

In the United States Bankruptcy Court  
for the

Southern District of Georgia **FILED**

Savannah Division

Lucinda B. Rauback, Clerk  
United States Bankruptcy Court  
Savannah, Georgia  
By dreesse at 2:55 pm, Dec 30, 2015

In the matter of: )  
)  
JAMES T. TURNER, JR., )  
)  
*Debtor.* )

Chapter 7

Number 15-40525-EJC

\_\_\_\_\_)  
)  
BRENT HARLANDER; )  
)  
RICHARD P. VAN BENSCHOTEN; and )  
)  
SCOTT McKENNA, )  
)  
*Plaintiffs,* )

Adversary

v. )  
)  
JAMES T. TURNER, JR., )  
)  
*Defendant.* )

Number 15-04037-EJC

**ORDER**

This case is before the Court on the Defendant's Motion to Dismiss (adv. dckt. 9) filed in response to Plaintiffs' Complaint to Determine Dischargeability of Debt and Other Relief (adv. dckt. 1), Plaintiffs' Motion to Amend Complaint (adv. dckt. 13) and Defendant's Motion to Dismiss And/Or Strike Amended Complaint (adv. dckt. 20) filed in response to Plaintiffs' First Amended Complaint (adv. dckt. 15).

Consistent with the findings of facts and conclusions of law separately entered, it is ORDERED that Defendant's Motion to Dismiss (adv. dckt. 9) is GRANTED with leave to amend.

It is further ORDERED that Plaintiffs' Motion to Amend Complaint (adv. dckt. 13) is GRANTED.

It is further ORDERED that Plaintiff Brent Harlander shall amend the Complaint to Determine Dischargeability of Debt and Other Relief (adv. dckt. 1) no later than January 15, 2016.

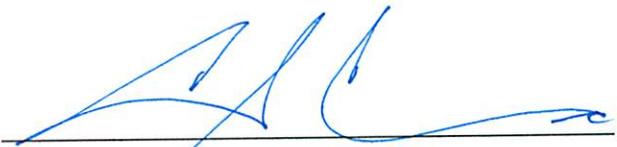
It is further ORDERED that Plaintiff Richard B. Van Benschoten is dismissed from the Complaint to Determine Dischargeability of Debt and Other Relief (adv. dckt. 1) and is granted leave to file a separate complaint no later than January 15, 2016.

It is further ORDERED that Plaintiff Scott McKenna is dismissed from this Complaint to Determine Dischargeability of Debt and Other Relief (adv. dckt. 1).

It is further ORDERED that all new complaints ordered filed, together with the newly amended Complaint to Determine Dischargeability of Debt and Other Relief (adv. dckt. 1), shall be considered *nunc pro tunc* and relate back in time to the date of the original filing of the Complaint to Determine Dischargeability of Debt and Other Relief (adv. dckt. 1).

It is further ORDERED that Defendant's Motion to Dismiss And/Or Strike Amended Complaint (adv. dckt. 20) is GRANTED and the First Amended Complaint (adv. dckt. 15) is STRICKEN on the limited basis that it was filed before the entrance of this order.

Dated at Savannah, Georgia, this 30th day of December, 2015.

  
Edward J. Coleman, III, Judge  
United States Bankruptcy Court  
Southern District of Georgia