

Courtroom: 3099
Courtroom Deputy: Carol Barnhill
Court Recorder:
Law Clerk: Jane Fabian
Law Clerk: Shannon Mounger-Lum

1.

VAN CUREN vs ESCAMILLA et al.
ADV NO. 06-5095
VEC FARMS, LLC
04-56545-RLE (11)

(fr 7/27, 1/25, 4/26, 5/31, 8/23, 9/27,
11/29, 1/24, 5/22, 8/28)

Telephonic Case Management Conference

- a) Complaint for Avoidance of Transfers,
Alter Ego Liability, Breach of
Fiduciary Duty, Equitable
Subordination, Disallowance of Claims
and Other Relief
Pl - JOHN VAN CUREN, Trustee

Atty for Pl - MERLE MEYERS
(415) 362-5045

Atty for Def - GAYLE GREEN
(408) 295-1700

Def:

- *4/27/06 Ans fld** RICHARD ESCAMILLA
***11/9/07 JUDGMENT** JOHN COLENDICH
***11/9/07 JUDGMENT** MARTIN VUKASOVICH
***11/9/07 JUDGMENT** VIRGINIA VUKASOVICH
***11/9/07 JUDGMENT** MARTIN COLENDICH
***4/27/06 Ans fld** DOMINGO AGRICULTURAL SERVICES, INC.
***11/9/07 JUDGMENT** ECHO CROP INVESTMENT, INC.
***11/9/07 JUDGMENT** COLENDICH & VUKASOVICH VEGETABLE FARMS,
INC., aka C & V Farms, Inc.
***11/9/07 JUDGMENT** WATSON PRE-COOL, LLC
***4/27/06 Ans fld** ESCAMILLA & SONS, INC.
***11/9/07 JUDGMENT** 4Q FARMS, LLC
***11/9/07 JUDGMENT** VIRGINIA VUKASOVICH, as trustee of the
John M. Vukasovich And Virginia
Vukasovich Revocable Living Trust
dated June 5, 1992
***11/9/07 JUDGMENT** MARTIN COLENDICH, as trustee of the
Martin G. Colendich And Lucille A.
Colendich Revocable Living Trust
dated October 26, 1995

VEC cont...

***Consol w/06-5065 for discovery only**

VEC cont.

(fr 4/5,4/26, 8/23, 9/27, 11/29, 1/24, 8/28)

- b) Amended Motion for Partial Summary Judgment by JOHN VAN CUREN, Trustee/Plaintiff

Atty for Pl - MERLE MEYERS

COS fld

- c) Opposition to Motion for Partial Summary Judgment by ESCAMILLA & SONS, INC.

Atty for Def - GAYLE GREEN

2.

LJE TRUST vs DURHAM
ADV NO. 07-5168
RONALD DURHAM
07-50299-RLE (7)

(fr 1/24, 3/27, 5/22, 8/28, 10/23)
Telephonic Case Management Conference
Complaint Under Sect. 523 of the BK
Code to Determine the Dischargeability
of a Debt
Pl - THE LJE TRUST, JUAN LUCENA,
TRUSTEE

Atty for Pl - ARTHUR FERRARO
(408) 985-1060

Def:

***4/11/08 Clerk's Default**

RONALD R. DURHAM

***Jgmt pending**

3.

HENDERSON vs DURHAM
ADV NO. 07-5169
RONALD DURHAM
07-50209-RLE (7)

(fr 1/24, 3/27, 5/22, 8/28, 10/23)
Telephonic Case Management Conference
Complaint for Determination Excepting
Debt from Dischargeability
Pl - WALTER & OSSIE HENDERSON

Atty for Debtor - BRUCE STANTON
(408) 971-0900

Def:

***10/21/08 Clerk's Default**

RONALD R. DURHAM

4.

