

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

BIG STONE GAP & ABINGDON CALENDAR COMBINED

JANUARY 17, 2007

(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

Jesse, C GENERAL CREATIONS, INC 03-1782 Callahan/SJohn

AP 05-07092: Recover Money/Property, *cont from 3/22, 5/10, 11/8*
Trustee (Farthing) v. Brian Moore (Russell)
Notice of Appearance filed 5/11 #39 (Mary Russell)
Motion to Consolidate for Trial with memorandum in Support filed 11/17 #49 (Russell)
Response filed 11/29 #52 (Farthing)
Scheduling order entered 12/11 #53 reschedules Pre-Trial to 2/20/07 @9:30

AP 05-07093: Recover Money/Property, *cont from 3/22, 5/10, 11/8*
Trustee (Farthing) v. James Adair (Russell)
Notice of Appearance filed 5/11 #40 (Mary Russell)
Motion to Consolidate for Trial with memorandum in Support filed 11/17 #53 (Russell)
Response filed 11/29 #56 (Farthing)
Scheduling order entered 12/11 #58 reschedules Pre-Trial to 2/20/07 @9:30

AP 05-07094: Recover Money/Property *cont from 3/22, 5/10, 11/8*
Trustee (Farthing) v. Kenneth Russell, Jr. (Russell)
Notice of Appearance filed 5/11 #40 (Mary Russell)
Motion to Consolidate for Trial with memorandum in Support filed 11/17 #50 (Russell)
Response filed 11/29 #53 (Farthing)
Scheduling order entered 12/11 #54 reschedules Pre-Trial to 2/20/07 @9:30

AP 05-07095: Recover Money/Property, *cont from 3/22, 5/10, 11/8*
Trustee (Farthing) v. Bryant Enderle (Russell)
Notice of Appearance filed 5/11 #40 (Mary Russell)
Motion to Consolidate for Trial with memorandum in Support filed 11/17 #50 (Russell)
Response filed 11/29 #53 (Farthing)
Scheduling order entered 12/11 #54 reschedules Pre-Trial to 2/20/07 @9:30

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10:00 A. M. -PRE-TRIAL CONFERENCES

Money	ANGELA RANA CLYBURN	04-03839	Vogel/AF
<p>AP 06-07121: 31 Approval of sale of property of the estate and of a co-owner - 363(h) <i>Continued from 12/6</i></p> <p>Vogel, Trustee vs Angela Clyburn and Gary Clyburn (Money) and Fleet Mortgage c/o Randal Shields RA () Bayview Portfolio Services, LLC () and Isaac St. C. Freeman, Acting Trustee ()</p>			

Order entered 1/11 #11 continues AP to 2/20 @10AM

10:00 A.M. MISCELLANEOUS

Lamie TAMMY SCHLICHTING (PFD 8/31/05) 05-73328 Jessee/GR
Ch 7 Trustee's Motion to Approve Compromise on *Motion for Turnover of
Property of the Estate* filed 12/18 #24 (Hutchinson)

Kendrick LONNIE JR AND PATRICIA PIERCE 06-71424 Jessee/GR
Motion for Relief filed 12/28 #8, 10 by GMAC (Eason)
Default order entered 1/10 #14 grants relief

Gifford	KIMBERLY RAMEY	06-71444	Jessee/AF
	Motion for Relief filed 12/14 #7, 15 <i>and amended 12/15 #11</i> by Chase Home Finance, LLC/Chase Manhattan Mtg with motion and order to extend the stay #12,14 (Wood)		

Hutchinson	EUGENE JOHNSON	06-71498	Jessee/NS
	Motion for Relief filed 12/21 #8, 11 by Wells Fargo Financial (Goldstein)		
	<i>Default order entered 1/16 #13 grants relief</i>		

Snodgrass	JESSIE MARIE KELLEY	06-70096	Jessee/NS
	Motion for Sale of Property, To approve carve-out and release agreements with creditors, and approve compensation of TE's professional filed 12/21, #46 (Callahan)		

