

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

February 16, 2017

THE HONORABLE BENJAMIN A. KAHN PRESIDING

Calendar Summary:

- Total Number of Cases: 66
- Total Number of Matters to be Heard: 73
- Total Number of Hearings: 40
- Total Number of Motions to Dismiss: 33

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

09:30 AM

1. Solon Edgar Smith and Rhonda Mistien Smith  
10-82254 13  
(bak) \*88\* Motion by Debtors to Reopen Chapter 13 Case (1) ATY DEBTOR:  
Melissa M. Davis  
BA: William P. Miller  
TR: Richard M. Hutson, II
  
2. Darius L Robinson and Tracy A Williams-Robinson  
11-80375 13  
(bak) \*66\* Show Cause hearing regarding Motion for Entry of a Discharge ATY DEBTOR:  
Neil M. O'Toole  
TR: Richard M. Hutson, II
  
3. Waldo Nathan Fenner  
11-81392 13  
(bak) \*74\* Motion by Trustee For Turnover of Insurance Proceeds (1) ATY DEBTOR:  
Carena Lemons  
BA: William P. Miller  
TR: Richard M. Hutson, II
  
4. Rogerlene Bullock Wimbush  
11-82032 13  
(bak) \*42\* Motion by Trustee to Modify Plan (1) ATY DEBTOR:  
John T. Orcutt  
TR: Richard M. Hutson, II
  
5. Natarsa D. Patillo  
12-80479 13  
(bak) \*34\* Objection by Debtor to Claim Number 10 of U.S. Bank National Association (\$118,092.56) ATY DEBTOR:  
John T. Orcutt  
BA: William P. Miller  
TR: Richard M. Hutson, II

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| 6.  | Lenore Anne Jackson<br>12-81177 13<br>(bak)              | *129* Motion by Seterus, Inc. for Relief from Stay regarding 429 Arbor Creek Drive, Holly Springs, NC (2)  | ATY DEBTOR:<br>James C. White<br>ATY SI: Stephen T. Staley<br>TR: Richard M. Hutson, II       |
| 7.  | Yolanda Ann Brewer<br>12-81693 13<br>(bak)               | *80* Motion by Debtor to Modify Plan   | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M. Hutson, II                                    |
| 8.  | Bertha M Mosley<br>13-80657 13<br>(bak)                  | *39* Motion by Consumer Portfolio Services, Inc. for Relief from Stay regarding a 2011 Ford Fiesta Hatchback (1)   | ATY DEBTOR:<br>Donald D. Pergerson<br>ATY CPS: Kristen M. Redman<br>TR: Richard M. Hutson, II |
| 9.  | Humberto Mercado, Jr.<br>13-80707 13<br>(bak)            | *44* Show Cause hearing regarding Motion for Entry of a Discharge  | ATY DEBTOR:<br>Neil M. O'Toole<br>TR: Richard M. Hutson, II                                   |
| 10. | Christy Machel King<br>13-81093 13<br>(bak)              | *20* Show Cause hearing regarding Motion for Entry of a Discharge  | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M. Hutson, II                                    |
| 11. | Melvin Parrish and Annie Parrish<br>13-81609 13<br>(bak) | *55* Motion by Specialized Loan Servicing, LLC, for Relief from Stay regarding 9314 Bethel Hickory Grove Ch., Chapel Hill, NC and Relief from Co-Debtor Stay (Annie Parrish) (1) | ATY DEBTOR:<br>John T. Orcutt<br>ATY SLS:<br>Christine M. Lamb<br>TR: Richard M.              |

Hutson, II

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| 12. Miguel M Pereira and Erica Lea Tant<br>14-80057 13<br>(bak)      | *31* Motion by Nationstar Mortgage, LLC, for Relief from Stay regarding 745 Keystone Park Drive, Morrisville, NC (1) | ATY DEBTOR:<br>Donald D. Pergerson<br>ATY NM: Joseph J. Vonnegut<br>TR: Richard M. Hutson, II |
| 13. Angela Marie Rogers<br>14-80491 13<br>(bak)                      | *26* Motion by Debtor to Incur Debt with Matthews Motors   | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M. Hutson, II                                    |
| 14. David Louis Heaton and Nellie Lee Heaton<br>14-81017 13<br>(bak) | *16* Motion by the Debtor to Modify Plan   | ATY DEBTOR: A. B. Harrington, III<br>TR: Richard M. Hutson, II                                |
| 15. Danny R. Carmack and Elizabeth E Carmack<br>14-81059 13<br>(bak) | *61* Motion by the Debtors to Incur Debt with TBD  | ATY DEBTOR:<br>Brent C. Wootton<br>TR: Richard M. Hutson, II                                  |
| 16. Elizabeth Ann Cameron<br>14-81386 13<br>(bak)                    | *42* Motion by Debtor to Modify Plan   | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M. Hutson, II                                    |