CHOW vs STREAM
ADV NO. 08-5126
NANCY STREAM
08-50840-RLE (13)

(fr 8/28, 10/23)

Telephonic Case Management Conference

- a) Complaint for Declaratory Judgment
Pl - WEN CHOW; MARY L. WILLIAMSON,
TRUSTEE OF THE MARY L. WILLIAMSON
FAMILY TRUST DATED NOV. 15, 1994;
TERRENCE L OUIMET; LINDA LEE BERTHOLD,
TRUSTEE OF THE LINDA LEE BERTHOLD
LIVING TRUST DATED 2/20/96; ELMER
CHARLES FOUGHT AND EUNA A. FOUGHT, AS
TRUSTEES OF THE FOUGHT FAMILY TRUST;
TIM ZEMAITIS SUCCESSOR TRUSTEE OF THE
ZEMAITIS FAMILY BYPASS TRUST, DATED
JUNE 23, 1999; DAVID E. TORRES AND
PAMELA A GAIL TORRES, AS TRUSTEES OF
THE TORRES REVOCABLE TRUST DATED
10/22/1991; FREDERICK D. BROOKS,
TRUSTEE UNDER DECLARATION OF TRUST
DATED SEPT. 11, 2001, AS AMENDED;
RICHARD A DIAZ, AS TRUSTEE OF THE DIAZ
FAMILY TRUST

Atty for Pl - BENJAMIN LEVINSON
(408) 866-2999

Atty for Def - FRED SCHWINN
(408) 294-6100

Def:

***6/23/08 Ans fld - JURY DEMAND**

NANCY ANN STREAM
Does 1 - 10 inclusive

- b) Cross-Complaint for Violations of:
-Truth in Lending Act (15 U.S.C. Sect
1601) and Regulation Z(12C.F.R. Sect.
226)
-Real Estate and Settlement Procedures
Act (12U.S.C. Sect. 2601) and
Regulation X (24C.F.R. Sect. 3500)
-Breach of Fiduciary Duty
-Negligence
-Unfair Competition Act (Cal.Bus. &

STREAM cont...
STREAM cont.

Prof. Code Sect. 17200)
Seeking Damages, Disgorgement,
Declaratory Relief, Injunctive Relief,
Restitution and Punitive Damagse
***Jury Trial Demanded**
Cross-Pl - NANCY STREAM

Atty for PLM - DUANE SHEWAGA
(408) 341-0234

Cross-Def:
NORMAN V. LOPES, INC., d/b/a Liberty
First Financial, a Calif Corp.
NORMAN VINCENT LOPES
STEVE WILLIAM LOPES
PLM LENDER SERVICES, INC.

*8/5/08 Ans fld TERRENCE L. OUIMET
*8/5/08 Ans fld MARY L. WILLIAMSON, indiv. & as trustee
*8/5/08 Ans fld WEN CHOW

*8/5/08 Ans fld LINDA LEE BERTHOLD, indiv. & as trustee
*8/5/08 Ans fld ELMER CHARLES FOUGHT, indiv & as Tr
*8/5/08 Ans fld EUNA A. FOUGHT, indiv & as trustee
PATRICIA L. ZEMAITIS, indiv & as Tr
RICHARD A. DIAZ, indiv & as trustee
*8/5/08 Ans fld FREDERICK D. BROOKS, indiv & as trustee
*8/5/08 Ans fld DAVID E. TORRES, indiv & as trustee
*8/5/08 Ans fld PAMELA GAIL TORRES, indiv & as trustee
DOES 1 through 10, inclusive
***8/5/08 Ans fld by Tim Zemaitis**
(Not listed as a cross-def)

5.
ESPIRITU vs RESURGENCE
ADV NO. 08-5246
GARETT & MARIA ESPIRITU
08-54032-RLE (7)

Telephonic Case Management Conference
Complaint to Set Aside Preference
Pl - GARETT & MARIA ESPIRITU

Atty for Pl - JON BROOKS
(408) 286-2766

Atty for Def - NATHAN SEARLES
(877) 694-7500

Def:

***9/24/08 Ans fld** RESURGENCE FINANCIAL, LLC

RLE
12/18/08 AT 2:00 P.M.

DOES 1-10, inclusive

6.

