9/12 FINAL

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

## **ROANOKE CALENDAR - SEPTEMBER 12, 2005**

KOANOKE CALENDAR - SEI TENIDER 12, 2005				
(The Honorable William F. Stone, Jr. Presiding)				
(Start	: Recess: + H	Resume: Stop:	←Trials:	Proceedings)
Attys:	Debtors:		Case Nos.:	Trustees:
	<u>9:30 A.M</u>	CHAPTER 13 CO	<b>NFIRMATIONS</b>	
Palmer	LAWRENCE <u>LEONE</u> & Plan filed 6/8; # 2 Trustee Report &		05-72256 3; # 16, 17	Connelly/SJ
	Motion for valuation on Citifinancial Retail Services filed 6/16 #10 – Order of 7/20 grants valuation			
Motion for Valuation on BB&T Bank filed 6/16 #11 - Order of 7/18 grants valuation				
Hart/Palmer	DON CHISOM 2 <sup>nd</sup> Mod Plan filed	17/28; #51, 53	04-2685	Connelly/GR
	Trustee Motion to	Dismiss or convert fil	ed 4/1; # 31 - conto	l from 4/25 , 6/6 ,7/7, & 8/8
Fee Appl. Counsel for debtor filed 7/6; # 43, 50 cont from 8/22 Order of Distribution entered 9/9 #59				
Palmer	PAULA BOWLING Mod Plan filed 7/2	28; # 14, 15	05-71598	Connelly/NS
Trustee Report/Showcause #10 contd from 7/18 to hear w/plan when filed				
			05 51550	
M Hart	JUDY JACOBS Mod Plan filed 7/2 Trustee Report &	20; # 26, 27 Showcause filed 5/19;	05-71558 # 16 cont fr 7/7& 8	Connelly/SJ 8/8
1				
M Hart		YN CUNNINGHAM lan filed 7/29 #76,77 Dismiss or Convert C	02-03939 ase cont from 7/18	Connelly/AF

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#### 9:30 A.M. - CHAPTER 13 CONFIRMATIONS

Palmer **BRUCE & SUSAN MONCRIEF** Connelly/GR 05-72289 Plan filed 6/30; #14, Trustee Report & Showcause filed 7/18: #17 Palmer RICHARD KIDD (split case on 6/15) 05-72350 Connelly/SJ Motion for Relief and Imposition of an Equitable Servitude filed 8/11 #6,8,12 by Indymac Bank (Bierman) Krippend. ALBERT BRUZGUL 05-71801 Connelly/JM Plan filed 5/24; #9, cont from 8/8 **Obj:** Countrywide Home Loans Inc (Sasser), *cont from 8/8* Trustee Report and Showcause filed 6/17, #15, cont from 8/8 Krippend. ELIZABETH WADE 05-71896 Connelly/NS Plan filed 5/13; # 4, 6, cont from 8/8 **Obj:** GMAC (Eason) filed 6/1; #15, Amended by d/e #19 to attach correct document Trustee Report & Showcause filed 6/17; # 16, cont from 8/8 Motion for Valuation: GMAC - filed 7/19; # 17, 18, Amended Motion for Valuation filed 8/2 #21, cont from 8/8 Obj: GMAC (Eason) filed 7/20; # 20, cont from 8/8 M Black **BRYAN ELLISON** 05-70795 Connelly/NS Mod Plan filed 7/18: # 34, 36 2<sup>nd</sup> Amended Plan filed 9/2 #45,46 scheduled for hearing 10/24 @9:30 Trustee Report & Showcause filed 4/8; # 24 Supplemental Report of Trustee filed 6/23; # 28, cont from 8/8 Supplemental Report of Trustee filed 8/2 #40, cont from 8/8 Amended Report and Show cause filed 8/2 #41 M Hart ANTHONY HAIRSTON Connelly/JJ 05-71847 Amended Plan filed 6/3 #32, 33 cont from 8/8 Obj: filed 7/26 #20 by USA/IRS (Eckert) cont from 8/8 Motion to Withdraw/Dismiss Objection filed 9/8 (Eckert) #32 Trustee Report & Showcause filed 6/17; #18 cont from 8/8 Supplemental Trustee Report filed 7/11; # 19 cont from 8/8 Supplemental Trustee Report filed 8/23 #28 Valuation: HSBC/Mitsi filed 7/29 #22 cont from 8/8 Roanoke 9/12 WFS 9:30 A.M. - CHAPTER 13 CONFIRMATIONS

