

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

SHERRI KROPP, )  
 )  
 Plaintiff, )  
 ) Civil No. 05-51-B-W  
 v. )  
 )  
 DANIEL LAWRENCE, )  
 )  
 Defendant. )

**ORDER**

On November 7, 2004, Plaintiff filed a Complaint against Defendant Daniel Lawrence in State of Maine Superior Court for Hancock County, Civil Action Docket No. ELLSC-CV-2004-00079. On January 10, 2005, the Defendant filed a motion for summary judgment. On January 26, 2005, Plaintiff filed a voluntary petition with the United States Bankruptcy Court under Title 11, Chapter 11, of the United States Bankruptcy Code. Finally, on March 24, 2005, Plaintiff filed a Notice of Removal with this Court, seeking to remove the case from state to federal court. As it was unclear under which statute the Plaintiff was proceeding, on March 28, 2005, this Court issued an Order for Clarification. The Plaintiff's Response to Court Order Requesting Clarification states it relies on 28 U.S.C. §§ 157, 1334 and 1452 as the bases for removal.

Pursuant to 28 U.S.C. § 1452, either "party may remove any claim or cause of action in a civil action," for claims related to bankruptcy. Under the Federal Rules of Bankruptcy Procedure, notice of removal under § 1452 is filed with the clerk of the bankruptcy court rather than the district court clerk. Fed. R. Bankr. P. 9001(3), 9027(a)(1); *see also* Collier on Bankruptcy 15th ed. ¶ 9027.03. Further, the district court may refer to the bankruptcy judge for

the district any or all cases arising in or related to a case under 11 U.S.C. §§ 101. 28 U.S.C. § 157.

Plaintiffs' Request for Removal is hereby REMANDED to the United States Bankruptcy Court for the District of Maine for further proceedings.

SO ORDERED.

/s/ John A. Woodcock, Jr.  
JOHN A. WOODCOCK, JR.  
UNITED STATES DISTRICT JUDGE

Dated this 31st day of March, 2005.

**Plaintiff**

**SHERRI KROPP**

represented by **JEFFREY TAYLOR PIAMPANO**  
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V.

**Defendant**

**DANIEL LAWRENCE**

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