U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
ENTERED
TAWANA C. MARSHALL, CLERK
THE DATE OF ENTRY IS
ON THE COURT'S DOCKET

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

In re:	§	
	§	
HOE WORKS EXCAVATION & UTILITIES, INC.,	§	CASE NO. 05-95051-DML-11
	§	
	§	
Debtor.	§	
HOE WORKS EXCAVATION & UTILITIES, INC.,	§	
Plaintiff	§	
	§	
vs.	§	ADVERSARY NO. 06-4046
	§	
K. WAYNE BUILDER, L.L.P.,	§	
Defendant.	§	

MEMORANDUM ORDER

On February 20, 2006, Hoe Works Excavation & Utilities, Inc. ("Plaintiff"), whose chapter 11 bankruptcy case is pending before this court, filed its complaint commencing the above-styled adversary proceeding for the purpose of collecting certain accounts receivable owed to Plaintiff by K. Wayne Builder, L.L.P. ("Defendant"). Plaintiff filed a motion for default judgment (the "Motion") on May 2, 2006.

Bankruptcy courts have declined to exercise jurisdiction over causes of action such as the one now before the court. *See Satelco, Inc. v. North American Publishers, Inc. (In re Satelco, Inc.)*, 58 B.R. 781 (Bankr. N.D. Tex. 1986); *In re Century Brass Products, Inc.*, 58 B.R. 838 (Bankr. D. Conn. 1986); *In re P & P Oilfield Equipment, Inc.*, 71 B.R. 621 (Bankr. D. Col. 1987); *St. George Island, Ltd. v. Pelham*, 104 B.R. 429 (Bankr. N.D. Fla. 1989); *Hackeling v. Rael Automatic Sprinkler Co. (In re Luis Elec. Contracting Corp.)*, 165 B.R. 358 (Bankr. E.D. N.Y. 1992). The court shares the view

expressed in this line of cases that matters such as the one now before the court should be adjudicated in state court. Accordingly,

It is hereby ORDERED that the Motion be, and hereby is, DENIED.

Signed this 10th day of August 2006.

DENNIS MICHAEL LYNN
UNITED STATES BANKRUPTCY JUDGE