

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

ELIZABETH LEFKOWITZ,

Plaintiff,

v.

Case No. 8:13-cv-812-T-33EAJ

AMERICAN MANAGED CARE,

Defendant.

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**ORDER**

This matter comes before the Court pursuant to Plaintiff Elizabeth Lefkowitz's Consented Motion to Refer Case to Bankruptcy Court and Consolidate with Related Litigation (Doc. # 15), which was filed on September 26, 2013. The Court grants the Motion.

**Discussion**

On March 29, 2013, Lefkowitz filed an action against her employer, Defendant American Managed Care, claiming violation of the Worker Adjustment and Retraining Notification Act ("WARN Act"), 29 U.S.C. § 2101. (Doc. # 1). Among other allegations, Lefkowitz contends that American Managed Care "had a plant closing or mass layoff [and] did not give its employees sixty days notice." (Id. at ¶¶ 8-9). Not long after the Complaint was filed, American Managed Care alerted the Court that it filed for protection under Chapter 11 of the United States Bankruptcy Code. (Doc. # 9). American Managed

Care's bankruptcy case is pending as 8:13-cv-05952-KRM. On May 14, 2013, the Court stayed and administratively closed this case due to American Managed Care's bankruptcy filing. (Doc. # 10).

At this juncture, Lefkowitz requests that this action be referred to the Bankruptcy Court so that it may be consolidated with other WARN actions filed against American Managed Care and its affiliate, Universal Health Care, e.g., De La Concha and Toups v. Universal Health Care Group, Inc., 8:13-ap-00273-KRM, and Frankel et al v. American Managed Care, LLC, 8:13-ap-00623-KRM.


The Court concurs that the present action should be referred to the Bankruptcy Court. As delineated in the Court's Standing Order filed on February 22, 2012, in case 6:12-mc-26-Orl-22, "Pursuant to 28 U.S.C. Section 157(a) any and all cases under title 11 and any or all proceedings arising under title 11 or arising in or related to a case under title 11 are referred to the bankruptcy judges for this district." (Doc. # 1). The Court accordingly refers this action to the United States Bankruptcy Court for the Middle District of Florida, Tampa Division, so that it may be consolidated with the related proceedings described above.

Accordingly, it is

**ORDERED, ADJUDGED, and DECREED** that:

- (1) Plaintiff Elizabeth Lefkowitz's Consented Motion to Refer Case to Bankruptcy Court and Consolidate with Related Litigation (Doc. # 15) is **GRANTED**.
- (2) This case is **REFERRED** to the United States Bankruptcy Court for the Middle District of Florida, Tampa Division, for all further proceedings in accordance with 28 U.S.C. § 157. This case shall be assigned to the Honorable K. Rodney May, United States Bankruptcy Judge, as it relates to other cases pending before him as described above.
- (3) The Clerk is directed to transfer the contents of the file to the Bankruptcy Court and thereafter shall close the District Court case.

**DONE** and **ORDERED** in Chambers in Tampa, Florida, this 30th day of September, 2013.

  
VIRGINIA M. HERNANDEZ COVINGTON  
UNITED STATES DISTRICT JUDGE

Copies:

All Counsel of Record