

1 **Marquis Aurbach Coffing**  
2 Terry A. Coffing, Esq.  
3 Nevada Bar No. 4949  
4 Jason M. Gerber, Esq.  
5 Nevada Bar No. 9812  
6 Jonathan B. Lee, Esq.  
7 Nevada Bar No. 13524  
8 10001 Park Run Drive  
9 Las Vegas, Nevada 89145  
10 Telephone: (702) 382-0711  
11 Facsimile: (702) 382-5816  
12 tcoffing@maclaw.com  
13 jgerber@maclaw.com  
14 jlee@maclaw.com  
15 *Attorneys for Defendants*

16 **UNITED STATES DISTRICT COURT**

17 **DISTRICT OF NEVADA**

18 In Re:  
19 LIONEL, SAWYER & COLLINS, LTD.,  
20 Debtor.

21 Case No.: 2:17-cv-00036-GMN-NJK

22 Case No.: BK-S-15-10462-MKN  
23 Chapter: 7

24 Yvette Weinstein, Chapter 7 Trustee,  
25 Plaintiff,

26 Adversary Proceeding: 16-01123-mkn

27 **PROPOSED ORDER GRANTING**  
**MOTION TO WITHDRAW**  
**REFERENCE**

28 AMERICAN LEGION CHINA POST 1 – THE  
29 GENERALS WARDS & CHENNAULT & LT.  
30 HELSETH POST, a Texas nonprofit corporation;  
31 and H. OWNBY, temporary trustee of The  
32 Fischer Trust,

33 Defendants.

34 Defendants, AMERICAN LEGION CHINA POST 1 – THE GENERALS WARDS  
35 & CHENNAULT & LT. HELSETH POST, a Texas nonprofit corporation; and H. OWNBY,  
36 temporary trustee of The Fischer Trust (collectively “Defendants”) by and through their  
37 counsel, Marquis Aurbach Coffing, filed their Motion for Withdrawal of Reference on  
38 January 4, 2017; Yvette Weinstein, Chapter 7 Trustee filed its Notice of Non-Opposition on

1 February 6, 2017; and, based on the pleadings submitted by the parties, the Court finds as  
2 follows:

3 1. The Post has sought withdrawal of a bankruptcy referral in Adversary  
4 Proceedings 16-01123-MKN;

5 2. The Court finds that judicial efficiency will be served by withdrawing the  
6 reference;

7 3. The Court finds that the claims at issue in this case are non-core proceedings  
8 as confirmed by the Trustee;

9 4. The Post would be entitled to a jury trial;

10 5. No unnecessary delay or costs will be incurred if this matter is heard by the  
11 District Court;

12 6. There is no evidence or issue with forum shopping; and

13 7. The Post's request is timely pursuant to LR-5011(b);

14 Therefore the Motion is granted.

15 Dated this 12th day of April, 2017.

16 MARQUIS AURBACH COFFING Dated this 12th day of April, 2017.

SCHWARTZER & MCPHERSON

17 By: /s/ Jason M. Gerber

18 Jason M. Gerber, Esq.  
19 Nevada Bar No. 9812  
20 10001 Park Run Drive  
21 Las Vegas, Nevada 89145  
22 Attorneys for Defendants

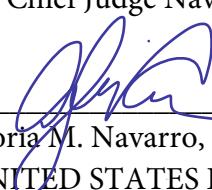
By: /s/ Jason A. Imes

23 Jason A. Imes, Esq.  
24 Nevada Bar No. 7030  
25 2850 So. Jones Blvd., Suite 1  
26 Las Vegas, Nevada 89146  
27 Attorneys for Yvette Weinstein,  
Chapter 7 Trustee

**ORDER**

23 **IT IS FURTHER ORDERED** that a status conference is set for Wednesday, February  
24 21, 2018, at 1:30 PM in LV Courtroom 7C before Chief Judge Navarro.

25 DATED this 7 day of February, 2018.

  
26 Gloria M. Navarro, Chief Judge  
27 UNITED STATES DISTRICT COURT