M Hart	LAWRENCE REYNOLDS Mod plan filed 7/12; # 26 27 Trustee Reports & Show Cause Motions #1	05-71496 3 & 22 contd from pri	Connelly/NS or calendars	
Shelor	DAVID & CHERYL ISHIE Second Amended Plan filed 7/15; # 27, 28 <b>OBJ:</b> City of Roanoke (Collins) <i>cont from</i>	05-71210 6/20	Connelly/SO	
	Trustee Showcause #15 contd to hear w/mo	Trustee Showcause #15 contd to hear w/mod plan when set		
	Valuation: Suntrust (cont from 6/20)			
McNally	TERRY & BETTIE SPRADLIN First Amended Plan filed 7/5; # 22, 23 Trustee Report & Showcause filed 5/6; # 10	05-71172 0 - contd from prior hr	Connelly/LM	
M Hart	ROBIN O HOSEY First Amended Post-Conf Plan filed 7/8; da	03-3049 tted 7/7 #67, 68	Connelly/JJ	
Pro se	PAUL COLLEY <i>Mot.ext time to file plan noticed 8/8 @ 11</i> : Trustee Report & Showcause filed 7/18; # 2 <u>CASE DISMISSED BY ORDER ENTER</u>	25	Connelly/JJ	
Krippend.	LENDI STANFORD Converted case, plan not filed as of 8/26, c	05-70985 conf ntc #17	Connelly/GR	
	Trustee Report & Showcause filed 7/18; # 30 Supplemental Trustee Report and Show cause #31			
M Hart	ROLANDA TAYLOR Mod Plan filed 7/12, # 31, 32 (Post-Conf)	04-801	Connelly/JM	

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M Hart	ELLIS BOLLING Mod Plan filed 6/17, # 65, 66, <i>cont from 8</i> , Trustee Report & Showcause, filed 1/6; #1, <b>OBJ:</b> Homecomings Financial(McQuiddy/ 6/20,8/8 <b>OBJ:</b> Silverstein and Carr(Moses) filed 8/1 Obj of Debtor to Claim #6 of Silverstein &	5 contd from 1/24 & 3/ 'Boylan) #16 cont fr 1/ #79, 8/8	24, 3/14 ,4/11,
	6/17; # 67, <i>cont from 8/8</i> <u>Response filed 7/19; # 75 (E. Moses</u>		icisiip ned
M Hart	<ul> <li>BRAYDON TINSLEY</li> <li>First Amended Plan filed 7/12; # 27, 31,</li> <li>Trustee Motions #8, 10, 23 &amp; contd from 7.</li> <li><b>Obj</b> of Washington Mutual Bank (Wood) washington Bank (Wo</li></ul>		
Krippend.	STEPHANIE ARNETT Plan due; conf ntc #6 <i>CASE converted to chapter 7 on 7/11</i>	05-72351	Connelly/SJ
M Giles	CHARLENE BROYLES Plan filed 6/10; # 3, 6 Trustee Report & Showcause filed 7/18; #	05-72280 9	Connelly/GR
Giles	RONALD AND ANITA HOPKINS Motion for Relief filed 8/15 #31 by Washin Response filed 8/15 #34 Response filed 8/19 #35 <i>9/9 faxed copy of agreed order received wi</i>	-	
Krippend	MORRIS PHAM AND PEGGY DINH Plan filed 7/1; # 14 conf. Ntc #10 Trustee Report & Showcause filed 7/18; #	05-71364 19	Connelly/SL
M Hart	THOMAS & BETHANYE DICKENS First Amended Plan filed 7/14; # 30, 31 (Po	04-1967 ost-Conf)	Connelly/SL

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KrippendoLISA JOHNSON05-71700Connelly/JMMod Plan filed 7/14; #15, 16,<br/>Trustee Report & Showcause filed 6/9; # 15 , cont from 7/18<br/>Note: New meeting of creditors notice with confirmation date to be to be issued for<br/>service to all creditors6/9; # 15 , cont from 7/18<br/>Connelly/SLHuffmanWILLIAM & KATHY PARENTI<br/>Mod Plan filed 7/13; # 23, 25, 2805-71162Connelly/SL

Trustee Showcause, #9, and Motion for Relief of Chase Home Finance (Clarke) #10 & Response thereto #11 contd from 6/20 by d/e # 18 to hear w/plan when set

Motion for Relief - filed 6/23; # 19, 20, 21 by Key Bank USA (Sasser) Re: 3544 Courtland Rd, Roanoke , *cont from 7/18 and 8/22* 

Delafield SARA MULLEN 05-70763 Connelly/SL First Amended Plan filed 7/28 #27,28 Trustee's Report and Show Cause filed 4/7 #13 cont from 7/7, and 9/12

