INDEX OF OPINIONS 2008

	Case Name/Number (Docket #)	Opinion/Order/Issue
1.	Sierra Transit Mix, Inc.; 11-07-12887 MS Sierra Transit Mix, Inc. v. Sangre de Cristo Gravel Products, LLC and Francisco Melendez; Adv. No. 07-1169 (docket #11)	Order - Granting Motion for Abstention
2.	Ronald Ziemann; No. 11-05-11276 MA (Docket # 283)	Order Denying Motion to Modify (Whether post-pet atty fee award from divorce court can be reorganized as admin expense claim through chptr 11 plan)
3.	Jack and Charlene Bates; No. 7-07-11966 ML (Docket # 61 and Docket # 62)	 Order Granting Extension of Time to File 523 Complaint Order Granting Extension of Time to file 727 Complaint
4.	Jesus Reza; No. 7-07-12659 MA (Docket #35)	Order Denying Mtn to Reconsider
5.	Ronald Ziemann; No. 11-05-11276 MA (Docket # 287)	Order on Confirmation; whether absolute priority rule applies when not in cram-down situation; objecting creditor's votes did not count
6.	Gregory Rockhouse Ranch, 11-05-15405 MR (docket #438 and #439)	Orders Denying As Procedurally Improper Motion for Leave to Appeal (BAP or dist ct to decide mtns for leave to appeal from interlocutory orders under Rule 8003)
7.	Cynthia Ann Gonzales; No. 7-05-21343 Dave Veazey v. Dtr; Adv. No. 07-1089 M (Docket # 16)	Findings of Fact and Conclusions of Law (§ 523(a)(4) - embezzlement and larceny)
8.	Michael Richesin; No. 7-04-10884 MR UST v. Dtr; Adv. No. 06-1212M (Docket # 39)	Findings of Fact and Conclusions of Law - § 727(a)(2)(A) and (a)(4)(A) false oaths and statements re: business trade name and connection to business

9.	Barbed Wire Publishing Services, Ltd.; No. 7-07-11196 ML (Docket # 49)	Mtn to Sell Books (subject to offer to license)
10.	Jason Lucas; No. 7-07-11560 MA Terry Lazaron v. Dtr; Adv. No. 07-1133 (Docket # 21)	Order Denying Mtn for Summary Judgment (523(a)(2)(A) - what constitutes stmt respecting financial condition; whether written stmt not respecting financial condition can form basis of non-dischargeability complaint under 523(a)(2)(A); intent issues precluded sum jmt)
11.	Clyde and Diantha Veltmann; No. 07- 11370 (Docket # 99)	Order - whether creditor seeking to annul the automatic stay retroactively must first move to reopen case
12.	Jeffery W. Potter; No. 7-05-14071 MS (Docket # 658)	Memorandum Opinion - stay relief for "cause" (BofA and LVHA)
13.	Aerobox Composite Structures, LLC; No. 11-07-10138 MA (Docket # 256)	Order - stay violation whether dtr's action before the NM-HRC under the Human Rights Act falls w/in 362(b)(4) exception for gov. police or reg. power
14.	Brenda Price; No. 11-05-10321 MS (Docket # 273)	Order Denying Debtor's Mtn for Post- Modification of Chapter 11 Plan (substantial consummation § 1101(2))
15.	Junior and D. Lee Abeyta; No. 11-06- 11026 MA; FTC v. Junior Abeyta; Adv. No. 06-1177M (Docket # 77)	Memorandum Opinion/Judgmt Sum Jmt - 523(a)(2)(A) collateral estoppel based on jmt for violation of FTC Act
16.	Brian O'Dell; NO. 13-07-12257 ML Conniff Cattle Company, LLC and the John N. Conniff and Laura Mathers Conniff Revocable Trust U/T/A May 24, 1994 v. Dtr; Adv No. 07-1182 M (Docket # 220)	Order - denying mtn to disqualify counsel; Rule of prof. Conduct 16-107 and 16-109 (whether atty-client relationship was formed)
17.	Gabriel M. Archibeque; No. 7-08-10555 MA Dtr v. Tom Greer and Cindy McCall; Adv No. 08-1034 M (Docket # 8)	Order Granting Plaintiff's Mtn for Summary Judgment (preference/garnishment)