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| 17. Marcus Olajowon<br>Cates<br>15-80124 13<br>(lmj)                           | *37* Motion by Debtor to Incur Debt with<br>401(k)   | ATY DEBTOR:<br>John T. Orcutt<br>BA: William P.<br>Miller<br>TR: Richard M.<br>Hutson, II       |
| 18. Crystal Deloris Boney<br>15-80296 13<br>(bak)                              | *25* Motion by Debtor to Modify Plan   | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M.<br>Hutson, II                                   |
| 19. Karen N Cash<br>15-80588 13<br>(bak)                                       | *24* Motion by Wells Fargo Financial North<br>Carolina 1, Inc. for Relief from Stay regarding<br>4014 Wake Forest Hwy, Durham, NC and<br>Relief from Co-Debtor Stay  | ATY DEBTOR:<br>Brent C. Wootton<br>ATY WF: Michael<br>Emrey<br>TR: Richard M.<br>Hutson, II     |
| 20. Lee Ann Hertzberg<br>15-80599 13<br>(bak)                                  | *20* Amended Motion by Hyland Hills<br>Homeowners Association for Relief from Stay<br>regarding 130 Fairway Ave., Lot 9, Units 231,<br>232, and 233, Lot 14, Units 244 and 245, and<br>Lot 19 Units 256 and 257, Southern Pines, NC<br>(2) | ATY DEBTOR:<br>Brandi L.<br>Richardson<br>ATY HH: Paul<br>Flick<br>TR: Richard M.<br>Hutson, II |
| 21. James Andrew Joines<br>and Teresa Benner<br>Joines<br>15-80692 13<br>(bak) | *34* Motion by Debtors to Modify Plan  | ATY DEBTOR:<br>Virginia B. Collins<br>TR: Richard M.<br>Hutson, II                              |

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| 22. | LaShonda Jeniece<br>Bradsher<br>16-80071 13<br>(bak)              | *28* Motion by Trustee to Modify Plan (1)  | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M.<br>Hutson, II   |
| 23. | Brian James<br>16-80202 13<br>(bak)                               | *22* Motion by Debtor for Private Sale of a<br>2004 Toyota Corolla   | ATY DEBTOR:<br>Brandi L.<br>Richardson<br>TR: Richard M.<br>Hutson, II                                |
| 24. | Charles H. Adcox<br>16-80403 13<br>(bak)                          | *17* Motion by Platinum Auto Finance for<br>Relief from Stay regarding a 2008 Volkswagen<br>and Relief from Co-Debtor Stay (Bonnie Lou<br>Bailey)  | ATY DEBTOR:<br>Donald D.<br>Pergerson<br>ATY PAF: Pamela<br>P. Keenan<br>TR: Richard M.<br>Hutson, II |
| 25. | David C Tingen<br>16-80609 13<br>(bak)                            | *17* Motion by Debtor to Modify Plan   | ATY DEBTOR:<br>Brent C. Wootton<br>TR: Richard M.<br>Hutson, II                                       |
| 26. | Mable McGregor<br>McLean<br>16-80710 13<br>(bak)                  | *17* Motion by Debtor to Modify Plan   | ATY DEBTOR:<br>Michael J.<br>McCran<br>TR: Richard M.<br>Hutson, II                                   |
| 27. | Danny Lee Wall and<br>Barbara Bailey Wall<br>16-81020 13<br>(bak) | *27* Motion by First-Citizens Bank & Trust<br>Company to Compel Debtors to Assume or<br>Reject Unexpired Lease, or in the alternative,<br>Relief from Stay regarding a 2012 Tigercat<br>610C Skidder | ATY DEBTOR:<br>Dirk W.<br>Siegmond<br>ATY FCB: Tyler J.<br>Russell<br>TR: Richard M.                  |

Hutson, II

28. James Thomas Anderson  
17-80008 7  
(bak)      \*8\* Motion by Vanderbilt Mortgage and Finance, Inc. for Relief from Stay regarding 841 Chandler Mill Road, Pelham, NC      ATY DEBTOR:  
John T. Orcutt  
ATY VM: John W. Fletcher, III  
TR: James B. Angell
29. John Anderson Ragland and Lessie Marie Ragland  
16-80744 13  
(bak)      1. \*17\* Confirmation of Plan (2)      ATY DEBTOR:  
John T. Orcutt  
TR: Richard M. Hutson, II
2. \*19\* Objection by James and Betty Davis to Confirmation of Plan (2)
30. Dion James Hice  
16-80782 13  
(bak)      \*29\* Amended Confirmation of Plan      ATY DEBTOR:  
Brandi L. Richardson  
TR: Richard M. Hutson, II
31. Mindy Kazan Hudson  
16-80974 13  
(bak)      \*11\* Confirmation of Plan      ATY DEBTOR: A.  
B. Harrington, III  
TR: Richard M. Hutson, II
32. Diane Gwendolyn Johnson  
16-81005 13  
(bak)      1. \*15\* Confirmation of Plan      ATY DEBTOR:  
John T. Orcutt  
ATY AFS:  
Christopher L. White  
TR: Richard M. Hutson, II

