

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION
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|---------------------------------|---|----------------------------------|
| In re |) | |
| |) | |
| FLORIDA ECO-SAFARIS, INC., |) | Case No. 6:12-bk-11411-KSJ |
| |) | Chapter 7 |
| Debtor. |) | |
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| CARLA P. MUSSELMAN, Chapter 7 |) | |
| Trustee, |) | |
| |) | |
| Plaintiff, |) | |
| vs. |) | Adversary No. 6:14-ap-000114-KSJ |
| |) | |
| DAVID JONES INSURANCE, INC.; |) | |
| PREMIUM ASSIGNMENT |) | |
| CORPORATION; PROGRESSIVE |) | |
| CASUALTY INSURANCE COMPANY; |) | |
| CERTAIN UNDERWRITERS AT |) | |
| LLOYD’S, LONDON; and SCOTTSDALE |) | |
| INSURANCE COMPANY, |) | |
| |) | |
| Defendants. |) | |
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**ORDER DENYING DEFENDANT
DAVID JONES INSURANCE, INC.’S MOTION FOR SUMMARY JUDGMENT**

In this adversary proceeding, the Chapter 7 Trustee seeks to avoid and recover \$19,527.32 in payments the Debtor, Florida Eco-Safaris, Inc., paid to the Defendant, David Jones Insurance, Inc. (“David Jones”), as actually and constructively fraudulent transfers.¹ David Jones seeks summary judgment arguing it was a “mere conduit” and has no liability, even if the Trustee ultimately proves a fraudulent transfer occurred. Because David Jones did not satisfy its burden on summary judgment, the Court denies its motion without prejudice. Consistent with the Memorandum Opinion, entered simultaneously, it is

¹ Complaint, Doc. No. 1.

ORDERED:

1. Defendant, David Jones Insurance, Inc.'s Motion for Summary Judgment (Doc. No. 28) is denied.

DONE AND ORDERED in Orlando, Florida, on March 31, 2015.

A handwritten signature in black ink, appearing to read "Karen S. Jennemann" with a small "R.O." written above the end of the signature.

KAREN S. JENNEMANN
Chief United States Bankruptcy Judge

Janice Buchman, Attorney for Scottsdale, is directed to serve a copy of this Order on interested parties and file a proof of service within 3 days of entry of the Order.