

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

ROBERT OGLE,

Plaintiff,

v.

JT MILLER, INC., *et al.*,

Defendants.

§
§
§
§
§
§
§
§
§

CIVIL CASE H-14-1816
ADVERSARY No. 13-3031

ORDER

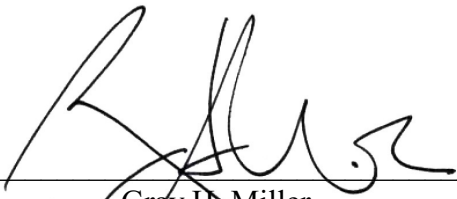
Pursuant to Federal Rule of Bankruptcy Procedure 9033, the Bankruptcy Court issued its Proposed Findings of Fact and Conclusions of Law and Memorandum Opinion on June 27, 2014, after conducting a bifurcated trial on the fraudulent conveyances alleged to have been made from HDD Rotary Sales, L.L.C. to Jay Miller and JT Miller, Inc. during 2009-2010. After hearing testimony and admitting exhibits, the Bankruptcy Court found that the \$193,167.00 obligation from HDD Rotary Sales to Jay Miller originated as a bonus and was not an avoidable obligation. Additionally, the Bankruptcy Court determined none of the transfers made by HDD Rotary Sales to Jay Miller and JT Miller, Inc. were avoidable. Thus, the Bankruptcy Court recommended that the district court grant judgment in favor of defendants.

Plaintiff has not filed for reconsideration or otherwise objected to the Bankruptcy Court’s proposed findings. This court is required to conduct a *de novo* review of the proposed findings of fact and conclusions of law issued by the Bankruptcy Court. *Exec. Benefits Ins. Agency v. Arkison*, ___ U.S. ___, 134 S. Ct. 2165, 2170 (2014). This court has made a careful *de novo* review of the Bankruptcy Court’s recommendation and finds that judgment should be entered in favor of

defendants. Therefore, the court adopts, in its entirety, the findings of fact and conclusions of law proposed by the Bankruptcy Court (Dkt. 1) and finds that judgment should be entered in favor of Jay Miller and JT Miller, Inc. A separate final judgment shall be issued in accordance with this Order.

It is so ORDERED.

Signed at Houston, Texas on October 9, 2014.



Gray H. Miller
United States District Judge