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10:00 A.M. MISCELLANEOUS

J Jessee	MICHAEL AND MARY MIANO	06-70700	Callahan/CR
	Trustee's Motion to Authority to Accept Settlement filed 12/14 #25,28 with Motion and Order to Designate Deadline for Objections #26,27 (Callahan)) <i>Order entered 1/11 #30 grants motion</i>		
	Trustee's Motion for Turnover of Property filed 12/28 #29 (Callahan) <u>Response</u> filed 1/11 #31 (Jessee)		
Money	ALLEN AND JOYCE CARRICO	06-71509	Jessee/SO
	Motion for Relief filed 12/20 #9,11 by GMAC (Eason) <i>Order entered 1/11 #14 grants relief</i>		
Lawson	LAMBERT OIL COMPANY (<i>converted 9/16/03</i>)	03-01183	Callahan/S
	AP 05-07040: 454 Recover Money/Property Trustee's Motion to Approve Compromise filed 12/20 #74, 77 with Motion and Order to Designate Deadline for objections #75,76 (<i>absent objections filed within 20 days from 12/22/06, Trustee may submit order granting the motion and hearing shall be cancelled</i>)		
Money	CHRISTOPHER AND SHONNA ASHBY	06-71158	Callahan/SJ
	Motion for Turnover of Property filed 12/28 #12 (Callahan)		
Plummer	TAMMY KEYS	06-71536	Jessee/AF
	Application to Proceed in forma pauperis filed 12/19 #8,9		
Copeland	LAWRENCE AND TAMMY MOISE	06-71035	Widener/AF
	Motion for Extension of Time filed 1/9 #67,68 (<i>through 1/17/07</i>) to file order <i>(Order entered 1/10 #69 grants motion; time extended through 1/17/07; hearing cancelled)</i>		

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10:00 A.M. MISCELLANEOUS

Dalton PENNY DUGAY 06-70866 Callahan/SJ
Trustee's Motion for Turnover of property filed 12/28 #52 (Callahan)

1/16 consent order granting motion in Judge Stone's CM orders in box

Gifford LORA MAIN 06-71580 Jessee/S
Application to Proceed in forma pauperis filed 12/22 #4,10

Pro se	ROGER WELLS	04-75100	Jessee/CR
	Motion to Compel filed 12/27 #424 (1) Debtor appearance at Meeting of Creditors (2) Debtor to provide and maintain current address for service (3) Failure to Comply directing the US Marshal to Apprehend Debtor (4) Imposing Sanctions upon Debtor by Trustee		

Affidavit filed 12/28 #425 (Jessee)

11:00 A.M. PRE-TRIAL CONFERENCES

Copeland APPALACHIAN RESOURCES, INC. 04-01871 (**BSG**) DIP/LM
(All matters continued from 11/21)

AP 06-07041; 454 (Recover Money/Property) (*summons issued 4/27/06*)
Debtor & David Hutton, Estate Administrator vs Kennedy Funding, Inc ()
Cont from 9/5, 10/17, 11/21
Plaintiff's Motion to Approve Compromise Settlement filed 11/27 #16 (Copeland)

See also next page for AP's 06-07043, 06-07046, 06-07047, 06-07048, 06-07049

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11:00 A.M. PRE-TRIAL CONFERENCES

Copeland

APPALACHIAN RESOURCES, INC.

04-01871 (**BSG**)

DIP/LM

(All matters continued from 11/21)

AP 06-07043; 454 (Recover Money/Property) (*summons issued 4/27/06*)

Debtor (Copeland) & David Hutton, Estate Administrator vs New Peoples Bank (Kilgore), *cont from 6/6, 10/17,11/21*

Response filed 5/26 #6 by New People's Bank (Kilgore), *cont from 6/6 and 9/19 #12, 10/17,11/21*

Plaintiff's Motion to Approve Compromise Settlement filed 11/29 #22 (Copeland)

