

SIGNED.



Dated: March 03, 2011

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA

Sarah S. Curley
SARAH S. CURLEY
U.S. Bankruptcy Judge

IN RE:

LOGAN T. JOHNSTON III,

Debtor.

Adversary Proceeding

Case No. 01-00885

ORDER DENYING MOTION TO STAY
IMPOSITION OF MEMORANDUM
DECISION

On January 21, 2011, the Court issued a Memorandum Decision in the above-captioned Adversary Proceeding.¹ On January 24, 2011, Defendant Melvin Sternberg, through counsel, filed a Motion to Stay Imposition of the Memorandum Decision due to an appeal pending before the Ninth Circuit Court of Appeals on an issue involving the District Court's interpretation of a Ninth Circuit Decision that Defendant Sternberg claims will provide further guidance in this Adversary Proceeding. Having reviewed the arguments of Defendant Sternberg, and the Response filed by Debtor's counsel, the Court must deny the Motion. Movant has supplied the Court with insufficient information to stay the January 21, 2011, Memorandum Decision. The Decision remains in full force and effect.

IT IS ORDERED denying Defendant Sternberg's Motion to Stay Imposition of the Memorandum Decision.

IT IS FURTHER ORDERED that the hearing on this matter set for March 8, 2011, at 1:30 pm is hereby VACATED. The Court will proceed with the Bankruptcy Rule 7016 Scheduling Conference in the Adversary Proceeding.

¹An Amended Memorandum Decision was later filed by the Court on January 25, 2011, to correct typographical errors.

1 **IT IS FURTHER ORDERED** directing the Clerk's Office to provide immediate
2 notice of this Order to all interested parties, and file an affidavit of service thereon.

3 SIGNED AND DATED ABOVE
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