

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

ERIC C. RAJALA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:11-mc-00226-EFM
)	
ROBERT H. GARDNER, <i>et al.</i> ,)	
)	
Defendants.)	

**ORDER WITHDRAWING REFERENCE OF JUDGMENT
AND MEMORANDUM AND ORDER OF COURT**

On July 1, 2011, the Member Defendants filed their Motion for Withdrawal of Reference of Judgment and Memorandum and Order of Court (the “Motion”) in *In re Generation Resources Holding Company, LLC*, Case No. 08-20957, currently pending in the United States Bankruptcy Court for the District of Kansas (the “Bankruptcy Case”), in which defendant FreeStream Capital LLC filed a motion to join and no other party in interest objected.

On August 1, 2011, the Honorable Robert D. Berger entered his Recommendation to the District Court to Grant the Parties’ Joint Motion to Withdraw the Reference in the Bankruptcy Case (the “Referral Recommendation”). This opened *Eric C. Rajala, Trustee in Bankruptcy for Estate of Generation Resources Holding Company, LLC v. Robert H. Gardner, et al.*, Case No. 2:11-mc-00226 (the “Miscellaneous Case”) on August 2, 2011. On August 10, 2011, the Honorable Kathryn H. Vratil reassigned the Miscellaneous Case to the Undersigned.

Based upon the Referral Recommendation from the Bankruptcy Court and as expressly authorized by D. Kan. Rule 83.8.6(f), the Court hereby withdraws the reference to the Bankruptcy Court of the Pennsylvania Judgment (as defined in the Motion) and issues related thereto as further set forth in the Motion. Pursuant to D. Kan. Rule 83.8.6, all further proceedings with respect to the Pennsylvania Judgment and the proceeds of that Judgment shall be conducted by this Court in the captioned case. This Order shall be filed in the Bankruptcy Court as an Order of the Court.

IT IS THEREFORE ORDERED that the Motion to Withdraw Reference from Bankruptcy Court (Doc. 1) is hereby GRANTED.

IT IS SO ORDERED.

Dated this 2nd day of September, 2011.

A handwritten signature in cursive script that reads "Eric F. Melgren".

ERIC F. MELGREN
UNITED STATES DISTRICT JUDGE