

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

**JAMES J. NAPLES,
Assignee of Pinewood Enterprises**

APPELLANT

**v. Nos. 4:13-cv-499-DPM
& 4:13-cv-547-DPM**

**RENEE S. WILLIAMS, Chapter 7
Trustee, LHSW and MICHAEL E.
COLLINS, Chapter 11 Trustee**

APPELLEES

and

**JAMES J. NAPLES,
Assignee of Pinewood Enterprises**

APPELLANT

v. No. 4:13-cv-667-DPM

**RENEE S. WILLIAMS, Chapter 7
Trustee, LHSW; UNITED STATES
TRUSTEE; and MICHAEL E.
COLLINS, Chapter 11 Trustee**

APPELLEES

and

**A.K. TENNESSEE IRREVOCABLE TRUST;
KIMBRO STEPHENS INSURANCE TRUST;
DAVID KIMBRO STEPHENS, Individually and on
behalf of all the equitable beneficiaries of the
Kimbros Stephens Insurance Trust and the A.K.
Tennessee Irrevocable Trust**

APPELLANTS

v. No. 4:13-cv-670-DPM

**RENEE S. WILLIAMS; MICHAEL E. COLLINS;
UNITED STATES TRUSTEE; LIVING HOPE
INSTITUTE, INC.; ESTATE OF WANDA J.
STEPHENS, a/k/a Wanda J. Stephens; and
JAMES J. NAPLES**

APPELLEES

and

**GREG STEPHENS, as personal representative
of the Estate of Wanda Stephens**

APPELLANT

v.

No. 4:13-cv-723-DPM

**RENEE S. WILLIAMS, Chapter 7 Trustee, LHSW;
MICHAEL E. COLLINS, Chapter 11 Trustee;
JAMES J. NAPLES, Assignee of Pinewood
Enterprises, LC; UNITED STATES TRUSTEE;
LIVING HOPE INSTITUTE INC.; AK TENNESSEE
IRREVOCABLE TRUST; KIMBRO STEPHENS
INSURANCE TRUST; and DAVID KIMBRO
STEPHENS, Individually and on behalf of the AK
Tennessee Irrevocable Trust, the Kimbro Stephens
Insurance Trust, and their equitable beneficiaries**

APPELLEES

ORDER

Five separate appeals from the same underlying bankruptcy case are before this Court. Case numbers 4:13-cv-499 and 4:13-cv-547 have already been consolidated, and the Court has accepted transfer of the other three cases, Nos. 4:13-cv-667, 4:13-cv-670, and 4:13-cv-723. Among the pending motions are Naples's notices of related case and motions to consolidate, 4:13-cv-499, *No. 9* and 4:13-cv-667, *No. 3*. The United States Trustee opposes consolidation, 4:13-cv-667, *No. 10*; no one else has responded.

All five cases arise from a common legal and factual background. The parties in cases 4:13-cv-667, 4:13-cv-670, and 4:13-cv-723 aren't exactly the

same. But those three cases are appeals from the same Bankruptcy Court order, and should be handled together. Though the pending motions ask to consolidate only 4:13-cv-667 with 4:13-cv-499, consolidating all five cases is the best way to resolve the parties' disputes and promote efficient use of the parties' and the Court's resources. The motions, *No. 9 & No. 3*, are granted; No. 4:13-cv-667 is consolidated with lead case 4:13-cv-499. The Court, on its own motion, consolidates 4:13-cv-667, 4:13-cv-670, and 4:13-cv-723 with 4:13-cv-499. FED. R. CIV. P. 42(a)(2). The Court directs the Clerk to transfer all pending motions, and any related responses and replies, to the lead case, No. 4:13-cv-499-DPM. The parties should file all future papers in the lead case, too, also noting the applicable original case number. Merits briefing is complete in cases 4:13-cv-499 and 4:13-cv-547; it is stayed pending resolution of the motions to dismiss in 4:13-cv-667 and 4:13-cv-670. To bring 4:13-cv-723 in line, the Court stays merits briefing in that slice of the case too.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

13 January 2014