

ENTERED

August 29, 2022

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

STAGE STORES, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 20-32564 (DRJ)
(Jointly Administered)

STEVEN BALASIANO, AS PLAN
ADMINISTRATOR OF STAGE STORES,
INC., *et al.*,

Plaintiff,

v.

CERTAIN UNDERWRITERS AT LLOYD'S
LONDON – BRIT SYNDICATE 2987 AND
BRIT SYNDICATE 2988, EVEREST
INDEMNITY INSURANCE COMPANY,
and QBE SPECIALTY INSURANCE
COMPANY,

Defendants.

Adv. Pro. No. 22-03142 (DRJ)

**ORDER GRANTING JOINT MOTION FOR MEDIATION
AND TO STAY ACTION PENDING MEDIATION**

(Docket No. 10)

Upon the joint motion (the "Joint Motion")² of Steven Balasiano, in his capacity as Plan Administrator for the chapter 11 estates of Stage Stores, Inc. and Specialty Retailers, Inc. (collectively, the "Debtors"), together with Defendants and Counter-Claimants (i) Those Certain Underwriters at Lloyd's, London subscribing to Policy Number PD-10921-00 – Brit Syndicate 2987 and Brit Syndicate 2988, (ii) Everest Indemnity Insurance Company, and (ii) QBE Specialty

¹ The Debtors, along with the last four digits of each Debtor's federal tax identification number, are: Stage Stores, Inc. (6900) and Specialty Retailers, Inc. (1900).

² Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Joint Motion.



Insurance Company (collectively, the “Defendants” and together with Plaintiff, the “Parties”), for entry of an order (this “Order”) (i) referring the Parties to enter non-binding mediation before John DeGroote of DeGroote Partners, LLC on September 6, 2022, and (ii) staying all deadlines related to this Adversary Proceeding for ninety (90) days, or as otherwise provided herein, or upon further order of the Court; and this Court having found that the relief requested in the Joint Motion is in the best interests of the parties; and this Court having reviewed the Joint Motion determined that the legal and factual bases set forth in the Joint Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is **HEREBY ORDERED THAT:**

1. At least one representative with settlement authority from each Party shall attend mediation, virtually or in-person, before John DeGroote of DeGroote Partners, LLC on September 6, 2022 at 9:00 a.m. (Central Time), to resolve their disputes related to the Complaint, pursuant to District Local Rule 16.4 and 28 U.S.C. § 652 *et seq.*

2. The Parties shall share the fees and costs of the mediation equally, and each party shall bear its own costs with respect to mediation.

3. This Adversary Proceeding shall be stayed for ninety (90) days through and including November 7, 2022, pending the Parties’ non-binding mediation, or by further order of the Court.

4. Plaintiff shall not object to any motion to determine this matter to be non-core or to withdraw the reference as being untimely and Defendants’ right to seek a determination that this matter is non-core or to move for a withdrawal of the reference pursuant to FED. R. BANKR. P. 5011 is not waived and is expressly reserved; *provided, however*, that Plaintiff’s right to contest any such motion(s) on any other grounds is expressly preserved.

5. Plaintiff's deadline to respond to the counterclaims asserted in Defendants' Answer, previously scheduled for July 8, 2022, is hereby extended to October 6, 2022.

6. In accordance with District Local Rule 16.4.K, the Parties will file a joint memorandum with the Court within 14 days after the mediation concludes informing the Court of, among other things, the outcome of the mediation.

Signed: August 29, 2022.



DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE

United States Bankruptcy Court
Southern District of Texas

Steven Balasiano, as Plan Administrator,
Plaintiff
Certain Underwriters at Lloyd's Lon,
Defendant

Adv. Proc. No. 22-03142-drj

CERTIFICATE OF NOTICE

District/off: 0541-4
Date Rcvd: Aug 29, 2022

User: ADIuser
Form ID: pdf111

Page 1 of 2
Total Noticed: 0

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 31, 2022:

NONE

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
dft		Certain Underwriters at Lloyd's London
cc		Certain Underwriters at Lloyd's London
dft		Everest Indemnity Insurance Company
cc		Everest Indemnity Insurance Company
dft		QBE Specialty Insurance Company
cc		QBE Specialty Insurance Company
pla		Steven Balasiano, as Plan Administrator
cd		Steven Balasiano, as Plan Administrator

TOTAL: 8 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 31, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 29, 2022 at the address(es) listed below:

Name	Email Address
James W Walker	on behalf of Plaintiff Steven Balasiano as Plan Administrator jwalker@coleschotz.com, ahickey@coleschotz.com; amacias@coleschotz.com
Jerrold L Rinehart	on behalf of Defendant QBE Specialty Insurance Company jrinehart@belaw.com sroyall@belaw.com, apaez@belaw.com, cferguson@belaw.com
Jerrold L Rinehart	on behalf of Counter-Claimant QBE Specialty Insurance Company jrinehart@belaw.com sroyall@belaw.com, apaez@belaw.com, cferguson@belaw.com

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Jerrold L Rinehart

on behalf of Defendant Everest Indemnity Insurance Company jrinehart@belaw.com
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on behalf of Counter-Claimant Everest Indemnity Insurance Company jrinehart@belaw.com
sroyall@belaw.com,apaez@belaw.com,cferguson@belaw.com

Jerrold L Rinehart

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sroyall@belaw.com,apaez@belaw.com,cferguson@belaw.com

Jerrold L Rinehart

on behalf of Defendant Certain Underwriters at Lloyd's London jrinehart@belaw.com
sroyall@belaw.com,apaez@belaw.com,cferguson@belaw.com

TOTAL: 7