

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

**CHARLIE BIGGINS, d/b/a
BIGGINS CONSTRUCTION**

PLAINTIFF

v.

No. 3:10-cv-257-DPM

**ANCO CONSTRUCTION, INC.; and
UNITED FIRE AND CASUALTY COMPANY**

DEFENDANTS

ORDER

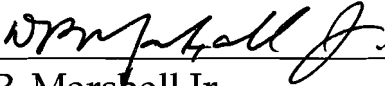
At the parties' joint request, this case has been stayed for more than ten months so the parties could pursue mediation and arbitration. *Document No. 9*. The parties recently reported a dispute about the scope of arbitration; and the Court ordered briefs and set a status hearing for mid-November. *Document Nos. 28 & 29*. Now comes word from Biggins, which the Court appreciates, that Biggins has filed a Chapter 13 bankruptcy proceeding in Tennessee and the Honorable Jennie D. Latta has stayed this case. See the attached Order.

The Court agrees, and orders, that the stay in this case should remain in place – not for arbitration, but so the counsel issues can be resolved by and

in the Bankruptcy Court.

Stay extended until 6 January 2012. If the Court receives no request for action by that date, then it will administratively terminate this case. The briefing on the arbitration issue and the status conference are cancelled. The Court directs the Clerk to send a copy of this Order to Biggins's bankruptcy attorney, and the Trustee of his bankruptcy estate, both of whom are listed on the attached Order.

So Ordered.




D.P. Marshall Jr.
United States District Judge

27 October 2011



Dated: October 07, 2011
The following is ORDERED:


Jennie D. Latta
UNITED STATES BANKRUPTCY JUDGE

United States Bankruptcy Court
Western District of Tennessee
Western Division

IN RE:

Case No. 11-23335

Charlie Biggins, Jr.,

CHAPTER 13

Debtor

Order on Motion to Hire Attorney Outside of Bankruptcy

Came, Charlie Biggins, Jr., by and through counsel asked this court to hire Ron Wilson as outside counsel . After hearing, this court found that the legal suit subject of the appointment was property of the estate and that the proposed retainer agreement insufficiently addressed the court's concerns.

It is therefore ordered that:

1. Claimant's motion hire Attorney Ron Wilson outside of Bankruptcy is denied.
2. Attorney Ron Wilson is ordered to return any retainer or funds received on behalf of Debtor Charlie Biggins.
3. This claim case 3:10-cv-00257-DPM, Charlie Biggins d/b/a Biggins Construction vs Anco Construction, Inc. and United Fire and Casualty Company in the United States District Court for the Eastern District of Arkansas in Jonesboro is stayed until such time as counsel is appointed for the estate or this order is lifted.

Approved By,

/s/ David Sandy

David Sandy, Attorney for Debtor- 024692
731 Litty Ct. #204
Memphis, TN 38103
901-493-0656

/s/ Sylvia Ford Brown

Sylvia Ford Brown, Chapter 13 Trustee

I certify this order will be served on Ronald Wilson at Wilson and Associates, PA
PO Box 1299, West Memphis, AR 72301-1299 via US mail postage prepaid upon entry.

/s/ David Sandy
David Sandy