

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>TRICO MARINE ASSETS, INC.,</b>	)	
	)	
<b>Plaintiff and Counter-Defendant,</b>	)	
	)	
<b>vs.</b>	)	<b>CIVIL ACTION NO 08-0710-KD-C</b>
	)	
<b>BENDER SHIPBUILDING &amp; REPAIR CO., INC.,</b>	)	
	)	
<b>Defendant and Counter-Plaintiff,</b>	)	
	)	
<b>and THOMAS B. BENDER, JR.,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER**

This action is before the Court on the parties' joint status report. (doc. 55). The parties report that the Debtor's Plan in In Re: Bender Shipbuilding & Repair Co., Inc, No. 09-12616, is still being administered, that plaintiff Trico Marine Assets, Inc., has not received any payment or distribution under the Plan, and that the parties are in discussion regarding plaintiff's proof of claim. They also submit that a status report in forty-five days would be proper. Accordingly, the parties are **ORDERED** to file on or before **December 19, 2011**, a **joint status report**.

This action was stayed on September 1, 2009. (Doc. 43). In view of the continued administration of the debtor's Plan, the Clerk is **directed** to take the necessary action to close this case for statistical purposes only.

**DONE and ORDERED** this November 4, 2011.

**s / Kristi K. DuBose**  
**KRISTI K. DuBOSE**  
**UNITED STATES DISTRICT JUDGE**