

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**EMPLOYERS & CEMENT MASONS #90  
PENSIONS FUND and EMPLOYERS &  
CEMENT MASONS #90 HEALTH & WELFARE  
FUND,**

**Plaintiffs,**

**v.**

**JIM REAGEN d/b/a J.M. REAGAN  
CONCRETE,**

**Defendant.**

**No. 05-332-DRH**

**ORDER**

**HERNDON, Chief Judge:**

This matter is before the Court for case management purposes. On April 14, 2008, the Court entered an Order staying this case pursuant to the automatic stay provision of 11 U.S.C. § 362(a) of the Bankruptcy Code (Doc. 49).<sup>1</sup> The parties were instructed to inform the Court once bankruptcy proceedings were completed. However, the bankruptcy proceedings appear to have been discharged on July 29, 2008, with Plaintiffs appearing to be subject to Defendant's Chapter 7 discharge, but the parties have not informed the Court of the discharge nor has any action been taken in the case since the Court issued the stay. The Court sees no

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<sup>1</sup> Specifically, Defendant Jim Reagan filed a suggestion of bankruptcy (Doc. 48) stating that Defendant had commenced a Chapter 7 Bankruptcy proceeding.

reason for this matter to remain pending.<sup>2</sup> Therefore, the Court **ORDERS** Plaintiffs to show cause as to why this case should not be closed and the pending citations held for naught on or before September 14, 2010.

**IT IS SO ORDERED.**

Signed this 31st day of August, 2010.

*/s/ David R. Herndon*

**Chief Judge  
United States District Court**

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<sup>2</sup> The Court notes that Judgment in this case was originally entered on December 28, 2008, but that the case was reopened for collection purposes. The Court sees no reason for the collection part of the case to remain open in light of the Bankruptcy proceedings.