

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

December 17, 2015

THE HONORABLE BENJAMIN A. KAHN PRESIDING

Calendar Summary:

- Total Number of Cases: 69
- Total Number of Matters to be Heard: 81
- Total Number of Hearings: 59
- Total Number of Motions to Dismiss: 22

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

09:30 AM

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| 1. | Harvey, Jr. et al
v.
Dambowsky
14-09010
(bak) | *108* Motion by the Defendant to approve Settlement Agreement. | ATY PLA: J.
Daniel Bishop
ATY DEF: Daniel
C. Bruton |
| 2. | Cytec Carbon Fibers
LLC and Cytec
Engineered Mater
v.
McAllister
15-09038
(bak) | Pre-Trial. (1) | ATY PLA: A. Lee
Hogewood, III
ATY DEF:
William Brewer,
Jr. |
| | | *18* Motion by Cytec Carbon Fibers, LLC and
Cytec Engineered Materials Inc. for a Default
Judgment. | |
| 3. | Scott Orville
McAllister
15-80616 7
(bak) | *20* Objection by Cytec Carbon Fibers, LLC
and Cytec Engineered Materials Inc. to
Debtor's Claim for Property Exemptions. (1) | ATY DEBTOR:
William Brewer,
Jr.
ATY CCF:
Matthew
Houston
TR: J.P.
Cournoyer |
| 4. | NC & VA Warranty
Company, Inc.
15-80016 7
(bak) | *80* Application by J. Alexander S. Barret for
compensation. | ATY DEBTOR:
Erik M. Harvey
TR: Sara A. Conti |
| 5. | John Gregory
McCormick
06-80976 7
(bak) | *1067* Final Application by the Trustee
compensate Accountant Nelson & Company,
P.A. | DEBTOR: PRO SE
TR: John A.
Northen |

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| 6. | Thomas M. Lyon and
Antoinette G. Lyon
12-81908 7
(bak) | *40* Motion by the Bankruptcy Administrator
for an Order Denying the Debtors' Discharge.
(1) | ATY DEBTOR:
Cheryl Y. Capron
BA: William P.
Miller
TR: John Paul H.
Cournoyer |
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| 7. | Carolina Golf
Development
Company
15-81173 11
(bak) | *7* Request by the Bankruptcy Administrator
for a Status Hearing. | ATY DEBTOR:
Jason L. Hendren
BA: William P.
Miller |
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| | | *21* Motion by the Bankruptcy Administrator
to appoint a Chapter 11 Trustee. | |

11:00 AM

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| 8. | Brown
v.
Landon Farms
Homeowners
Association, Inc.
15-09028
(bak) | Pre-Trial. (2) | ATY PLA: Edward
C. Boltz |
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| 9. | Canuto et al
v.
Public Service
Company of North
Carolina Inc. d/b/
15-09036
(bak) | Pre-Trial. (1) | ATY PLA: Edward
C. Boltz
ATY DEF: Reid E.
Dyer |
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| | | *6* Motion by the Plaintiff for a Default
Judgment. | |
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| 10. | Juan Carlos Canuto
and Maria Isabel
Canuto
14-81076 13
(bak) | *22* Motion by the Trustee to modify Plan. (3) | ATY DEBTOR:
John T. Orcutt
TR: Richard M.
Hutson, II |
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| 11. | Beasley Morton
Chandler and Sheila
Bailey Chandler
09-82156 13
(bak) | *66* Motion by Ditech Financial, LLC, for
Relief from Stay regarding 7605 Sam Hall
Road, Oxford, NC. (1) | ATY DEBTOR:
Donald D.
Pergerson
ATY DF: Craig S.
Haskell
TR: Richard M.
Hutson, II |

