

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: 70
- Total Number of Matters to be Heard: 83
- Total Number of Hearings: 61
- 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

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)

18 Motion by Cytec Carbon Fibers, LLC and Cytec Engineered Materials Inc. for a Default Judgment.

ATY PLA: A. Lee
Hogewood, III
ATY DEF:
William Brewer,
Jr.

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 |
| 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 |
| | | *21* Motion by the Bankruptcy Administrator
to appoint a Chapter 11 Trustee. | |

11:00 AM

8. Brown v. Landon Farms Homeowners Association, Inc. 15-09028 (bak) Pre-Trial. (2) ATY PLA: Edward C. Boltz
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
- *6* Motion by the Plaintiff for a Default Judgment.
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
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* Motion by 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 |

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| 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 |

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| 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)

20 Motion by the Trustee to allow the Claim of JP Morgan Chase Bank, NA. | ATY DEBTOR:
John T. Orcutt
TR: Richard M.
Hutson, II |
| 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 |

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| 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. | Thena Lanell Amos
12-81215 13
(bak) | *28* Motion by the Debtor to modify Plan; and
to incur debt with Fred Anderson Toyota. | ATY DEBTOR:
John T. Orcutt
TR: Richard M.
Hutson, II |
| 37. | 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 |
| 38. | 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 |
| 39. | 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 |
| 40. | 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 |

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| 41. 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 |
| 42. Manjuan Dudley
15-81230 13
(bak) | *15* Hearing to determine if Debtor's case should be dismissed for failure to pay filing fee.

17 Show Cause regarding Certification of Credit Counseling. | DEBTOR: PRO SE
TR: Richard M.
Hutson, II |
| 43. 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 |
| 44. 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 |
| 45. 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 |

46. Thomas Johnson *26* Amended Confirmation of Plan. ATY DEBTOR:
15-80849 13 John T. Orcutt
(bak) TR: Richard M.
Hutson, II
47. Ashley Michele Martin *16* Confirmation of Plan. (1) ATY DEBTOR:
15-80965 13 James W. Tolin,
(bak) Jr.
TR: Richard M.
Hutson, II
- *18* Objection by the Trustee to Confirmation
of Plan. (1)
48. Daphne Chaires *16* Confirmation of Plan. ATY DEBTOR:
Arellano John T. Orcutt
15-80978 13 TR: Richard M.
(bak) Hutson, II
49. Rostella Parker Smith *16* Confirmation of Plan. ATY DEBTOR:
15-81011 13 John T. Orcutt
(bak) TR: Richard M.
Hutson, II
- *17* Objection by the Trustee to Confirmation
of Plan.
50. Terri Gentry *10* Confirmation of Plan. ATY DEBTOR:
Carrington John T. Orcutt
15-81012 13 ATY BOA:
(bak) Stephen T. Staley
TR: Richard M.
Hutson, II
- *13* Objection by Bank of America, N.A. to
Confirmation of Plan.

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

16 Confirmation of Plan.

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

20 Objection by the Trustee to Confirmation
of Plan.

12:00 PM

Motions to Dismiss

52.	09-82286 13 (bak)	Aris Lee Jones and Easter Johnson Jones	John T. Orcutt
53.	09-82303 13 (bak)	Clyde Octavis Harris and Deborah H. Harris	William E. Mathers
54.	10-81698 13 (bak)	Cathy Larneisa Thurman	John T. Orcutt
55.	10-82023 13 (bak)	Stevie Gary Royster and JoAnne D. Royster	Donald D. Pergerson
56.	11-81859 13 (bak)	Harold Carter	Brandi Leigh Richardson
57.	12-81745 13 (bak)	Ray Anthony Battle and Earnestine Lloyd- Battle	Joseph M. Wilson, Jr.
58.	12-81853 13 (bak)	Hortencia Smith Banks	Edward C. Boltz John T. Orcutt
59.	13-80901 13 (bak)	Michael Anthony Day and Pam Tinnin Day	John T. Orcutt
60.	13-81167 13 (bak)	Kathy S. Snyder	Neil M. O'Toole
61.	14-80330 13 (bak)	Karen Speed Evans	John T. Orcutt
62.	14-80360 13 (bak)	Sophia Blake Frye	Edward C. Boltz John T. Orcutt

63.	14-80879 13 (bak)	Patricia Snyder Lamb	J. Marshall Shelton
64.	14-80944 13 (bak)	Christy Danielle Jones	John T. Orcutt
65.	14-81118 13 (bak)	Clinton Bryant Long, Jr. and Nicole Long	John T. Orcutt
66.	15-80019 13 (bak)	Josette Delores Greene	James C. White Michelle Merck Walker
67.	15-80285 13 (bak)	Robert Stanley Crews and Melissa Evans Crews	Joy K. Alford-Brand
68.	15-80361 13 (bak)	Willie Lawrence Clayton, Jr.	John T. Orcutt
69.	15-80413 13 (bak)	Shelia Corinne Glover	John T. Orcutt
70.	15-80487 13 (bak)	June Karen Richardson	John T. Orcutt
71.	15-80496 13 (bak)	Michelle M Brown	Neil M. O'Toole
72.	15-80554 13 (bak)	Shelia Marie Bobbitt	John T. Orcutt
73.	15-80847 13 (bak)	Stanley Spencer	John T. Orcutt