

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

November 22, 2016

THE HONORABLE BENJAMIN A. KAHN PRESIDING

Calendar Summary:

- Total Number of Cases: 49
- Total Number of Matters to be Heard: 55
- Total Number of Hearings: 26
- Total Number of Motions to Dismiss: 29

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

09:30 AM

1. Alvester Harris  
10-80749 13  
(bak) \*95\* Motion by Debtor for a Hardship Discharge  
ATY DEBTOR:  
John T. Orcutt  
TR: Richard M. Hutson, II
  
2. Kimberly S Holmes  
11-80447 13  
(bak) \*31\* Motion by U.S. Bank Trust, N.A. for Relief from Stay regarding 702 Robinson Place Goldsboro, NC  
ATY DEBTOR:  
Neil M. O'Toole  
ATY USBT: Sean M. Corcoran  
TR: Richard M. Hutson, II
  
3. Ernestine Allen  
11-80502 13  
(bak) \*88\* Motion by Debtor to Modify Plan  
ATY DEBTOR:  
John T. Orcutt  
TR: Richard M. Hutson, II
  
4. Diana Drummond  
11-81198 13  
(bak) \*78\* Trustee's Final Report and Account (1)  
ATY DEBTOR:  
Brandi Richardson  
TR: Richard Hutson
  
5. Ronald E. Bragan  
11-81611 13  
(bak) \*28\* Motion by MidFirst Bank for Relief from Stay regarding 7190 NC Highway 210, Rocky Point, NC and Relief from Co-Debtor Stay (Roger D. Moore, Jodi B. Moore)  
ATY DEBTOR:  
James W. Tolin, Jr.  
ATY MB: Michael J. Emrey  
TR: Richard M. Hutson, II

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| 6.  | Jan Orłowski and<br>Mary Jo Orłowski<br>11-81961 13<br>(bak)                   | *69* Show Cause Hearing Regarding Motion<br>for Entry of Discharge  | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M.<br>Hutson, II  |
| 7.  | Jimmy Lee Jackson,<br>Jr. and Tammy<br>Francis Jackson<br>12-80416 13<br>(bak) | *28* Objection by Debtors to Claim Number 2<br>of Wells Fargo Bank, N.A. (\$907.33)   | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M.<br>Hutson, II  |
| 8.  | Aundrei Drew<br>12-80915 13<br>(bak)   | 1. *41* Motion by Trustee to Modify Plan (2)<br><br>2. *43* Objection by Debtor to Notice of<br>Mortgage Payment Change (1) | ATY DEBTOR:<br>Koury Hicks<br>TR: Richard<br>Hutson<br><br>ATY DEBTOR:<br>Koury Hicks<br>TR: Richard<br>Hutson |
| 9.  | Danielle Jayne Spivey<br>12-81054 13<br>(bak)                                  | *41* Motion by Debtor to Modify Plan  | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M.<br>Hutson, II  |
| 10. | Iris Jean Fisher<br>13-80791 13<br>(bak)                                       | *29* Motion by the Debtor to Incur Debt with<br>Fred Anderson Kia of Raleigh  | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M.<br>Hutson, II  |
| 11. | Dorothy R Hargrove<br>14-80652 13<br>(bak)                                     | *27* Motion by Debtor to Modify Plan and<br>Motion to Incur Debt with TBD   | ATY DEBTOR:<br>Brent C. Wootton<br>TR: Richard M.<br>Hutson, II  |

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| 12. Ruth Adams<br>14-80986 13<br>(bak)  | *18* Motion by Debtor to Incur Debt with TBD  | ATY DEBTOR:<br>Brent C. Wootton<br>TR: Richard M.<br>Hutson, II       |
| 13. Jeffrey Maurice<br>Williams and Tonya<br>Derrill Williams<br>15-80205 13<br>(bak) | *35* Motion by Debtors to Modify Plan (1)   | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M.<br>Hutson, II         |
| 14. Kevin McDaniel<br>15-80689 13<br>(bak)  | *22* Motion by Debtor to Modify Plan and<br>Motion to Incur Debt with Matthews Motors                             | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M.<br>Hutson, II         |
| 15. Betty H. Lawrence<br>15-80735 13<br>(bak)   | *35* Motion by Debtor to Avoid Lien of<br>Coastal Federal Credit Union regarding 105<br>Mill St., Franklinton, NC | ATY DEBTOR:<br>Donald D.<br>Pergerson<br>TR: Richard M.<br>Hutson, II |
| 16. Teria J. Bouknight<br>15-80924 13<br>(bak)  | *54* Objection by Trustee to Claim Number 6<br>of Ocwen (\$208,000.00) (1)  | ATY DEBTOR:<br>Christian B.<br>Felden<br>TR: Richard M.<br>Hutson, II |
| 17. Angela Marie Cole<br>16-80660 13<br>(bak)   | *26* Objection by Debtor to Claim Number 3<br>of Branch Banking and Trust (\$95,376.02)                           | ATY DEBTOR:<br>John T. Orcutt<br>TR: Richard M.<br>Hutson, II         |