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| 12. | Clyde Octavis Harris
and Deborah H. Harris
09-82303 13
(bak) | *127* Motion by the Debtors for
authorization to liquidate stock. | ATY DEBTOR:
William E.
Mathers
TR: Richard M.
Hutson, II |
| 13. | Terrence Christopher
Davis
10-81417 13
(bak) | *82* Show Cause Hearing to determine if the
Debtor's case should be closed without entry
of a Discharge. (1) | ATY DEBTOR:
John T. Orcutt
TR: Richard M.
Hutson, II |
| 14. | Rosa D Covington
11-81247 13
(bak) | *33* Motion by the Trustee to modify Plan. (2) | ATY DEBTOR:
Neil M. O'Toole
TR: Richard M.
Hutson, II |
| 15. | Toby Glenn Bates and
Tabitha Ritter Bates
11-81940 13
(bak) | *27* Show Cause Hearing to determine if the
Debtors' case should be closed without entry
of a Discharge. | ATY DEBTOR:
Brett S. Yauger
TR: Richard M.
Hutson, II |
| 16. | Kimberly S. Manning
11-82148 13
(bak) | *37* Motion by the Trustee to modify Plan. (2) | ATY DEBTOR:
Cheryl Y. Capron
TR: Richard M.
Hutson, II |
| 17. | Gail Newson
Highsmith
12-80586 13
(bak) | *54* Motion by the Debtor for a Hardship
Discharge. (1) | ATY DEBTOR: A.
B. Harrington, III
TR: Richard M.
Hutson, II |

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| 18. Bruce Wayne Cromer, Sr.
12-80730 13
(bak) | *33* Motion by Selene Finance, LP, for Relief from Stay regarding 6638 Roundstone Drive aka 6638 Roundstone Lane, Oxford, NC; and Relief from Co-Debtor Stay as to Nancy and Charlie Cromer. (2) | ATY DEBTOR:
Donald D. Pergerson
ATY SF: Stephen T. Staley
TR: Richard M. Hutson, II |
| 19. Shirley Jean Jones
12-80888 13
(bak) | *51* Motion by the Debtor for authority to use insurance proceeds. | ATY DEBTOR:
Donald D. Pergerson
TR: Richard M. Hutson, II |
| 20. William J Daubenmier
12-81681 13
(bak) | *45* Motion by the Debtor incur debt with NCHFA. | ATY DEBTOR:
Neil M. O'Toole
TR: Richard M. Hutson, II |
| 21. Anthony Burgess, SR and Vickey Mason-Burgess
12-81810 13
(bak) | *26* Motionby the Debtors to incur debt with TBD. | ATY DEBTOR:
Brent C. Wootton
TR: Richard M. Hutson, II |
| 22. Larry Preston Mahan
13-80177 13
(bak) | *31* Motion by Citifinancial Servicing, LLC, for Relief from Stay regarding 2121 Ringgold Rd, Ringgold, VA; and Relief from Co-Debtor Stay as to Margaret Mahan. | ATY DEBTOR:
Christian B. Felden
ATY CS: Alison H. Wadsworth
TR: Richard M. Hutson, II |

23. Charlie Linton, Jr 13-80346 13 (bak)	*39* Objection by the Debtor to Notice of Mortgage Payment Change.	ATY DEBTOR: Brandi L. Richardson TR: Richard M. Hutson, II
24. Douglas Lewis Barrow and Serrie Barrow 13-81027 13 (bak)	*42* Motion by the Debtor to convert Debtors' case from Chapter 13 to Chapter 7.	ATY DEBTOR: John T. Orcutt TR: Richard M. Hutson, II
25. Terry L. Lee 13-81313 13 (bak)	*46* Motion by the Trustee to convert Debtor's case from Chapter 13 to Chapter 7. (1)	ATY DEBTOR: John T. Orcutt TR: Richard M. Hutson, II
26. Kelisa Linnette Pettiford-Hemphill 13-81391 13 (bak)	*52* Motion by the Trustee to modify Plan.	ATY DEBTOR: John T. Orcutt TR: Richard M. Hutson, II
27. Karen Speed Evans 14-80330 13 (bak)	*67* Motion by the Debtor to modify Plan.	ATY DEBTOR: John T. Orcutt TR: Richard M. Hutson, II
28. David Eric Washam 14-81137 13 (bak)	*30* Motion by Carolina Lakes Property Owners Association, Inc. for Relief from Stay regarding 160 Clearview Court; and Relief from Co-Debtor Stay as to Stephanie E. Washam.	ATY DEBTOR: A. B. Harrington, III ATY CLPOA: Nelson G. Harris TR: Richard M. Hutson, II

