

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED
AUG 23 2011
CLERK, U.S. DISTRICT COURT
By M.F.
Deputy 2:27 p.m.

IN RE ONDOVA §
ONDOVA LIMITED COMPANY, §
Debtor §
§
DANIEL J. SHERMAN, CHAPTER 11 §
TRUSTEE §
Plaintiff, §
§
vs. §
§
MIKE EMKE AND SERVERS, INC §
§
§
Defendants §

Civil Action No. 3:11-cv-1971-F
Adversary No. 11-03181-SGJ

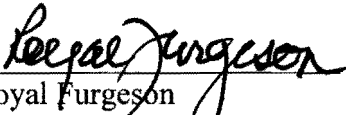
**ORDER ADOPTING BANKRUPTCY COURT’S RECOMMENDATION OF THE
UNITED STATES BANKRUPTCY JUDGE**

BEFORE THE COURT is United States Bankruptcy Judge Stacey G.C. Jernigan’s Report and Recommendation (Doc. No. 5), which recommends that the bankruptcy court bifurcate Counts 3 and 4 (claims involving allegations that Mike Emke breached development obligations under the settlement agreement and that Plaintiff is entitled to monetary damages) from the remaining counts in the Adversary Proceeding; that the bankruptcy court finally adjudicate through a bench trial all matters in the Adversary Proceeding except Counts 3 and 4 (core bankruptcy matters involving the sale and liquidation of property of the estate); and that the Court withdraw the reference as to Counts 3 and 4 and hold a jury trial therein, at such time as the bankruptcy court has certified that the parties are ready for trial, with the bankruptcy court to preside over all pre-trial matters.

After due consideration, the Court is of the opinion that the Bankruptcy Judge's Report and Recommendation should be ADOPTED IN ITS ENTIRETY. An Order granting in part Mike Emke's Motion to Withdraw the Reference (Doc. 2) shall be entered.

IT IS SO ORDERED.

SIGNED this 27th day of August, 2011.



Royal Furgeson
Senior United States District Judge