

UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT
OF FLORIDA, FORT LAUDERDALE DIVISION

In re: Gani Brown

In re Brown · No. 25-23817-SMG · Decided March 26, 2026

SUMMARY

The United States Bankruptcy Court for the Southern District of Florida denied creditor Yusuf Kurt’s motion for reconsideration of an order denying his request to extend the deadline to file a dischargeability complaint under Federal Rule of Bankruptcy Procedure 4007(c). The court held that the reconsideration motion did not establish newly discovered evidence or a manifest error under Rule 59(e), and did not satisfy the grounds for relief under Rule 60(b).

CASE DETAILS

COURT	United States Bankruptcy Court for the Southern District of Florida, Fort Lauderdale Division
JURISDICTION	United States Bankruptcy Court for the Southern District of Florida, Fort Lauderdale Division
DECIDED	March 26, 2026
DOCKET	25-23817-SMG
DISPOSITION	other
PROCEDURAL POSTURE	Creditor Yusuf Kurt moved for reconsideration of the bankruptcy court's denial of his motion to extend the deadline for filing a complaint to determine the dischargeability of a debt under 11 U.S.C. § 523(c) and Federal Rule of Bankruptcy Procedure 4007(c).
STANDARD OF REVIEW	A motion under Federal Rule of Civil Procedure 59(e), made applicable by Federal Rule of Bankruptcy Procedure 9023, may be granted only for newly discovered evidence or a manifest error of law or fact. Relief under Rule 60(b), made applicable by Federal Rule of Bankruptcy Procedure 9024, is likewise limited and does not permit relitigation of issues or presentation of arguments that could have been raised earlier.
PRECEDENTIAL VALUE	Unknown; bankruptcy court order with no stated precedential designation
PARTIES	Yusuf Kurt v. Gani Brown

TOPICS

motion for reconsideration

nondischargeable debts

chapter 7

bankruptcy

civil procedure

PRACTICE AREAS

Bankruptcy

Civil procedure

Reconsideration motions

QUESTIONS PRESENTED

1. Whether reconsideration was warranted under Federal Rule of Civil Procedure 59(e), as incorporated by Federal Rule of Bankruptcy Procedure 9023, based on newly discovered evidence or a manifest error of law or fact.
2. Whether relief was warranted under Federal Rule of Civil Procedure 60(b), as incorporated by Federal Rule of Bankruptcy Procedure 9024.
3. Whether the creditor's belated arguments concerning a prior state-court fraud judgment established cause to extend the strict deadline under Federal Rule of Bankruptcy Procedure 4007(c).

HOLDINGS

1. Reconsideration was not warranted because Kurt identified neither newly discovered evidence nor a manifest error of law or fact in the denial of his motion to extend the Rule 4007(c) deadline.
2. Relief under Rule 60(b) was not warranted because Kurt did not establish mistake, inadvertence, surprise, excusable neglect, or another recognized basis for relief, and Rule 60(b) does not permit arguments that could have been raised earlier.
3. A party seeking to extend the Rule 4007(c) deadline bears the burden of establishing cause, and Kurt failed to meet that burden through either his original motion or his hearing presentation.

KEY QUOTATIONS

"reconsideration is an extraordinary remedy to be employed sparingly." (Order text)

"Rule 4007(c) sets a strict deadline. A timely motion to extend that deadline may be granted for cause, but the movant has the burden to show cause exists." (Order text)

FACTUAL BACKGROUND

Kurt held a state-court judgment against Brown that he characterized as involving fraud and breach of fiduciary duty. Although Kurt timely filed a motion seeking extensions of several bankruptcy deadlines, the motion did not adequately explain why cause existed to extend the Rule 4007(c) deadline for filing a dischargeability complaint. At the hearing, Kurt asserted that the state-court judgment itself established cause, and after the court denied the extension, he sought reconsideration based on additional arguments and materials concerning that judgment.

PROCEDURAL HISTORY

The deadline to file a dischargeability complaint was February 17, 2026. Kurt filed an ex parte motion to extend several bankruptcy deadlines at 4:00 p.m. on that date, but the motion did not adequately state grounds

constituting cause under Rule 4007(c). After a hearing, the court denied the requested extension. Kurt then moved for reconsideration, asserting new factual grounds concerning a prior state-court fraud judgment; the court denied reconsideration.

DISPOSITION

other

CASES CITED

- In re Nieves Guzmán, 567 B.R. 854, 862 (B.A.P. 1st Cir. 2017)
- MacPhee v. MiMedx Group, Inc., 73 F.4th 1220, 1250 (11th Cir. 2023)
- Arthur v. King, 500 F.3d 1335, 1343 (11th Cir. 2007)
- Trump v. Cable News Network, Inc., 2023 WL 8433599, at *1 (S.D. Fla. 2023)
- U.S. v. Dean, 838 F. App'x 470, 471-72 (11th Cir. 2020)
- Shuler v. Garrison, 718 F. App'x 825, 828 (11th Cir. 2017)
- Oto v. Metro. Life Ins. Co., 224 F.3d 601, 606 (7th Cir. 2000)
- Venegas-Hernandez v. Sonolux Records, 370 F.3d 183, 195 (1st Cir. 2004)
- Holland v. Florida, 2007 WL 9705926, at *1 (S.D. Fla. 2007)
- Williams v. Cruise Ships Catering & Serv. Int'l, N.V., 320 F. Supp. 2d 1347, 1358 (S.D. Fla. 2004)
- Mannings v. Sch. Bd. of Hillsborough Cnty., 149 F.R.D. 235, 235 (M.D. Fla. 1993)
- Imperato v. Hartford Ins. Co., 803 F. App'x 229, 231 (11th Cir. 2020)
- Richardson v. Johnson, 598 F.3d 734, 740 (11th Cir. 2010)