

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

KAITLIN O'ROURKE,

Plaintiff,

v.

**Civil Action 2:16-cv-1180
Judge Michael H. Watson
Magistrate Judge Jolson**

LIMITED STORES, LLC,

Defendant.

REPORT AND RECOMMENDATION

On March 16, 2017, this Court issued an Order noting that Plaintiff had served the Complaint upon Defendant, the time for filing an answer had passed, and Plaintiff had not moved for the entry of default. (Doc. 5). Consequently, the Court ordered Plaintiff to show cause within 14 days why this action should not be dismissed. (*Id.*). Plaintiff filed a Response to the Show Cause Order on March 17, 2017, providing notice that Defendant filed for Chapter 11 protection on January 17, 2017, in the United States Bankruptcy Court for the District of Delaware. (Doc. 6). Plaintiff explains that she filed an adversary proceeding in the Defendant's bankruptcy and requests that this matter be held in abeyance until such time as the adversary proceeding is resolved through the bankruptcy or this action is allowed to resume in this Court. (*Id.* at 2).

As a result of Plaintiff's notice, the Court hereby **RECOMMENDS** that this case be

ADMINISTRATIVELY CLOSED unless and until Plaintiff notifies this Court that the bankruptcy court has lifted the automatic stay or concludes the bankruptcy case. *See* 11 U.S.C. § 362(a)(1).

IT IS SO ORDERED.

Date: March 28, 2017

/s/ Kimberly A. Jolson
KIMBERLY A. JOLSON
UNITED STATES MAGISTRATE JUDGE