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9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 In Re:
12 LIONEL, SAWYER & COLLINS, LTD.,
13 Debtor.

Case No.: 2:17-cv-00036-GMN-NJK
Case No.: BK-S-15-10462-MKN
Chapter: 7

14 Yvette Weinstein, Chapter 7 Trustee,
15 Plaintiff,

Adversary Proceeding: 16-01123-mkn

16 vs.

**PROPOSED ORDER GRANTING
MOTION TO WITHDRAW
REFERENCE**

17
18 AMERICAN LEGION CHINA POST 1 – THE
GENERALS WARDS & CHENNAULT & LT.
19 HELSETH POST, a Texas nonprofit corporation;
and H. OWNBY, temporary trustee of The
20 Fischer Trust,
21 Defendants.

22
23 Defendants, AMERICAN LEGION CHINA POST 1 – THE GENERALS WARDS
24 & CHENNAULT & LT. HELSETH POST, a Texas nonprofit corporation; and H. OWNBY,
25 temporary trustee of The Fischer Trust (collectively “Defendants”) by and through their
26 counsel, Marquis Aurbach Coffing, filed their Motion for Withdrawal of Reference on
27 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.

Dated this 12th day of April, 2017.

16 MARQUIS AURBACH COFFING

SCHWARTZER & MCPHERSON

17 By: /s/ Jason M. Gerber

By: /s/ Jason A. Imes

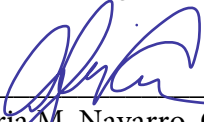
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Chapter 7 Trustee

22 **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 
27 Gloria M. Navarro, Chief Judge
UNITED STATES DISTRICT COURT