

In re UNITED CONTAINER LLC, Debtor.  
E.S. Bankest, LLC, Plaintiff,  
v.  
United Beverage Florida, LLC, et al., Defendants  
E.S. Bankest, LLC, Plaintiff,  
v.  
General Electric Company d/b/a GE Supply, et al., Defendants

**Bankruptcy No. 01-22614-BKC-RAM.**  
**Adversary Nos. 02-1285-BKC-RAM-A, 02-1372-BKC-RAM-A.**  
**(Cite as: 284 B.R. 162)**

State court actions brought by Chapter 7 Debtor's factor against other non-debtor defendants were removed to federal court based on Debtor's bankruptcy filing. Debtor's factor owned outright the receivables which formed the basis for its claims in both of these proceedings. Those receivables were not property of Debtor's Chapter 7 estate, but Debtor's factor sought recovery from Debtor to the extent it could not recover upon the receivables from the Defendants in these adversary proceedings. On motion to remand or abstain, the Court held that: (1) proceedings were ones over which court could exercise "related to" jurisdiction; (2) court had to abstain from hearing removed state court actions; and (3) even assuming that court did not have to abstain, it would exercise its discretion to do so.