

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Magistrate Judge Kathleen M. Tafoya**

Civil Action No. 09-cv-01063-REB-KMT

TONYA CREEL,

Plaintiff,

v.

SAM JAHANI, D.O., and  
URGENT CARE, INC., a Colorado corporation,

Defendants.

---

**ORDER**

---

This matter is before the court on review of the “Suggestion of Bankruptcy and Notice of Automatic Stay” filed by Defendants on May 21, 2010. (Doc. No. 72.) Defendants Sam Jahani, D.O. and Urgent Care, Inc. filed separate petitions for bankruptcy pursuant to Title 11 U.S.C. § 301 on May 19, 2010. Therefore, Sections 361 and 362 of the United States Bankruptcy Code apply with respect to the defendants and the property of the defendants. Title 11 U.S.C. § 1520(a). Section 362(a) of the Bankruptcy Code provides

Except as provided in subsection (b) of this section, a petition filed under section 301, 302, or 303 of this title, or . . . operates as a stay, applicable to all entities, of (1) the commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding against the debtor that was or could have been commenced before the commencement of the case under this title, or to recover a claim against the debtor that arose before the commencement of the case under this title.

\*\*\*

(3) any act to obtain possession of property of the estate or of property from the estate or to exercise control over property of the estate. . . .

Title 11 U.S.C. § 362(a). Accordingly, the bankruptcy filings preclude continuing this litigation.

It is therefore ORDERED that all proceedings against Defendants are STAYED unless and until relief from the automatic stays in Bankruptcy Case Nos. 10-22380 HRT and 10-22379 MER is granted.

Plaintiff is ORDERED to file a status report in this case within ten days of any relief from stays in the bankruptcy cases.

Dated this 21st day of May, 2010.

**BY THE COURT:**



Kathleen M. Tafoya  
United States Magistrate Judge