

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TENNESSEE**

Honorable Marcia Phillips Parsons

Tuesday, January 22, 2013

Current as of 1/17/2013 at 1:22 PM

Bankruptcy Courtroom, Greeneville, TN

09:00 AM

1 10-53097 Gary Phillips Construction, LLC
Ch. 11

Trustee:

Attorney: Fred Leonard

Dave B. Jordan
Dean B. Farmer
Edward T Brading
Kenneth Clark Hood
Lynn Tarpy
Mary Foil Russell
Patricia Foster
Walter N. Winchester

1) **Hearing on Adequacy of Amended Disclosure Statement [704]**

2) **Objection by U.S. Trustee to Disclosure Statement [729]**

3) **Objection by Unsecured Creditors Committee to Disclosure Statement [718]**

4) **Objection by Regions Bank to Adequacy of Disclosure Statement [709]**

5) **Objection by Plymouth Rock Condominiums, Inc. to Disclosure Statement [725]**

6) **Objection by Country Aire Construction to Disclosure Statement [727]**

7) **Objection by TruPoint Bank to Disclosure Statement [730]**

8) **Objection by TriSummit Bank to Disclosure Statement [724]**

09:00 AM

2 11-52170 Ferry Road Properties, LLC
Ch. 11

Trustee: Attorney: Brenda Brooks Martin Tucker

1) Renewed Motion by VFC Partners 10 LLC for Relief from the Automatic Stay, Order Prohibiting the use of Cash Collateral and Order Abandoning Properties [350]

2) Motion by Debtor to Modify Fourth Amended Plan of Reorganization without Amendment to Conditionally Approve Disclosure Statement [353]

3 12-50172 Grace M Manley
Ch. 12

Trustee: C. Still Attorney: Thomas Tarpy

1) Second Application by Lynn Tarpy for Interim Compensation [161]

09:00 AM

4 12-50618 Tri-Cities Memory Gardens, Inc.
Ch. 11

Trustee:

Attorney: Mark Dessauer

Aaron Spencer
Patricia Foster
Raymond Spencer Clift
William F. McCormick

- 1) **Motion by Citizens Bank to Dismiss Case [100]**
- 2) **Response by Debtor to Motion to Dismiss [111]**
- 3) **Hearing on Adequacy of Amended Disclosure Statement [163]**
- 4) **Restated Objections by U.S. Trustee to Debtor's Amended Disclosure Statement and Amended Plan [174]**
- 5) **Response by Debtor to U.S. Trustee's Objection to Disclosure Statement [153]**
- 6) **Objection by First Tennessee Bank to Disclosure Statement and Plan [143]**
- 7) **Response by Debtor to First Tennessee Bank's Objection to Disclosure Statement and Plan [152]**
- 8) **Objection by Tennessee Department of Commerce and Insurance to Disclosure Statement and Plan [144]**
- 9) **Response by Debtor to Tennessee Department of Commerce and Insurance's Objection to Disclosure Statement and Plan [154]**

5 12-50625 Thor Industries, LLC
Ch. 11

Trustee:

Attorney: Dean Farmer

Maurice K. Guinn

- 1) **Motion by Dean B. Farmer to Withdraw as Counsel [208] as Amended [210]**
- 2) **Response by Tennessee State Bank to Motion to Withdraw as Counsel [212]**

09:00 AM

6 12-50716 Gregory Allen Salyer and Carol Deloris Salyer
Ch. 11

Trustee:

Attorney: Dean Farmer

Suzanne H. Bauknight
William F. McCormick

- 1)Hearing on Final Approval of Disclosure Statement and Confirmation of Plan [102]**
 - 2)Objection by Internal Revenue Service to Confirmation of Plan [127]**
 - 3)Objection by Debtors to Claim No. 20 of Tennessee Department of Revenue [85] as Supplemented [137]**
 - 4)Response by Tennessee Department of Revenue to Debtors' Objection to Claim [106]**
 - 5)Objection by Debtors to Claim No. 21 of Legacy Vacation Club [129] as Amended [135]**
 - 6)Objection by Debtors to Claim No. 14 of FIA Card Services, N.A. [128] as Amended [136]**
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7 12-51752 Black Creek, LLC
Ch. 11

Trustee:

Attorney: Dean Farmer

Rick Carl

- 1)Motion by Debtor to Extend Authority to Use Cash Collateral [32]**
- 2)Motion by Debtor for Authority to Use Cash Collateral; for Authority to Grant Replacement Liens; and for Hearing [10]**

