

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

GE CAPITAL COMMERCIAL, INC.

PLAINTIFF

v.

No. 3:15-cv-247- DPM

BLAND FAMILY FARMS, LLC;
SARAH BLAND; and JAMEY BLAND

DEFENDANTS

ORDER

BMO Harris Bank's motion to substitute, *No. 15*, is denied without prejudice. First, BMO Harris Bank is not a party. It would be better if GE Capital (or GE Capital and BMO Harris Bank jointly) moved. *Cf. Columbian Bank & Trust Company v. Miller*, 384 F. App'x 524 (8th Cir. 2010) (unpublished *per curiam*). Second, the proof of the assignment needs shoring up. The "Transfer Acknowledgment" is not attested or notarized. And the related power of attorney is not of record. The post-judgment timing, though, presents no problem. *Miller*, 384 F. App'x at 525. The Rule also requires a contemporaneous notice of hearing. FED. R. CIV. P. 25(a)(3). The Court waives this requirement. The Court will schedule a hearing, if one is needed, in due course.

So Ordered.

D.P. Marshall Jr.

D.P. Marshall Jr.
United States District Judge

10 March 2016
