

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION
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In re)
)
ADVANCED TELECOMUNICATION) Case No. 6:03-bk-00299-KSJ
NETWORK, INC.,) Chapter 11
)
Debtor.)
_____)
ADVANCED TELECOMMUNICATION)
NETWORK, INC.,)
)
Plaintiff,)
vs.) Adversary No. 6:05-ap-00006-KSJ
) *consolidated with*
FLASTER/GREENBERG, PC, *et al.*,) Adversary No. 6:11-ap-00008-KSJ
)
Defendants.)
_____)

ORDER GRANTING PLAINTIFF'S MOTION FOR JURY TRIAL

Plaintiff and Debtor, Advanced Telecommunication Network, Inc. ("ATN"), demands a jury trial on its complaint against the Defendants, the law firm Flaster/Greenberg, PC and attorney Peter Spirgel.¹ ATN initially filed its demand for a jury trial² with a motion to withdraw the reference.³ The District Court⁴ ultimately denied ATN's request to withdraw the reference ruling ATN's request for jury trial alone does not warrant withdrawal of the reference.⁵ Bankruptcy courts can properly handle all pre-trial matters, according to the District Court,

¹ Plaintiff voluntarily dismissed Defendant Steven Sacharow. Doc. No. 91.

² Doc. No. 66, filed on January 22, 2013, and *amended by* Doc. No. 89. ATN subsequently filed a Renewed Motion to Withdraw the Reference. Doc. No. 101. Defendants filed a response to the renewed motion. Doc. No. 103.

³ Doc. No. 67, *amended by* Doc. No. 90.

⁴ District Court refers to the United States District Court for the Middle District of Florida.

⁵ Doc. No. 112, entered on June 4, 2014.

including determining whether the Plaintiff is entitled to a jury trial.⁶ The Court finds ATN is entitled to a jury trial on **all** claims. Consistent with the Memorandum Opinion, entered simultaneously, it is

ORDERED:

1. Plaintiff's Amended Motion for Jury Trial (Doc. No. 89) is granted.

DATED: March 31, 2015.



KAREN S. JENNEMANN
Chief United States Bankruptcy Judge

Roberta Colton, Attorney for Debtor, is directed to serve a copy of this Memorandum Opinion on interested parties and file a proof of service within 3 days of entry of the Memorandum Opinion.

⁶ *Id.* at 5–6.