AP- 06-07046; 454 (Recover Money/Property) (*summons issued 5/3*)

Debtor and David Hutton (*Estate Administrator*) vs Southwest Diversified Mgmt Co., LLC (Lamie) and Joe Kilgore, R.A. (Lamie) *cont from 6/20, 7/18, 11/9,11/21*

Answer filed 6/2 #391 by SW Diversified Mgmt and Joe Kilgore (Sturgill) in lead case file #04-01871 and filed 6/5 #8 in the Adversary (Sturgill)

Motion to Compel Discovery Responses filed 11/13 #20 (Hutton)*11/21*

Notice of Deficiency in Discovery Responses filed 1/12 #24 (Hutton)

AP- 06-07047; 454 (Recover Money/Property) (*summons issued 5/3*)

Debtor and David Hutton (*Estate Administrator*) vs Donna B Processing, Inc.

(Lamie), Joe Kilgore (Lamie) and Donna Jo Brenneman (Lamie) *cont from 6/20, 7/18, 11/9, 11/21*

Answer filed 6/2 #9 by Donna B Processing, Kilgore & Brenneman (Sturgill)*cont from 6/20, 7/18,11/21*

Motion to Compel Discovery Responses filed 11/13 #21 (Hutton), *cont from 11/21*

Notice of Deficiency in Discovery Responses filed 1/12 #25 (Hutton)

AP- 06-07048; 454 (Recover Money/Property) (*summons issued 5/3*)

Debtor and David Hutton (*Estate Administrator*) vs Commercial Growers, Inc. (Lamie) and Joe Kilgore (Lamie)*cont from 6/20,7/18, 11/9,11/21*

Answer filed 6/2 #9 by Kilgore and Commercial Growers (Sturgill)*cont from 6/20,11/21*

Motion to Compel Discovery Responses filed 11/13 #22 (Hutton) *cont from 11/21*

Notice of Deficiency in Discovery Responses filed 1/12 #26 (Hutton)

AP- 06-07049; 454 (Recover Money/Property) (*summons issued 5/3*)

Debtor and David Hutton (*Estate Administrator*) vs Donna Jo Brenneman, MD (Lamie) *cont from 6/20, 7/18, 11/9,11/21*

Answer filed 6/2 #8 by Donna Brenneman (Sturgill)*cont from 6/20, 11/21*

Motion to Compel Discovery Responses filed 11/13 #20 (Hutton), *cont from 11/21*

Notice of Deficiency in Discovery Responses filed 1/12 #24 (Hutton)

11:00 A.M. MISCELLANEOUS

Copeland HARMAN MINING CORPORATION **(BSG)** 98-01988 DIP/S
Debtor's Objection to Claims filed 12/4 (Copeland)

- (1) Claim #6 - (Paul's Repair Shop \$2074.35) #1139
- (2) Claim #11 (Hannah Lumber for \$2,040.20) #1140
- (3) Claim #15 (Coleman Oil Co. For \$410.84) #1141
- (4) Claim #21 (Buchanan County Treasurer [Lamie] for \$ 64,852.97) #1142
 Response filed 1/8 #1256 (Lamie)
- (5) Claim #62 (Buchanan County Treasurer [Lamie] for \$ 63,894.16) #1165
 Response filed 1/8 #1257 (Lamie)
- (6) Claim #63 (Buchanan County Treasurer [Lamie] for \$ 88,838.00) #1166
 Response filed 1/8 #1255 (Lamie)
- (7) Claim #69 (Buchanan County Treasurer [Lamie] for \$156,037.95 #1169
 Response filed 1/8 #1254 (Lamie)
- (8) Claim #46 (Buchanan County Treasurer for \$194,706.29) #1159
 Response filed 1/8 #1258 (Lamie)
- (9) Claim #22 (Benefit Services for 38,840.36) #1143
- (10) Claim #25 (Earl Products for \$13,859.11) #1144
- (11) Claim #26 (Robertson for \$3,100.62) #1145
- (12) Claim #27 (Long-Airdox [Greenburg and Assoc] for \$314,222.52) #1146
 Response filed 1/2 #1202, 1205 (Greenberg)
 Order entered 1/12 #1272 withdraws objection to claim #27

