

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

GREAT WEST CASUALTY CO.,	:	
	:	
Plaintiff,	:	
	:	Case No. 2:07-CV-1002
v.	:	
	:	JUDGE ALGENON L. MARBLEY
WAYNE FLANDRICH DBA J&W	:	Magistrate Judge Abel
TRANSPORT, et al.	:	
	:	
Defendants.	:	

ORDER

This matter is before the Court on Plaintiff’s Notice to the Court of Lift of Bankruptcy Stay (Dkt. 60). On May 6, 2009, this Court stayed the present case pending resolution of Defendant Wayne Flandrich’s petition for bankruptcy (Dkt. 59). On October 28, 2009, the United States Bankruptcy Court for the Southern District of Georgia, Brunswick Division, issued a Consent Order lifting the automatic stay. The Consent Order requires that any recovery on a judgment in the above-captioned case be limited to the policy limits of Defendant Flandrich’s insurance coverage, and cannot extend to his personal liability, unless the Chapter 13 bankruptcy case is dismissed prior to discharge being entered in favor of Mr. Flandrich. (Case No. 09-20272.) Accordingly, this Court lifts the stay on the present case. Plaintiff may proceed in this action subject to the recovery limitations placed by the Bankruptcy Court’s Consent Order.

IT IS SO ORDERED.

s/Algenon L. Marbley
ALGENON L. MARBLEY
UNITED STATES DISTRICT COURT

Dated: November 3, 2009