

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

**Honorable Rebecca B. Connelly  
Wednesday, February 19, 2014**

*Current as of 2/18/2014 at 4:19 PM*

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**Harrisonburg  
Hearing**

**Courtroom, US Courthouse  
116 N. Main St.  
Harrisonburg, VA 22802**

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10:00 AM **09-51727** Timothy Edwood Bunch

Ch 7

Trustee: Vogel(74)

**Moving:** Sara A. John

**Opposing:**

**Debtor or Plaintiff Attorney:** Preston B. Hicks

**Matter:** [Doc# 24 Motion for Relief from Stay and Notice of Hearing Filed by Creditor State Employees Credit Union](#)  
[27\) Response filed by trustee](#)

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10:00 AM **11-51561** Gary B Hockman and

Ch 7

Debbra C Hockman

Trustee: Allen(69)

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** William L. Stables

**Matter:** [Doc# 33 Order that Notice of Hearing Shall be Given, No Objections filed Order Self-Executing 31\) Application for Compensation filed by Trustee Charles R Allen\(69\)](#)  
[32\) Waive Notice and Hearing filed by Trustee Charles R Allen\(69\)\). Objections due by 2/14/2014.](#)

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10:00 AM **12-50158** Carter Dwight Durwin

Ch 7

Trustee: Stevens (384920)

**Moving:** Bob Stevens (384920)

**Opposing:**

**Debtor or Plaintiff Attorney:** Yousof W. Nesari

**Matter:** [Doc# 27 Motion to Redeem Property of the Estate Filed by Trustee Bob Stevens \(384920\)](#)

**Courtroom Deputy Notes:**

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

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10:00 AM **12-50400** Justin Michael Bates and  
Ch 7 Averi Elizabeth Bates  
Trustee: Stevens (384920)

**Moving:** Bob Stevens (384920)

**Opposing:**

**Debtor or Plaintiff Attorney:** Douglas W. Harold

**Matter:** [Doc# 25 Motion to Redeem Property of the Estate Filed by Trustee Bob Stevens](#)

**Courtroom Deputy Notes:**

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

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10:00 AM **12-50849** Christopher Wayne Seal  
Ch 7  
Trustee: Allen(69)

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** David Leslie Meeks

**Matter:** [Doc# 67 29\) Motion to Dismiss Case/Debtor filed by Debtor Christopher Wayne Seal](#)  
[35\) Answer filed by Trustee Charles R Allen\(69\)\)](#)

**Courtroom Deputy Notes:**

MS. GARBER TO PARTICIPATE BY DIALING IN TO COURT CONFERENCE #540-769-8744

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10:00 AM **12-51093** James Laddy Martin, Jr. and  
Ch 7 Della Dawn Martin  
Trustee: Vogel(74)

**Moving:** George I Vogel(74)

**Opposing:**

**Debtor or Plaintiff Attorney:** Donald M. Burks

**Matter:** [Doc# 34 Motion For Sale of Property under Section 363\(b\) Filed by Trustee George I Vogel\(74\)](#)

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10:00 AM **13-05053** Vogel v. Clark et al  
† Ch 7  
13-50339 Claude Edward Clark and Betty Jean Clark

**Moving:** James R Cromwell

**Opposing:** James V. Doss III

**Debtor or Plaintiff Attorney:** James R Cromwell

**Matter:** [Doc# 7 Pre-Trial Conference: To Recover Money or Property](#)  
[5\) Answer by Debtor](#)  
[8\) Motion to Approve Compromise/Settlement Filed by Plaintiff George I Vogel](#)  
[\(Doc #22 in Case File\)](#)

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10:00 AM **13-50723** F & M Erosion Controls, Inc.  
Ch 7  
Trustee: Stevens (384920)

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** James R. Larrick

**Matter:** [14\) Motion to Sell Free and Clear of Liens filed by Trustee](#)

**Courtroom Deputy Notes:**

ORDER IN CMORDERS CONTINUING TO 3-19-14 @ 10:00 A.M.

