



Concerning the unsolicited report and recommendation, we now consider it, reject it, and do what the Bankruptcy Court failed to do: we make a specific finding that the plan is feasible based on the facts before us at this time. This is not to say that later developments in the state court proceedings cannot impact this determination. At this stage, however, given that the state district court's judgment has already survived one level of appellate review intact, we conclude that there is a substantial likelihood of recovery on the state court judgment.

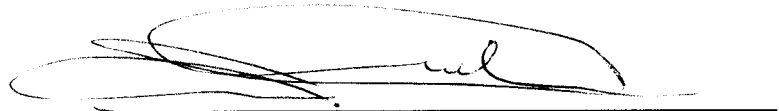
In making this feasibility determination, we make no determination whether the debtor is entitled to any surplus in this matter in the event of recovery on the state court judgment. We reserve ruling on that issue unless and until it is properly before this Court.

For the foregoing reasons,

IT IS ORDERED that the pending motion to withdraw the reference (Doc. 49) and motion for leave to file a supplemental motion to withdraw the reference (Doc. 50) are presently DENIED.

IT IS FURTHER ORDERED that this case is REMANDED to the Bankruptcy Court for further proceedings consistent with this opinion.

SIGNED on this 17<sup>th</sup> day of June, 2008 at Alexandria, Louisiana.



DEE D. DRELL  
UNITED STATES DISTRICT JUDGE