

U.S. Bankruptcy Court - Northern District of New York

Honorable Robert E. Littlefield Jr., Presiding

UticaJL Courtroom

Wednesday, January 20, 2010

ORIGINAL

Hearing Notes:

**Important Notice Regarding Time Period Changes and Form Changes Effective
December 1, 2009**

The time-computation amendments to the Federal Rules of Bankruptcy Procedure became effective December 01, 2009.

Administrative Order 09-09 entitled "Revised Local Procedures Governing Time Computation" revises the time deadlines listed in the Local Bankruptcy Rules, including but not limited to, **RESPONSES**.

The Reaffirmation Agreement form has changed, Form B240A and there is also a new required Cover Sheet Form B27.

The Administrative Order, a chart listing the Federal Rules of Bankruptcy Procedure and the new forms affected can be found on the Court's Internet Site at:
<<http://www.nynb.uscourts.gov/>>

U.S. Bankruptcy Court - Northern District of New York

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Wednesday, January 20, 2010

ORIGINAL

9:00 AM **07-60431** **William Lee Smith and Sandra Lee Smith**
Doc#: 41 **Motion to Reopen Case to File Financial Management Certificate**

Converted on
5/6/2009, Case
Closed on
8/26/2009,
Reopened on

Chapter: 7
Debtor's Attorney: Gerard C. DeCusatis

Filer: Diana G. Adams (Amy F. Quandt, Guy A. VanBaalén,)
Trustee: Randy J. Schaal

NOTES:

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- William Smith's Financial Management Certificate Filed 1/13/10 - #49
- Sandra Smith's Financial Management Certificate Filed 1/13/10 - #50

9:00 AM **07-60431** **William Lee Smith and Sandra Lee Smith**
Doc#: 42 **Motion to Review Fees Paid and for an Order Directing the Filing of Financial Management Certificates**

Converted on
5/6/2009, Case
Closed on
8/26/2009,
Reopened on

Chapter: 7
Debtor's Attorney: Gerard C. DeCusatis

Filer: Diana G. Adams (Amy F. Quandt, Guy A. VanBaalén,)
Trustee: Randy J. Schaal

9:00 AM **07-60582** **Raymond Galusha and Jeanette Galusha**
Doc#: 65 **Trustee's Motion to Dismiss Case for Failure to Make Plan Payments**

Reopened on
3/5/2007

Chapter: 13
Debtor's Attorney: Michael Jude OConnor

Filer: Trustee
Trustee: Andrea E. Celli

NOTES:

- Adjourned for an Interim Order - Signed 12/22 - #78

OBJECTIONS:

- Doc# 72: Response filed by Jeanette Galusha, Raymond Galusha (OConnor, Michael)

9:00 AM **07-60656** **Timothy G Clark and Lenora L Clark**
Doc#: 20 **Objection to Claim 11 by Claimant Citigroup, Inc.. Expunge Duplicate Claim.**

Reopened on
3/5/2007

Chapter: 13
Debtor's Attorney: Neil T. Bhatt

Filer: Trustee
Trustee: Andrea E. Celli

Re-Noticed For 3-23-10 @ 9:00 AM

9:00 AM **07-60878** **Lori A. Hall**
Doc#: 25 **Trustee's Motion to Dismiss Case for Failure to Make Plan Payments**

Reopened on
3/5/2007

Chapter: 13
Debtor's Attorney: James E.D. Doern, Stephen T. Rodriguez

Filer: Trustee
Trustee: Andrea E. Celli

OBJECTIONS:

- Doc# 26: Objection filed by Lori A. Hall (Rodriguez, Stephen)

9:00 AM **07-60922** **Robert George Bruce and Rebecca Ellen Bruce**
Doc#: 12 **Trustee's Motion to Dismiss Case for Failure to Make Plan Payments**

Reopened on
3/6/2007

Chapter: 13
Debtor's Attorney: Jason A Brott

Filer: Trustee
Trustee: Andrea E. Celli

NOTES:

- Adjourned for a Motion to Modify - Scheduled for 1/20 - No Objections Filed

OBJECTIONS:

- Doc# 13: Objection filed by Rebecca Ellen Bruce, Robert George Bruce (Brott, Jason)

Withdrawn w/out hrq

9:00 AM **07-60944** **Julia Torres and Jose Torres**
Doc#: 25 **Motion to Deem Chapter 13 Plan Complete**

Reopened on
3/6/2007

Chapter: 13
Debtor's Attorney: James E.D. Doern, Stephen
T. Rodriguez

Filer: Jose Torres, Julia Torres (Stephen T. Rodriguez,
James E.D. Doern)
Trustee: Andrea E. Celli

OBJECTIONS:

- Doc# 27: Objection filed by Andrea E. Celli (Celli, Andrea)

9:00 AM **07-61008** **Linus A. Bobbie and Ethel M. Bobbie**
Doc#: 22 **Trustee's Motion to Dismiss Case for Failure to Make Plan Payments**

Reopened on
3/6/2007

Chapter: 13
Debtor's Attorney: Yuri J. Gaspar

Filer: Trustee
Trustee: Andrea E. Celli

OBJECTIONS:

- Doc# 23: Objection filed by Ethel M. Bobbie, Linus A. Bobbie (Gaspar, Yuri)

9:00 AM **07-61059** **Timothy J. Page and Jamie L. Page**
Doc#: 45 **Trustee's Motion to Dismiss Case for Failure to Make Plan Payments**

Reopened on
3/6/2007

Chapter: 13
Debtor's Attorney: James E.D. Doern, Stephen
T. Rodriguez

Filer: Trustee
Trustee: Andrea E. Celli

OBJECTIONS:

- Doc# 48: Objection filed by Jamie L. Page, Timothy J. Page Sr. (Rodriguez, Stephen)

9:00 AM **07-61076** **Dale C. Nethaway and Terry L. Nethaway**
Doc#: 19 **Motion to Modify Plan**

Reopened on
3/6/2007

Chapter: 13
Debtor's Attorney: Jason A Brott

Filer: Dale C. Nethaway, Terry L. Nethaway (Jason A
Brott)
Trustee: Andrea E. Celli

OBJECTIONS:

- Doc# 21: Objection filed by Andrea E. Celli (Celli, Andrea)

9:00 AM **07-61366** **Harold R. Bellinger**
Doc#: 30 **Motion to Reopen Case**

Case Closed on
3/10/2009,
Reopened on
3/6/2007

Chapter: 13
Debtor's Attorney: Richard Croak

Filer: Harold R. Bellinger (Richard Croak)
Trustee: Andrea E. Celli

NOTES:

- Adjourned for EOV - Letter Regarding Appraisal Filed 12/30 -#39

9:00 AM **07-61438** **George Gerard Monette and Amy M. Monette**
Doc#: 52 **Motion to Modify Plan**

Reopened on
3/6/2007

Chapter: 13
Debtor's Attorney: Thomas H. McCann

Filer: Amy M. Monette, George Gerard Monette (Paul M. Fischer, Neil T. Bhatt, Thomas H. McCann)
Trustee: Andrea E. Celli

OBJECTIONS:

- Doc# 54: Objection filed by Andrea E. Celli (Celli, Andrea)

9:00 AM **07-61633** **Gary L. Jeror**
Doc#: 51 **Motion to Vacate, Motion to Modify Plan**

Dismissed on
11/13/2009,
Reopened on
3/19/2007

Chapter: 13
Debtor's Attorney: Thomas H. McCann

Filer: Gary L. Jeror Jr (Thomas H. McCann)
Trustee: Andrea E. Celli

OBJECTIONS:

- Doc# 55: Response filed by Community Bank, N.A. (Mooney, Martin)

9:00 AM **07-61634** **Richard L. Fosmire and Marie Fosmire**
Doc#: 33 **Motion to Modify Plan**