M Hart RICHARD BROOKS JR 05-71997 Connelly/NS Plan filed 6/16; # 17, - Certif of Service of Plan filed 6/9; # 12 Trustee Report & Showcause filed 6/29; # 21, cont from 8/22

> Motion for Relief filed 8/11 #24, 27 by LoanCare Servicing Center as Servicers for Sterling National Mortgage Co. (Stewart) Amended Motion *reschedules for 9/7 #28,31 with amended notice scheduling for 9/12* @9:30

> > Connelly/AF

M Hart LYDIA BARLOW 04-00334 First Amended Plan filed 8/3 #43,44 See also relief motion scheduled at 11:30 see pg #11

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Shelor DAWN MCCORMACK 05-72876 Connelly/LM Motion for Relief filed 8/19 #13 by Roanoke Postal Employees FCU (Patterson) <u>Answer</u> filed 8/22 #17 *Note: Confirmation scheduled 11/7 @9:30* 

Delafield JUSTIN UMSTEAD 05-71565 Connelly/SL Plan filed 7/22 #37 with cert of serv filed 7/25 #40 Ntc of hearing on confirmation with deadline to objection filed 7/27 #41 with cert of service

**OBJ**: Carilion Health System Federal Credit Union

Trustees Report and Show Cause filed 6/9 #17 Supplemental Trustee Report and Show Cause filed 7/7 #30,33 Supplemental Trustee Report and Show Cause filed 8/2 #43 (*Note See also Relief motion at 11:00 below*)

#### 11:00 A. M. - MISCELLANEOUS

Delafield JUSTIN UMSTEAD 05-71565 Connelly/SL Motion for Relief - filed 6/27; # 23, 24, 25, 26 by Chase Manhattan Mortgage(Sasser) cont from 8/8

#### Answer filed 7/11; # 31

ShelorMICHAEL BOWERS03-04990Connelly/NSTrustee Motion to Dismiss or convert filed 7/27, # 76, cont from 8/22

Motion for Relief - filed 6/30; # 68 69, 70, 71 by National City Mortgage (Sasser) Response filed 7/1; # 73, cont from 8/8

Delafield VERONICA CLARK 03-2297 Connelly/NS Trustee Motion to Dismiss or convert filed 7/2, 39, cont from 8/22

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H BrownRENE HORNE04-1065Connelly/SLTrustee Motion to Dismiss or convert filed 7/26; # 56, cont from 8/22 and 9/12Response: Debtor Motion to Suspend Payments filed 8/11 #57, cont from 9/12

Motion to Suspend Payments filed 8/11 #57,59, cont from 9/12

Application for Compensation filed 8/11 #58,59, cont from 9/12

NcNally MELANIE CRENSHAW 03-04166 Connelly/SL Trustee's Motion to Dismiss or Convert Case filed 7/27 #49 cont from 8/22 Debtor Motion to Suspend Payments filed 7/28 #50,53

Krippendorf BRENDA GOODEN 04-04014 Connelly/VS Trustee Motion to Dismiss or Convert Case filed 8/1 #71

McNally ANTHONY RAMEY 05-70408 Connelly/SO Motion for Relief - filed 5/19; # 22, 23, 24 25, 26 by Mortgage Electronic Registration Systems Inc (Sasser/Boylan) cont from 6/20 and 8/8 <u>Response filed 6/1; # 29</u> - contd from 6/20, and 8/8 Amended Response filed 6/22; # 32, cont from 8/8

Bowman KIM PERKINS 01-4818 Connelly/VS Motion for Relief from Stay filed 10/28 # 137, by First Union (Bierman/Boylan) Response to Motion filed 11/12; # 142 *-contd from 2/28 & 4/11 & 6/6, 8/8* 

Notice of Hearing filed 8/23 #161 by Bierman re Motion for Relief from Stay by creditor First Union continues the motion to this date

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Spencer ROY AND CAROLYN MEDLEY Connelly/AF 05-71433 Debtor's Motion to Vacate filed 8/2 #21 (re: Dismissal order entered 7/28) Ord of 8/11 Reinstates case - Amended Plan filed 8/3 - conf scheduled 9/26 @9:30 M Hart CARLEEN JOHNSON-ALLEYNE 05-70635 Connelly/AF Motion for Relief filed 8/23 #16,17 by Chase Home Finance (Wood), cont from 9/12 Answer filed 8/29 #29, cont from 9/12 M Hart PAUL AND VELVET ADAMS 03-03832 Connelly/AF Motion for Relief filed 8/19 #39, 42 by Citifinancial Mtg (Zimm) Answer filed 8/23 #43 Delafield MELISSA EPPERLY 05-70322 Connelly/S Amended Plan filed 6/21 #42, 43 cont from 8/8 Trustee Report and Show cause *cont from 8/8* Valuation: Kay Jewelers, Inc. filed 8/4 #49 Delafield 03-02036 Connelly/AF WESLEY WEBB Motion for Relief filed 8/15 #90,95, by Sun Trust Bank (Zimm) Answer filed 8/23 #100 Motion for Co Debtor Relief filed 8/17 #92, 96, 97 by Sun Trust Bank (Note: Memorandum to Zimm re: service #103 with reply by Zimm #104 re: service)

