

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

IN RE:

CIVIL ACTION

LOUISIANA INTERESTS, INC.

NO. 15-2443 c/w 15-2444

SECTION: "C"

BANK NO.: 14-12772 c/w 14-12770

ADV. NO.: 15-01016 c/w 15-01015

ORDER

Before the Court are two motions for an Order Withdrawing the Reference pursuant to Local District Court Rule 83.4.3 filed by First Bank and Trust ("defendant"). Rec. Docs. 1 and 8. The motions are opposed by Louisiana Interests, Inc. d/b/a "Oz" and 800 Bourbon Street, LLC ("debtors"), who are plaintiffs in the above-referenced adversary proceedings and debtors in possession in the above-referenced bankruptcy proceedings. In the adversary proceedings, debtors seek to disallow and expunge all claims of defendant on the grounds of negligence, disallowance and setoff, and equitable subordination. *See* Rec. Docs. 1-1 and 8-1. The defendant made a demand for trial by jury in each adversary proceeding. *See* Rec. Docs. 1 and 8. Pursuant to Local Bankruptcy Rule 9015-1, bankruptcy courts in this district are not authorized to conduct jury trials. Defendant therefore seeks withdraw of reference so the proceeding may take place before a district court able to conduct a jury trial. *See* Rec. Docs. 1 and 8.

District courts have broad discretion when deciding whether or not to withdraw reference for cause shown. *In re Millennium Studios, Inc.*, 286 B.R. 300, 303 (D. Md. 2002). On

September 15, 2015, the bankruptcy judge in the above-referenced adversary proceedings granted debtors' motions to strike defendant's jury demands in the above-referenced adversary proceedings. *See* Rec. Doc. 21-1. Because the granted motions to strike apparently address the grounds on which defendant seeks withdraw of reference, the Court is of the opinion that discretionary withdrawal of reference is not appropriate at this time.

Accordingly,

IT IS ORDERED that the Motions to Withdraw are DENIED WITHOUT PREJUDICE.

Rec. Docs. 1 and 8.

New Orleans, Louisiana this 2nd day of October, 2015.


HELEN GINGER BERRIGAN
UNITED STATES DISTRICT JUDGE