

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

In re David Novoselsky,

Debtor,

Case No. 14-29136-GMH
(Chapter 7)

**MARSHALL SPIEGEL, individually
and on behalf of a class of similarly
Situated persons,**

-vs-

**Case No. 15-C-1472
Adv. Proc. No. 15-2505**

DAVID NOVOSELSKY, et al.,

Defendants.

DECISION AND ORDER

On November 18, 2015, the plaintiff in the underlying adversary proceeding, Marshall Spiegel, moved to withdraw the reference to the district court. The debtor, David Novoselsky, along with the remaining defendants in the adversary proceeding, object to the motion to withdraw.

Spiegel also moved to stay the adversary proceeding in bankruptcy court pending this Court's ruling on the motion to withdraw. The bankruptcy court denied Spiegel's motion, reasoning that Spiegel's motion to withdraw the reference "seems unlikely to succeed." Order Denying Plaintiff's Motion to Stay Proceedings, at 4. The Court agrees with the

analysis set forth therein. None of the relevant factors suggest that the Court should withdraw the reference in this case. *See In re Neumann Homes, Inc.*, 414 B.R. 383, 386 (N.D. Ill. 2009) (listing factors). Judicial economy, in particular, strongly favors leaving this matter in the bankruptcy court, especially since the bankruptcy court conducted further proceedings after denying the motion to stay. The bankruptcy court now appears poised to rule on a substantive motion to dismiss. It makes little sense to take this case away from the bankruptcy court on the eve of such a ruling.

Spiegel's motion to withdraw the reference [ECF No. 1] is **DENIED**.

Dated at Milwaukee, Wisconsin, this 28th day of March, 2016.

SO ORDERED:


HON. RUDOLPH T. RANDA
U.S. District Judge