Case 16-03121-bjh Doc 24 Filed 12/21/16 Fatarod 12/21/16 1 Docket #0024 Date Filed: 12/21/2016



CLERK, U.S. BANKRUPTCY COURT NORTHERN DISTRICT OF TEXAS

**ENTERED** THE DATE OF ENTRY IS ON THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed December 21, 2016

**United States Bankruptcy Judge** 

# THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

IN RE:	§	
	8	CASE NO. 16-31854-BJH-11
CHC GROUP, LTD., ET AL.,	8	
DEDTODS	ş	CHAPTER 11
DEBTORS.	§	JOINTLY ADMINISTERED
	§	
SPAREBANK 1 SR-FINANS AS &	§	
SPAREBANKEN FINANS NORD-	§	
NORGE AS,	§	
	§	
	8	
PLAINTIFFS,	§	
	§	
v.	§	Adversary No. 16-03121-BJH
	§	
DEBTOR HELI-ONE LEASING	§	
(NORWAY) AS, CHC HELICOPTER	§	
S.A. AND IRONSHORE SPECIALTY	§	
INSURANCE COMPANY	§	
	§	
DEFENDANTS.	§	

# ORDER GRANTING IRONSHORE SPECIALTY INSURANCE COMPANY'S MOTION TO DISMISS ADVERSARY PROCEEDING COMPLAINT



This matter came to be heard before the Court on December 19, 2016 on *Ironshore Specialty Insurance Company's Motion to Dismiss Adversary Complaint* [Doc. No. 8] (the "Motion to Dismiss") filed by defendant Ironshore Specialty Insurance Company ("Ironshore") in the above-captioned adversary proceeding, whereby Ironshore sought dismissal of the Complaint filed by plaintiffs Sparebank 1 SR-Finans AS & Sparebanken Finans Nord-Norge AS (collectively, "Sparebank") pursuant to Federal Rule of Civil Procedure 12(b)(6), made applicable to this adversary proceeding under Rule 7012 of the Federal Rules of Bankruptcy Procedure. The Complaint also named as defendants Heli-One Leasing (Norway) AS and CHC Helicopter S.A. (collectively, the "Debtors"). The Court has reviewed and considered the Motion to Dismiss, the related briefing, and the arguments of counsel for Sparebank, Ironshore, and the Debtors, and finds upon the record made at the hearing and during the course of this adversary proceeding and after due deliberation thereon that good cause and sufficient basis exists for entry of this Order as set forth herein.

### ACCORDINGLY, IT IS HEREBY ORDERED AS FOLLOWS:

1. For the reasons set forth by the Court on the record at the hearing on this matter, the Motion to Dismiss is hereby GRANTED.

2. The Complaint is hereby dismissed with prejudice as to the claims brought by Sparebank in the Complaint.

3. This Court shall retain jurisdiction to resolve any and all disputes arising from this Order.

#### ### END OF ORDER ###

Prepared and Presented by:

# KANE RUSSELL COLEMAN & LOGAN PC

<u>/s/ Jason B. Binford</u> Joseph M. Coleman, Esq. Texas Bar No. 04566100 Jason B. Binford, Esq. Texas Bar No. 24045499 3700 Thanksgiving Tower 1601 Elm Street Dallas, TX 75201 Telephone: (214) 777-4200 Facsimile: (214) 777-4299 Email: jcoleman@krcl.com jbinford@krcl.com

# COUNSEL FOR IRONSHORE SPECIALTY INSURANCE COMPANY

Agreed as to form only:

### JACKSON WALKER LLP

<u>s/ Matthew D. Cavenaugh</u> Matthew D. Cavenaugh, Esq. Texas Bar No. 24062656 1401 McKinney Street, Suite 1900 Houston, TX 77010 Telephone: (713) 752-4284 Facsimile: (713) 308-4184 Email: mcavenaugh@jw.com

COUNSEL FOR SPAREBANK 1 SR-FINANS AS & SPAREBANKEN FINANS NORD-NORGE AS