

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In re:

CASE NO. 04-61365

JOHN S. ROBY,

CHAPTER 7

Debtor.

JUDGE RUSS KENDIG

THE SOCIETY OF LLOYD'S POSITION STATEMENT

Pursuant to this Court's Administrative Order No. 01-13, Creditor, The Society of Lloyd's ("Lloyd's") states the following in support of its Motion for Relief From Stay, filed in the alternative to its Motion to Dismiss, also currently pending before this Court.

1. Debtor seeks to avoid paying a judgment that was entered in Lloyd's favor in the High Court of Justice, Queen's Bench Division, Commercial Court in *The Society of Lloyd's and John Steiner Roby*, 1997 Folio No. 1336 on March 11, 1998 in the amount of £171,606.18. (Exhibit A.)

2. Lloyd's sought to enforce this motion in an action in the United States District Court, Northern District of Ohio, entitled *The Society of Lloyd's v. Charles Thomas Robinson, et al.*, Case No. 1:04CV0400. (Exhibit B.)

3. Currently, the Debtor is in debt to Lloyd's in the amount of £74,101.97 on the judgment. (Exhibit C.)

The evidence demonstrates that (1) the Debtor filed in bad faith to avoid his sole creditor and (2) this is a two-party dispute which should not be adjudicated in the bankruptcy court. Accordingly, Lloyd's should be granted relief from the automatic stay, to the extent that its Motion to Dismiss is denied.

Respectfully submitted,

s/ Jocelyn N. Prewitt

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The Society of Lloyd's

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of February 2005, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by regular U.S. mail and by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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