10:30 AM

8 11-05028 Vicars v. Freeman

Lead Case: 11-50541 Cortland C Freeman

Trustee: Attorney: Joseph Lyle Everett Mechem

**1) Motion by Plaintiff to Strike Answer, Enter Default Judgment, and for Discovery
Sanctions Under Rule 37 [22]**

9 12-05029 Payne v. Sauceman et al

Lead Case: 12-50051 Billy R. Sauceman and Judy A. Sauceman

Trustee: Attorney: Kenneth Hood Kenneth Clark Hood

1) Motion by Plaintiff for Default Judgment [32]

10 12-05032 Branch Banking and Trust Company v. Church

Lead Case: 12-50770 Lori A. Church

Trustee: Attorney: W. Kizer Morris Kizer

1) Show Cause Hearing [6]

10:30 AM

11 12-05042 Blackburn v. CapTran SC, LLC et al
Lead Case: 12-51473 Andrew Harrison Blackburn

Trustee: Douglas Payne Attorney: Patrick Hannon Sharon Frankenberg

- 1) **Motion by Capital Transaction Group, Inc. to Dismiss, and Motion for Relief from Stay and to Stay Adversary Proceedings [11]**

- 2) **Response by Chapter 7 Trustee to Document 11, Capital Transaction Group, Inc.'s Motion to Dismiss and Motion for Relief from Stay and to Stay Adversary Proceeding [14]**

- 3) **Response by Plaintiff to Capital Transaction Group, Inc.'s Motion to Dismiss and Motion for Relief from Stay and to Stay Adversary Proceedings [16]**

- 4) **Motion by CapTran SC, LLC to Dismiss, Motion to Enforce Arbitration Agreement, Lift Stay and Stay Adversary Proceedings [10]**

- 5) **Response by Chapter 7 Trustee to Document 10, Captran SC, LLC's Motion to Dismiss, Motion to Enforce Arbitration Agreement, Lift Stay and Stay Adversary Proceedings [13]**

- 6) **Response by Plaintiff to CapTran SC LLC's Motion to Dismiss, Motion to Compel Arbitration, Lift Stay and Stay Adversary Proceeding [17]**

12 12-51786 James Alan Morgan
Ch. 7

Trustee: Mary Russell Attorney: Douglas Payne Kenny Phillips
Mary Foil Russell

- 1) **Motion by Chapter 7 Trustee to Conduct Sale Free and Clear of Liens and to Approve Carve-Out [26]**

- 2) **Response by Debtor to Chapter 7 Trustee's Motion [31]**

13 12-51959 Charles Freddie James and Patsy Heck James
Ch. 7

Trustee: Douglas Payne Attorney: C.E. Cunningham

- 1) **Objection by Chapter 7 Trustee to Claim of Exemptions [19]**

10:30 AM

14 12-52040 Linda Beth Berry
Ch. 7

Trustee: Douglas Payne

Attorney: Margaret Fugate

John A. Medina

1) **Motion by Green Tree Servicing to Modify Automatic Stay [21]**

2) **Response by Chapter 7 Trustee to Motion to Modify Automatic Stay [24]**

3) **Response by Debtor to Motion to Modify Automatic Stay [28]**

01:00 PM

15 10-51487 Michael Anthony Lafollette
Ch. 13

Trustee: Gwendolyn Kerney Attorney: David Darnell

1)Motion by Chapter 13 Trustee to Dismiss Case [81]

16 10-52803 Denny Ray Fields and Teresa Diane Fields
Ch. 13

Trustee: Gwendolyn Kerney Attorney: Terry Risner

1)Motion by Chapter 13 Trustee to Dismiss Case [39]

17 11-52771 Clayton Stanley Nixon, Sr. and Barbara Sue Nixon
Ch. 13

Trustee: Gwendolyn Kerney Attorney: David Darnell

1)Motion by Chapter 13 Trustee to Dismiss Case [36]

18 12-50335 Shawn Glen Harjo and April Shea Harjo
Ch. 13

Trustee: Gwendolyn Kerney Attorney: David Darnell

1)Motion by Chapter 13 Trustee to Dismiss Case [39]

19 12-50511 Charles Ricky Thacker
Ch. 13

Trustee: Gwendolyn Kerney Attorney: Steven Frazier

1)Motion by Chapter 13 Trustee to Reconvert Case from Chapter 13 to Chapter 7 [81]

