

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION

MARY SUSAN BELL

CIVIL ACTION NO. 09-1980

VERSUS

JUDGE DOHERTY

W. SIMMONS SANDOZ,
*Bankruptcy Trustee on behalf of
Bell Family Trust,*
JEFFREY ACKERMANN,
on behalf of Bell Family Trust
DURIO, MCGOFFIN, STAGG &
ACKERMANN LAW FIRM,
on behalf of Bell Family Trust
GLEN MARCANTEL,
on behalf of Bell Family Trust
MARCANTEL LAW FIRM,
on behalf of Bell Family Trust
XYZ INSURANCE CO.,
on behalf of Bell Family Trust,
Jeffrey Ackermann,
Durio McGoffin Stagg & Ackermann
Law Firm,
Glen Marcantel,
Marcantel Law Firm
BELL FAMILY TRUST,
H. GLENN MARCANTEL, JR.

MAGISTRATE JUDGE HANNA

ORDER FOLLOWING STATUS CONFERENCE

(February 2, 2010)

A status conference was held on February 2, 2010, beginning at 2:00 and ending at 3:30 p.m. Present at the conference were the following:

| PARTY REPRESENTED | COUNSEL |
|--|-------------------------------|
| Mary Sue Bell | Mary Sue Bell |
| Jeffrey Ackermann, <i>on behalf of Bell Family Trust</i> | Jeffrey Ackermann |
| Durio, McGoffin, Stagg & Ackermann Law Firm, <i>on behalf of Bell Family Trust</i> | Jeffrey Ackermann |
| Bell Family Trust | Jeffrey Ackermann |
| H. Glenn Marcantel, Jr. | Herschel Glenn Marcantel, Jr. |

This matter is related to civil actions 09-1984, Mary Susan Bell v. W. Simmons Sandoz, et al, and 09-1985, Mary Susan Bell v. W. Simmons Sandoz, et al.

At the conference, the court raised the issues of subject matter jurisdiction, automatic stay under 11 U.S.C. § 362, and applicability of the Barton doctrine¹ to the claims against Durio, McGoffin, Stagg & Ackermann, Jeffrey Ackermann, and H. Glenn Marcantel, Jr. The court recessed to allow the parties and counsel an opportunity to explore resolution without further court action.

After discussion,

IS ORDERED that plaintiff be given until **February 17, 2010**, to file a motion for voluntarily dismissal. Any objection to same shall be filed by **February 24, 2010**.

IT IS FURTHER ORDERED that if plaintiff does not file a motion for voluntary

¹Barton v. Barber, 104 US 126, 26 L.Ed. 672 (1881).

dismissal, a report and recommendation will issue.

Lafayette, Louisiana, this 3rd day of February, 2010.



Patrick J. Hanna
United States Magistrate Judge
800 Lafayette St., Suite 3500
Lafayette, Louisiana 70501
(337) 593-5140 (phone) 593-5155 (fax)