

1 **WO**

2

3

4

5

6

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

7

8

9

Carolann Grey,

)

No. CV 09-1807-PHX-JAT

10

Plaintiff,

)

ORDER

11

vs.

)

12

First American Title Insurance Company;
America's Servicing Company; US Bank
National Association; Bank of America
Funding 2007-6 Trust,

)

15

Defendants.

)

16

17

18

Pending before the Court is Defendants' request for clarification (Doc. #16).

19

Defendants ask the Court to tell them whether this case is stayed because, prior to filing this

20

case, Plaintiff filed for bankruptcy. A Plaintiff filing bankruptcy does not trigger the

21

automatic stay provisions of the bankruptcy rules. *See Martin-Trigona v. Champion Federal*

22

Savings & Loan, 1988 WL 46596, *2 (N.D. Ill. 1988). Thus, the Court will not automatically

23

stay this case. This order is without prejudice to either party moving to stay the case if cause

24

can be shown or moving to dismiss the case if appropriate. *See Suniga v. America's*

25

Servicing Company, 2009 WL 2358973 (D. Ariz. 2009).

26

///

27

///

28

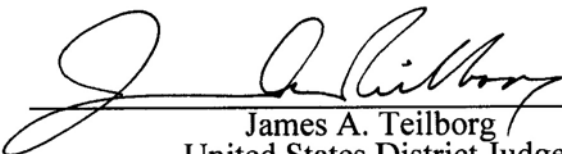
///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Therefore,

IT IS ORDERED that the request for clarification (Doc. #16) is granted to the limited extent that the Court advises the parties that this case is not stayed.

DATED this 21st day of October, 2009.



James A. Teilborg
United States District Judge