

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION**

**CORNERSTONE WRECKER SALES, INC.**

**PLAINTIFF**

**v.**

**No. 3:08-cv-178-DPM**

**BOWER SERVICES, INC. and  
BOWER RECOVERY SPECIALISTS, INC.**

**DEFENDANTS**

**ORDER**


The Court appreciates Cornerstone's recent status report filed on behalf of all parties. *Document No. 96*. The Court stayed this case in December 2010: one of two closely related entities had gone into bankruptcy; and whether the trustee intended to pursue fraudulent-transfer claims needed to be resolved in the bankruptcy proceedings. *Document No. 85*. More than a year has passed. The critical issue remains unresolved, although the trustee has retained counsel to investigate. *Document No. 96*. The trustee recently projected a final report either in December 2013 or May 2014. *In re Bower Services, Inc.*, No. 4:10-bk-45499 (Bankr. N.D. Tex. 26 Dec. 2011), *Document No. 22 & Docket Entry 22*.

Not enough forward progress has been made in this 2008 case to continue the status quo. It looks like it will be about another year, or more,

before the trustee finishes work. And this is an optimistic assessment; if the trustee's counsel pursues an adversary proceeding to recover assets, that will probably take even longer.

The Court therefore administratively terminates the case. Any party may move to reopen and dissolve the stay when and if the developing circumstances support resuming active litigation in this Court. If no motion to reopen has been filed by 31 December 2014, then the Court will reopen, dissolve the stay, and dismiss without prejudice.

So Ordered.

  
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D.P. Marshall Jr.  
United States District Judge

22 February 2012