WESTOVER, et al vs JOPLIN
ADV NO. 08-5173
TERRY & KATHY JOPLIN
08-51376-RLE (13)

(fr 10/23)

Telephonic Case Management Conference

- a) Complaint to Except Debts From
Discharge Pursuant to 11 U.S.C.
Sect. 523 and to Object to Discharge
Pursuant to 11 U.S.C. Sect. 727 and
Indemnity
Pl - MARY & ROB WESTOVER

Atty for Pl - KATHRYN DIEMER
(408) 971-6270

Atty for Joplin - DAVID BOONE
(408) 291-6000

Atty for Surety - STEVEN NIMOY
(818) 609-9325

Def:

***8/6/08 Ans fld** TERRY GLEN JOPLIN
***8/6/08 Ans fld** KATHY LYNN JOPLIN
***8/14/08 Ans fld** SURETY COMPANY OF THE PACIFIC
DOES 1-10

- b) Counterclaim by TERRY & KATHY JOPLIN

Counter-Def:

***9/16/08 Ans fld** ROB WESTOVER
***9/16/08 Ans fld** MARY WESTOVER

7.

MONTEJO vs WELLS FARGO BANK
ADV NO. 08-5248
FERDINAND & CHRISTY MONTEJO
08-54523-RLE (13)

Telephonic Case Management Conference
Complaint to Determine Extent and
Validity of Liens Against Real Property
to Which Liens Do Not Extend
Pl- FERDINAND & CHRISTY MONTEJO

Atty for Pl - MICHAEL MEHR
(831) 425-5757

Def:
WELLS FARGO BANK, NA
***No COS of summons & complaint**

8.
FIA CARD vs MARTINEZ
ADV NO. 08-5110
EZEQUIEL MARTINEZ
08-50602-RLE (7)

(fr 8/28, 10/23)
Telephonic Case Management Conference
1st Amended Complaint to Determine
Dischargeability of Debt
Pl - FIA CARD SERVICES, N.A.

Atty for Pl - ROBERT LAMPL
(818) 226-5662

***10/22/08 Clerk's Default**

Def:
EZEQUIEL MARTINEZ

9.
FIA CARD vs BECERRA
ADV O. 08-5262
JAIME BECERRA
08-52886-RLE (7)

Telephonic Case Management Conference
Complaint to Determine Dischargeability
of Debt
Pl - FIA CARD SERVICES, N.A.

Atty for Pl - ROBERT LAMPL
(818) 226-5662

Def:
JAIME BECERRA, aka Jaime L. Becerra

10.
NG vs STERLING PACIFIC
ADV NO. 08-5268
FLORA NG
08-54744-RLE (11)

Telephonic Case Management Conference
REMOVAL

a) 1st Amended Complaint for Damages,
Declaratory Relief, Temporary
Restraining Order, Preliminary
Injunction, Permanent Injunction, Usury
Money Had and Received, Unfair
Competition, Restitution, Forcible
Entry, Conversion, Common Counts,

NG cont...
NG cont.

Intentional Interference with Economic
Relations, Negligent Interference with
Economic Relations
Pl - FLORA NG

Atty for Pl - NEIL ISON
(408) 848-2490

Atty for Yosemite - DON POOL
(559) 228-8034

Def:
STERLING PACIFIC LENDING, INC., dba
Sterling Pacific Financial
YOSEMITE MANAGEMENT GROUP, LLC
GENERATION LEASING, LLC
WT CAPITAL LENDER SERVICES
FIRST AMERICAN TITLE, Trustee
JOSHUA FISCHER
GERALD FISCHER, Trustee
CHARLES R. FISCHER
CHRISTINA FISCHER
THOMAS R. FISCHER
STEVEN E. FISCHER
LLOYD FISCHER
MARIE LOCATELLI
GASPARE ORLANDO
BENITA GASPARE
BENITA ORLANDO (1ST amend compl)
CAROL LEE, Trutee
All persons unknown, claiming any legal
or equitable rights adverse to
Plaintiff in the Properties
Does 1 - 100

b) Cross-Complaint for: 1)Intentional
Interference With Contractual
Relationship; 2)Intentional
Interference With Prospective Economic
Relationship; 3)Violation of California
Civil Code Sect. 1950.5; 4)Common Count
Money Had and Received; 5)Declaratory
Relief; and 6)Injunctive Relief
Cross-Complainant - YOSEMITE MANAGEMENT
GROUP, LLC

Cross-Def:
FLORA NG

ROES 1 through 50

11.

