENDED PLAN**

Courtroom Deputy Notes:

#170 - NOTICE OF FILING FOURTH AMENDED PLAN

11:00 AM **11-51296**

Mark Richard Secrist and

Ch 11

Mary Rose Secrist

Moving: Christopher Stuart Moffitt

Opposing:

Debtor or Plaintiff Attorney: Christopher Stuart Moffitt

Matter: **Doc# 158 Notice of Hearing Filed by Christopher Stuart Moffitt on behalf of Frank J Rooney 155) Application for Compensation - Debtor's Counsel/Ch 11 Professional).**

11:00 AM **11-51296** Mark Richard Secrist and
Ch 11 Mary Rose Secrist

Moving: Christopher Stuart Moffitt

Opposing:

Debtor or Plaintiff Attorney: Christopher Stuart Moffitt

Matter: [Doc# 159 Notice of Hearing Filed by Christopher Stuart Moffitt on behalf of Christopher S
Moffitt
156\) Application for Compensation - Debtor's Counsel/Ch 11 Professional\).](#)

11:00 AM **11-51296** Mark Richard Secrist and
Ch 11 Mary Rose Secrist

Moving: W. Joel Charboneau

Opposing:

Debtor or Plaintiff Attorney: Christopher Stuart Moffitt

Matter: [Doc# 160 Motion for Entry of Order Enforcing The Courts December 11
2012\), Order, Motion to Convert Case to Chapter 7 Fee Amount Filed by U.S. Trustee USTrustee](#)

11:00 AM **11-51296** Mark Richard Secrist and
Ch 11 Mary Rose Secrist

Show Cause Hearing

Moving:

Opposing:

Debtor or Plaintiff Attorney: Christopher Stuart Moffitt

Matter: [Hearing on Order to Show Cause FOR FAILURE BY DEBTORS TO ACHIEVE A
CONFIRMED PLAN AND WHY THEIR CASE SHOULD NOT BE CONVERTED TO
CHAPTER 7](#)

11:00 AM **11-51296** Mark Richard Secrist and
Ch 11 Mary Rose Secrist

Confirmation Hearings

Moving: Jonathan D. Carroll

Opposing:

Debtor or Plaintiff Attorney: Christopher Stuart Moffitt

Matter: [Doc# 165 Objection to Confirmation of Plan Filed by Jonathan D. Carroll on behalf of United
States Internal Revenue Service
153\) Third Amended Chapter 11 Plan Filed by Christopher Stuart Moffitt on behalf of Mark
Richard Secrist, Mary Rose Secrist.](#)

11:00 AM **11-51296**
Ch 11

Mark Richard Secrist and
Mary Rose Secrist

Confirmation Hearings

Moving: W. Joel Charboneau

Opposing:

Debtor or Plaintiff Attorney: Christopher Stuart Moffitt

Matter: **Doc# 166 Objection to Confirmation of Plan Filed by USTrustee
153) Third Amended Chapter 11 Plan Filed by Christopher Stuart Moffitt on behalf of Mark
Richard Secrist, Mary Rose Secrist.**

11:00 AM **11-51296**
Ch 11

Mark Richard Secrist and
Mary Rose Secrist

Moving: W. Joel Charboneau

Opposing:

Debtor or Plaintiff Attorney: Christopher Stuart Moffitt

Matter: **Doc# 167 Objection To Fee Application Of Christopher S. Moffitt Filed by USTrustee
156) Fourth Application for Compensation - Debtor's Counsel/Ch 11 Professional).**

11:00 AM **11-51296**
Ch 11

Mark Richard Secrist and
Mary Rose Secrist

Moving: W. Joel Charboneau

Opposing:

Debtor or Plaintiff Attorney: Christopher Stuart Moffitt

Matter: **Doc# 168 Objection To Fee Application Of Frank J. Rooney Filed by USTrustee
155) Application for Compensation - Debtor's Counsel/Ch 11 Professional Special Tax Counsel).**

11:00 AM **11-51296**
Ch 11

Mark Richard Secrist and
Mary Rose Secrist

Moving: Christopher Stuart Moffitt

Opposing:

Debtor or Plaintiff Attorney: Christopher Stuart Moffitt

Matter: **Doc# 169 Objection to (160 Motion for Entry of Order filed by U.S. Trustee USTrustee, Motion
to Convert Case to Chapter 7) Filed by Christopher Stuart Moffitt on behalf of Mark Richard
Secrist, Mary Rose Secrist**

11:00 AM **11-51390**
Ch 11

Staunton Historic Properties LLC

Moving: Lucy Ivanoff

Opposing:

Debtor or Plaintiff Attorney: Lucy Ivanoff

Matter: **Doc# 91 Disclosure Statement Filed by Lucy Ivanoff on behalf of Staunton Historic Properties
LLC.**

11:00 AM **11-51390**
Ch 11

Staunton Historic Properties LLC

Moving: Margaret K Garber

Opposing:

Debtor or Plaintiff Attorney: Lucy Ivanoff

Matter: **Doc# 93 Objection to DISCLOSURE STATEMENT (92 Order and Notice on Disclosure Statement) Filed by USTrustee**

11:00 AM **12-51585**
Ch 11

Dave's Downtown Taverna, LLC

Status Hearing

Moving:

Opposing:

Debtor or Plaintiff Attorney: Hannah White Hutman

Matter: **Doc# 14 Notice of Status Hearing**

11:00 AM **12-51585**
Ch 11

Dave's Downtown Taverna, LLC

Moving:

Opposing:

Debtor or Plaintiff Attorney: Hannah White Hutman

Matter: **Doc# 85 80) Any Objections TO DEBTOR'S MOTION FOR ENTRY OF ORDER AUTHORIZING ASSUMPTION OF LEASES shall be heard on 4/24/2013 at 11:00 AM**

11:00 AM **13-50296**
Ch 11

Bywater Properties, LLC

Moving:

Opposing: Mark Callahan

Debtor or Plaintiff Attorney: Hannah White Hutman

Matter: **Doc# 20 18) FINAL HEARING RE Motion to Use Cash Collateral filed by Debtor Bywater Properties, LLC)**

2:00 PM **12-05028**
† Ch 7

Oliverio et al v. Dastjerdi

12-50179

Kamran Heydari Dastjerdi

Initial Pretrial Conferences

Moving:

Opposing: Marilyn A. Solomon

Debtor or Plaintiff Attorney: Matthew D Huebschman

Matter: **Doc# 18 Scheduling Order (Trial and/or Pre-Trial) . Pre-Trial Conference/Evidentiary**

Courtroom Deputy Notes:

EVIDENTIARY HEARING: Determine Dischargeability (Allow Afternoon)