29. Lisa Lyons Oakley 14-81260 13 (bak)	*33* Motion by the Trustee to modify Plan. (1)	ATY DEBTOR: John T. Orcutt TR: Richard M. Hutson, II
30. Kia Monique Paige 15-80338 13 (bak)	*37* Amended Objection by the Debtor to Claim Number 4 of the Internal Revenue Service.	ATY DEBTOR: John T. Orcutt TR: Richard M. Hutson, II
31. Willie Lawrence Clayton, Jr. 15-80361 13 (bak)	*16* Motion by the Trustee to modify Plan. (3)	ATY DEBTOR: John T. Orcutt TR: Richard M. Hutson, II
32. Sharon Higgs-Diggs 15-80767 13 (bak)	*18* Motion by the Trustee to allow the Claim of Alexander Crossing HOA, Inc. (1)	ATY DEBTOR: John T. Orcutt TR: Richard M. Hutson, II
	20 Motion by the Trustee to allow the Claim of JP Morgan Chase Bank, NA.	
33. Angelena Susan Garnes 15-80788 13 (bak)	*26* Motion by the Trustee to allow the Claim of Springleaf.	ATY DEBTOR: John T. Orcutt TR: Richard M. Hutson, II
34. Ozzie Collins 15-80802 13 (bak)	*18* Objection by the Debtor to the Claim of Wells Fargo.	ATY DEBTOR: Brent C. Wootton TR: Richard M. Hutson, II

35. Samuel Lee Waddell and Michelle Harris Waddell 15-80815 13 (bak)	*21* Objection by Home Credit Corporation to valuation of a 2004 Honda Pilot EXL. (1)	ATY DEBTOR: Neil M. O'Toole ATY HCC: William F. Hill TR: Richard M. Hutson, II
36. Lee Norris Daniels and Patricia Anne Daniels 15-80891 13 (bak)	*23* Motion by the Debtors to modify Plan; and to incur debt with Michael Jordan Nissan.	ATY DEBTOR: John T. Orcutt TR: Richard M. Hutson, II
37. Victor H. Vaughan 15-81044 13 (bak)	*16* Objection by the Debtor to Claim Number 4 of Americas Serciving Company.	ATY DEBTOR: John T. Orcutt TR: Richard M. Hutson, II
38. Mildred Patricia Jones 15-81178 13 (bak)	*17* Motion by Ford Motor Credit Company, LLC, for Relief from Stay regarding a 2008 Ford Focus; and Relief from Co-Debtor Stay as to Givani Sheree Barnes.	ATY DEBTOR: John T. Orcutt ATY FM: Pamela P. Keenan TR: Richard M. Hutson, II
39. Darline Johnson 15-80927 13 (bak)	*20* Hearing to determine if Debtor's case should be dismissed for failure to pay filing fee.	ATY DEBTOR: Donald D. Pergerson TR: Richard M. Hutson, II
40. Lisa Dawn Edwards 15-80945 13 (bak)	*14* Hearing to determine if Debtor's case should be dismissed for failure to pay filing fee.	ATY DEBTOR: Donald D. Pergerson TR: Richard M. Hutson. II

41.	Manjuan Dudley 15-81230 13 (bak)	*15* Hearing to determine if Debtor's case should be dismissed for failure to pay filing fee.	DEBTOR: PRO SE TR: Richard M. Hutson, II
42.	Byron K. Murphy 15-81249 13 (bak)	*17* Hearing to determine if Debtor's case should be dismissed for failure to pay filing fee.	ATY DEBTOR: PRO SE TR: Richard M. Hutson, II
43.	Herbert A Goode and Delorse J Goode 15-80576 13 (bak)	*29* Amended Confirmation of Plan.	ATY DEBTOR: Brent C. Wootton TR: Richard M. Hutson, II
44.	Robert Charles Jones 15-80714 13 (bak)	*21* Confirmation of Plan. (4) *23* Objection by the Trustee to Confirmation of Plan. (4)	ATY DEBTOR: Jeffrey G. Weber TR: Richard M. Hutson, II
45.	Thomas Johnson 15-80849 13 (bak)	*26* Amended Confirmation of Plan.	ATY DEBTOR: John T. Orcutt TR: Richard M. Hutson, II
46.	Ashley Michele Martin 15-80965 13 (bak)	*16* Confirmation of Plan. (1)	ATY DEBTOR: James W. Tolin, Jr. TR: Richard M. Hutson, II

