

UNITED STATES BANKRUPTCY COURT  
SUITE 280  
302 EAST PETTIGREW STREET  
DURHAM, NORTH CAROLINA

September 22, 2016

THE HONORABLE LENA M. JAMES PRESIDING

Calendar Summary:

- Total Number of Cases: 29
- Total Number of Matters to be Heard: 32
- Total Number of Hearings: 32
- Total Number of Motions to Dismiss: 0

Note: Please be aware that **entry into the facilities** of this Court **will generally require a photo I.D.**

09:30 AM

1. Miller et al  
v.  
McLeod  
16-09020  
(lmj)

\*1\* Pre-Trial Hearing

ATY PLTF:  
William P. Miller  
TR: J.P.  
Cournoyer
  
2. North Carolina New  
Schools Inc.  
16-80411 7  
(lmj)

\*59\* Motion by Trustee to Sell Furniture and  
other personal property Free and Clear of  
Liens under Section 363(f)

ATY DEBTOR:  
Katherine  
Clayton  
TR: J. P.  
Cournoyer  
BA: William  
Miller
  
3. Triangle Brewing  
Company, Inc.  
16-80447 7  
(lmj)

\*30\* Motion by Trustee to Sell 40 half-barrel  
empty beer kegs free and clear of Liens under  
Section 363(f)

ATY DEBTOR:  
Stephanie  
Osborne  
TR: Sara A. Conti  
BA: William  
Miller
  
4. The Carolina Golf  
Development  
Company  
v.  
71st Partners, LLC  
15-09046  
(lmj)

1. \*1\* Pre-Trial Hearing (4)

ATY PLTF: Jason  
Hendren  
ATY DFDT:  
Algernon Butler,  
III  
TR: Charles M.  
Ivey, III  
BA: William  
Miller

2. \*34\* Motion by Bankruptcy Administrator  
for Relief from Order Requiring Mediated  
Settlement Conference and to Alter and  
Amend the Order entered on July 6, 2016

ATY PLTF: Jason  
Hendren  
ATY DFDT:  
Algernon Butler,  
III  
TR: Charles M.  
Ivey, III  
BA: William

Miller

5.	Carolina Golf Development Company 15-81173 7 (lmj)	*124* Motion by 71st Partners LLC to Compel M.M. Warburg & Co. to Produce Documents and Information Under Rule 2004	ATY DEBTOR: Jason Hendren ATY 71st: Algernon Butler, III TR: Charles M. Ivey, III BA: William Miller
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11:00 AM

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| 6.  | Jerdewarrene Farrar<br>and Ilem Cecilia Farrar<br>11-82025 13<br>(lmj)         | 1. *44* Objection by Debtor to Claim Number<br>9 of Green Tree Servicing, L.L.C. in the amount<br>of \$85,391.39  | ATY DEBTOR:<br>Koury Hicks<br>ATY GT: Troy<br>Staley<br>TR: Richard M.<br>Hutson, II |
|     |  | 2. *41* Motion by Trustee to Modify Plan  | ATY DEBTOR:<br>Koury Hicks<br>TR: Richard M.<br>Hutson, II                           |
| 7.  | James Michael<br>Childers and Janice<br>Marie Childers<br>12-80520 13<br>(lmj) | *51* Motion by Debtors to Modify Plan   | ATY DEBTOR:<br>Phillip Bolton<br>TR: Richard M.<br>Hutson, II                        |
| 8.  | Wansley O Massey<br>13-80376 13<br>(lmj)                                       | *86* Motion by Trustee to Allow Claim of<br>Southern New Hampshire University in the<br>amount of \$1896.00   | ATY DEBTOR:<br>Brent Wootton<br>TR: Richard M.<br>Hutson, II                         |
| 9.  | Rosa M Mason<br>13-80727 13<br>(lmj)   | *103* Motion by Trustee to Modify Plan (1)  | ATY DEBTOR:<br>Benjamin Busch<br>TR: Richard M.<br>Hutson, II                        |
| 10. | Marcus L. Cox and<br>Deziembre T Cox<br>13-81035 13<br>(lmj)                   | *52* Motion by Debtors for Authority to<br>Obtain Credit (under 11 USC 364(b), FRBP<br>4001 (c) or (d)) in the amount of: \$18,000.00<br>in order to purchase a vehicle | ATY DEBTOR:<br>Neil O'Toole<br>TR: Richard M.<br>Hutson, II                          |