Delafield JAMES MINTER 05-72517 Motion for Relief filed 8/19 #14,17 by Roger Ingram (Moses) Answer filed 8/24 #20

Connelly/VS

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Yancey	DEBORAH BOGGS Valuation: Sun Trust Bank filed 8/12 #9 Note: Conf scheduled 10/24 @9:30 Order entered on 9/9 approves valuation r	05-72836 notion	Connelly/AF
Shelor	MICHAEL AND SABRINA FIZER Second Motion to Sell Free and Clear of L	04-00712 iens filed 8/2 #28	Connelly/SO
Rothlisberger Jernigan	CYNTHIA HALL Valuation: Capital One Auto Finance filed 9/12 Jernigan's office contacted court- con		Connelly/AF ers
	Note: Confirmation 9/26/05 @9:30		
Krippendorf	JANICE BURRELL Objection to Claim #1 of Beneficial Mortg	05-70651 age filed 7/29 #30,32	Connelly/SJ
Palmer	HERBERT AND RONDA PASCHAL Motion to Extend time to file modified play	05-71361 n filed 7/28 #31,32	Connelly/SL
Palmer	MICHAEL & ANGELA LAURIDSEN Motion of Debtors to sell property free & c V. Washington Mutual Bank, John L. Hart filed 7/15; # 63, cont from 8/22 Ord of 8/24 permits sale and provides Not date	, d/t Trustee & R. Com	-
Palmer	MICHELLE PATTERSON Mod Plan filed 5/24; # 26, 27, <i>cont from 8/</i> Trustee Report & Show Cause filed 2/11; # Motion for Relief filed 8/9 #46, 48,50 by E Motion and Order to extend stay filed 8/11 <u>Answer</u> filed 8/11 #52	<ul><li># 13, contd from 5/23 ,?</li><li>Bank of New York (Sas</li></ul>	

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Hart	ALVIN AND VICKI BOOTHE Debtor Motion to Suspend Payments	02-04498 filed 8/2 #38	Connelly/NS	
Shelor	WILLIE ARTIS Motion for Relief filed 8/11 #19 by H <u>Answer filed 8/16 #25</u>	05-71863 SBC Mortgage Services (Sas	Connelly/SL sser)	
Giles	LARRY AND ALLISON GREENE First Amended Plan filed 7/1; # 25 27	04-74983 , cont from 8/22	Connelly/GR	
	Motion for Relief filed 8/12 #32,34 by LaSalle National Asso (Jaffee) Response filed 8/19 #38			
	Motion for Relief <u>from Co-Debtor Sta</u> Salem VA Federal Credit Union (Crea <u>Response to Motion filed 7/1; # 26, c</u>	asy) cont from 8/22		

Giles PHYLLIS HANKS 04-74486 Debtor objection to claim #10 of Wachovia #25, 30 *Recused to Judge Stone by order of 8/12* 

Connelly/GR

Palmer/Hart MITZI NEWBILL 04-74294 Connelly/NS Motion for Relief - filed 7/1; # 26, 27, 28,29, 30 by CitiMortgage Inc, successor with Principal Residential Mortgage (Sasser) cont from 8/8 Answer filed 7/1; # 31; Amended answer 7/6; # 33

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Krippendorf LINDA GILLS 04-01096 Connelly/NS Motion to Suspend Payments filed 7/25 #36, 37, (amended notice to correct date, #38)

 Krippend.
 CHRISTOPHER & WENDY AUSTIN
 05-72021
 Connelly/VS

 Valuation:
 WFS filed 8/5 #21
 Valuation: Schewels Furniture filed 8/5 #20
 Valuation:

 Valuation:
 Marks and Morgan filed 8/5 #19
 Valuation: First Citizens filed 8/5 #18
 Valuation: Dell Financial filed 8/15 #29

## 11:30 A. M. - MISCELLANEOUS

M Hart LYDIA BARLOW

04-00334 Connelly/AF

Relief from Stay filed 8/18 #46, 47 with amended notice #51 filed by Option One Mortgage (Bierman)

