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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

TAMER SALAMEH, an individual, et  
al.,

Plaintiffs,

vs.

TARSADIA HOTEL, a California  
Corporation, et. al.,

Defendants.

CASE NO. 09cv2739-GPC(BLM)

**ORDER DENYING DEFENDANTS  
5TH ROCK LLC AND MPK ONE,  
LLC'S MOTION FOR ORDER OF  
SALE AGAINST PLAINTIFF  
TAMER SALAMEH**

[Dkt. No. 500.]


On January 8, 2015, Defendants/Judgment Creditors 5th Rock LLC and MPK One, LLC filed a motion for order to sell the dwelling of Plaintiff/Judgment Debtor Tamer Salameh. (Dkt. No. 500.) A response and reply were filed. (Dkt. Nos. 503, 506.) On February 5, 2016, Plaintiff Salameh filed a notice of automatic stay due to a bankruptcy filing in the Southern District of California. (Dkt. No. 510.) In his notice, he requests that the motion for order of sale be stayed. (Id. at 2.) The United States Bankruptcy Code provides for an automatic stay of a judicial action “against the debtor” that was commenced before the bankruptcy. 11 U.S.C. § 362(a)(1); In re White, 186 B.R. 700, 703 (9th Cir. 1995). “The automatic stay is self-executing, effective upon the filing of the bankruptcy petition.” In re Gruntz, 202 F.3d 1074, 1081 (9th Cir. 2000). Due to

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1 the automatic stay, the Court DENIES the motion for order of sale against Plaintiff  
2 Salameh without prejudice to refiling once the automatic stay is lifted.

3 IT IS SO ORDERED.

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5 DATED: March 23, 2016

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7 HON. GONZALO P. CURIEL  
8 United States District Judge  
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