Reopened on
3/12/2007

Chapter: 13
Debtor's Attorney: Stephen T. Rodriguez

Filer: Marie Fosmire, Richard L. Fosmire Jr. (Stephen T. Rodriguez)
Trustee: Andrea E. Celli

OBJECTIONS:

- Doc# 35: Objection filed by Andrea E. Celli (Celli, Andrea)

9:00 AM **07-61712** **Chad E. Austin and Serita A. Austin**
Doc#: 56 **Trustee's Motion to Dismiss Case Default in Plan Payments**

Reopened on
3/19/2007

Chapter: 13
Debtor's Attorney: Jason A Brott

Filer: Trustee
Trustee: Andrea E. Celli

OBJECTIONS:

- Doc# 59: Objection filed by Chad E. Austin, Serita A. Austin (Brott, Jason)

9:00 AM **07-61745** **Dion A. Battisti and Carrie Battisti**
Doc#: 42 **Trustee's Motion to Dismiss Case for Failure to Make Plan Payments**

Reopened on
3/19/2007

Chapter: 13 **Filer:** Trustee
Debtor's Attorney: Stephen T. Rodriguez **Trustee:** Andrea E. Celli

OBJECTIONS:

- Doc# 43: Objection filed by Carrie Battisti, Dion A. Battisti (Rodriguez, Stephen)

9:00 AM **07-61815** **Craig K. Gebhardt**
Doc#: 68 **Objection to Claim 4 by Claimant NBT Bank, N.A.. Expunge Duplicate Claim.**

Reopened on
3/27/2007

Chapter: 13 **Filer:** Trustee
Debtor's Attorney: Richard Croak **Trustee:** Andrea E. Celli

Re-Noticed for 3-23-10 @ 9:00 AM

9:00 AM **07-61863** **Loren A Ortman and Cynthia Ortman**
Doc#: 56 **Trustee's Default Motion to Dismiss Case for Failure to Make Plan Payments**

Converted on
9/24/2007,
Reopened on
3/28/2007

Chapter: 12 **Filer:** Trustee
Debtor's Attorney: Jerry Calvin Leek **Trustee:** Mark W. Swimelar

OBJECTIONS:

- Doc# 59: Objection filed by Cynthia Ortman, Loren A Ortman (Leek, Jerry)

9:00 AM **07-61863** **Loren A Ortman and Cynthia Ortman**
Doc#: 67 **Amended Motion to Modify Plan (62)**

Converted on
9/24/2007,
Reopened on
3/28/2007

Chapter: 12 **Filer:** Cynthia Ortman, Loren A Ortman (Jerry Calvin Leek)
Debtor's Attorney: Jerry Calvin Leek **Trustee:** Mark W. Swimelar

NOTES:

- Objection by Trustee - #70

OBJECTIONS:

- Doc# 70: Objection filed by Mark W. Swimelar (Swimelar, Mark)

9:00 AM **07-61924** **Philip R. Collins**
Doc#: 124 **Withdrawal of Claim**

Reopened on
4/3/2007

Chapter: 13 **Filer:** Philip R. Collins (Richard Croak)
Debtor's Attorney: Richard Croak **Trustee:** Andrea E. Celli

9:00 AM **07-62003** **Brandon J. Crone and Kerry A. Crone**
Doc#: 83 **Objection to Claim 22 by Claimant Lake Placid Disposal Svc.. Expunge Duplicate Claim.**

Converted on
8/8/2006,
Reopened on
4/10/2007

Chapter: 13 **Filer:** Trustee
Debtor's Attorney: Yuri J. Gaspar **Trustee:** Andrea E. Celli

Re-Noticed for 3-23-10 @ 9:00 AM

9:00 AM

07-62003

Brandon J. Crone and Kerry A. Crone

Doc#: 85

Objection to Claim 27 by Claimant Z Tel Communications. Expunge Duplicate Claim.

Converted on
8/8/2006,
Reopened on
4/10/2007

Chapter: 13

Filer: Trustee

Debtor's Attorney: Yuri J. Gaspar

Trustee: Andrea E. Celli

Re-Noticed for 3-23-10 @ 9:00 AM