Debtor's Objection to Claims filed 12/4 (Copeland) cont from page #6

- (13) Claim #32 (Grundy National Bank [Shortridge] for \$1,837,160.41) #1147
Order entered 1/3 #1207 allows claim #32 as general unsecured claim
- (14) Claim #52 (Grundy National Bank [Shortridge] for \$ 194,312.66) #1160
Order entered 1/3 # 1208 withdraws claim #52 without prejudice
- (15) Claim #57 (Grundy National Bank [Shortridge] for \$1,837,160.41) #1162
Order entered 1/3 #1206 withdraws objection to claim #57

- (16) Claim #38 (Penn Virginia Coal [Widener/Lawson] for \$144,173.93) #1148
Response filed 1/2 #1199 (Reecher)
- (17) Claim #37 (Penn Virginia Coal [Lawson/Widener] for \$127,954.65) #1150
- (18) Claim #44 (Penn Virginia Coal [Lawson/Widener] for \$127,954.65) #1157
Response filed 1/2 #1200 (Reecher)
- (19) Claim #45 (Penn Virginia Coal [Lawson/Widener] for \$127,954.65) #1158
Response filed 1/2 #1201 (Reecher)

- (20) Claim #34 (Campbell Oil & Mine Supply [Greenberg] for \$97,689.03) #1149
Response filed 1/2 #1203, 1204 (Greenberg) ***Order entered 1/12 #1273 withdraws objection***

- (21) Claim #39 (Midway Medical Group for \$5,825.80) #1151

- (22) Claim #41 (IRS for \$442,979.61) #1152
- (23) Claim #53 (IRS for \$442,979.61) #1153
- (24) Claim #49 (IRS for \$442,979.61) #1154
- (25) Claim #75 (IRS for \$442,979.61) #1155
- (26) Claim #76 (IRS for \$442,979.61) #1156
(Order entered 1/5 #1243 continues all matters re: IRS claims to 2/6 @11:00 AM)

- (27) Claim #54 (UMWA 1974 Pension Trust [Kieffer] for \$498,121.75) #1161
Response filed 1/5 #1244 (Kieffer)
- (28) Claim #59 (UMWA Employees [Pyles] for \$1,730,727.46) #1170
Response filed 1/10 #1263 by UMWA Health & Retirement Funds (Pyles) (*pro hac vice*)
- (29) Claim #60 (UMWA Retirees of Harman Mining[Pyles] for \$313,899.54) #1163
Response filed 1/10 #1263 by UMWA Health & Retirement Funds (Pyles)(*pro hac vice*)

- (30) Claim #61 (Office of Surface Mining, Dept of the Interior for \$52,873.97) #1164

- (31) Claim #65 (Hokie Mining[Esposito] for \$373,000.00) #1167
Order allowing Claim #65 entered 12/18 #1191

- (32) Claim #66 (William Hankins for \$6,361.44) #1168

See also page #8 for (6) objections to claims filed by the Creditor's Committee (Goldstein)

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11:00 A.M. MISCELLANEOUS

Copeland HARMAN MINING CORPORATION **(BSG)** 98-01988 DIP/S
Debtor's Objection to Claims filed 12/14 by Creditor's Committee (Goldstein)

Claim #16 (Harmon Chevron[Estep] for \$641.30 #1176

Claim #58 (Hugh Caperton for \$96,250.00) #1177

Claim #64 (Terra Industries, Inc. [Kalafut & Coco] for \$19,915,809.76) #1178
Response filed 1/11/ #1266 (Bradshaw)

Claim #73 (Vision Financial Group [Brill & Arnold] for \$1,190,226.01) #1179
Response filed 1/11 #1267 (Arnold)
Motion to Continue hearing filed 1/12 #1269 (Arnold) (order??)

