

Century 21 Real Estate, LLC v. Prestige Realty Group, LLC

(In re Prestige Realty Group, LLC)

09-1260

The Bankruptcy Court had “related to” jurisdiction to hear claims under the Lanham Act and for unjust enrichment against a principal of the debtor. Plaintiff’s claims against the principal in its adversary case arose from the same common nucleus of operative facts as its claims against the debtor. The Bankruptcy Court, as a unit of the district court, may exercise the district court’s supplemental jurisdictional authority as provided in 28 U.S.C. §1367.

The defendant’s Motion to Dismiss is denied as plaintiff alleges facts, which if proven true, would form a plausible basis for the relief sought. The plaintiff’s claims are pled in sufficient detail to provide the defendant with an understanding of the alleged acts giving rise to the claims.