18. William D. Warren  
16-80914 13  
(bak)

\*13\* Determination as to Dismissal of Case  
for Failure to Pay Filing Fee

ATY DEBTOR:  
Donald D.  
Pergerson  
TR: Richard M.  
Hutson, II

10:30 AM

**Motions to Dismiss**

19.	11-80502 13 (bak)	Ernestine Allen	John T. Orcutt
20.	11-81712 13 (bak)	Garland Darnell Johnson	John T. Orcutt
21.	12-80861 13 (bak)	Aileen Braswell Hernandez	James B. Craven, III
22.	13-80777 13 (bak)	Pamela Ann Bond	John T. Orcutt
23.	14-80163 13 (bak)	Ramon Maldonado and Kelly Maldonado	Donald D. Pergerson
24.	14-80334 13 (bak)	Elmer Eugene Thompson and Dorothy Brooks Thompson	John T. Orcutt
25.	14-80353 13 (bak)	Chester Stanley Palmer	A. B. Harrington, III
26.	14-80738 13 (bak)	Dana Lynn Bowden	John T. Orcutt
27.	14-80869 13 (bak)	Robert Albert Long, Sr. and Carol Ann Long	A. B. Harrington, III
28.	14-80921 13 (bak)	Niki Nicole Whitlor	John T. Orcutt
29.	14-81144 13 (bak)	Joshua Scott Renn	Donald D. Pergerson
30.	14-81318 13 (bak)	Lawrence Thomas Brame, Jr and Bettie Y Brame	Neil M. O'Toole

31.	14-81397 13 (bak)	Nakia Monike Atkins	Edward C. Boltz John T. Orcutt
32.	15-80482 13 (bak)	Ervin McLeod and Barbara W McLeod	Brent Clifton Wootton
33.	15-80618 13 (bak)	Toshiba S. Hargrove	Donald D. Pergerson
34.	15-80795 13 (bak)	Carolyn Renee Love	Michael J. McCrann
35.	15-80878 13 (bak)	William A Smith, Sr.	Brent Clifton Wootton
36.	15-81347 13 (bak)	Cynthia D. Alston	Donald D. Pergerson
37.	16-80012 13 (bak)	Tuana Rochelle Thigpen	John T. Orcutt
38.	16-80091 13 (bak)	Phyllis A Breeden	Neil M. O'Toole
39.	16-80098 13 (bak)	Gelinda Todd Harkley	James C. White Michelle Merck Walker
40.	16-80104 13 (bak)	Monique Macrae Broadie	John T. Orcutt
41.	16-80277 13 (bak)	Todd Christopher Neely	Lynn Ellen Coleman
42.	16-80318 13 (bak)	Gail Horne McNeill	John T. Orcutt
43.	16-80344 13 (bak)	Joyce Lawrence	Timothy Jay Peterkin

44.	16-80361 13 (bak)	Albert Carlton Hughes, Jr. and Linda Annette Hughes	John T. Orcutt
45.	16-80426 13 (bak)	Stacey M. Hunt	Donald D. Pergerson
46.	16-80427 13 (bak)	Todd Eugene Bowles	Joe Charles Weinberger, Jr.
47.	16-80718 13 (bak)	David Hicks Garrett, III	John T. Orcutt



11:00 AM

48.	Elaine H. Blackwell 16-80766 7 (bak)	*12* Reaffirmation Agreement Between the Debtor and VW Credit, Inc. (2)	ATY DEBTOR: Joe C. Weinberger, Jr. TR: J.P. Cournoyer
49.	SSI Liquidation, Inc. 16-80558 11 (bak)	1. *211* Motion by Silk Route Capital Corporation, LLC, for payment of Professional Fees (1)	ATY DEBTOR: J.P. Cournoyer ATY DEBTOR: Richard M. Hutson, II ATY SRCC: William C. Smith, Jr. BA: William P. Miller
		2. *319* Application by Silk Route Capital Corporation, LLC for Administrative Expenses	ATY DEBTOR: J.P. Cournoyer ATY DEBTOR: Richard M. Hutson, II ATY SRCC: William C. Smith, Jr. BA: William P. Miller
		3. *337* Motion by Europa Center, LLC for Payment of Allowed Administrative Expense Claim as "Permitted Trailing Expense"	ATY DEBTOR: J.P. Cournoyer ATY DEBTOR: Richard M. Hutson, II ATY EC: Gregory B. Crampton BA: William P. Miller
		4. *343* Motion by Debtor to Determine and Authorize Payment of Permitted Trailing Expenses, Establish Related Procedures, and Establish a Deadline for Cost of Administration Claims	ATY DEBTOR: J.P. Cournoyer ATY DEBTOR: Richard M. Hutson, II BA: William P. Miller

5. \*348\* Motion by Silk Route Capital Corporation, LLC for Payment of Claim as "Permitted Trailing Expense" and Objection and Response to Debtor's Motion To Determine and Authorize Payment of Permitted Trailing Expenses, Establish Related Procedures and Establish A Deadline for Cost of Administration Claims

ATY DEBTOR:  
J.P. Cournoyer  
ATY DEBTOR:  
Richard M.  
Hutson, II  
ATY SRCC:  
William C. Smith,  
Jr.  
BA: William P.  
Miller

50. Gully Brook  
Revocable Trust et al  
v.  
Cook  
16-09015  
(bak)

\*14\* Motion by Plaintiff For Summary Judgment

ATY PLA:  
Jonathan D.  
Keeler  
ATY DEF:  
Stephanie  
Osborne