18.	Jeffery Potter; No. 7-05-14071 MS (Docket # 718)	Order Denying Phase One Realty, Inc.'s Motion for Relief from Stay (no cause shown)
19.	Timberon Water and Sanitation District; No. 9-07-12142 ML (Docket # 55)	Memorandum Opinion - 109(c) whether water and sanitation district is eligible for chapter 9 relief - specific authorization requirement
20.	Clyde and Diantha Veltmann; No. 11-07- 11370 MR (Docket # 113)	Order - retroactive annulment of automatic stay
21.	Eva Gonzales Lopez; No. 7-05-14734 SW Financial Services of LC, Inc. v. Dtr; Adv. No. 06-1078 (Docket # 61)	 Memorandum Opinion 523(a)(2)(A) whether defendant had intent to defraud creditor when she obtained loan in her name on behalf of her ex-husband (on appeal to BAP)
22.	Jason T. Lucas; No. 7-07-11560 MA Terry Lazaron v. Dtr; Adv. No. 07- 1133M (Docket # 54)	1) Memorandum Opinion - 523(a)(2)(A) - whether dtr had intent to defraud based on written misrepresentations in residential rental application
23.	Adam Suelflow; No. 7-07-12045 ML Dtr v. Ambank; Adv. No. 08-1023 M (Docket # 12)	Order Denying Ptff's Mtn for Jmt on Pleadings (dtr standing to bring preference action under 547 limited by 522(h))
24.	Ronald Ziemann; NO. 11-05-11276 MA (Docket # 322)	fee order
25.	Christina F. Jacks; No. 7-07-12220 MA Albuquerque Auto Outlet v. Dtr.; Adv. No. 07-1178 M (Docket # 12)	Order Granting in Part, Denying in Part Def's Motion for Summary Judgment - (523(a)(2)(A) - intent issues preclude sum jmt and 523(a)(2)(B) - whether written statement not re: fin cond. can form basis of claim.
26.	Ashok K. Khera; No. 07-05-20733 ML Montoya v. Citizens Bank et al.; Adv. No. 07-1116 M (Docket # 29)	Order Granting Def. Citizens Bank's Motion for SJ and Denying Trustee's Cross Motion for Summary Judgment - (547(c)(2) - refinance of business debt by dtr. met ordinary course of business exception to preferential transfer.

27.	Technical Sales; No. 11-08-10421 (Docket # 115)	Order Denying Stay Relief
28.	Eva Lopez; No. 7-05-14734 ML SW Financial Services of LC, Inc. v. Dtr 06-1078 (Docket # 65)	Mtn to Reconsider (fraud in affidavit. Timeliness of Motion under Rule 59, 60, distinguish from fraud on the court) On appeal to BAP
29.	Monte Wayne Zolnosky and Lois Ann Zolnosky, No. 7-07-11879 Ben and Lara Morrow v. Dtrs. 07-1157 (Docket # 13)	Memorandum Opinion 523(a)(2)(A)- whether defendants had intent to defraud creditor when they failed to record loan documents
30.	Phyllis Crowder; No. 7-96-10336 ML (Docket # 1768)	Memorandum Opinion - Claims Objection (Red Lands) Reformation of agmt based on mutual mistake
31.	Aerobox Composite Structures; 11-07- 10138 MA (Docket # 282)	Order - whether to apply Rule 7068 to contested matter per Rule 9014(c)
32.	Orbit Petroleum, Inc.; No. 11-08-10408 MA (Docket # 164)	MTD or Convert; new 1112(b) stds
33.	Daniel Granger; No. 7-07-13276 MA (Docket # 29)	Order Overruling Dtr's Obj to Tr's MTD - whether stmt under § 704(b) must be filed w/in 10 days of date first set for 341 mtg, or w/in 10 days of the conclusion of the 341 mtg
34.	Sherrill Lynn Johnson; No. 7-07-12012 MA State of NM v. Dtr; Adv. No. 07- 1164 M (Docket # 73)	Memorandum Opinion and Jmt 727(a)(4) and 727(a)(2) - granted on summary judgment based on false oath and transfers.
35.	Sandra Day; No. 7-06-12329 MA Tr v. Yonks et al; Adv No. 07-1156 M (Docket # 79)	Memorandum Opinion - Sum Jmt Lien priority btwn TofJ holders - filed against dtr and former (now deceased) non-filing spouse.
36.	Rudy Pena; No. 7-08-10889MA Howard Herbert v. Dtr; Adv. No. 08-1077 (Docket # 7)	Order Denying MTD (new <i>Twombly</i> std - "plausible" on its face

