

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

PETER KIEWIT SONS', INC.,

Plaintiff,

vs.

WALL STREET EQUITY GROUP,
INC., WALL STREET GROUP OF
COMPANIES, INC., SHEPHERD
FRIEDMAN and STEVEN S. WEST,

Defendants.

8:10-CV-365

MEMORANDUM AND ORDER

This matter is before the Court on the suggestion of bankruptcy filed by the defendant, Wall Street Equity Group, Inc. (filing [330](#)). [NEGenR 1.5\(a\)\(1\)](#) provides that

[u]pon the filing of a suggestion in bankruptcy, or other notification that a party to a civil case is a debtor in a bankruptcy case, the entire case is referred to the bankruptcy court for further action. Under this rule, the matter is referred to the bankruptcy court even if the suggestion of bankruptcy states the bankruptcy proceeding was initiated in another district. The bankruptcy judge requests status reports from the parties. After reviewing the status reports, the bankruptcy judge determines whether the case should proceed in bankruptcy court or be returned to district court. If the case is to be returned to district court, the bankruptcy judge files a report and recommendation concerning withdrawal of the reference. The report includes a recommendation regarding the necessity of the debtor's participation in the case, and, if appropriate, the bankruptcy judge enters an order in the bankruptcy case granting relief from the automatic stay to allow the case to proceed with the debtor as a party.

Accordingly, this case will be referred to the United States Bankruptcy Court. Any determination as to whether relief from the automatic bankruptcy stay

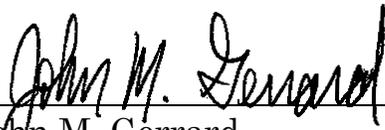
is warranted as to any of the parties to this case shall be made by the bankruptcy court.

IT IS ORDERED:

1. This case is referred to the United States Bankruptcy Court of the District of Nebraska pursuant to [NEGenR 1.5\(a\)\(1\)](#);
2. The Clerk of the United States District Court for the District of Nebraska shall close this case for statistical purposes; and
3. The Clerk of the United States District Court for the District of Nebraska shall deliver, or send electronically, the Court file to the Clerk of the Bankruptcy Court for the District of Nebraska.

Dated this 7th day of November, 2012.

BY THE COURT:



John M. Gerrard
United States District Judge