

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

STEPHEN BARDFIELD
and
CHARLES CARVER,
Plaintiffs,

v.

Case No. 3:09cv232/MCR/EMT

JOHNNY CHISHOLM
and
CHISHOLM PROPERTIES CIRCUIT EVENTS, LLC,
Defendants.

ORDER

This cause is before the court upon referral by the clerk.

The court first addresses the Suggestion of Bankruptcy filed by Defendant Chisholm Properties Circuit Events, LLC (Doc. 62). The filing indicates that this Defendant filed for Chapter 11 bankruptcy in the United States Bankruptcy Court for the Northern District of Florida, Case No. 09-32069PNS3. As a consequence of the bankruptcy petition, as to Defendant Chisholm Properties Circuit Events, LLC, this case is automatically stayed. *See* 11 U.S.C. § 362(a)(1). The stay must remain in effect until the bankruptcy case has been disposed of by the bankruptcy court. *See* 11 U.S.C. § 362(c).

Next, for reasons of fairness as well as judicial economy and efficiency, the court concludes that this entire matter should be stayed for the pendency of the stay resulting from Defendant Chisholm Properties Circuit Events' filing a bankruptcy petition. Any party who objects to a stay of the entire case should immediately so inform the court. The pending amended motion for summary judgment, filed jointly by Defendant Johnny Chisholm and Defendant Chisholm Properties

Circuit Events, LLC (Doc. 30); Plaintiff's Amended Motion for Default Judgment Against Chisholm Properties Circuit Events, LLC (Doc. 58); and Plaintiff's Motion for Default Judgment Against Defendant Johnny Chisholm (Doc. 60) will therefore be addressed, as may be appropriate, when the stay has been lifted.

Accordingly, it is **ORDERED**:

1. This case, in its entirety, is **STAYED** during the pendency of the automatic stay resulting from Defendant Chisholm Properties Circuit Events' filing a bankruptcy petition.
2. The clerk is directed to remove this case from the active docket of the court pending notice that the bankruptcy case has been disposed of by the bankruptcy court and further notice by this court.

DONE and ORDERED this 28th day of October 2009.

/s/ Elizabeth M. Timothy

ELIZABETH M. TIMOTHY
UNITED STATES MAGISTRATE JUDGE