

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 09-80190-CIV-HURLEY/HOPKINS

JONATHAN E. PERLMAN,

Plaintiff,

v.

CAPTIN CONSTRUCTION GROUP,
INC., et al.,

Defendants.

_____ /

**ORDER STAYING ACTION AS TO DEFENDANT
CAPTIN CONSTRUCTION GROUP, INC.**

THIS CAUSE is before the court upon the defendant Captin Construction Group, Inc.'s suggestion of bankruptcy [DE # 71], which notifies the court that Captin Construction Group, Inc. filed a Chapter 7 bankruptcy petition in the United States Bankruptcy Court for the Northern District of Georgia on August 10, 2009. *See* Case No. 10-83367-JEM. All proceedings in this court against defendant Captin Construction Group, Inc. are therefore stayed by operation of 11 U.S.C. § 362(a).

Accordingly, it is hereby **ORDERED** and **ADJUDGED** that:

1. All claims against defendant Captin Construction Group, Inc. are **STAYED**.
2. In light of the stay, the Clerk is directed to **DENY** plaintiff's motion for summary judgment against defendant Captin Construction Group, Inc. [DE # 21], **WITHOUT PREJUDICE** for the motion to be renewed upon conclusion of the bankruptcy proceedings.
3. This stay **SHALL NOT** affect plaintiff's claims against defendants Homeland Title

Services, LLC. and Valentin Ardelean. This case **REMAINS PENDING** on the October Calendar and counsel for all parties except defendant Captin Construction Group, Inc. shall appear at calendar call at **2:00 p.m. on Monday, October 4, 2010.**

DONE and **SIGNED** in Chambers at West Palm Beach, Florida, this 3rd day of September, 2010.

A handwritten signature in black ink, reading "Daniel T. K. Hurley". The signature is written in a cursive style with a large initial "D" and a long horizontal stroke at the end.

Daniel T. K. Hurley
U. S. District Judge

Copies provided to counsel of record