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| 11. | Angela V. McLean<br>13-81435 13<br>(lmj)                                   | *47* Amended Motion by Swann's Mill Homeowners Association, Inc. for Relief from Stay regarding 1304 Cozart St. Unit 252, Durham, NC | ATY DEBTOR:<br>Koury Hicks<br>ATY SMH: Nelson Harris<br>TR: Richard M. Hutson, II |
| 12. | Dori Mae Hildebrant<br>14-80313 13<br>(lmj)                                | *33* Motion by Debtor to Incur Debt with Towne Bank Mortgage   | ATY DEBTOR:<br>Koury Hicks<br>TR: Richard M. Hutson, II                           |
| 13. | Rickey Andre Faulkner and Sandra Graves Faulkner<br>15-80259 13<br>(lmj)   | *25* Motion by Sandra Faulkner to Approve Settlement Agreement with Afni, Inc. (1)   | ATY DEBTOR:<br>Craig Shapiro<br>TR: Richard M. Hutson, II                         |
| 14. | Shakita Latoya Steed<br>15-80921 13<br>(lmj)                               | *28* Motion by Trustee to Convert Case from Chapter 13 to Chapter 7 (2)  | ATY DEBTOR:<br>Koury Hicks<br>TR: Richard M. Hutson, II                           |
| 15. | Vanxay Lo Bouatay and Chomsy Southammavong<br>15-81077 13<br>(lmj)         | *34* Motion by Trustee to Allow Claim of The Bank of New York Mellon in the amount of \$350.00                                       | ATY DEBTOR:<br>Koury Hicks<br>TR: Richard M. Hutson, II                           |
| 16. | Timothy Dallas Fuller, Sr. and Janet Beeker Fuller<br>15-81138 13<br>(lmj) | *20* Motion by Trustee to Modify Plan  | ATY DEBTOR:<br>Koury Hicks<br>TR: Richard M. Hutson, II                           |

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| 17. | Gwendolyn G Quick<br>15-81172 13<br>(lmj)   | *25* Objection by Debtor to Claim Number<br>13-2 of Wells Fargo in the amount of                                       | ATY DEBTOR:<br>Brent Wootton<br>ATY WF: Michael<br>Emrey<br>TR: Richard M.<br>Hutson, II |
| 18. | Brian Daniel Borowski<br>15-81259 13<br>(lmj)                                     | *31* Motion by Debtor to Modify Plan and<br>Motion to Incur Debt   | ATY DEBTOR: A.<br>B. Harrington, III<br>TR: Richard M.<br>Hutson, II                     |
| 19. | Ida L. Howard<br>16-80067 13<br>(lmj)   | *27* Motion by Trustee to Modify Plan (1)  | ATY DEBTOR:<br>Koury Hicks<br>TR: Richard M.<br>Hutson, II                               |
| 20. | David Howard<br>Lineberger, Jr. and<br>Tracy Renee Finley<br>16-80105 13<br>(lmj) | *36* Amended Notice and Proposed Order of<br>Confirmation  | ATY DEBTOR:<br>Neil O'Toole<br>TR: Richard M.<br>Hutson, II                              |
| 21. | Shirley Marie Jones<br>16-80291 13<br>(lmj)                                       | *22* Application by Debtor to Employ Wendt<br>Goss, P.C. as Special Counsel Nunc Pro Tunc<br>in a personal injury suit | ATY DEBTOR:<br>Donald<br>Pergerson<br>TR: Richard M.<br>Hutson, II                       |

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| 22. | Shane T. Kelley<br>16-80488 13<br>(lmj)                                     | *13* Objection by Trustee to Confirmation of Plan  | ATY DEBTOR:<br>Donald Pergerson<br>TR: Richard M. Hutson, II   |
| 23. | Kimberly Johnson Rogers<br>16-80497 13<br>(lmj)                             | *14* Objection by Trustee to Confirmation of Plan  | ATY DEBTOR:<br>Brandi Richardson<br>TR: Richard M. Hutson, II  |
| 24. | Terry Kyle Phillips<br>16-80506 13<br>(lmj)                                 | 1. *49* Objection by Mack Financial to Confirmation of Plan<br><br>2. *50* Objection by First Bank to Confirmation of Plan | ATY DEBTOR:<br>Donald Coomes<br>ATY MF: James Livermon, III<br>TR: Richard M. Hutson, II<br><br>ATY DEBTOR:<br>Donald Coomes<br>ATY FB: Lauren Roland<br>TR: Richard M. Hutson, II |
| 25. | Paul Russell Loman, II<br>16-80515 13<br>(lmj)                              | *15* Objection by Trustee to Confirmation of Plan  | ATY DEBTOR:<br>Koury Hicks<br>TR: Richard M. Hutson, II  |
| 26. | Thomas Earl Philyaw, II and Mahoganie Jones Philyaw<br>16-80545 13<br>(lmj) | *17* Objection by Trustee to Confirmation of Plan  | ATY DEBTOR:<br>Koury Hicks<br>TR: Richard M. Hutson, II  |

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| 27. | Jacqueline D. Blake<br>16-80551 13<br>(lmj)                                   | *14* Objection by Trustee to Confirmation of Plan   | ATY DEBTOR:<br>Brent Wootton<br>TR: Richard M.<br>Hutson, II                                |
| 28. | Garland Mitchell<br>Smith and Vicky<br>Michelle Smith<br>16-80572 13<br>(lmj) | *15* Objection by Vanderbilt Mortgage and Finance to Confirmation of Plan                         | ATY DEBTOR:<br>Koury Hicks<br>ATY VM: John<br>Fletcher, III<br>TR: Richard M.<br>Hutson, II |
| 29. | Cecil Avery Brown<br>and Ardelia Perdue<br>Brown<br>16-80729 13<br>(lmj)      | *14* Motion by Ford Motor Credit Company, LLC for Relief from Stay regarding a 2015 Ford Explorer | ATY DEBTOR:<br>Koury Hicks<br>ATY FMC: Pamela<br>Keenan<br>TR: Richard M.<br>Hutson, II     |