20 12-50779 Kathy Faye Dalton
Ch. 13

Trustee: Gwendolyn Kerney Attorney: Terry Hurst

1)Motion by Chapter 13 Trustee to Dismiss Case [39]

21 12-50969 Charles Leon Greene
Ch. 13

Trustee: Gwendolyn Kerney Attorney: Terry Hurst

1)Motion by Chapter 13 Trustee to Dismiss Case [55]

01:00 PM

22 12-50980 John David Messer and Jessica Danielle Messer
Ch. 13

Trustee: Gwendolyn Kerney Attorney: Terry Hurst
1) **Motion by Chapter 13 Trustee to Dismiss Case [30]**

23 12-51016 Larry Dale Gray and Pauline Smith Gray
Ch. 13

Trustee: Gwendolyn Kerney Attorney: Terry Hurst
1) **Motion by Chapter 13 Trustee to Dismiss Case [39]**

24 12-51030 Tamera June Ramirez
Ch. 13

Trustee: Gwendolyn Kerney Attorney: Terry Hurst
1) **Motion by Chapter 13 Trustee to Dismiss Case [31]**

25 12-51050 Carroll Edward Mumpower and Lisa NMN Mumpower
Ch. 13

Trustee: Gwendolyn Kerney Attorney: Margaret Fugate
1) **Motion by Chapter 13 Trustee to Dismiss Case [27]**

26 12-51081 Thomas Glenn Rutherford and Stacie Jo Rutherford
Ch. 13

Trustee: Gwendolyn Kerney Attorney: Jim Williams
1) **Motion by Chapter 13 Trustee to Dismiss Case [28]**

27 12-51091 Mitchel Lee Fralix
Ch. 13

Trustee: Gwendolyn Kerney Attorney: Mark Skelton
1) **Motion by Chapter 13 Trustee to Dismiss Case [22]**

28 12-51621 Alma Jane McGaha
Ch. 13

Trustee: Gwendolyn Kerney Attorney: Terry Hurst
1) **Motion by Chapter 13 Trustee to Dismiss Case [27]**

01:00 PM

29 12-51629 Jeffery Scott Arnold
Ch. 13

Trustee: Gwendolyn Kerney Attorney: Mark Skelton

1) Motion by Chapter 13 Trustee to Dismiss Case [26]

01:30 PM

30 07-50811 Ricky H. Pierce
Ch. 13

Trustee: Gwendolyn Kerney Attorney: Charles Pope

**1) Motion by Chapter 13 Trustee for Hearing and/or Motion for Order Declaring
Mortgage Loan Current [49]**

31 07-51324 Geneva Mae Miller
Ch. 13

Trustee: Gwendolyn Kerney Attorney: Margaret Fugate Kenneth Clark Hood

**1) Motion by Chapter 13 Trustee for Order Declaring Mortgage Loan Current
(GreenBank) [95]**

**2) Response by Capital Bank, N.A. to Motion for Order Declaring Mortgage Loan
Current [96]**

32 11-51583 Larry Keith Lawson and Vickie Gay Lawson
Ch. 13

Trustee: Gwendolyn Kerney Attorney: Charles Pope

1) Objection by Chapter 13 Trustee to the Proof of Claim filed by CitiFinancial [59]

33 11-51956 Thomas Robert Massey, II and Vanessa P. Massey
Ch. 13

Trustee: Gwendolyn Kerney Attorney: Terry Hurst

1) Motion by Debtors to Approve Sale of Real Property [58]

34 11-52771 Clayton Stanley Nixon, Sr. and Barbara Sue Nixon
Ch. 13

Trustee: Gwendolyn Kerney Attorney: David Darnell

1) Motion by Debtors to Modify Plan [38]

2) Objection by Chapter 13 Trustee to Modified Plan [42]

01:30 PM

35 12-50511 Charles Ricky Thacker
Ch. 13

Trustee: Gwendolyn Kerney

Attorney: Steven Frazier

David N. Darnell
William Stanton Massa

1)Objection by Beatte Good and Roger A. Good to Confirmation of Plan [51]

2)Objection by Regency Finance Company to Confirmation of Amended Plan [83]

3)Objection by Chapter 13 Trustee to Confirmation of Amended Plan [88]

36 12-50973 Christopher Lee Hunter
Ch. 13

Trustee: Gwendolyn Kerney

Attorney: Mark Skelton

1)Motion by Chapter 13 Trustee for Determination on Disgorgement of Legal Fees [48]