WELLS FARGO vs SURIO
ADV NO. 08-5168
EMERITO & FLORFINA SURIO
08-51424-RLE (7)

(fr 10/23)
Telephonic Case Management Conference
Complaint to Determine Dischargeability
of Debt U.S.C. Sect. 523(a)(2)(A)
Pl - WELLS FARGO BANK, N.A.

Atty for Pl - JEROME YELSKY
(310) 820-6529

Atty for Def - SCOTT SAGARIA
(408) 279-2288

Def:
FLORFINA DANA O SURIO

***8/7/08 Ans fld**

12.

FIA CARD vs AZIMZADEH
ADV NO. 08-5242
AHMAD AZIMZADEH
08-52836-RLE (7)

Telephonic Case Management Conference
Complaint to Determine Dischargeability
of Debt U.S.C. Sect. 523(a)(2)(A)
Pl - FIA CARD SERVICES, N.A.

Atty for Pl - JEROME YELSKY
(310) 820-6529

Atty for Def - JOSEPH KAFKA
(408) 993-8441

Def:
AHMAN AZIMZADEH

***10/1/08 Ans fld main case**

13.

DISCOVER BANK vs DEOCARES
ADV NO. 08-5254
ROSENDO DEOCARES
08-53512-RLE (7)

Telephonic Case Management Conference
Complaint to Determine Dischargeability
of Debt U.S.C. Sect. 523 (a)(2)(A)
Pl - DISCOVER BANK

Atty for Pl - JEROME YELSKY
(310) 820-6529

Def:
ROSENDO M. DEOCARES, SR.

14.
WELLS FARGO vs DEOCARES
ADV NO. 08-5255
ROSENDO DEOCARES
08-53512-RLE (7)

Telephonic Case Management Conference
Complaint to Determine Dischargeability
of Debt U.S.C. Sect. 523 (a)(2)(A)
Pl - WELLS FARGO BANK, N.A.

Atty for Pl - JEROME YELSKY
(310) 820-6529

Def:
ROSENDO M. DEOCARES, SR.

15.
DISCOVER BANK vs NGUYEN
ADV NO. 08-5257
PATTY NGUYEN & TRI HO
08-52879-RLE (7)

Telephonic Case Management Conference
Complaint to Determine Dischargeability
of Debt U.S.C. Sect. 523 (a)(2)(A)
Pl - DISCOVER BANK

Atty for Pl - JEROME YELSKY
(310) 820-6529

Atty for Def - DREW HENWOOD
(415) 362-7412

Def:
PATTY NGUYEN

***9/19/08 Ans fld**

16.
CHASE BANK vs TOTONCHI
ADV NO. 08-5258
NASSER TOTONCHI
08-52934-RLE (7)

Telephonic Case Management Conference
Complaint to Determine Dischargeability
of Debt U.S.C. Sect. 523 (a)(2)(A)
Pl - CHASE BANK USA, N.A.

Atty for Pl - JEROME YELSKY

(310) 820-6529

Def:
NASSER ANVARI TOTONCHI

17.
CHASE BANK vs RODRIGUEZ
ADV NO. 08-5264
MANUEL RODRIGUEZ
08-53021-RLE (7)

Telephonic Case Management Conference
Complaint to Determine Dischargeability
of Debt U.S.C. Sect. 523(a)(2)(A)
Pl - CHASE BANK USA, N.A.