2. \*17\* Objection by Americredit Financial  
Services, Inc. to Confirmation of Plan



10:30 AM

**Motions to Dismiss**

33.	11-81703 13 (bak)	Vonda Small Kirkpatrick	Donald D. Pergerson
34.	11-81986 13 (bak)	James Dunlap Stratmon and Edwina Rena Stratmon	John T. Orcutt
35.	11-82109 13 (bak)	Kellie Scott Kimbrough	John T. Orcutt
36.	12-80343 13 (bak)	Aleta Faye Mims-Barbee	John T. Orcutt
37.	12-81173 13 (bak)	Larry Donald Goins	Christopher John Brown William Kirk Krueger, Jr.
38.	13-80245 13 (bak)	Cindy Michelle Daniels	John T. Orcutt
39.	13-80279 13 (bak)	Joseph Roy Swaney, Jr.	John T. Orcutt
40.	13-80689 13 (bak)	Gary Colon O'Neal	John T. Orcutt
41.	14-80465 13 (bak)	Bernadine D. Knight	Donald D. Pergerson
42.	14-80485 13 (bak)	Cozetta A. Small	Brent Clifton Wootton
43.	14-80616 13 (bak)	Henry Junior Cross and Pamela Denise Webb	John T. Orcutt
44.	14-80776 13 (bak)	Cornelius Lee Baldwin	John T. Orcutt

45.	14-80889 13 (bak)	Kevin R Kulp	Brent Clifton Wootton
46.	14-80893 13 (bak)	Regina Marie Nouredin	A. B. Harrington, III
47.	14-80961 13 (bak)	Ena Mercedes Maynard-Brooks	Joy K. Alford-Brand
48.	14-81137 13 (bak)	David Eric Washam	A. B. Harrington, III
49.	15-80093 13 (bak)	Kennedy Earl Tripplett	John T. Orcutt
50.	15-80692 13 (bak)	James Andrew Joines and Teresa Benner Joines	Virginia B. Collins
51.	15-80745 13 (bak)	Verlean Hunt	Donald D. Pergerson
52.	15-80891 13 (bak)	Lee Norris Daniels and Patricia Anne Daniels	John T. Orcutt
53.	15-80927 13 (bak)	Darline Johnson	Donald D. Pergerson
54.	15-80946 13 (bak)	Melissa J Bailey	Brent Clifton Wootton
55.	15-81120 13 (bak)	Robin Clemons	Neil M. O'Toole
56.	15-81133 13 (bak)	Jerome Michael McCathan and Robin Jo Clarke-McCathan	John T. Orcutt
57.	15-81312 13 (bak)	Shanequa Lavonne Winstead	James W. Tolin, Jr.

58.	16-80012 13 (bak)	Tuana Rochelle Thigpen	John T. Orcutt
59.	16-80036 13 (bak)	Fredrick Lorenzo White	John T. Orcutt
60.	16-80071 13 (bak)	LaShonda Jeniece Bradsher	John T. Orcutt
61.	16-80398 13 (bak)	Patrick L. Green	Donald D. Pergerson
62.	16-80609 13 (bak)	David C Tingen	Brent Clifton Wootton
63.	16-80667 13 (bak)	Barbara Jean Dorsey	Donald D. Pergerson
64.	16-80801 13 (bak)	Teresa Ann Taylor	Edward C. Boltz John T. Orcutt
65.	16-80960 13 (bak)	Victor Harris Vaughan	John T. Orcutt

11:00 AM

66. NC & VA Warranty Company, Inc.  
15-80016 7  
(bak) \*122\* Interim Application by Special Counsel J. Alexander S. Barrett for Compensation ATY DEBTOR:  
Erik M. Harvey  
TR: Sara A. Conti
67. Bryan Terrell Watson  
16-80805 7  
(bak) 1. \*21\* Motion by Shera G. Watson for Relief from Stay regarding Sale Proceeds ATY DEBTOR:  
Robert Lewis, Jr.  
ATY SW: Paige C. Kurtz  
ATY SECU: Craig S. Haskell  
TR: James B. Angell
2. \*37\* Motion by State Employees Credit Union for Relief from Stay regarding a 2012 Nissan Pathfinder-V8
68. SSI Liquidation, Inc.  
16-80558 11  
(bak) \*375\* Motion by Debtor to Approve Settlement Agreement with Beach Brookgreen, LLC ATY DEBTOR:  
J.P. Cournoyer
69. Paws and Claws Pet Inn, LLC  
16-81010 11  
(bak) 1. \*57\* Motion by Key Star Capital Fund, L.P. to Determine Single Asset Real Estate ATY DEBTOR:  
James C. White  
ATY KSCF: John A. Northen
2. \*58\* Motion by Key Star Capital Fund, L.P. for Relief from Stay regarding 5727 Normans Road, Rougemont, NC