

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

In re:

Case No. 6:05-bk-00358-ABB  
Chapter 7

CHARACTER CORNER, INC.,

Debtor.

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CARLA MUSSELMAN, TRUSTEE,

Plaintiff,

vs.

Adv. Pro. No. 6:07-ap-00005-ABB

CHRISTOPHER WEISING,

Defendant.

\_\_\_\_\_ /

against the Plaintiff Carla P. Musselman, Chapter 7 Trustee, in Count I of the Complaint; and it is further

**ORDERED, ADJUDGED and DECREED** that Company Outlet of LBV, Inc. was not named as a defendant in the above-captioned adversary proceeding nor was it served with notice or process. Company Outlet of LBV, Inc. was not afforded due process of law and the Trustee is not entitled to relief against that entity.

**ORDERED, ADJUDGED and DECREED** that a status hearing shall be held on **September 24, 2007 at 10:30 a.m.**

Dated this 30<sup>th</sup> day of July, 2007.

*/s/ Arthur B. Briskman*  
ARTHUR B. BRISKMAN  
United States Bankruptcy Judge

**JUDGMENT**

This matter came before the Court on the Complaint (Doc. No. 1) filed by Carla P. Musselman, the Chapter 7 Trustee ("Trustee") for the bankruptcy estate of Character Corner, Inc., and the Motions to Dismiss (Doc. Nos. 8, 16, 28) filed by Christopher Weising, the Defendant herein. After reviewing the pleadings, hearing argument, and being otherwise fully advised in the premises, and in conformity with and pursuant to the **Memorandum Opinion** entered contemporaneously herewith, it is

**ORDERED, ADJUDGED and DECREED** that the Trustee has failed to state a claim upon which relief can be granted in Counts I through III of her Complaint and the Complaint is hereby **DISMISSED** pursuant to Federal Rule of Civil Procedure 12(b)(6), made applicable to adversary proceedings by Federal Rule of Bankruptcy Procedure 7012(b); and it is further

**ORDERED, ADJUDGED and DECREED** that Counts II and III of the Complaint may be amended within fourteen days of the entry of this Judgment to clarify the relief requested by the Trustee, but no additional defendants may be added; and it is further

**ORDERED, ADJUDGED and DECREED** that **JUDGMENT** is hereby entered in favor of the Defendant Christopher Weising and