

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

**Arden Silverman dba Capital Asset Protection v. Tedder Acquisition,
LLC, et al.**

Silverman v. Tedder Acquisition · No. 2:24-cv-06989-MRA-MAA · Decided December 15, 2025

OPINION

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA CIVIL MINUTES — GENERAL Case No. 2:24-cv-06989-MRA-MAA Date December 15, 2025 Title Arden Silverman dba Capital Asset Protection v. Tedder Acquisition, LLC, et al. Present: The Honorable MONICA RAMIREZ ALMADANT, UNITED STATES DISTRICT JUDGE Melissa H. Kunig None Present Deputy Clerk Court Reporter Attorneys Present for Plaintiffs: Attorneys Present for Defendants: None Present None Present Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE AS TO WHY CASE SHOULD NOT BE STAYED On December 11, 2025, Defendant and Counter-Complainant Tedder Industries, LLC f/k/a Defendant Tedder Acquisition, LLC (“Tedder”) filed a Notice of Bankruptcy Filing.

ECF 137. The Notice indicates that Tedder has filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Southern District of Texas. *Id.* at 3. The Notice further indicates that the petition triggers an “automatic stay” in this matter under 11 U.S.C. § 362. A petition for bankruptcy “operates as a stay” as to, *inter alia*, “the commencement or continuation... of a judicial, administrative, or other action or proceeding against the debtor that was or could have been commenced before the commencement of the case under this title, or to recover a claim against the debtor that arose before the commencement of the [bankruptcy case].” 11 U.S.C. § 362(a)(1) (emphasis added). “The policy behind § 362 is to protect the estate from being depleted by creditors’ lawsuits and seizures of property in order to provide the debtor breathing room to reorganize.” *In re Palmdale Hills Prop., LLC*, 423 B.R.

655, 663 (B.A.P. 9th Cir. 2009). “Although the scope of the automatic stay is broad, it does not stay all proceedings.... [T]he automatic stay has been found inapplicable to lawsuits initiated by the debtor.” *Id.*; see also *In re Palmdale Hills Prop., LLC*, 654 F.3d 868, 875 (9th Cir. 2011) (“The [automatic] stay does not prevent a plaintiff/debtor from continuing to prosecute its own claims nor does it prevent a defendant from protecting its interests against claims brought by the debtor.

This is true, even if the defendant’s successful defense will result in the loss of an allegedly valuable claim asserted by the debtor.”) (citation omitted). For these reasons, the automatic stay triggered by Tedder’s bankruptcy filing applies only to its claims against Tedder in its capacity as a defendant in this action—it does not extend to the counterclaims brought by Tedder or the

crossclaim brought by Tax Resolution Plus, Inc. Nevertheless, the Court “has broad discretion to stay proceedings as an incident to its power to UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA CIVIL MINUTES — GENERAL Case No. 2:24-cv-06989-MRA-MAA Date December 15, 2025 Title Arden Silverman dba Capital Asset Protection v. Tedder Acquisition, LLC, et al. control its own docket.” Clinton v. Jones, 520 U.S. 681, 706 (1997).

The Court is mindful that because Tedder’s counterclaims and Tax Resolution Plus, Inc.’s crossclaim arise from the same underlying factual circumstances and involve the same parties as the claims subject to the automatic stay, the interests of judicial economy may be best served by staying this case in its entirety. See *Beardsley v. All Am. Heating, Inc.*, No. C05-1962P, 2007 WL 1521225 (W.D.

Wash. May 22, 2007) (staying entire case where “it would be more efficient to stay the entire case while claims against [some defendants] are subject to the [bankruptcy] automatic stay, rather than to proceed with [the] litigation on a piecemeal basis.”).

The parties are therefore ORDERED TO SHOW CAUSE in writing, within seven (7) days of the issuance of this order, why the Court should not stay the entire case while claims against Tedder are subject to the automatic stay. IT ISSO ORDERED. Initials of Deputy Clerk mku