Atty for Pl - JEROME YELSKY
(310) 820-6529

Def:
MANUEL DE JESUS RODRIGUEZ
***Clerk's default pending**

18.
DISCOVER BANK vs HOANG
ADV NO. 08-5282
TUNG HOANG
08-53369-RLE (7)

Telephonic Case Management Conference
Complaint to Determine Dischargeability
of Debt U.S.C. Sect. 523(a)(2)(A)
Pl- DISCOVER BANK

OFF CAL PER JUDGMENT 12/1/08

Atty for Pl - JEROME YELSKY
(310) 820-6529

Def:
TUNG HOANG

19.
CHASE BANK vs GAMIZ
ADV NO. 08-5279
FLAVIO & NANCY GAMIZ
08-53326-RLE (7)

Telephonic Case Management Conference
Complaint to Determine Dischargeability
of Debt U.S.C. Sect. 523(a)(2)(A)
Pl- CHASE BANK USA, N.A.

OFF CAL PER JUDGMENT 10/2/08

Atty for Pl - JEROME YELSKY

(310) 820-6529

Def:
FLAVIO GAMIZ

20.
FIA CARD vs CHIPRES
ADV NO. 08-5239
JOSE & CELIA CHIPRES
08-52769-RLE (7)

OFF CAL PER JUDGMENT 10/9/08

Telephonic Case Management Conference
Complaint to Determine Dischargeability
of Debt U.S.C. Sect. 523(a)(2)(A)
Pl - FIA CARD SERVICES, N.A.

Atty for Pl - JEROME YELSKY
(310) 820-6529

Def:
CELIA MEDINA CHIPRES

21.
COUNTY OF SANTA CLARA vs ROBINSON
ADV NO. 07-5173
ARTHUR ROBINSON
07-52033-RLE (7)

OFF CAL PER ORD DISM 10/23/08

(fr 2/28, 4/24, 6/26)
Pre-Trial Conference
Complaint
Pl - COUNTY OF SANTA CLARA

Atty for Pl - KRISTEN BAKER
(408) 299-5900

Atty for Def - DAVID BOONE
(408) 291-6000

Def:
ARTHUR LEE ROBINSON, aka Arthur L.
Robinson

***11/15/07 Ans fld**

22.
FIA CARD vs HOANG
ADV NO. 08-5281
TUNG HOANG
08-53369-RLE (7)

Telephonic Case Management Conference
Complaint to Determine Dischargeability

RLE
12/18/08 AT 2:00 P.M.

11

OFF CAL - DISM 11/4/08

of Debt U.S.C. Sect. 523(a)(2)(A)
Pl- FIA CARD SERVICES, N.A.

Atty for Pl - JEROME YELSKY
(310) 820-6529

Def:
TUNG HOANG

23.
FIA CARD vs RAMIREZ
ADV NO. 08-5204
NICOLAS RAMIREZ
08-52175-RLE (7)

(fr 10/23)
Telephonic Case Management Conference
Complaint to Determine Dischargeability
of Debt
Pl - FIA CARD SERVICES, N.A.

OFF CAL PER DISMISSAL 11/7/08

Atty for Pl- ROBERT LAMPL
(818) 226-5662

Def:
NICOLAS VIDALES RAMIREZ, aka Nicolas V.
Ramirez

24.
CHASE BANK vs HOANG
ADV NO. 08-5280
TUNG HOANG
08-53369-RLE (7)

Telephonic Case Management Conference
Complaint to Determine Dischargeability
of Debt U.S.C. Sect. 523(a)(2)(A)
Pl- CHASE BANK USA, N.A.

OFF CAL PER JUDGMENT 12/1/08

Atty for Pl - JEROME YELSKY
(310) 820-6529

Def:
TUNG HOANG

25.
FIA CARD vs SEBOLINO
ADV NO. 08-5267
LOURDES SEBOLINO

RLE
12/18/08 AT 2:00 P.M.

12

08-53147-RLE (7)

OFF CAL PER JUDGMENT 10/31/08

Telephonic Case Management Conference
Complaint to Determine Dischargeability
of Debt U.S.C. Sect. 523(a)(2)(A)
Pl - FIA CARD SERVICES, N.A.

Atty for Pl - JEROME YELSKY
(310) 820-6529

Def:
LOURDES JUBANE SEBOLINO