


ENTERED

TAWANA C. MARSHALL, CLERK
THE DATE OF ENTRY IS
ON THE COURT'S DOCKET



The following constitutes the ruling of the court and has the force and effect therein described.


United States Bankruptcy Judge

Signed April 21, 2010

BTXN057 (rev. 01/09)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

In Re:
Erickson Retirement Communities, LLC

Debtor(s)

§
§
§
§

Case No.: 09-37010-sgj11
Chapter No.: 11

ORDER DENYING MOTION FOR WANT OF PROSECUTION

The Court, after review of the file and docket in the above entitled and numbered case, finds that on 2/25/2010, Creditor Randolph Emerson Craig filed a Motion to require debtor to create a separate class for creditors holding claims pursuant to severance contracts and/or order granting debtor's motion to pay severance and order of execution thereof ("Motion"), document number 937.

Subsequently,

- ☐ a Certificate of No Objection has not been filed with respect to the Motion as required by N.D. TX L.B.R. 9007.1(d).
- ☒ no hearing has been requested.
- ☐ Proposed Order has not been submitted.
- ☐ the Court held a hearing on Hearing Date, at which time counsel announced that an order disposing of the Motion would be submitted
- ☐ the matter was removed from the Court's docket on representation of counsel that an order disposing of the Motion would be submitted
- ☐ Other :

The Court further finds that insufficient action has been taken to obtain the relief sought. It is, therefore

ORDERED that the Motion is **DENIED** without prejudice to refile.

End of Order