

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL CASE NO. 1:10cv22

THE HAMMOCKS, LLC,)
d/b/a Richmond Hill Inn,)
)
Plaintiff,)
)
vs.)
)
HARLEYSVILLE MUTUAL)
INSURANCE COMPANY,)
)
Defendant.)
_____)

ORDER

THIS MATTER is before the Court *sua sponte*.

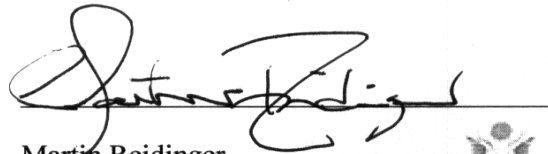
By Memorandum of Decision and Order filed on September 28, 2010, the Court ruled that the reference of this matter to the United States Bankruptcy Court for the Western District of North Carolina is withdrawn. [Doc. 5]. The Court also ruled that all time periods within which to file answer or other response were stayed. [Id.]. The parties have dismissed the companion case of Harleystville Mutual Insurance Company v. Richmond Hill, Inc., Civil Case No. 1:09cv377. As a result, no consolidation of the two cases is necessary and this case may proceed.

IT IS, THEREFORE, ORDERED that on or before fifteen (15) days from entry of this Order, the Plaintiff shall file in the record of this action a copy of the complaint filed in the adversary proceeding, Adversary Proceeding No. 09-01035, now withdrawn from Bankruptcy Court.

IT IS FURTHER ORDERED that on or before fifteen (15) days from such filing, the Defendant may file answer or other response to the complaint.

IT IS FURTHER ORDERED that the Clerk of Court shall show this matter referred to the Magistrate Judge as a new civil action.

Signed: October 22, 2010


Martin Reidinger
United States District Judge