Claim #70 (Senstar Finance co [Francis] for \$322,205.11) #1180, *amended*
1/11 #1265 schedules hearing 2/20 @11:00 in Abingdon

Claim #78 (Connecticut Specialty [Raymond & Flynn] for \$6,774,098.00) #1181
Consent Order entered 1/12 #1270 extends time for response to 2/2/07; if filed
pre-trial hearing shall be held on 2/20 @11AM in Abingdon

1:00 P.M. CONFIRMATIONS

Hutchinson	SHARON SALYERS Plan filed 10/31 #5	06-71288	Widener/S
McDaniel	MELISSA MATTES Plan filed 10/31 #5	06-71282	Widener/S
Timoney	CHAROLETTE HONAKER Plan filed 11/3 #10, <i>amended #19</i> <i>1st Amended Plan filed 11/27 #23 with cert of service</i> <i>2nd Amended Plan filed 12/19 #26, 27 schedules confirmation on 2/5 @1PM</i> OBJ: filed 11/8 #22 by PHH Mortgage Corp (Stewart) <i>Order entered 12/11 #24 withdraws PHH Mortgage objection</i>	06-71307	Widener/SO

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1:00 P.M. CONFIRMATIONS

Timoney	VELVET JENNINGS Plan filed 11/3 #6, amended #11	06-71314	Widener/SL
Hutchinson	DARRELL AND MAE EDNA STEVENS Plan filed 11/8 #3	06-71336	Widener/AF
Hutchinson	CECIL AND EMILY LESTER Plan filed 11/8 #3 Trustee Report and Show Cause filed 12/21 #10	06-71335	Widener/AF
Hutchinson	TAMMY JACKSON Plan filed 11/24 #16 <i>with cert of serv</i>	06-71359	Widener/SJ
Farthing	JOAN CRAIG Plan filed 11/7 #3	06-71323	Widener/GR
Copeland	DEWEY VANNOY, JR. Plan filed 11/7 #5 Trustee Report and Show Cause on Dismissal or Conversion filed 12/21 #13	06-71322	Widener/SL
Snodgrass	NATHAN AND JANET GALYEAN Plan filed 11/13 #5 OBJ: filed 11/27 #25 by Chase Home Finance LLC (Trenita Jackson) <i>Order entered 1/3 #29 withdraws objection by Chase Home Finance</i>	06-71362	Widener/SJ

WFS/ABG 1/17/07

1:00 P.M. CONFIRMATIONS

Snodgrass	TONY AND SHERRI HARMON Plan filed 11/13 #5	06-71361	Widener/SJ
Carmody	TANIA HESS Plan filed 11/17 #11	06-71345	Widener/JJ
Hutchinson	WANDA HICKS Plan filed 11/10 #4 Trustee Report and Show Cause filed 12/21 #11	06-71349	Widener/JJ
Farthing	JOHN AND TRACEY MINEHAN, JR. Amended Plan filed 8/31 #14,15 <i>cont from 10/18, 11/21</i> Amended Plan filed 11/28 #25 #29 Special Notice to Secured <i>Creditor GE Money Bank</i> filed 11/28 #26	06-70802	Widener/SO
Lamie	MELISSA CARTER Motion for Relief filed 9/19 #41,42, 44 by USA/USDA Rural Housing Service (Eckert) <i>cont from 10/18, 12/6</i> OBJ: filed 9/22 #46 by USA/USDA Rural Housing Serviced; <i>cont from 10/18, 12/6</i> <i>Order granting relief entered 1/16</i> Motion for Relief from Co-Debtor Stay filed 9/19 #43, 45 by USA/USDA Rural Housing(Eckert) <i>cont from 10/18, 12/6</i> OBJ: filed 9/22 #47 (Lamie), <i>cont from 12/6</i> <i>Order lifting co-debtor stay entered 1/16</i>	03-03080	Widener/Sjohn

