

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

September 26, 2018

THE HONORABLE BENJAMIN A. KAHN PRESIDING

Calendar Summary:

- Total Number of Cases: 72
- Total Number of Matters to be Heard: 87
- Total Number of Hearings: 48
- Total Number of Motions to Dismiss: 39

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

09:30 AM

1. Hutson, II et al                      Pre-Trial  
    v.  
    SunTrust Bank  
    18-09002  
    (bak)  
  
    ATY PLA:  
    Benjamin E.  
    Lovell
  
2. Jackie Wayne Nettles            \*57\* Show Cause Hearing regarding Motion  
    12-81327 13                      for Entry of a Discharge  
    (bak)  
  
    ATY DEBTOR:  
    Phillip E. Bolton  
    TR: Richard M.  
    Hutson, II
  
3. Deborah Hauser                    \*57\* Motion by Wells Fargo Bank, N.A. for  
    Bolick                              Relief from Stay regarding 101 Hauser Place,  
    13-81470 13                      Mebane, NC  
    (bak)  
  
    ATY DEBTOR:  
    John T. Orcutt  
    ATY WFB:  
    Andrew L. Vining  
    TR: Richard M.  
    Hutson, II
  
4. Joseph Henry Thorpe            \*35\* Motion by US Bank for Relief from Stay  
    and Claudia Waddell            regarding 606 East Ave, Henderson, NC  
    Thorpe  
    14-80179 13  
    (bak)  
  
    ATY DEBTOR:  
    Donald D.  
    Pergerson  
    ATY USB: Melissa  
    E. Swaby  
    TR: Richard M.  
    Hutson, II
  
5. Frederick Kenneth                \*97\* Motion by Debtor for Private Sale of Real  
    Ruffin, Jr.                        Property  
    14-80446 13  
    (bak)  
  
    ATY DEBTOR:  
    John T. Orcutt  
    TR: Richard M.  
    Hutson, II

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| 6.  | Kraig M Blim<br>14-81189 13<br>(bak)   | *20* Motion by Debtor to Incur Debt  | ATY DEBTOR:<br>Brent C. Wootton<br>TR: Richard M.<br>Hutson, II                               |
|     |  |  |   |
| 7.  | Robyn Donohue<br>16-80066 13<br>(bak)  | *20* Motion by Wells Fargo Bank, N.A. for Relief from Stay regarding 403 Intern Way, Durham, NC  | ATY DEBTOR:<br>John T. Orcutt<br>ATY WFB:<br>Melissa E. Swaby<br>TR: Richard M.<br>Hutson, II |
|     |  |  |   |
| 8.  | Robert Virgil Johnson<br>and Sandra Marie<br>Johnson<br>16-80087 13<br>(bak) | 1. *53* Further Hearing on Motion by Debtors to Incur Debt and to Modify Plan (1)<br><br>2. *57* Amended Motion by Debtor to Incur Debt and to Modify Plan | ATY DEBTOR: A.<br>B. Harrington, III<br>TR: Richard M.<br>Hutson, II                          |
|     |  |  |   |
| 9.  | Ronald A. Watkins<br>and Debra S. Watkins<br>16-80662 13<br>(bak)            | *21* Motion by Seterus, Inc. for Relief from Stay regarding 802 Buren Rd, Bahama, NC   | ATY DEBTOR:<br>Neil M. O'Toole<br>ATY SI: Andrew<br>L. Vining<br>TR: Richard M.<br>Hutson, II |
|     |  |  |   |
| 10. | Melissa Moos Doeberl<br>16-80739 13<br>(bak)                                 | *39* Amended Motion to Modify Plan to waive delinquency .  | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M.<br>Hutson, II                                 |