First Amended Plan filed 8/3 #43,44 scheduled at 9:30 (see pg #5)

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#### 2:00 P. M. - PRE-TRIAL CONFERENCES

M Giles SCOTT CAMLIN

04-3938

Krippend/AF

)

AP 05-07076: Recover money or property, *cont from 8/8* Evelyn K, Krippendorf Trustee (Krippendorf) v. debtor & Wachovia Bank ( AP 05-07077: Recover money or property, *cont from 8/8* Evelyn K Krippendorf Trustee (Krippendorf) v. MBNA America (Moore) Answer filed 7/13; #7 (Matthew Moore), *cont from 8/8* 

- Krippend. ROBERT ALMOND JR 05-70581 Allen/GR <u>Final Pre-Trial:</u> Motion of U. S. Trustee to dismiss case filed 4/28; - #16, 17 (Garber) Re: 707(b)
- Delafield ROBERT AND MELISSA SHELTON 05-70352 Creasy/SJ <u>Final pre-trial</u>:US Trustee's Motion to Dismiss(Guzinski) case for substantial abuse 5/2 #19
- L Giles STEVEN & NORA GEARHART 05-70411 McLean/SO <u>Final pretrial</u>: Motion of U. S. Trustee to Dismiss case for substantial abuse filed 5/9; #17 (Cosby)
- Delafield FRANKLIN MORRISON 05-71745 Vogel/JJ AP 05-07067: Recover Money or Property, cont from 8/8 Debtor v. Evelyn Richardson ( ) Debtor Motion for Default Judgement filed 8/8 #7 <u>Answer</u> to motion for Default Judgment (Richardson) filed 8/23 #13
- Palmer STEVEN AND EMMA COPNEY 05-70798 Vogel/NS A/P 05-07111: 424 (Obj/Revocation Discharge 727); summons issued 8/4 UST (Garber) vs Debtors Answer filed 9/9 #5

Bowman MARK HENDRIX 98-00426 Creasy/S AP 05-07089: Det. Validity priority extent of liens; summons issued 7/19 Debtor v. AAA Mortgage & Financial Corporation

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#### 2:00 P. M. - PRE-TRIAL CONFERENCES

Delafield CRAIG DANIEL GREEN 05-71698 McLean/NS AP 05-07106: Injunctive Relief - filed 7/25; summons issued 7/26

M Giles	JEREMY KOZUP Application of Vogel & Crowell LLC for c for Trustee filed 7/8; # 39, 43 <i>Motion terminated (report of no objection</i> Application of George I Vogel II< Trustee <i>Motion terminated (report of no objection</i>	<i>s filed) hearing cance</i> for compensation of T	<i>lled</i> rustee filed 7/8; # 40
Zadell	JAMES AND TINA QUARLES Trustee Motion to Sell Free and Clear of L	05-70631 iens filed 8/12 #14	Vogel/AF
P Brown	JOHN AND RUTH WATKINS Trustee Motion to Extend Time to Objection #69,70 (absent timely objections -self-exect Note: Motion to Sever filed 9/1 schedules h	uting and time extende	
Giles	SHERRON MOORMAN Motion for Relief filed 8/16 #13,14 by Cen <u>Response</u> filed 8/18 #17 <u>Response</u> filed 8/19 #19 Ord entered 9/2 withdraws Motion for Rel		Vogel/LM sser)
Palmer	KIMBERLY PHILLIPS Motion for Relief filed 8/12 #7,11,12 by C Ord entered 9/1 grants Motion for Relief	05-72580 itifinancial Auto Corp	Vogel/GR (Zimm)
Szathmary	BARRY AND DONNA RAMSEY Motion for Relief filed 8/16 #6,9 by ABN A <u>Response</u> filed 8/23 #11	05-72934 AMRO Mortgage (Ste	Allen/AF wart)
P Brown	LARRY AND FLORA PUBH Application for Compensation of Accounta 42 (cont from 7/18) (Creasy) Amended Application filed 8/16 #49 (Crea	,	
Roanoke 9/12 WFS			
Bowman	MICHAEL AND SANDRA BOUSMAN Debtor Motion for Turnover order filed 6/2 Trailer) Order entered 6/30 recuses motion in d/e f		Connelly/GR & title to Fleetwood

SpencerVALLEY GUNS, INC.03-03654Spencer/SJTrustee Application for Compensation for CPA/Barry Strickland filed 8/17 #43,<br/>44,45,46,47; (absent timely objections; order becomes self-executing)