

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

PNC BANK, NATIONAL ASSOCIATION, :
 SUCCESSOR TO RBC BANK (USA), :
 SUCCESSOR TO RBC CENTURA BANK, :
 Plaintiff, :
 v. : CA 13-00359-C
 TIPPY CONTRACTING, LLC, :
 THOMAS RICHARD TIPPY, III, A/K/A :
 T. RICHARD TIPPY, III, and EKATERINA :
 V. TIPPY, :
 Defendants. :

ORDER

This matter comes before the Court on the Suggestion of Bankruptcy (Docs. 26 and 27) filed by the Plaintiff and Defendant, Ekaterina V. Tippy, as well as the parties' report as to whether this matter should be stayed with respect to all parties (Doc. 29). On February 7, 2014, the Defendant, Ekaterina V. Tippy, filed a bankruptcy proceeding (Case No. 14-00351) in the United States Bankruptcy Court for the Southern District of Alabama under Chapter 7 of Title 11 of the United States Code. (Docs. 26 and 27.) Accordingly, on February 18, 2014, the Court entered an order staying this matter with respect to Ekaterina V. Tippy. (Doc. 28.) The undersigned also directed the parties to confer and file a report indicating whether this action should be stayed with respect to all parties. (*Id.*) On February 27, 2014, the parties filed a report stating as follows:

The parties agree that a stay of the action as to Tippy Contracting, LLC, and Thomas Richard Tippy, III, pending resolution of the bankruptcy case of Ekaterina V. Tippy would be in the interests of the parties and the Court and would promote the conservation of the parties and the Court's time and resources. It would also avoid the potential for inconsistent and piecemeal determination of the issues and claims involved in the action.

(Doc. 29.)

Based on the representations by the parties in their report (*id.*) and the fact that

this matter is already stayed as to Ekaterina V. Tippy (doc. 28), it is hereby **ORDERED** that this action is **STAYED** in its entirety pending further order of the Court. Ekaterina V. Tippy is **ORDERED** to notify the Court in writing within seven (7) calendar days of either the issuance of relief from the automatic stay or the dismissal or other cessation of the bankruptcy proceedings. To keep the Court apprised as to the bankruptcy proceedings, Ms. Tippy is further **ORDERED** to file a written report reflecting the status of the bankruptcy matter **every ninety (90) days**, with the first such report due on **May 7, 2014**.

DONE and **ORDERED** this the 28th day of February 2014.

s/WILLIAM E. CASSADY
UNITED STATES MAGISTRATE JUDGE