18 Objection by the Trustee to Confirmation
of Plan. (1)

47. Daphne Chaires
Arellano
15-80978 13
(bak)

16 Confirmation of Plan.

ATY DEBTOR:
John T. Orcutt
TR: Richard M.
Hutson, II

48. Rostella Parker Smith
15-81011 13
(bak)

16 Confirmation of Plan.

ATY DEBTOR:
John T. Orcutt
TR: Richard M.
Hutson, II

17 Objection by the Trustee to Confirmation
of Plan.

49. Terri Gentry
Carrington
15-81012 13
(bak)

10 Confirmation of Plan.

ATY DEBTOR:
John T. Orcutt
ATY BOA:
Stephen T. Staley
TR: Richard M.
Hutson, II

13 Objection by Bank of America, N.A. to
Confirmation of Plan.

50. Savanda Thomas
Alford and Cynthia S.
Alford
15-81030 13
(bak)

16 Confirmation of Plan.

ATY DEBTOR:
Michael J.
McCrann
TR: Richard M.
Hutson, II

20 Objection by the Trustee to Confirmation
of Plan.

12:00 PM

Motions to Dismiss

51.	09-82286 13 (bak)	Aris Lee Jones and Easter Johnson Jones	John T. Orcutt
52.	09-82303 13 (bak)	Clyde Octavis Harris and Deborah H. Harris	William E. Mathers
53.	10-81698 13 (bak)	Cathy Larneisa Thurman	John T. Orcutt
54.	10-82023 13 (bak)	Stevie Gary Royster and JoAnne D. Royster	Donald D. Pergerson
55.	11-81859 13 (bak)	Harold Carter	Brandi Leigh Richardson
56.	12-81745 13 (bak)	Ray Anthony Battle and Earnestine Lloyd- Battle	Joseph M. Wilson, Jr.
57.	12-81853 13 (bak)	Hortencia Smith Banks	Edward C. Boltz John T. Orcutt
58.	13-80901 13 (bak)	Michael Anthony Day and Pam Tinnin Day	John T. Orcutt
59.	13-81167 13 (bak)	Kathy S. Snyder	Neil M. O'Toole
60.	14-80330 13 (bak)	Karen Speed Evans	John T. Orcutt
61.	14-80360 13 (bak)	Sophia Blake Frye	Edward C. Boltz John T. Orcutt

62.	14-80879 13 (bak)	Patricia Snyder Lamb	J. Marshall Shelton
63.	14-80944 13 (bak)	Christy Danielle Jones	John T. Orcutt
64.	14-81118 13 (bak)	Clinton Bryant Long, Jr. and Nicole Long	John T. Orcutt
65.	15-80019 13 (bak)	Josette Delores Greene	James C. White Michelle Merck Walker
66.	15-80285 13 (bak)	Robert Stanley Crews and Melissa Evans Crews	Joy K. Alford-Brand
67.	15-80361 13 (bak)	Willie Lawrence Clayton, Jr.	John T. Orcutt
68.	15-80413 13 (bak)	Shelia Corinne Glover	John T. Orcutt
69.	15-80487 13 (bak)	June Karen Richardson	John T. Orcutt
70.	15-80496 13 (bak)	Michelle M Brown	Neil M. O'Toole
71.	15-80554 13 (bak)	Shelia Marie Bobbitt	John T. Orcutt
72.	15-80847 13 (bak)	Stanley Spencer	John T. Orcutt