

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Robert Benjamin
DLC Services Corp.

v.

Civil No. 08-cv-422-SM

Riley More & More Enterprises, LLC, et al

O R D E R

Defendant Manoukian moves to enforce the automatic bankruptcy stay arising from his Chapter 11 filing to preclude his deposition on December 11, 2009.¹

It is well-established that stays pursuant to § 362(a) are limited to debtors and do not encompass non-bankrupt co-defendants . . . (citations omitted). . . Chapter 11, unlike Chapter 13, contains no provision to protect non-debtors who are jointly liable on a debt with the debtor.

Teachers Insurance and Annuity Association of America v. Butler, 803 F.2d 61, 65 (2d Cir. 1986). The automatic stay in bankruptcy precludes discovery as to Manoukian but not as to any other defendant. If Manoukian has information as to co-defendants, the stay does not prevent discovery of that information. The stay is

¹In the future, counsel should be aware that the court is never offended when counsel provide legal authority to support their position.

limited to him personally.

The motion (doc. no. 100) is granted to the extent set forth.

SO ORDERED.



James R. Muirhead
United States Magistrate Judge

Date: December 10, 2009

cc: All Counsel of Record