

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

ALBERT A. RIEDERER,)	
Chapter 7 Trustee of Brooke Corporation, Brooke)	
Capital Corporation and Brooke Investments Inc.,)	
)	
Plaintiff,)	CIVIL ACTION
)	
v.)	No. 11-2382-KHV
)	
AMERICAN INTERNATIONAL GROUP, INC.,)	
)	
Defendant.)	
_____)	

MEMORANDUM AND ORDER

This matter is before the Court on Defendant American International Group, Inc.’s Motion To Withdraw The Reference And Transfer Proceedings To District Court And Demand For A Jury Trial (Doc. #2) filed March 21, 2011 in the bankruptcy court. On June 22, 2011, Bankruptcy Judge Dale L. Somers recommended that (1) for purposes of the motion to withdraw, the claims against American International Group (“AIG”) be treated as if they had been filed in a separate adversary case, rather than as one of 12 unrelated claims in Adversary Case No. 10-6219; (2) the district court find that based upon AIG’s request for trial by jury and the bankruptcy court’s inability to conduct a jury trial without consent of the parties, which is not present here, cause exists to withdraw reference of the claims against AIG; and (3) the withdrawal be immediate, with all trial preparation to be conducted in district court. See Report And Recommendation To The District Court To Grant American International Group Life Insurance Company’s Motion To Withdraw Reference (Doc. #5). On July 11, 2011, the Court ordered the parties to file any objections to the Report And Recommendation (Doc. #5) by July 15, 2011, and any responses to objections by July 20, 2011. The parties have not objected. For this reason and substantially the reasons stated in the Report And

Recommendation (Doc. #5), the Court adopts the Report And Recommendation (Doc. #22) in its entirety.¹

IT IS THEREFORE ORDERED that Defendant American International Group, Inc.’s Motion To Withdraw The Reference And Transfer Proceedings To District Court And Demand For A Jury Trial (Doc. #2) filed March 21, 2011 be and hereby is **SUSTAINED**. The bankruptcy court reference of the claims against American International Group, Inc. is withdrawn. Trial preparation will be conducted in the district court, and shall commence immediately.

Dated this 2nd day of August, 2011 at Kansas City, Kansas.

s/ Kathryn H. Vratil
KATHRYN H. VRATIL
United States District Judge

¹ Because the docket report listed all defendants in this case, several defendants other than AIG objected to the apparent removal of their claims from bankruptcy court. See Joint Objection To Removal Of Adversary Proceeding Against Defendants Casualty Corporation Of America, Inc., CNA Surety Corporation And Western Surety Company (Doc. #7) filed July 14, 2011. Because the Court adopts the bankruptcy judge’s recommendation that the claims against AIG be treated as if they had been field in a separate adversary case rather than as one of 12 unrelated claims in Adversary Case No. 10-6219, the Clerk is directed that all defendants except American International Group, Inc. should be terminated as defendants on the docket in this case.