

FILED

FOR PUBLICATION

NOV 04 2011

UNITED STATES COURT OF APPEALS

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

In the Matter of: BELLINGHAM
INSURANCE AGENCY, INC.,

Debtor,

EXECUTIVE BENEFITS INSURANCE
AGENCY,

Appellant,

v.

PETER H. ARKISON, TRUSTEE, solely
in his capacity as Chapter 7 Trustee of the
estate of Bellingham Insurance Agency,
Inc.,

Appellee.

No. 11-35162

D.C. No. 2:10-cv-00929-MJP
Western District of Washington,
Seattle

ORDER

Before: KOZINSKI, Chief Judge, PAEZ, Circuit Judge, and COLLINS, District Judge.*

The court invites supplemental briefs by any amicus curiae addressing the following questions: Does *Stern v. Marshall*, 131 S. Ct. 2594 (2011), prohibit bankruptcy courts from entering a final, binding judgment on an action to avoid a fraudulent conveyance? If so, may the bankruptcy court hear the proceeding and

submit a report and recommendation to a federal district court in lieu of entering a final judgment?

Any briefs responding to this order shall be filed no later than thirty days from the filed date of this order. All briefs shall comply with the page or type-volume limitations specified in Federal Rules of Appellate Procedure 29(d) and 32(a)(7). Any person or entity wishing to file a brief as an amicus curiae in response to this order is granted leave to do so pursuant to Federal Rule of Appellate Procedure 29(a).