

U.S. BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

Honorable Wendy A. Kinsella

Thursday, March 14, 2024
Current as of 03/8/2024 at 12:11 PM

Syracuse Courtroom

James M. Hanley Courthouse
100 S. Clinton Street
Syracuse, NY 13261

12:00 AM

Matter: Parties may appear in-person at the James M. Hanley U.S. Courthouse and Federal Building,
100 South Clinton Street, 2nd Floor, Syracuse, NY OR by telephone via AT&T Conference Line:
Dial In Number: 888-398-2342
Access Code: 3187406#

Questions regarding appearances may be directed to:
Nicole Smith (315-295-1686)
E-Mail Address: NYNBCRD@nynb.uscourts.gov

10:00 AM 18-31044-5-wak Rosemary Jean Stafford
Ch 13
Trustee: Swimelar-Trustee

Moving:
Opposing
Matter: [Doc# 86 Section 105\(a\) Conference](#)

10:00 AM 18-31666-5-wak Thomas L. Stackel and Leslie A. Stackel
Ch 13
Trustee: Swimelar-Trustee

Moving: Neil Tarak Bhatt
Opposing
Matter: [Doc# 48 Motion to Sell Real Property Filed by Leslie A. Stackel, Thomas L. Stackel](#)

10:00 AM	20-30013-5-wak	Christopher J. During and Danielle Ann During
	Ch 13	
	Trustee: Swimelar-Trustee	
	Moving:	Ted Eric May
	Opposing	Peter C. Schaefer
Matter: Doc# 115 Motion for Relief from Stay Filed by Select Portfolio Servicing, Inc., as Servicing Agent		
Objections:		
Doc# 117: Objection by Christopher J. During, Danielle Ann During filed by Peter Schaefer		
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10:00 AM	20-30268-5-wak	Andrew M. Shaver and Mary M. Shaver
	Ch 13	
	Trustee: Swimelar-Trustee	
	Moving:	Ernest A Yazzetti, Jr.
	Opposing	Robert B. Ribarovski
Matter: Doc# 31 Motion for Relief from Stay Filed by M&T Bank		
Objections:		
Doc# 33: Objection by Andrew M. Shaver, Mary M. Shaver filed by Robert Ribarovski		
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10:00 AM	20-30969-5-wak	Paul W. Springer
	Ch 13	
	Trustee: Swimelar-Trustee	
	Moving:	Raquel Felix
	Opposing	Neil Tarak Bhatt
Matter: Doc# 43 Motion for Relief from Stay and Co-Debtor Stay Filed by Deutsche Bank National Trust Company, solely as Trustee for MASTR Specialized loan Trust 2006-2 Mortgage Pass- Through Certificates, Series 2006-2		
Objections:		
Doc# 48: Objection by Paul W. Springer filed by Neil Bhatt		
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10:00 AM	20-31121-5-wak	Francine Wilson
	Ch 13	
	Trustee: Swimelar-Trustee	
Moving:	Mark W. Swimelar-Trustee	
Opposing	Jessica G Grady	
Matter:	Doc# 37 Trustee's Default Motion to Dismiss Case for Failure to Make Plan Payments	
	Objections:	
	Doc# 38: Objection by Francine Wilson filed by Jessica Grady	
10:00 AM	20-31297-5-wak	Brenda M Fillingham
	Ch 13	
	Trustee: Swimelar-Trustee	
Moving:	Mark W. Swimelar-Trustee	
Opposing	Maxsen D Champion	
Matter:	Doc# 44 Trustee's Default Motion to Dismiss Case for Failure to Make Plan Payments	
	Objections:	
	Doc# 45: Objection by Brenda M Fillingham filed by Maxsen Champion	
10:00 AM	22-30047-5-wak	Charles H. Doner, Jr.
	Ch 13	
	Trustee: Swimelar-Trustee	
Moving:	Wesley Thurmond Kozeny	
Opposing	Neil Tarak Bhatt	
Matter:	Doc# 23 Motion for Relief from Stay Filed by Toyota Motor Credit Corporation	
	Objections:	
	Doc# 25: Objection by Charles H. Doner Jr. filed by Neil Bhatt	
10:00 AM	22-30057-5-wak	Carol Elizabeth Dufresne
	Ch 13	
	Trustee: Swimelar-Trustee	
Moving:	Arlene Sanders	
Opposing		
Matter:	Doc# 22 Motion to Determine Mortgage Fees and Expenses re: Rule 3002.1 Filed by Carol Elizabeth Dufresne	

10:00 AM

22-30591-5-wak

Todd L. Crump, Jr.