37 12-51479 Larry Milton Reece and Tracie Leigh Reece
Ch. 13

Trustee: Gwendolyn Kerney

Attorney: David Darnell

John Randal Roan

1)Motion by Select Portfolio Servicing, Inc. for Relief from Stay and Abandonment [17]

2)Response by Debtors to Motion for Relief from Stay and Abandonment [20]

3)Objection by Select Portfolio to Confirmation of Plan [42]

38 12-51629 Jeffery Scott Arnold
Ch. 13

Trustee: Gwendolyn Kerney

Attorney: Mark Skelton

Howard Scott Reams

1)Objection by Jefferson Federal Bank to Confirmation of Plan [15]

2)Objection by Chapter 13 Trustee to Confirmation of Plan [19]

39 12-51847 Esete NMN Seyoum
Ch. 13

Trustee: Gwendolyn Kerney

Attorney: David Darnell

1)Objection by Chapter 13 Trustee to Confirmation of Plan [27]

01:30 PM

40 12-51903 Raymond C. Brooks and Geraldine M. Brooks
Ch. 13

Trustee: Gwendolyn Kerney Attorney: Charles Pope John A. Medina
1) **Objection by U.S. Bank, N.A. to Confirmation of Plan [19]**

41 12-51973 Ricky Lee Long
Ch. 13

Trustee: Gwendolyn Kerney Attorney: Terry Risner Jonathan Doolan
1) **Objection by Chapter 13 Trustee to Confirmation of Plan [21]**

2) **Objection by FDIC to Confirmation of Plan [23]**

42 12-51985 Marvin Alger Cureton and Laura Ann Cureton
Ch. 13

Trustee: Gwendolyn Kerney Attorney: Terry Hurst
1) **Objection by Chapter 13 Trustee to Confirmation of Plan [24]**

43 12-52043 Dallas Timothy Wayne Adkins
Ch. 13

Trustee: Gwendolyn Kerney Attorney: Mark Skelton
1) **Objection by Chapter 13 Trustee to Confirmation of Plan [30]**

44 12-52091 Elizabeth A. Trent
Ch. 13

Trustee: Gwendolyn Kerney Attorney: Charles Pope Kenneth Clark Hood
1) **Objection by Citizens Savings & Loan Company to Confirmation of Plan [21]**

45 12-52098 Sandra Ann Moore
Ch. 13

Trustee: Gwendolyn Kerney Attorney: David Darnell Douglas L Payne
1) **Objection by Tri-Cities Finance to Confirmation of Plan [19]**

2) **Objection by Chapter 13 Trustee to Confirmation of Plan [21]**

01:30 PM

46 12-52100 Kenzie Carroll Seals, Sr.
Ch. 13

Trustee: Gwendolyn Kerney Attorney: Mark Skelton

1)Objection by Chapter 13 Trustee to Confirmation of Plan [18]

47 12-52109 Michael David Compton and Barbara Ann Compton
Ch. 13

Trustee: Gwendolyn Kerney Attorney: Mark Skelton

1)Objection by Chapter 13 Trustee to Confirmation of Plan [16]

48 12-52111 James C. Bays and Melissa A. Bays
Ch. 13

Trustee: Gwendolyn Kerney Attorney: Charles Pope

Kenneth Clark Hood

1)Objection by Capital Bank, N.A. to Confirmation of Plan [25]

01:30 PM

49 12-52161 Dwight Atchley Collins
Ch. 13

Trustee: Gwendolyn Kerney

Attorney: T. Smith

Gregory C. Logue
Joseph R. Prochaska
Martin B. Tucker
Richard B. Maner

- 1) **Motion by VFC Partners 10, LLC to Convert or Dismiss with Prejudice [17]**
- 2) **Objection by Cabins USA Gatlinburg, LLC to Confirmation of Plan [40]**
- 3) **Objection by RL BB ACQ II-TN, LLC to Confirmation of Plan [44]**
- 4) **Objection by Home Federal Bank of Tennessee to Confirmation of Plan [49]**
- 5) **Objection by Chapter 13 Trustee to Confirmation of Plan [51]**
- 6) **Objection by VFC Partners 10, LLC to Confirmation of Plan [48]**
- 7) **Objection by Nationstar Mortgage, LLC to Confirmation of Plan [54]**
- 8) **Motion by VFC Partners 10, LLC for Leave to File a Late Objection to Confirmation of Plan [47]**