

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

BR NORTH 223, LLC,

Plaintiff,

No. 13-50297

v.

District Judge Paul D. Borman  
Magistrate Judge R. Steven Whalen

BERNARD GLIEBERMAN, ET AL.,

Defendants.

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**ORDER**

Before the Court are Defendants' Motion for an Enlargement of Time to Comply with the Court's August 15, 2013 Opinion and Order [Doc. #117], and Plaintiff's Motion to Compel Compliance with Order Granting Judgment Creditor's Emergency Motion to Seize and Transfer Property of Debtor to Satisfy Judgment and for Contempt. [Doc. #122]. The two motions are related, and both deal with the Court's August 13, 2013 order for Defendants to transfer to Plaintiff ownership of all stock of Strathmore Finance Company, Inc., Tralon Corp., and Renegades Management, Inc. [Doc. #115].

The Defendants seek a 90-day extension to transfer the stock, as well as what they describe as voluminous files and documents (in paper and electronic form) relating to these three companies. In their Reply Brief [Doc. #124], Defendants state that they have executed Stock Power Assignments Separate From Certificates for these companies, and agree to turn over *all* files and/or documents of Strathmore (including its 30-plus related entities), Tralon and Renegades Management by November 24, 2013. That date, of course, has passed, so the motion may be moot.

The Court's August 13<sup>th</sup> Order did not specify a time for compliance. Given the

sheer volume of material, an extension of time for Defendants to comply seems reasonable, and there is no non-speculative harm to Plaintiffs in granting an extension. Accordingly, Defendants' Motion [Doc. #117] is GRANTED, *nunc pro tunc* to November 24, 2013. However, if any stock certificates, files or documents related to the three companies have not been turned over to Plaintiff, Defendants will produce those stock certificates, files and/or documents within seven days of the date of this Order.

For the same reasons, Plaintiff's corresponding motion [Doc. #122] is GRANTED IN PART AND DENIED IN PART, as follows. To the extent that all pertinent files and documents have been produced, the motion is DENIED AS MOOT. To the extent that there remain any stock certificates, files or documents that have not been produced, the motion is GRANTED, and Defendants will produce those stock certificates, files and/or documents within seven days of the date of this Order.

The request for a finding of contempt is DENIED. The Defendants filed the above motion for an extension of time in which to comply with the Court's August 13 order, and it is not appropriate to find them in contempt for not immediately complying with the Court's August 13 order while that motion was pending.

Finally, Defendants' motion for attorney fees and costs is DENIED.

IT IS SO ORDERED.

December 10, 2013

S/R. Steven Whalen  
R. STEVEN WHALEN  
UNITED STATES MAGISTRATE JUDGE

I hereby certify that a copy of the foregoing document was sent to parties of record on December 10, 2013, electronically and/or by U.S. mail.

s/Michael Williams  
Case Manager to the  
Honorable R. Steven Whalen