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10:00 AM **13-50856** Helen S. Makarov  
Ch 7  
Trustee: Scott(80)

**Moving:** W Stephen Scott(80)

**Opposing:**

**Debtor or Plaintiff Attorney:** David Jared McClure

**Matter:** **Doc# 59 Motion to Sell Property of the Estate Filed by Trustee W Stephen Scott(80)**

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10:00 AM **13-50964** Benjamin Lee Rexrode  
Ch 7  
Trustee: Vogel(74)

**Moving:** Jason L. Hamlin

**Opposing:**

**Debtor or Plaintiff Attorney:** Jeffrey A Ward

**Matter:** **Doc# 45 Motion for Relief from Stay Fee Amount Filed by Creditor SunTrust Mortgage, Inc. 50) Response by Trustee 55) Motion to Withdraw Motion for Relief from Stay filed**

**Courtroom Deputy Notes:**

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10:00 AM **13-51094** Southern Freight Distribution and  
Ch 7 Commonwealth of Virginia Worker's Compensatio  
Trustee: Vogel(74)

**Moving:** Roland S. Carlton Jr.

**Opposing:** James M. Flaherty

**Debtor or Plaintiff Attorney:** Roland S. Carlton

**Matter:** **13) Motion for Contempt filed by Debtor Southern Freight Distribution 16) Answer filed by Defendant Commonwealth of Virginia Workers Compensation Commission 20) Objection filed by Interested Party Joel Young, Interested Party Reinhardt Harper Davis, PLC**

**Courtroom Deputy Notes:**

James Donaldson for Reinhardt Harper Davis, PLC

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

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10:00 AM **13-51094** Southern Freight Distribution and  
Ch 7 Commonwealth of Virginia Worker's Compensatio  
Trustee: Vogel(74)

**Moving:** Roland S. Carlton Jr.

**Opposing:** James M. Flaherty

**Debtor or Plaintiff Attorney:** Roland S. Carlton

**Matter:** **14) Motion for Preliminary Injunction filed by Debtor Southern Freight Distribution 17) Answer filed by Defendant Commonwealth of Virginia Workers Compensation Commission 19) Objection filed by Interested Party Joel Young, Interested Party Reinhardt Harper Davis, PLC**

**Courtroom Deputy Notes:**

James Donaldson for Reinhardt Harper Davis, PLC

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10:00 AM **13-51227** Stacey Seitz  
Ch 7  
Trustee: Stevens (384920)

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** ProSe / None

**Matter:** **12) Reaffirmation Agreement filed by Creditor Toyota Motor Credit Corporation**

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10:00 AM **13-51324** Chiquita A. Roberts  
Ch 7  
Trustee: Stevens (384920)

**Moving:** Hannah White Hutman

**Opposing:**

**Debtor or Plaintiff Attorney:** Hannah White Hutman

**Matter:** **Doc# 14 Motion to Avoid Lien v. Ford Motor Credit Company, Respondent Filed by Debtor Chiquita A. Roberts**

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10:00 AM **13-51353** Michelle Lynn Belford  
Ch 7  
Trustee: Stevens (384920)

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** Kay Adrian

**Matter:** **Doc# 11 Notice of Hearing 9) Reaffirmation Agreement filed by Creditor Fifth Third Bank)indicating presumption of undue hardship.**

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10:00 AM **13-51382** Paul Charleton Robinson and  
Ch 7 Wanda Crittenden Robinson  
Trustee: Stevens (384920)

**Moving:** Johnie Rush Muncy

**Opposing:**

**Debtor or Plaintiff Attorney:** Douglas W. Harold

**Matter:** **Doc# 10 Motion for Relief from Stay , Notice of Hearing and Certification - 11 Raymond Ct, Portsmouth, VA - Fee Amount Filed by Creditor Nationstar Mortgage LLC**

**Courtroom Deputy Notes:**

**ORDER GRANTING RELIEF IN CMORDERS**

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10:00 AM **13-51383** Michael D Pettit, Jr and  
Ch 7 Cynthia Rose Pettit  
Trustee: Stevens (384920)

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** Eryk G. Boston

**Matter:** **Doc# 26 Notice of Hearing 25) Reaffirmation Agreement filed by Creditor Exeter Finance Corp.)**

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10:00 AM **13-51383** Michael D Pettit, Jr and  
Ch 7 Cynthia Rose Pettit  
Trustee: Stevens (384920)

**Moving:**

**Opposing:** Eryk G. Boston

**Debtor or Plaintiff Attorney:** Eryk G. Boston

**Matter:** **14) Motion for Relief From Stay filed by Creditor Marsha Maines**

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10:00 AM **13-51413** Vickie Lee Proffitt  
Ch 7  
Trustee: Allen(69)

**Moving:** W. Joel Charboneau

**Opposing:**

**Debtor or Plaintiff Attorney:** Roland S. Carlton

**Matter:** **12) Motion to Dismiss Case for Abuse Filed by U.S. Trustee**

**Courtroom Deputy Notes:**

MS. GARBERT TO PARTICIPATE BY DIALING IN TO COURT CONFERENCE #540-769-8744  
SCHEDULING ORDER IN CMORDERS

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10:00 AM **13-51473** Wilma Kaye Shumaker and  
Ch 7 Wilmer Harrison Shumaker  
Trustee: Stevens (384920)