Ch 13

Trustee: Swimelar-Trustee

Moving: Jessica G. Grady

Opposing Mark W. Swimelar-Trustee

Matter: Doc# 31 Motion to Modify Plan, Application for Compensation filed by Filed by Todd L. Crump, Jr.

Objections:

Doc# 33: Objection by Mark W. Swimelar-Trustee filed by Mark Swimelar-Trustee

10:00 AM

23-30135-5-wak

Robert D Smith

Ch 13

Trustee: Swimelar-Trustee

Moving: Wesley Thurmond Kozeny

Opposing Maxsen D Champion

Matter: Doc# 21 Motion for Relief from Stay Filed by Medallion Bank

Objections:

Doc# 23: Objection by Robert D Smith filed by Maxsen Champion

10:00 AM

23-30221-5-wak

Anthony Behling

Ch 13

Trustee: Swimelar-Trustee

Moving: Elizabeth L Doyaga

Opposing Neil Tarak Bhatt

Matter: Doc# 31 Motion for Relief from Stay Filed by Flagstar Bank, NA as servicer for Lakeview Loan Servicing, LLC

Objections:

Doc# 33: Objection by Anthony Behling filed by Neil Bhatt

10:00 AM

23-30555-5-wak

Benjamin Andrew Guzalak

Ch 13

Trustee: Swimelar-Trustee

Moving: Russell S. Simonetta

Opposing Miranda Sharlette

Matter: [Doc# 16 Objection to Notice of Postpetition Mortgage Fees, Expenses and Charges Filed by Benjamin Andrew Guzalak](#)

Objections:

[Doc# 20: Objection by MidFirst Bank filed by Miranda Sharlette](#)

10:00 AM

23-30746-5-wak

Scott M. Andrews and Katie L. Andrews

Ch 13

Trustee: Swimelar-Trustee

Moving: James F. Selbach

Opposing

Matter: [Doc# 43 Motion for Sanctions for Willful Violation of the Automatic Stay Against American Family Care; Application for Compensation Filed by Katie L. Andrews, Scott M. Andrews](#)

Comment:

10:00 AM

23-30746-5-wak

Scott M. Andrews and Katie L. Andrews

Ch 13

Trustee: Swimelar-Trustee

Moving: James F. Selbach

Opposing

Matter: [Doc# 36 Motion For Sanctions for Willful Violation of the Automatic Stay Against Greater Baldwinsville Ambulance Corp.; Application for Compensation Filed by Katie L. Andrews, Scott M. Andrews](#)

10:00 AM

23-30746-5-wak

Scott M. Andrews and Katie L. Andrews

Ch 13

Trustee: Swimelar-Trustee

Moving: James F. Selbach

Opposing

Matter: [Doc# 18 Motion For Sanctions for Willful Violation of the Automatic Stay Against Monument Health; Application for Compensation Filed by Katie L. Andrews](#)

10:00 AM

23-30911-5-wak

Jared A Wilson

Ch 13

Trustee: Swimelar-Trustee

Moving: Mark W. Swimelar-Trustee

Opposing Maxsen D Champion

Matter: Doc# 13 Trustee's Default Motion to Dismiss Case for Failure to Make Plan Payments

Objections:

Doc# 18: Objection by Jared A Wilson filed by Maxsen Champion

10:00 AM

24-30100-5-wak

Konstantinos I Katsiroumbas

Ch 13

Trustee: Swimelar-Trustee

Moving: Maxsen D Champion

Opposing Neil Joseph Smith

Matter: Doc# 6 Motion to Extend Automatic Stay Filed by Konstantinos I Katsiroumbas

Objections:

Doc# 14: Objection by First National Bank of Dryden filed by Neil Smith

Doc# 15: Objection by Frank H. Suits, Jr. filed by Edward Crossmore

Doc# 16: Objection by Mark W. Swimelar-Trustee filed by Mark Swimelar-Trustee

10:05 AM

23-50009-5-wak

Tully Building Supply, Inc. v. Gould

ap

23-30350-5-wak Matthew William Gould

Moving: Amanada C Shaw

Opposing Russell S. Simonetta

Matter: Doc# 8 Pre-trial Conference

Objections:

