

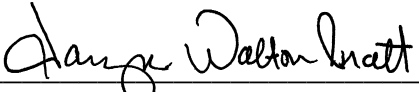
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

|                                   |   |                      |
|-----------------------------------|---|----------------------|
| PNC BANK, NATIONAL ASSOCIATION,   | ) |                      |
| successor to NATIONAL CITY BANK,, | ) |                      |
| Plaintiff,                        | ) |                      |
|                                   | ) |                      |
| vs.                               | ) | 1:10-cv-0546-TWP-TAB |
|                                   | ) |                      |
| GEORGE P. BROADBENT,              | ) |                      |
| Defendant,                        | ) |                      |
|                                   | ) |                      |
| MARY C. BROADBENT,                | ) |                      |
| Garnishee-Defendant.              | ) |                      |

**ADOPTION ON REPORT AND RECOMMENDATION**

The Magistrate Judge submitted his Report and Recommendation on Plaintiff's motion to avoid fraudulent transfers. [Docket No. 87.] Parties were afforded due opportunity pursuant to statute and the rules of this Court to file objections. The Court, having considered the Magistrate Judge's Report and any objections, approves and adopts the Magistrate Judge's Report and Recommendation. Accordingly, Plaintiff's motion to set aside fraudulent conveyances [Docket No. 52] is denied without prejudice to be refiled as necessary following the additional procedures proposed by the Magistrate Judge. Specifically, (1) no new cause of action is required, (2) the garnishee-defendant's right to a jury trial is recognized and preserved, subject to further proceedings, and (3) the garnishee-defendant need not respond to Plaintiff's motion. In addition, discovery shall proceed as recommended by the Magistrate Judge and subject to his supervision.

Dated: 09/06/2011

  
Hon. Tanya Walton Pratt, Judge  
United States District Court  
Southern District of Indiana

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