**Moving:** Sara A. John

**Opposing:**

**Debtor or Plaintiff Attorney:** ProSe / None

**Matter:** **Doc# 20 Motion for Relief from Stay and Notice of Hearing Fee Amount Filed by Creditor Americredit Financial Services, Inc. dba GM Financial**

**Courtroom Deputy Notes:**

MS. JOHN TO PARTICIPATE BY DIALING IN TO COURT CONFERENCE #540-769-8744  
ORDER IN CMORDERS GRANTING RELIEF

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10:00 AM **13-51495** Clinton Matthew Simmons  
Ch 7  
Trustee: Vogel(74)

**Moving:** Jeffrey A Ward

**Opposing:**

**Debtor or Plaintiff Attorney:** Jeffrey A Ward

**Matter:** **Doc# 13 Motion to Avoid Lien v. Shawn Whelan and George Vogel, Trustee, Respondent Filed by Debtor Clinton Matthew Simmons**

**Courtroom Deputy Notes:**

ORDER IN CMORDERS AVOIDING LIEN

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10:00 AM **13-51517** Rodney Clair Hulse and  
Ch 7 Kathern Meyer Hulse  
Trustee: Vogel(74)

**Moving:** Sara A. John

**Opposing:**

**Debtor or Plaintiff Attorney:** Lee Patrice Dunham

**Matter:** **Doc# 13 Motion for Relief from Stay , Notice of Hearing, and Waiver Fee Amount Filed by Creditor SunTrust Bank**

**Courtroom Deputy Notes:**

ORDER IN CMORDERS GRANTING RELIEF

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10:00 AM **13-51522** Gary Wilson Carnahan and  
Ch 7 Judith Ellen Carnahan  
Trustee: Callahan(76)

**Moving:** Margaret K Garber

**Opposing:**

**Debtor or Plaintiff Attorney:** Lucy Ivanoff

**Matter:** **Doc# 9 Motion for Review of Attorney's Fees Pursuant to 11 U.S.C. 329 Filed by U.S. Trustee USTrustee**

**Courtroom Deputy Notes:**

MS. GARBER TO PARTICIPATE BY DIALING IN TO COURT CONFERENCE #540-769-8744

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10:00 AM **13-51527** Crystal Dawn Brooks  
Ch 7  
Trustee: Allen(69)

**Moving:** Julian A Bryant

**Opposing:**

**Debtor or Plaintiff Attorney:** Jeffrey A Ward

**Matter:** **Doc# 8 Motion for Relief from Stay with Notice of Motion and Hearing pertaining to real property at 837 N. Bayard Ave., Waynesboro VA Filed by Creditor Virginia Housing Development Authority**

**Courtroom Deputy Notes:**

ORDER IN CMORDERS GRANTING RELIEF

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10:00 AM **13-51529** Deborah M. Lacey  
Ch 7  
Trustee: Callahan(76)

**Moving:** William Edward Callahan Jr

**Opposing:** Roy V. Wolfe III

**Debtor or Plaintiff Attorney:** Hannah White Hutman

**Matter:** **Doc# 21 Motion to Sell Free and Clear of Liens Fee Amount Filed by Trustee William E Callahan(76) Jr  
51) Response by Timothy J. Lacey**

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10:00 AM **13-51529** Deborah M. Lacey

Ch 7

Trustee: Callahan(76)

**Moving:** William Edward Callahan Jr

**Opposing:** Roy V. Wolfe III

**Debtor or Plaintiff Attorney:** Hannah White Hutman

**Matter:** [Doc# 23 Motion to Sell Free and Clear of Liens Fee Amount Filed by Trustee William E Callahan\(76\) Jr](#)  
[52\) Response by Timothy J. Lacey](#)

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10:00 AM **13-51529** Deborah M. Lacey

Ch 7

Trustee: Callahan(76)

**Moving:** William E Callahan(76) Jr

**Opposing:**

**Debtor or Plaintiff Attorney:** Hannah White Hutman

**Matter:** [Doc# 48 Notice of Hearing Filed by William E Callahan\(76\) Jr on behalf of William E Callahan\(76\) Jr](#)  
[22\) Application to Defer Fee Other Than Case Filing Fee](#)  
[24\) Application to Defer Fee Other Than Case Filing Fee\).](#)

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10:00 AM **13-51553** Dawn Cosme

Ch 7

Trustee: Stevens (384920)