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| 11. | Tyrone Burwell and<br>Phyllis D Burwell<br>17-80042 13<br>(bak)          | *23* Motion by Santander Consumer USA, Inc.<br>for Adequate Protection                                  | ATY DEBTOR:<br>Brent C. Wootton<br>ATY SC: Pamela<br>P. Keenan<br>TR: Richard M.<br>Hutson, II     |
| 12. | Demery Louis Squalls<br>17-80102 13<br>(bak)                             | *21* Motion by Debtor to Modify Plan  | ATY DEBTOR: A.<br>B. Harrington, III<br>TR: Richard M.<br>Hutson, II                               |
| 13. | Valivia Angela<br>Milberry<br>17-80282 13<br>(bak)                       | *31* Motion by Debtor to Modify Plan  | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M.<br>Hutson, II                                      |
| 14. | Gregory Lamonte<br>Webb and Monica<br>Young Webb<br>17-80500 13<br>(bak) | *38* Motion by Santander Consumer USA, Inc.<br>for Relief from Stay regarding s 2018 Hyundai<br>Elantra | ATY DEBTOR:<br>John T. Orcutt<br>ATY SC: Pamela<br>P. Keenan TR:<br>Richard M.<br>Hutson, II       |
| 15. | John Ervin Harris and<br>Angela Perry Harris<br>17-80526 13<br>(bak)     | *44* Joint Motion to Approve Settlement<br>Agreement  | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M.<br>Hutson, II                                      |
| 16. | Randy Dingle and<br>Patricia Dingle<br>17-80763 13<br>(bak)              | 1. *58* Motion by Bankruptcy Administrator<br>to Disgorge Fees  | ATY DEBTOR:<br>Timothy Jay<br>Peterkin<br>BA: William P.<br>Miller<br>TR: Richard M.<br>Hutson. II |

2. \*62\* Motion by Debtors

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|---|---|--|
| 17. Beverly Dionne<br>McKinney<br>17-80792 13<br>(bak)  | *18* Motion by Debtor to Incur Debt with<br>North Carolina Housing Finance Agency   | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M.<br>Hutson, II                                    |
| 18. Joseph Stephen<br>Kendall<br>17-81005 13<br>(bak)   | *36* Motion by Debtor to Modify Plan, and to<br>Incur Debt  | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M.<br>Hutson, II                                    |
| 19. Lisa Faison Potts<br>18-80145 13<br>(bak)           | *18* Amended Motion by Secretary of<br>Veterans Affairs of Washington, D.C. for Relief<br>from Stay regarding 8029 Bright Oak Trail,<br>Raleigh, NC | ATY DEBTOR:<br>Brent C. Wootton<br>ATY SVA:<br>Michael L. Spicer<br>TR: Richard M.<br>Hutson, II |
| 20. Bryan Jeffrey Smith,<br>Sr.<br>18-80190 13<br>(bak) | *22* Motion by Trustee to Disburse Funds to<br>Americredit Financial Services, Inc. (1)   | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M.<br>Hutson, II                                    |
| 21. Katherine George<br>18-80247 13<br>(bak)            | *23* Motion by Debtor to Modify Plan  | ATY DEBTOR:<br>Florence A.<br>Bowens<br>TR: Richard M.<br>Hutson, II                             |

22. Valerie Eugenia Anthony  
18-80282 13  
(bak) \*19\* Motion by Trustee to Disburse Funds to Wells Fargo Bank, N.A. ATY DEBTOR:  
John T. Orcutt  
TR: Richard M. Hutson, II
23. Johnnie Junior McCullers, Jr. and Wanda Teresa Amons  
18-80351 13  
(bak) \*21\* Objection by Debtors to Claim Number 8 of Wells Fargo Bank, N.A. (\$24,695.12) ATY DEBTOR:  
John T. Orcutt  
TR: Richard M. Hutson, II
24. Deborah J Williams  
18-80518 13  
(bak) \*23\* Amended Motion by Specialized Loan Servicing, LLC, for Relief from Stay regarding 3213 Sam Usry Road, Oxford, NC ATY DEBTOR:  
Donald D. Pergerson  
ATY SLS: John W. Fletcher, III  
TR: Richard M. Hutson, II
25. Kayla Elizabeth Coleman  
18-80570 13  
(bak) \*11\* Determination as to Dismissal of Case for Failure to Obtain Credit Counseling DEBTOR:PRO SE  
TR: Richard M. Hutson, II
26. Johnny Lang Wickham and Janice Ann Hicks Wickham  
18-80589 13  
(bak) 1. \*17\* Motion by Americredit Financial Services, Inc. for Relief from Stay regarding a 2010 Cadillac SRX ATY DEBTOR:  
Brett S. Yauger  
ATY AFS:  
Christopher L. White  
ATY CHL:  
Andrew L. Vining  
TR: Richard M. Hutson, II
2. \*21\* Amended Motion by Caliber Home Loans, Inc. for Relief from Stay regarding 272 Town Branch Drive, Vass, NC

