

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

IN RE: JOSEPH W. DIEKEMPER and  
MARGARET A. DIEKEMPER,

Debtors

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ROBERT E. EGGMANN, in his official  
capacity as Trustee of the Estate of Joseph W.  
Diekemper and Margaret A. Diekemper,

Plaintiff,

v.

JAMES RICHARD MEYERS, LEFEVRE,  
OLDFIELD, MYERS, APKE & PAYNE  
LAW GROUP LTD., JOSEPH W.  
DIEKEMPER, MARGARET A  
DIEKEMPER, and RAY L. HOLCOMB,

Defendants.

Case No. 08-cv-757-JPG

**MEMORANDUM AND ORDER**

This matter comes before the Court on Defendants's Motion to Withdraw the Reference (Doc. 1) contending that this matter is more properly before the district court than the bankruptcy court. Plaintiff has filed a response asserting that he does not object to the withdrawal of the reference (Doc. 2). The Court, being fully advised in the premises, and for good cause shown, GRANTS Defendants's Motion (Doc. 1) and withdraws the reference of this matter from the bankruptcy court.

**IT IS SO ORDERED.**

**DATED: October 30, 2008**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**