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**In the
Indiana Supreme Court**

No. 18S02-1708-PL-554

MICHAEL R. PILKINGTON,

Appellant (Plaintiff below),

v.

KAREN A. PILKINGTON,

Appellee (Defendant below).

Appeal from the Delaware Circuit Court, No. 18C05-1510-PL-24
The Honorable Thomas A. Cannon, Jr.

On Petition to Transfer from the Indiana Court of Appeals, No. 18A02-1605-PL-1086

August 30, 2017

Per Curiam.

Michael Pilkington filed a complaint against his stepmother, Karen Pilkington, alleging she violated her duties as the trustee of a trust created by Michael's deceased father. The trust contained the father's interest in multiple limited liability companies ("LLCs"). Karen contends Michael has no interest in the trust because he filed for Chapter 7 bankruptcy and, at the trustee's

request, sold Karen his interest in the LLCs. Michael contends he sold Karen only his present ownership interest in the LLCs, not his remainder interest in the trust.

Karen filed a motion to dismiss the complaint for lack of subject matter jurisdiction, arguing the bankruptcy court has exclusive jurisdiction to determine what interest Michael sold. The trial court dismissed Michael's complaint with prejudice. The Court of Appeals reversed and remanded, holding the trial court has subject matter jurisdiction to determine what interest Michael sold to Karen in the Chapter 7 bankruptcy proceeding. Pilkington v. Pilkington, 71 N.E.3d 865 (Ind. Ct. App. 2017).

We agree with Senior Judge Shepard's analysis and the result reached by the Court of Appeals. Accordingly, we grant transfer, adopt and incorporate by reference the Court of Appeals opinion in accordance with Indiana Appellate Rule 58(A)(1), reverse the trial court, and remand.

All Justices concur.