27. Andrew Mitchell  
18-80594 13  
(bak) \*16\* Determination as to Dismissal of Case  
for Failure to Pay Filing Fees DEBTOR: PRO SE  
TR: Richard M.  
Hutson, II
28. Crystal Weeks  
Holeman  
18-80358 13  
(bak) 1. \*16\* Amended Confirmation of Plan (1) ATY DEBTOR:  
John T. Orcutt  
TR: Richard M.  
Hutson, II  
2. \*20\* Objection by Trustee to Confirmation  
of Plan (1)
29. Michael Wayne Barber  
and Amy Michelle  
Davis  
18-80433 13  
(bak) 1. \*2\* Confirmation of Plan ATY DEBTOR: A.  
B. Harrington, III  
TR: Richard M.  
Hutson, II  
2. \*14\* Objection by Trustee to Confirmation  
of Plan
30. Edward Raphael  
Gleason, III and  
Margaret Helen  
Gleason  
18-80446 13  
(bak) 1. \*2\* Confirmation of Plan ATY DEBTOR:  
John T. Orcutt  
TR: Richard M.  
Hutson, II  
2. \*20\* Objection by Ford Motor Credit  
Company, LLC to Confirmation of Plan
31. Johnny Andrew Clegg  
18-80450 13  
(bak) 1. \*2\* Confirmation of Plan ATY DEBTOR:  
Brett S. Yauger  
ATY HSBC:  
Melissa E. Swaby  
TR: Richard M.

Hutson, II

2. \*14\* Objection by HSBC Bank USA, National  
Association to Confirmation of Plan

32. Tiffany Renee Jackson \*2\* Confirmation Plan  
18-80467 13  
(bak)

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

33. Damon Vernal 1. \*17\* Amended Confirmation of Plan  
Pettiford and  
Margaret Jiggetts  
Pettiford  
18-80489 13  
(bak)

ATY DEBTOR:  
Brent C. Wootton  
TR: Richard M.  
Hutson, II

2. \*21\* Objection by Trustee to Confirmation  
of Plan



10:00 AM

**Motions to Dismiss**

34.	12-81845 13 (bak)	Jacqueline Smith Price	John T. Orcutt
35.	13-80044 13 (bak)	Barnette Green	Brandi Leigh Richardson
36.	13-80245 13 (bak)	Cindy Michelle Daniels	John T. Orcutt
37.	13-80346 13 (bak)	Charlie Linton, Jr	Brandi Leigh Richardson
38.	13-80478 13 (bak)	Billy Niles Harrell, Jr. and Linda Harrell	Joy K. Alford-Brand
39.	13-80647 13 (bak)	Fredrick Taylor and Marian Taylor	Neil M. O'Toole
40.	14-80065 13 (bak)	Edward L Smith, Jr.	Brandi Leigh Richardson
41.	14-80129 13 (bak)	Regina S. Barnes	John T. Orcutt
42.	14-80130 13 (bak)	Michael C Johnson	Brent Clifton Wootton
43.	14-80207 13 (bak)	Glenn Theodore Barnard and Neda Torain Barnard	John T. Orcutt
44.	14-80942 13 (bak)	Dolphin Bullock and Karen W. Bullock	Brent Clifton Wootton

