

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA**

In re Jeff M. WEINRAUB and Enid WEINRAUB, Debtors.

No. 06-13593-BKC-RBR

The Debtors sought to have the court reconsider its dismissal of their case under Fed. R. Civ. P. 59(e) and 60(b). The Court denied the motion under Fed. R. Civ. P. 59(e), but granted it under Fed. R. Civ. P. 60(b). The Court determined that there was excusable neglect. It considered the operation of 11 U.S.C. §362(c)(3) to be prejudicial. Furthermore, a twenty-day delay was found to have little effect on Judicial proceedings. The non-filing of schedules by the Attorney was deemed to be excusable, under the circumstances. Finally, the Court concluded that there was nothing to indicate bad faith on the part of the Debtors. The Court ordered that the prejudice period of the dismissal be shortened.

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