

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

1816 E. WOOD LAND TRUST, et al.,

Plaintiffs,

v.

Case No: 8:23-cv-2084-MSS-NHA

BUDDY FORD,

Defendant.

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ORDER

THIS CAUSE comes before the Court upon consideration of Plaintiffs' Motion for Remand and/or Abstention, (Dkt. 7), Defendant's response in opposition thereto, (Dkt. 8), Defendant's Motion to Remand to Bankruptcy Court, (Dkt. 10), and Plaintiffs' response in opposition thereto. (Dkt. 14) Upon consideration of all relevant filings, case law, and being otherwise fully advised, the Court **DENIES** Plaintiffs' Motion and **GRANTS** Defendant's Motion.

The Court finds the instant action is related to a bankruptcy case, therefore, referral of this action to the bankruptcy court for resolution is appropriate under 28 U.S.C. § 157(a). Plaintiffs' claims of malpractice against Defendant arise out of an action taken by Defendant which the bankruptcy court approved. (Dkt. 8-1 at 7) Specifically, Plaintiffs' claims are based on an allegation that Plaintiffs did not receive

notice of a settlement agreement approved by the bankruptcy court and later finalized. Plaintiffs contend their lack of notice is a result of Defendant's malpractice. The issue of whether Plaintiffs received notice of the settlement was discussed at a hearing before the bankruptcy court on September 8, 2023. (Dkt. 8-2) Consequently, the Court finds the issues raised by Plaintiffs' complaint are related to a case in bankruptcy, and the bankruptcy court is well-versed in the record of the case as it pertains to Defendant's alleged malpractice. Referral to the bankruptcy court is appropriate.


This matter is deemed related to the bankruptcy case, pending before the Honorable Catherine Peek McEwen in the United States Bankruptcy Court, Middle District of Florida, Tampa Division (8:19-bk-08036-CPM). Therefore, pursuant to the Court's Standing Order, In re: Standing Order of Reference Cases Arising Under Title 11, United States Code, 6:12-mc-26-ORL-22 (2012), this case shall be transferred and referred.

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

1. Plaintiffs' Motion for Remand and/or Abstention, (Dkt. 7), is **DENIED**.
2. Defendant's Motion to Remand to Bankruptcy Court, (Dkt. 10), **GRANTED**.
3. This case is **TRANSFERRED and REFERRED** to the United States Bankruptcy Court, Middle District of Florida, Tampa Division, for all further proceedings. This case shall be assigned to the Honorable Catherine Peek McEwen. The Clerk is directed to **TRANSFER** the

contents of the file to the Bankruptcy Court and **CLOSE THIS CASE.**

DONE and **ORDERED** in Tampa, Florida, this 3rd day of April 2024.



MARY S. SCRIVEN
UNITED STATES DISTRICT JUDGE

Copies furnished to:
All Counsel of Record
All *Pro Se* parties