**Moving:** Andrew Todd Rich

**Opposing:**

**Debtor or Plaintiff Attorney:** Jeremy C. Huang

**Matter:** [Doc# 8 Motion for Relief from Stay IN RE: 5635 River Road, Bryans Road, MD 20616 BWW 155373 Filed by Creditor U.S. Bank Trust National Association, not in its individual capacity, but solely as Trustee for SRMOF II REO 2013-1, c/o Selene Finance LP](#)  
[11\) Answer filed by trustee](#)

**Courtroom Deputy Notes:**

ORDER IN CMORDERS GRANTING RELIEF

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10:00 AM **13-51555** Victoria Anne Keane

Ch 7

Trustee: Stevens (384920)

**Moving:** Johnie Rush Muncy

**Opposing:**

**Debtor or Plaintiff Attorney:** Marilyn A. Solomon

**Matter:** [9\) Motion for Relief from Stay , Notice of Hearing, Consent and Waiver Pursuant to 11 U.S.C. 362\(e\) and Certification - 49 Savannah Drive, Strasburg, VA - Fee Amount Filed by Creditor Wells Fargo Bank, N.A.](#)  
[12\) Answer by Trustee](#)

**Courtroom Deputy Notes:**

ORDER IN CMORDERS HAS INCORRECT LANGUAGE

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11:00 AM **12-05074**

Voegler et al v. Myrtle et al

† Ch 7

12-51281

Walter Thomas Myrtle, Jr. and Amanda Marie Myrtle

**Moving:** Douglas W. Harold Jr

**Opposing:** Brian Keith Brake

**Debtor or Plaintiff Attorney:** Brian Keith Brake

**Matter:** **Doc# 93 Motion For Sanctions , captioned as Defendants Motion for Award of Attorneys Fees and Costs Expended and Entry of a Judgment Against Plaintiffs for Such Fees and Costs, and for Sanctions Against Plaintiffs, Filed by Defendants Amanda M. Myrtle, Walter T. Myrtle 95) Memorandum in Opposition to Defendants' Motion for Award of Attorney's Fees and Costs filed by Plaintiff 96) Reply to Memorandum filed by Defendant**

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11:00 AM **13-05013**

American Southern Insurance Company v. Rutherford et al

† Ch 7

12-51445

Allen Troy Rutherford and Pamela Irene Rutherford

**Moving:** Shoshana E. Rothman

**Opposing:** Garren R. Laymon

**Debtor or Plaintiff Attorney:** Shannon J. Briglia

**Matter:** **46) Motion for Leave to Appeal Plaintiffs Motion for Leave to File Supplemental Affidavit Filed by Plaintiff American Southern Insurance Company (Attachments: # 1 Exhibit A.1) filed by Plaintiff American Southern Insurance Company 47) Objection by Defendants**

**Courtroom Deputy Notes:**

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11:00 AM **13-50547**

Allen Edward Kingree, Sr. and

Ch 11

Carolyn June Kingree

**Moving:**

**Opposing:**

**Debtor or Plaintiff Attorney:** Hannah White Hutman

**Matter:** **Doc# 131 7) Notice of Status Hearing, [111] Hearing Held - Hearing Continued)**

**Courtroom Deputy Notes:**

MS. GARBER TO PARTICIPATE BY DIALING IN TO COURT CONFERENCE #540-769-8744

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11:00 AM **13-50547**

Allen Edward Kingree, Sr. and

Ch 11

Carolyn June Kingree

**Moving:** Hannah White Hutman

**Opposing:**

**Debtor or Plaintiff Attorney:** Hannah White Hutman

**Matter:** **Doc# 135 Application for Compensation - Debtor's Counsel/Ch 11 Professional - Yancey, Bowman & Helsley, CPAs, LLC - Filed by Debtor Allen Edward Kingree Sr., Joint Debtor Carolyn June Kingree**

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11:00 AM 14-50063

Rosa, LLC

Ch 11

**Moving:** Mark B. Callahan

**Opposing:** Lucy Ivanoff

**Debtor or Plaintiff Attorney:** Lucy Ivanoff

**Matter:** **Doc# 7 Motion for Adequate Protection or in the Alternative for Relief from Stay Filed by Creditor The Trubitz Family Trust  
18) Response by Debtor**

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2:00 PM 13-05019

Allen, Trst v. Trainum et al

† Ch 7

11-50977

Richard L. Trainum

**Moving:** Charles R Allen Jr

**Opposing:** Roy V. Wolfe III

**Debtor or Plaintiff Attorney:** Charles R Allen

**Matter:** **TRIAL (Allow 2 Hours): To Recover Money or Property**

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