

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

CORRECTIONS CORPORATION OF
AMERICA,

Appellant,

v.

Case No: 8:14-cv-1742-T-30
Bankruptcy No. 8:13-bk-09719-CPM

BETH ANN SCHARRER and THE
N169SL FRACTIONAL APPELLEES,

Appellees.

ORDER

THIS CAUSE comes before the Court upon Corrections Corporation of America, d/b/a/ CCA of Tennessee, Inc., and CCA of Tennessee, Inc.'s Emergency Motion to Stay Distribution of Proceeds of Any Sale Pending Resolution of Appeal (Dkt. #4). The Court has reviewed the motion and concludes that it should be granted.

The Debtor in this case operated a fractional share ownership program of airplanes. It had a fleet of forty Piaggio P-180 aircraft twin-engine turbo prop planes. Each customer would buy a fractional share of an individual plane. During the course of its business, the Debtor would remove parts from some planes to keep other planes flying. When it finally ceased operation, some planes were in good condition and others were mere hulls.

The Bankruptcy Court ordered a sale of all of the planes and the parties in this case are disputing how the proceeds of those sales should be distributed. This Court determines

that it is appropriate during the pendency of this appeal that the proceeds from those sales should be held by the Trustee and not distributed until this Court has resolved the appeal.

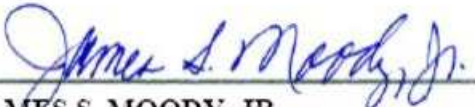
The movant has shown irreparable injury because once the proceeds have been distributed, they may be difficult or impossible to retrieve. The granting of the stay will not harm other parties because their ultimate share of the proceeds will be preserved. Movant has successfully shown that the distribution of these proceeds is now the central issue in this case and it has shown a likelihood of success on the merits. And the granting of a stay would serve the public interest in this case.

It is therefore ORDERED AND ADJUDGED that:

1. Corrections Corporation of America, d/b/a/ CCA of Tennessee, Inc., and CCA of Tennessee, Inc.'s Emergency Motion to Stay Distribution of Proceeds of Any Sale Pending Resolution of Appeal (Dkt. #4) is GRANTED.

2. The Trustee is required to retain the proceeds of the sale or sales of the aircraft pending the resolution of this appeal or until further Order of this Court modifying the stay.

DONE and **ORDERED** in Tampa, Florida, this 1st day of August, 2014.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel/Parties of Record

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