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ADV. NUMBER: 95-1063

JUDGE: M. A. Mahoney

PARTIES: Trueman Allen Reimer, New South Architects, New South Interiors

CHAPTER: 7

ATTORNEYS: M. A. Posey, N. B. Moseley

DATE: 11/21/95

KEY WORDS:

PUBLISHED:

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF ALABAMA

In Re

TRUEMAN ALLEN REIMER,

Case No. 95-10558-MAM

Debtor.

NEW SOUTH ARCHITECTS, INC.,
NEW SOUTH INTERIORS,

Plaintiffs,

v.

Adv. No. 95-1063

TRUEMAN ALLEN REIMER,

Defendant.

ORDER

This matter came before the Court on the Motion of the Debtor for Continuance or Stay and the Motion of New South Architects, Inc. for Disqualification of Debtor's Counsel. This Court has jurisdiction to hear this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the Order of Reference of the District Court. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). The Court held a hearing and the parties agreed that a stay of proceedings was appropriate with conditions attached. The conflict issue is best resolved by an opinion letter from the State Bar of Alabama. This court prefers to wait for that ruling if possible.

A bankruptcy case involves numerous creditors, assets and issues which must be dealt with promptly. Some must be handled within specific time frames. The trustee's counsel informed the Court that he must bring the exemption objection issue to resolution and possibly file a preference suit or suits before the trustee can close the case and distribute proceeds collected to creditors. The Debtor will need an attorney to deal with these matters. If the State

Bar of Alabama is able to make a ruling within the next several months, the case can proceed with the speed necessary. The Court instructs the parties to do whatever they can to expedite this matter.

IT IS ORDERED that:

1. New South Architects, Inc. is stayed from enforcement of the final judgment dated October 30, 1995, entered by this Court against Trueman Allen Reimer until further order of the Court.
2. Trueman Allen Reimer is stayed until further order of the Court from using in any way the monies held in his name or for his benefit in an annuity at Nationwide Insurance. This asset is the one listed on his amended schedules dated July 17, 1995. Mr. Reimer and Mr. Moseley shall furnish a copy of this order to Nationwide Insurance and furnish proof of delivery to Nationwide to Ms. Posey and Mr. Friedman.
3. A continued hearing on the stay shall be held on **January 16, 1995 at 9:30 a.m.** in Courtroom 2, U.S. Bankruptcy Court, Mobile, Alabama.
4. A hearing on the exemptions claimed by the Debtor in his amended schedules shall be held on **December 12, 1995 at 9:30 a.m.** By 4:00 p.m. on December 6, 1995, the trustee and New South Architects, Inc. shall file and serve any objections they may have.
5. The hearing presently set for December 5, 1995 on the issue of the propriety and amount of nondischargeable attorneys fees related to Adv. No. 95-1063 is continued to **December 12, 1995 at 9:30 a.m.** Briefs from counsel shall be filed by December 11, 1995.
6. The Debtor shall turn over to the trustee the items he listed at a \$1.00 value on his amended schedule of exemptions dated July 17, 1995 within 30 days of the date of this order.
7. The garnishment(s) issued to New South Architects, Inc., are cancelled and Ms. Posey shall give notice of their cancellation to the garnishees. Copies of the notice of cancellation shall be given to Debtor and Mr. Moseley.
8. Trueman Allen Reimer, Bruce Moseley, New South Architects, Inc., and Melissa Posey shall do everything possible to obtain a ruling from the State Bar of Alabama as to the question posed to it as soon as possible. The parties are

instructed to furnish to the Bar and to each other all documents, if any, in their possession which pertain to this matter.

Dated: November 21, 1995

MARGARET A. MAHONEY
U.S. BANKRUPTCY JUDGE