Page

01/06/17 17:08:39

1 of 1

Formatted for Electronic Distribution

Not for Publication

UNITED STATES BANKRUPTCY COURT DISTRICT OF VERMONT

Filed & Entered On Docket January 6, 2017

In re:

Argirios Konstantinou, Debtor.

Chapter 13 Case # 16-11332

16-1103

Adversary Proceeding

In re:

Argirios Konstantinou, **MHOP Restaurant Corp.,** and Saronis, LLC, Plaintiffs,

v. Manchester CP, Defendant.

Appearances: Rebecca Rice, Esq.

> Cohen & Rice Rutland, VT For the Plaintiffs

Patrick J. Bernal Witten, Woolmington, Campbell & Bernal Manchester Center, VT For the Defendant

ORDER

GRANTING THE PLAINTIFFS' MOTION FOR EMERGENCY HEARING, DENYING DEFENDANT'S MOTION TO DISMISS ADVERSARY PROCEEDING, GRANTING JUDGMENT ON THE PLEADINGS, IN FAVOR OF THE PLAINTIFFS, EXTENDING THE AUTOMATIC STAY TO NON-DEBTOR ENTITIES, AND ENJOINING STATE COURT LAWSUIT FROM PROCEEDING AGAINST NON-DEBTOR ENTITIES

For the reasons set forth in a memorandum of decision of even date, IT IS HEREBY ORDERED

- 1. the Plaintiffs' Motion for an emergency hearing and expedited relief are granted;
- 2. the Defendant's Motion to Dismiss is denied;
- 3. the automatic stay applicable to the Debtor is extended to encompass MHOP and Saronis with respect to the state court lawsuit;
- 4. the Plaintiffs are granted judgment on the pleadings: their request for an extension of the stay is granted, and consequently, their request for a temporary restraining order is determined to be moot; and
- 5. Manchester CP is enjoined from proceeding with the state court lawsuit until the bankruptcy stay in favor of the Debtor terminates, as a matter of law, or it obtains relief from stay to proceed.

SO ORDERED.

January 6, 2017 Burlington, Vermont Colleen A. Brown

United States Bankruptcy Judge