

In re E.S. Bankest, L.C., Debtor.
Case No. 04-17602-BKC-AJC
321 B.R. 590 (Bankr. S.D.Fla. 2005)

The Court found that Law Firm lacked party-in-interest standing to request conversion of the Chapter 11 case to a case under Chapter 7 of the Bankruptcy Code. Law Firm represented Debtor prepetition and is Defendant in a pending adversary proceeding filed by the Debtor. The motion for conversion would not effect the movant's rights, defenses, or claims with regard to the adversary proceeding, and the movant had no interest in the reorganization process of the Debtor. The Court allowed the prosecution of the motion to convert case to Chapter 7 by certain creditors who were parties-in-interest and joined in the motion.