

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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In re

COLEMAN'S INC.,

Case No. 98-37900-K

Debtor

Chapter 11

Employer ID: 62-1590737

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**MEMORANDUM AND ORDER DISMISSING CASE FOR FAILURE TO SATISFY THE FILING  
REQUIREMENTS OF THE JOINT ORDER REQUIRING DEBTOR TO COMPLETE FILING  
COMBINED WITH RELATED ORDERS AND NOTICE OF THE ENTRY THEREOF**

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It appears to the court that on December 31, 1998, a "Joint Order Requiring Debtor To Complete Filing" was issued in the above referenced case directing the debtor to file all required documents within the prescribed time frame from issuance of the order. It further appears to the court that the debtor failed to comply with the order; and that this case should be dismissed for failure of the debtor to do so in accordance with L.B.R. 1007(a)-1 and Standing Order Number 97-0001.

As a general rule, the dismissal of the main case results in a dismissal of all pending proceedings; however, it is discretionary with the court. See, for example, *In re Smith*, 866 F.2d 576, CCH Bankr. L. Rep. ¶172,640 (3<sup>rd</sup> Cir. 1989); *In re Stardust Inn, Inc.*, 70 B.R. 888, 890 (Bankr. E.D. Pa. 1987); *In re Tennessee Val. Ctr. for Minority Economic Dev.*, 99 B.R. 845 (Bankr. Ct. W.D. Tenn. 1989); 11 U.S.C. §§ 1112(b) and 349.

Based on the foregoing and the case record as a whole:

**IT IS ORDERED AND NOTICE IS HEREBY GIVEN:**

1. This case is hereby dismissed.
2. In accordance with FED. R. BANKR. P. 2002(f), the Clerk of Court is hereby directed to promptly give notice of this case dismissal to the debtors, debtor's attorney, case trustee, United States Trustee, and to any creditors of whom the Clerk has actual notice of addresses, and such notice may be effectuated by mailing or transmitting a copy of this Order and Notice.
3. Notwithstanding the dismissal of this case, the court expressly retains jurisdiction over the two following matters: (1) the pending section 362(d) motion filed by the movant, Patti Smith, and (2) the possible reasonableness and appropriateness of certain professional fees.
4. The Bankruptcy Court Clerk shall defer the statistical closing of this case awaiting further Order of the Court.

**BY THE COURT**

Entered on the Court docket on  
and mailed to:

( ) Debtor, Debtor's Attorney, Trustee  
( ) U. S. Trustee; Timothy Taylor, Esq.

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**DAVID S. KENNEDY  
CHIEF UNITED STATES BANKRUPTCY JUDGE**

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By: Verlene Love, Deputy Clerk

**DATE: February 9, 1999**