

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
Southern Division

ROGER SCHLOSSBERG)	
)	
Plaintiff,)	UNITED STATES DISTRICT COURT
)	CASE NO.: PWG-13-3759
v.)	
)	
CANAL WALK CONSTRUCTION, LLC, INC., et al.)	
)	
Defendants.)	

**ORDER ADOPTING AND APPROVING THE BANKRUPTCY COURT’S
REPORT AND RECOMMENDATION REGARDING ABSTENTION**

IT APPEARING TO THE COURT that the U.S. Bankruptcy Court entered on October 8, 2015 a Memorandum and Order Abstaining from Counts I to 10 of the Adversary Complaint (“Abstention Order”);

IT APPEARING TO THE COURT that the Plaintiff Roger Schlossberg, Chapter 7 Trustee (“Trustee”) filed a Motion for Reconsideration of the Abstention Order; and

IT APPEARING TO THE COURT that the Plaintiff and Defendants resolved the issue concerning the statute of limitations pursuant to a Joint Request of All Parties for Agreed Disposition of Motion for Reconsideration of Order of Abstention; and

IT APPEARING TO THE COURT that the Bankruptcy Court has granted the Motion for Reconsideration vacating the Abstention Order and has issued its Report and Recommendation regarding abstention;

IT IS THIS ___ **DAY OF** _____, **2015**

ORDERED, ADJUDGED AND DECREED:

1. The Bankruptcy Court's Report and Recommendation regarding abstention be, and hereby is, approved and adopted by this Court; and further ORDERED:

2. The agreement of the Trustee and Defendants regarding the application of the statute of limitations shall be binding upon the Trustee and Defendants in the state court action to be refiled by the Trustee; and further ORDERED:

3. Counts 1 and 10 of the Adversary Complaint shall be deemed dismissed without prejudice ten (10) days from the date of entry of this order; and further ORDERED:

4. Count 11 of the Adversary Complaint be stayed pending final resolution of the applicable state court action, and that within seven days of the final resolution of the applicable state court action, the Plaintiff shall file a status report with this court stating the disposition of that action and requesting relief from this order with respect to Count 11 as appropriate.

Paul W. Grimm
United States District Judge

cc:

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