1:00 P.M. CONFIRMATIONS

Gifford RAY OSBORNE (PFD 4/13/05) (*Chapter 12*) 05-71423 **(BSG)** Widener/GR
Debtor Motion for Sale of Property §363(b) filed 12/19 #42 *and for approval of early payout of Chapter 13 Plan*

Antenucci BETSY JONES 06-70935 Widener/AF
Plan filed 8/23 #4 (*no cert of service on plan*) *cont from 10/18, 12/6, 1/3*
OBJ: filed 10/31 #15 by Irwin Union Bank and Trust Co. (White)
cont from 12/6, 1/3

Motion for Relief and Co-Debtor Stay (*re Ricky Jones*) filed 10/31 #14,17 by Irwin Union Bank and Trust Co. (White), *cont from 11/21, 12/6, 1/3*
Response filed 11/13 #20, *cont from 11/21, 12/6, 1/3*

1:30 P.M. MISCELLANEOUS

Farthing HOWARD AND PATRICIA HIBBS (*PFD 5/17/05*) 05-71952 Widener/JJ
Application for Compensation - *Debtor's Counsel* filed 12/1 #43 & (*duplicate*) #44 (Farthing)

Lamie JOSEPH AND HELEN ELLIS 04-74973 Widener/LM
Motion for Relief filed 12/19 #25,29 by BB&T Col, (Smith)
Order entered 12/20 #28 recuses this matter to Judge Krumm to be heard by telephone conference on 1/30/07 @11AM in Harrisonburg

2:00 P.M. MISCELLANEOUS

Hutchinson JEFFREY AND CASSIE MILLER 04-74757 Widener/SJ
Trustee Motion to Dismiss or Convert filed 11/30 #16 (Post Confirmation)

Amended plan filed 1/16 #17; confirmation to be scheduled for 3/7 @ 1PM

2:00 P.M. MISCELLANEOUS

Proctor JOYCE GILBERT 04-02631 Widener/GR
Trustee Motion to Dismiss or Convert Case filed 9/22 #33, *cont from 10/18,12/6*
Order entered 1/12 #40 withdraws Trustee's Motion to dismiss

Largen MARK HUFF 04-74535 Widener/AF
Trustee Motion to Dismiss or Convert Case filed 12/19 #30

Hutchinson RICHARD AND CAROL HOLMES 04-74374 Widener/LM
Trustee Motion to Dismiss or Convert Case filed 11/30 #38

Amended Plan filed 1/16 #38 (confirmation to be scheduled 3/7 @1PM)

Largen BONNIE FORAN (PFD 10/14/05) 05-75494 Widener/NS
Trustee Motion to Dismiss or Convert to Chapter 7 filed 12/19 #20

Largen STEPHEN ALLAN MORGAN 05-71663 Widener/SJ
Trustee Motion to Dismiss or Convert filed 12/19 #28

Amended Plan filed 1/11 #29,30 schedules confirmation on 3/7 @1PM

Lamie RONNIE & CAROLYN DUTY (PFD 4/29/05) 05-71691 Widener/NS
Trustee Motion to Dismiss or Convert to Chapter 7 filed 12/19 #14

2:00 P.M. MISCELLANEOUS

Hutchinson	GRATTON FOX, III	04-03754	Widener/JJ
	Trustee Motion to Dismiss or Convert to Chapter 7 filed 12/19 #25 (<i>Post Confirmation</i>)		
Hutchinson	DONALD & RITA GUFFEY	03-01865	Widener/SJ
	Trustee Motion to Dismiss or Convert filed 12/19 #42 (<i>post confirmation</i>)		
Timoney	GEORGE SMITH	03-04800	Widener/CR
	Trustee Motion to Dismiss or Convert to Chapter 7 filed 12/19 #49		
Black	SELDON FRENCH (<i>PFD 7/8/05</i>)	05-72626	Widener/GR
	Motion to Suspend Payments filed 12/28 #137,138 (Black)		
	Trustee Motion to Dismiss or Convert Case filed 9/22 #123 <i>cont from 10/18, 1/3</i>		