



1 Plaintiff the Federal Deposit Insurance Corporation, as Receiver  
2 for Irwin Union Bank and Trust Company (the "FDIC-R") and defendants  
3 and counterclaimants Red Hot Corner, LLC, Joseph A. Kennedy,  
4 individually and as Trustee of the Kennedy Family Trust, and Richard  
5 Tavano (collectively, "Counterclaimants") submit this joint status report  
6 pursuant to the Court's March 27, 2014 minute order (#134).

7 **A. Joint Report on Settlement**

8 As discussed at the March 25, 2014 scheduling conference, the  
9 parties have settled their claims and counterclaims in this case, subject to  
10 final administrative approval from the relevant FDIC-R authority. Due to  
11 the nature of this case, the FDIC-R's approval process requires several  
12 levels of internal review. The case has now advanced to the final level of  
13 that review process, and the FDIC-R's attorneys have been advised to  
14 expect a final committee decision this week. Once the FDIC-R's attorneys  
15 receive that decision, the parties will immediately proceed with finalizing  
16 their agreement and executing the necessary papers to dismiss their claims.  
17 They respectfully request an additional 20 days to complete that process.

18 **B. The FDIC-R's Report Concerning the Woodrum Defendants**

19 At the March 25, 2014 scheduling conference, the Court asked  
20 the FDIC-R to submit this report concerning how it intends to proceed  
21 against John Woodrum and Ellen Woodrum, individually and as trustees  
22 of the Woodrum Family Trust dated 9/19/1999 (collectively, the  
23 "Woodrum Defendants"), who filed for bankruptcy on December 31, 2013.  
24 See Notice of Ch. 13 Bankr. Case (filed Dec. 31, 2013), Case No. 13-20691-  
25 led; see also John Woodrum Suggestion of Death (#130) (filed Jan. 17, 2014).

26 Although the FDIC-R had intended to pursue its claim against  
27 the Woodrum Defendants in the bankruptcy proceeding, the bankruptcy  
28

1 trustee's counsel informed the FDIC-R's counsel this week that the debtors  
2 intend to dismiss their bankruptcy case. The FDIC-R has not yet received  
3 confirmation of that fact from the debtors' counsel or any other source. If  
4 the debtors dismiss their bankruptcy case as indicated, the FDIC-R will  
5 resume litigating its claims against the Woodrum Defendants in this forum.  
6 The FDIC-R respectfully requests an additional 20 days to confirm  
7 dismissal of the bankruptcy case, and its intent to resume prosecution of its  
8 claims against the Woodrum Defendants in this case.

9 MORRIS LAW GROUP

MORAN LAW FIRM, LLC

10  
11 By: /s/ Raleigh Thompson  
12 Robert McCoy, No. 9121  
13 Raleigh Thompson, No. 11296  
14 900 Bank of America Plaza  
15 300 South Fourth Street  
16 Las Vegas, Nevada 89101

By: /s/ Jeffrey A. Bendavid

Jeffrey A. Bendavid, No. 6220  
630 S. Fourth St., Suite 400  
Las Vegas, Nevada 89101

17 Attorneys for Plaintiff Federal  
18 Deposit Insurance Corporation, as  
19 Receiver for Irwin Union Bank  
20 and Trust Company

Attorneys for Defendants  
Red Hot Corner, LLC; Richard M.  
Tavano; Joseph A. Kennedy;  
Joseph Kennedy, as the Trustee of  
the Kennedy Family Trust

EGLET WALL CHRISTIANSEN

By: /s/ Peter S. Christiansen

Peter S. Christiansen, No. 1656  
400 South 4th Street, Suite 600  
Las Vegas, Nevada 89101

Attorneys for Defendant  
Richard M. Tavano

24 IT IS ORDERED that the FDIC-R shall have until May 20, 2014, to confirm dismissal  
25 of the bankruptcy case and its intent to proceed against the Woodrum Defendants.

26 IT IS FURTHER ORDERED that a status hearing is scheduled for **June 10, 2014, at**  
27 **8:45 a.m., in Courtroom 3B.**

28 Dated this 7th day of May, 2014.

  
Peggy A. Eeen

3

United States Magistrate Judge