45.	14-81221 13 (bak)	Carol Janine Futch	Edward C. Boltz John T. Orcutt
46.	15-80015 13 (bak)	Wanda Marie Parham	Brandi Leigh Richardson
47.	15-80333 13 (bak)	Donna M Hughes	Brett Smith Yauger
48.	15-80621 13 (bak)	Andrea LaCrystal Burton	John T. Orcutt
49.	15-80669 13 (bak)	Emma Parker Harper	Benjamin David Busch
50.	15-80927 13 (bak)	Darline Johnson	Donald D. Pergerson
51.	16-80224 13 (bak)	Peggy Rose Locklear	John T. Orcutt
52.	16-80269 13 (bak)	Eugenia Christmas Crews	John T. Orcutt
53.	16-80314 13 (bak)	Linwood W. Matthews and Gracie G. Matthews	Donald D. Pergerson
54.	16-80435 13 (bak)	Jean Elizabeth Spencer	John T. Orcutt
55.	16-80739 13 (bak)	Melissa Moos Doeberl	Edward C. Boltz John T. Orcutt
56.	17-80024 13 (bak)	Henry Delond Wooten, Jr.	John T. Orcutt

57.	17-80307 13 (bak)	Bessie Elizabeth Lockley	Ron A. Anderson
58.	17-80426 13 (bak)	Markel D. Waymer	Donald D. Pergerson
59.	17-80545 13 (bak)	Angela Denise Manning	Brandi Leigh Richardson
60.	17-80580 13 (bak)	Johnston Wise and Charlena D Horton	Robert Lewis, Jr.
61.	17-80613 13 (bak)	Rita Smith Moore	Brandi Leigh Richardson
62.	17-80688 13 (bak)	Wendell Jones	Brent Clifton Wootton
63.	17-80855 13 (bak)	Taresa Wiley	John T. Orcutt
64.	17-80898 13 (bak)	Felicia Bobette Sharpe	John T. Orcutt
65.	17-80975 13 (bak)	Yvonne Michelle Watson	John T. Orcutt
66.	18-80023 13 (bak)	Robert Lee Bass	Donald D. Pergerson
67.	18-80025 13 (bak)	Barbara McGee	Brett Smith Yauger
68.	18-80147 13 (bak)	Antonio Lopez, IV and Leigha Angelique Lopez	Brandi Leigh Richardson

69.	18-80247 13 (bak)	Katherine George	Florence A. Bowens
70.	18-80342 13 (bak)	Katrina Jane Holley	John T. Orcutt
71.	18-80430 13 (bak)	Alton E. Scott	Brandi Leigh Richardson
72.	18-80467 13 (bak)	Tiffany Renee Jackson	Edward C. Boltz John T. Orcutt

11:00 AM

73. Michael Ryan  
Chambers and Kelly  
Winstead Chambers  
18-80138 7  
(bak)

1.\*16\* Final Pre-Trial Hearing regarding  
Motion by Bankruptcy Administrator to  
Dismiss Case Pursuant to Section 707(b) (1)  
and 707(b)(3)

ATY DEBTOR:  
Florence A.  
Bowens BA:  
William P. Miller  
TR: J.P.  
Cournoyer

2. \*33\* Motion by Debtors to Convert Case to  
Chapter 13

11:30 AM

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|---|--|---|
| 74. Multiflora<br>Greenhouses, Inc.<br>18-80691 11<br>(bak) | 1. *11* Motion by Debtor to Use Cash<br>Collateral   | ATY DEBTOR:<br>James C. White                             |
|   | 2. *12* Motion by Debtor for Authorization to<br>Maintain Existing Bank Accounts             |   |
|   | 3. *13* Motion to Consolidate Lead Case<br>Multiflora Greenhouses, Inc. with Austram,<br>LLC |   |
| 75. Austram, LLC<br>18-80693 11<br>(bak)                    | 1. *10* Motion by Debtor for Authorization to<br>Maintain Existing Bank Accounts             | ATY DEBTOR:<br>James C. White<br>BA: William P.<br>Miller |
|   | 2. *11* Motion to Consolidate Lead Case<br>Multiflora Greenhouses, Inc. with Austram,<br>LLC | ATY DEBTOR:<br>James C. White                             |