

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

ALLIED HOLDING COMPANY, LLC,

Plaintiff,

v.

Case No. 6:16-cv-1408-Orl-37KRS

MAD ENTERPRISE GROUP, LLC; and
HOWARD S. BASSUK,

Defendants.

ORDER

In the instant action, Plaintiff asserts claims against Defendants for breach of contract, fraud, civil theft, conversion, and unjust enrichment. (Doc. 5.) Importantly, the Complaint alleges that Defendant Howard S. Bassuk (“**Mr. Bassuk**”) is the owner and sole member of Defendant MAD Enterprise Group, LLC (“**Defendant LLC**”). (*Id.* ¶ 3.)

On June 20, 2017, Defendant LLC submitted a Suggestion of Bankruptcy notifying the Court that it had filed a voluntary petition for relief under Chapter 7 of the U.S. Bankruptcy Code. (Doc. 33); *see also In re MAD Enter. Grp., LLC*, Case No. 6:17-bk-4071, Doc. 1 (Bankr. M.D. Fla. June 20, 2017). Because the initiation of a voluntary bankruptcy automatically stays judicial proceedings brought against the debtor, 11 U.S.C. § 362(a)(1), the claims against Defendant LLC must be stayed. In addition, given the close relationship between Mr. Bassuk and Defendant LLC, the Court will also require the parties to submit briefing on whether this action should be temporarily stayed in its entirety. *See* 11 U.S.C. § 101(31)(defining “insiders”); *see also Landis v. N. Am. Co.*,


299 U.S. 248, 255 (1936) (discussing the impropriety of an indefinite discretionary stay).

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. The claims asserted against Defendant MAD Enterprises Group, LLC are **STAYED**.
2. On or before Tuesday, **September 19, 2017**, and every ninety (90) days thereafter, Defendant LLC is **DIRECTED** to provide a status report regarding its bankruptcy proceedings.
3. On or before Wednesday, **June 28, 2017**, Plaintiff and Mr. Bassuk are **DIRECTED** to submit briefing—supported by legal authority—as to whether the claims against Mr. Bassuk should be temporarily stayed during the pendency of the bankruptcy proceeding against Defendant LLC. Each brief is limited to **five (5) pages**.

DONE AND ORDERED in Chambers in Orlando, Florida, on June 21, 2017.




ROY B. DALTON JR.
United States District Judge

Copies to:
Counsel of Record