

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

In Re:)	
)	
RACHEL S. BECK)	
)	
Debtor.)	
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RACHEL S. BECK,)	
)	
Plaintiff,)	Case No. 13-mc-00016-CG-C
)	
v.)	Bankruptcy Case No. 13-01164
)	
ALLY FINANCIAL, INC. and)	Adversary Proc. No. 13-0054
COASTAL AUTO GROUP,)	
)	
Defendants.)	

ORDER

This matter is before the court on the Bankruptcy Court’s Report and Recommendation on the motion of Ally Financial Inc. (Ally) for withdrawal of reference of the case pursuant to 28 U.S.C. § 157(d) (Doc. 1.) The Bankruptcy Court recommends that this court grant mandatory withdrawal, or in the alternative, permissive withdrawal as to all counts in Plaintiff’s Adversary Proceeding number 13-0054 (the "Adversary Proceeding"), but allow the Bankruptcy Court to handle all pretrial matters, including dispositive motions, and prepare a report and recommendation to the this court.

Upon due consideration, this court hereby **ADOPTS** the Report and Recommendation. Accordingly, the court **GRANTS** plaintiff’s motion for withdrawal of reference pursuant to the mandatory withdrawal provision, 28 U.S.C.

§ 157(d), but delays the withdrawal until the Bankruptcy Court certifies that the case is ready for trial. This court finds that the Bankruptcy Court has the present ability and constitutional authority to handle all discovery and pretrial issues up to the point of trial, including dispositive motions. Therefore, it is **ORDERED** that all discovery and pretrial matters as to plaintiff's causes of action be handled by the Bankruptcy Court, and that if the matter is not resolved, through settlement or otherwise, during the pretrial period, the Bankruptcy Court issue a report and recommendation that the District Court withdraw the reference at that time.

Upon certification by the Bankruptcy Court that the parties are ready for trial, the court will withdraw the reference and will set the proceeding for a trial

The clerk is directed to close this file for administrative purposes until such time as certification by the Bankruptcy Court that the matter is ready for trial, or until the case is otherwise settled or terminated.

DONE and **ORDERED** this 18th day of October, 2013.

/s/ Callie V. S. Granade
UNITED STATES DISTRICT JUDGE