37.	Adam Suelflow; NO. 7-07-12045 ML Dtr v. Ambank; Adv. No. 08-1023 (Docket # 18)	Memorandum Opinion - § 547 and § 522(f) - Mtn for Sum Jmt - whether dtr can claim greater homestead exemption amt (60K) available as of the date of the petition in order to avoid transcript of judgment in full, even though creditor recorded its T of J when the exemption amt was capped at \$30k.
38.	Steve L. Lobato; No. 7-07-10301 MA Laurie Williams v. Dtr.; Adv. No. 07- 1071 (Docket # 67)	Finding of Fact and Conclusions of Law -dischargeability 523(a)(4) closely held corporation, fiduciary duty.
39.	National Stations; 7-08-12680 MA (Docket # 305)	eligibility involuntary petition; abstention and dismissal under §305
40.	Ronald and Betty Standiferd; No. 7-00- 16958 MA; UST v. Dtrs Adv. No. 07- 1076 (Docket # 42)	§ 727 - denial of discharge; whether debtors can be denied a discharge when the alleged bad acts occurred during the pendency of debtors' chapter 13 proceeding, prior to conversion to chptr 7 (on Appeal to BAP)
41.	Jose and Martina Rojero; No. 7-07-13204 MR (Docket # 32)	Sanctions against BPP; § 110
42.	Roberto Dorado; No. 7-07-13164 MR; Hernandez v. Dtr; Adv. No. 08-1009 (Docket # 17)	<pre>§ 523(a)(2)(A); (a)(4); (a)(6) re: oral contract to remodel home; breach of contract ≠ non-dischargeable debt</pre>
43.	Wayne and Tina Layton; No. 13-08- 10105 MA (Docket # 48)	whether Chptr 13 Confirmation order can include finding that debtors are eligible for subsequent chptr 7 relief
44.	Allison Grace Sanxay; No. 7-08-10681 MA; Donnie Walter Thomas and Sandra Thomas v. Dtr; Adv No. 08-1072 (Docket # 15)	Order Granting MTD - lack of personal jurisdiction; service beyond 120 day limit
45.	Preston and Lillian Serrano; No. 7-08- 12723 MA (Docket # 22)	Order Denying Mtn to Avoid Judicial Liens (TofJ recorded against non- homestead property in AZ)
46.	Orbit Petroleum, Inc.; No. 11-08-10408 MA (Docket # 220)	Order Granting, In Part, Motion to Reconsider (Appt of Chptr 11 Trustee)

47.	Jeffery Potter; No. 7-05-14071 MS; Yvette J. Gonzales, Tr v. Potter, et al; Adv. No. 07-1062 (Docket # 100)	Memorandum Opinion - granting mtn for summary jmt; Fraudulent Transfers/Turnover: § 544; § 548, § 550
48.	Jeffery W. Potter; no. 7-05-14071 MS (Docket # 732)	Order on Fee App
49.	Technical Sales; No. 11-08-10421 MA (Docket # 115)	Order Denying Mtn for Relief from Stay
50.	Jeffery W. Potter; No. 7-05-14071 MS; Yvette J. Gonzales, Tr. v. Potter, et al; Adv No. 07-1062 M (Docket # 80)	Order Granting, in Part, and Denying, in Part, Motion for Entry of Default Judgment
51.	Jeffery W. Potter; No. 7-05-14071 MS; Yvette J. Gonzales, Tr. v. Potter, et al; Adv. No. 07-1062 (Docket # 83)	Order Denying Defendants' MTD
52.	Wendell Sweet and Teresa Sweet; No. 13- 06-11027 MA; Kelley Skehen v. Bare Bones Graphics; Adv. No. 08-1056 M (Docket # 8)	Order Denying MTD - § 546(a)(1) - time limit for filing adv. proc.
53.	Danny and Mary Alice Splawn; No. 7-05- 19019 (Docket #72)	Order Denying Mtn to Convert to 13
54.	Mounick, Inc.; No. 7-04-10361 MA Philip Montoya, Tr., v. Maria and Eric Gutierrez; Adv. No.06-1051 M (Docket # 33)	Order Granting in Part and Denying in Part Trustee's Mtn for Sum Jmt; novation
55.	Jeffery Potter; No. 7-05-14071 MS (Docket # 681)	Order Granting BofA's Mtn for Sanctions - re: stay violation
56.	Jeffery Potter; No. 7-05-14071 MS (Docket # 680)	Order Awarding Damages for Civil Contempt
57.	Jeffery Potter; No. 7-05-14071 MS (Docket # 675)	Order Confirming Continued Application of Stay
58.	Jeffery Potter; No. 7-05-14071 MS; Yvette Gonzales, Tr. v. Potter, et al; 07- 1062M (Docket # 75)	Order Denying Mtn for Reconsideration
59.	Jeffery Potter; No. 7-05-14071 MS Yvette Gonzales v. Potter; Adv. No. 07- 1084 M (Docket #44)	Order on Motion for Sanctions for Violating An Order of the Court