Doc# 13: Objection by Matthew William Gould. filed by Russell Simonetta

11:30 AM

23-30558-5-wak

James Melvin Hazelton, II and Christy Jean Amidon-Hazelton

Ch 13

Trustee: Swimelar-Trustee

Moving: Laura M. Harris Courage

Opposing Robert L. Cook

Matter: [Doc# 39 Confirmation Hearing](#)

Objections:

[Doc# 41: Objection by New York State Department of Taxation and Finance filed by Robert Cook](#)

[Doc# 42: Objection by Empower Federal Credit Union filed by Amanda Shaw](#)

11:30 AM

23-30766-5-wak

Bryan R. Howe

Ch 13

Trustee: Swimelar-Trustee

Moving: Jessica G. Grady

Opposing Mark W. Swimelar-Trustee

Matter: [Doc# 2 Confirmation Hearing](#)

Objections:

[Doc# 17: Objection by Mark W. Swimelar-Trustee filed by Mark Swimelar-Trustee](#)

11:30 AM

23-30911-5-wak

Jared A Wilson

Ch 13

Trustee: Swimelar-Trustee

Moving: Maxsen D Champion

Opposing Mark W. Swimelar-Trustee

Matter: [Doc# 2 Confirmation Hearing](#)

Objections:

[Doc# 14: Objection by Mark W. Swimelar-Trustee filed by Mark Swimelar-Trustee](#)

11:30 AM

24-30002-5-wak

Jeffrey VanDusen

Ch 13

Trustee: Swimelar-Trustee

Moving: Maxsen D Champion

Opposing Mark W. Swimelar-Trustee

Matter: [Doc# 2 Confirmation Hearing](#)

Objections:

[Doc# 14: Objection by Mark W. Swimelar-Trustee filed by Mark Swimelar-Trustee](#)

11:30 AM 24-30013-5-wak Sean Smith

Ch 13
Trustee: Swimelar-Trustee

Moving: Peter Alan Orville

Opposing Robert L. Cook
 Sherri Jennifer Smith

Matter: [Doc# 2 Confirmation Hearing](#)

Objections:
[Doc# 12: Objection by New York State Department of Taxation and Finance filed by Robert Cook](#)
[Doc# 13: Objection by NewRez LLC dba Shellpoint Mortgage Servicing as servicer for Wilmington Savings Fund Society, FSB, not its individual capacity but solely as Owner Trustee for Verus Securitization Trust 2022-6 filed by Sherri Smith](#)
[Doc# 15: Objection by New York State Department of Taxation and Finance filed by Robert Cook](#)
[Doc# 17: Objection by Mark W. Swimelar-Trustee filed by Mark Swimelar-Trustee](#)

11:30 AM 24-30016-5-wak Keith John Johnston and Stacey Jo Johnston

Ch 13
Trustee: Swimelar-Trustee

Moving: Russell S. Simonetta

Opposing Miranda Sharlette

Matter: [Doc# 2 Confirmation Hearing](#)

Objections:
[Doc# 14: Objection by Rocket Mortgage, LLC f/k/a Quicken Loans, LLC filed by Miranda Sharlette](#)

11:30 AM 24-30022-5-wak Jeffrey Toolan

Ch 13
Trustee: Swimelar-Trustee

Moving: Peter Alan Orville

Opposing Robert L. Cook
 Edward Y. Crossmore

Matter: [Doc# 13 Confirmation Hearing](#)

Objections:
[Doc# 21: Objection by New York State Department of Taxation and Finance filed by Robert Cook](#)
[Doc# 22: Objection by Village of Groton filed by Edward Crossmore](#)
[Doc# 23: Objection by Tompkins County filed by Scott Kurkoski](#)

11:30 AM

24-30100-5-wak

Konstantinos I Katsiroumbas

Ch 13

Trustee: Swimelar-Trustee

Moving:

Maxsen D Champion

Opposing

Edward Y. Crossmore

Neil Joseph Smith

Matter:

Doc# 2 Confirmation Hearing

Objections:

Doc# 17: Objection by Frank H. Suits, Jr. filed by Edward Crossmore

Doc# 18: Objection by First National Bank of Dryden filed by Neil Smith