

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

CITIMORTGAGE, INC., <p style="text-align: center;">Plaintiff(s),</p> <p style="text-align: center;">v.</p> MDGGG TRUST, <p style="text-align: center;">Defendant(s).</p>		Case No. 2:15-CV-154 JCM (VCF) <p style="text-align: center;">ORDER</p>
--	--	--

Presently before the court is CitiMortgage, Inc. v. MDGGG Trust et al, case number 2:15-cv-00154-JCM-VCF.

On February 3, 2017, defendant Alessi & Koenig, LLC, (“Alessi”) filed a notice of bankruptcy. (ECF No. 74). Pursuant to 11 U.S.C. § 362, defendant Alessi’s bankruptcy petition operates as an automatic stay on claims brought against it in the instant action. See 11 U.S.C. § 362(a).

On January 19, 2018, the parties filed a joint status report. (ECF No. 81). Per the joint status report, Alessi is still in bankruptcy. Id. The outstanding claims against defendant MDGGG Trust have been dismissed by court order, and adjudication of the remaining claims in the action would violate the automatic stay. See id. (“Plaintiff has not obtained relief from the automatic stay imposed by the bankruptcy code. . . . Plaintiff believes it is unable to pursue its remaining unjust enrichment claim or mediation pursuant to NRS 38.31 [sic] until [Alessi’s] bankruptcy is resolved.”).

Accordingly,

IT IS HEREBY ORDERED that this action is STAYED pending termination of defendant Alessi’s bankruptcy proceeding.

James C. Mahan
U.S. District Judge

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

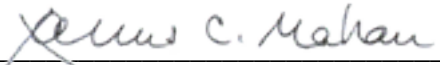
IT IS FURTHER ORDERED that defendant Alessi shall notify the court of the termination of its bankruptcy proceeding within fourteen (14) days following termination thereof.

IT IS FURTHER ORDERED that following notification of termination of defendant's bankruptcy proceeding, the court will issue further orders as required.

Accordingly,

IT IS SO ORDERED.

DATED February 12, 2018.


UNITED STATES DISTRICT JUDGE