

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

DELTA STARR BROADCASTING, L.L.C.

CIVIL ACTION

Jointly Administered with

LA-TERR BROADCASTING CORP.

NO: 10-4465

Bankruptcy No:
05-12087 c/w 06-
10107 and 06-10523

SECTION: R(3)

ORDER AND REASONS

Before the Court is the motion of John Treen asking the Court to reconsider its May 3, 2011 order. In that order, the Court dismissed as moot Treen and Vincent Bruno's appeal of the Bankruptcy Court's order approving the Trustee's Final Report and Proposed Distribution.¹ Treen argues that the Court's May 3, 2011 order was premature because the order² affirming the Bankruptcy Court's ruling that it had subject matter jurisdiction was still pending before the Court of Appeals. On April 19, 2011, the Fifth Circuit affirmed this Court's and the Bankruptcy

¹ *In re Delta Starr Broadcasting, L.L.C.*, No. 10-4465 (E.D. La. May 3, 2011).

² *In re Delta Starr Broadcasting, L.L.C.*, No. 09-7127 (E.D. La. Feb. 5, 2010).

Court's findings that jurisdiction existed.³ On May 3, 2011, Treen filed a petition for rehearing and a petition for rehearing *en banc*. The Fifth Circuit denied the petition for a rehearing and the petition for a rehearing *en banc* on May 20, 2011.⁴ The issue on this appeal, whether the Bankruptcy Court was correct in approving the Trustee's distribution while the jurisdictional appeal was pending before the Fifth Circuit, is moot. Therefore, Treen's motion to reconsider the May 3, 2010 order is DENIED.

New Orleans, Louisiana, this 27th day of June, 2011.

A handwritten signature in cursive script that reads "Sarah S. Vance". The signature is written in black ink and is positioned above a horizontal line.

SARAH S. VANCE
UNITED STATES DISTRICT JUDGE

³ *In re Delta Starr Broadcasting, L.L.C.*, No. 10-30195 (5th Cir. Apr. 19, 2011) (*per curiam*).

⁴ *In re Delta Starr Broadcasting, L.L.C.*, No. 10-30195 (5th Cir. May 20, 2011) (*per curiam*).