

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

Civil Action No. 10-cv-00504-CMA-KMT

LANSE JUDSON,
MELANIE WESEMAN,
WESEMAN TEAM, INC., and
POINTS OF VIEW LLC,

Plaintiffs,

v.

ADAM BLACK, and
ROBERT BLACK,

Defendants.

ORDER

This matter is before the court on review “Notice of Bankruptcy Case Filing” attached to “Defendant, Adam Black’s Answer.” (Doc. No. 5 at 7.) Defendant Adam Black has filed a Petition for Bankruptcy pursuant to Chapter 7 of the United States Bankruptcy Code. Therefore, Sections 361 and 362 of the United States Bankruptcy Code apply with respect to the defendant and the property of the defendant. 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 precludes continuing this litigation with respect to Defendant Adam Black.

It is therefore ORDERED that all proceedings against Defendant Adam Black are STAYED unless and until relief from the automatic stay in the Bankruptcy Case No. 10-40572 is granted.

Plaintiffs are ORDERED to file a status report in this case within ten days of any relief from stay in the bankruptcy case.

Defendant Adam Black's attendance at the Scheduling Conference set for June 17, 2010, is excused. All other parties shall attend the Scheduling Conference.

Dated this 20th day of April, 2010.

BY THE COURT:



Kathleen M. Tafoya
United States Magistrate Judge