

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

Dated this 10th day of April, 2008.

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

In re:

Case No. 6:04-bk-05593-ABB

DAVID PATRICK NASSIF,

Debtor.

MERRILL LYNCH COMMERCIAL
FINANCE CORP.,

Plaintiff,

vs.

Adv. Pro. No. 6:04-ap-00180-ABB

DAVID PATRICK NASSIF, *et al.*,

Defendants.

ORDER

An Order and Judgment was entered on March 26, 2008 (Doc. No. 115) granting a monetary judgment in favor of the Plaintiff Merrill Lynch Commercial Finance Corp., assignee of interest of Merrill Lynch Business Financial Services, Inc., and against the Defendant David Patrick Nassif and directing the Plaintiff to inform the Court whether this adversary proceeding is due to be closed. The Plaintiff filed a Statement (Doc. No. 117) stating the remaining Counts I through III of the Complaint are moot, it does not intend to pursue Count VI, and does not object to the dismissal without prejudice of these remaining counts upon expiration of the appeal deadline. The Plaintiff did not set forth a position as to Count V (Corporate Veil Piercing). The appeal deadline has passed with no appeal or motion for reconsideration having been filed.

Accordingly, it is

ORDERED, ADJUDGED and DECREED that Counts I, II, III, V, and VI of the Plaintiff's Complaint are hereby **DISMISSED WITHOUT PREJUDICE** and the Clerk of Court is hereby directed to close the above-captioned adversary proceeding.