




SO ORDERED,


Judge Neil P. Olack
United States Bankruptcy Judge
Date Signed: January 21, 2021

The Order of the Court is set forth below. The docket reflects the date entered.

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF MISSISSIPPI**

IN RE:

WILLIAM BYRD MCHENRY, JR.,

CASE NO. 20-00268-NPO

DEBTOR.

CHAPTER 7

**ALYSSON MILLS, IN HER CAPACITY AS RECEIVER
FOR ARTHUR LAMAR ADAMS AND MADISON TIMBER, LLC**

PLAINTIFF

VS.

ADV. PROC. 20-00022-NPO

WILLIAM BYRD MCHENRY, JR.

DEFENDANT

**ORDER HOLDING IN ABEYANCE MOTION FOR SUMMARY
JUDGMENT, MEMORANDUM IN SUPPORT OF MOTION FOR
SUMMARY JUDGMENT, REPLY MEMORANDUM IN SUPPORT
OF MOTION FOR SUMMARY JUDGMENT, AND
MOTION TO JOIN ADVERSARY COMPLAINTS**

This matter came before the Court on the Motion for Summary Judgment (the “Summary Judgment Motion”) (Adv. Dkt. 27)¹ filed by Allyson Mills, in her capacity as Receiver for Arthur Lamar Adams and Madison Timber, LLC (the “Plaintiff”); the Memorandum in Support of Motion for Summary Judgment (the “Memorandum in Support”) (Adv. Dkt. 28) filed by the Plaintiff; the

¹ Citations to the record are as follows: (1) citations to docket entries in the above referenced adversary proceeding (the “Adversary”) are cited as “(Adv. Dkt. #)”; and (2) citations to docket entries in the above-referenced bankruptcy case (the “Bankruptcy Case”) are cited as “(Bankr. Dkt. #)”.

Reply Memorandum in Support of Motion for Summary Judgment (the “Reply”) (Adv. Dkt. 35) filed by the Plaintiff; and the Motion to Join Adversary Complaints (the “Motion to Join”) (Adv. Dkt. 36) filed by William Byrd McHenry, Jr. (the “Defendant”) in the Adversary. Having considered the matter and being fully advised in the premises, the Court finds that it is in the best interest of the parties and the best use of judicial resources to hold the Summary Judgment Motion, the Memorandum in Support, and the Reply in abeyance pending the Defendant’s compliance with the Order on Re-Urged Motion for Sanctions for Contempt of Court Order (the “Sanctions Order”) (Bankr. Dkt. 132) entered in the Bankruptcy Case, as the issues presented in the Summary Judgment Motion overlap with the issues present in the Sanctions Order. The Court further finds that it is in the best interest of the parties and the best use of judicial resources to hold the Motion to Join in abeyance pending resolution of the Summary Judgment Motion, the Memorandum in Support, and the Reply.

IT IS, THEREFORE, ORDERED that the Summary Judgment Motion, the Memorandum in Support, and the Reply are hereby held in abeyance pending the Defendant’s compliance with the Sanctions Order.

IT IS FURTHER ORDERED that the Motion to Join is hereby held in abeyance until resolution of the Summary Judgment Motion, the Memorandum in Support, and the Reply.

IT IS FURTHER ORDERED that the telephonic hearing on the Motion to Join set for February 9, 2021 at 10:00 a.m. is hereby cancelled. After resolution of the Summary Judgment Motion, Memorandum in Support, and Reply, the Court, if necessary, will set a new hearing date on the Motion to Join and a new date for the Plaintiff to file a response.

##END OF ORDER##