

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

MARVIN BONILLA-BONILLA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Case No. 5:23-cv-15-TES-AGH
	:	
JOHN BARFIELD, <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	

ORDER

Before the Court is Defendants Barfield, Monday, and Nwabueze’s Notice of Stay (ECF No. 90). Barfield, Monday, and Nwabueze have attached an order issued by the United States Bankruptcy Court for the Southern District of Texas arising out of a Chapter 11 petition filed by Wellpath Holdings, Inc. Am. Interim Order, *In re Wellpath Holdings, Inc.*, No. 24-90533-ARP (S.D. Tex. Nov. 12, 2024), ECF No. 69. The order enforces an automatic stay in all lawsuits “in which a Debtor is named as one of the defendants therein.” *Id.* at 1 n.3. Wellpath, LLC, which Barfield, Monday, and Nwabueze state was their employer at the time of the incidents alleged in this lawsuit, is one of numerous Wellpath entities included as a Debtor under the petition. Defs.’ Notice of Stay 4, ECF No. 101; Defs.’ Ex. A, at 1, 6, ECF No. 90-1. In addition to enforcing the automatic stay of claims against a Debtor, the Southern District of Texas also stayed claims against “Non-Debtor Defendants.” Am. Interim Order 2, Nov. 12, 2024, *In re Wellpath Holdings, Inc.* Barfield, Monday, and Nwabueze assert

they qualify as Non-Debtors under the order because of their employment with Wellpath, LLC, and their status as indemnified parties. Defs.' Notice of Stay 3.

While it is clear that if Wellpath, LLC were a defendant in this action, the Southern District of Texas Bankruptcy Court's order would clearly stay claims against it, the Court does not have sufficient information to reach the same conclusion as to Barfield, Monday, and Nwabueze or Warden Sampson, the remaining Defendant in this case. Barfield, Monday, and Nwabueze do not point the Court to any specific provision in the bankruptcy court order or statute that clearly identifies employees such as Barfield, Monday, and Nwabaeze as Non-Debtors to which the stay would apply.

Therefore, EACH DEFENDANT—including Warden Sampson—is instructed to advise the Court within FOURTEEN (14) DAYS what effect the Southern District of Texas Bankruptcy Court's stay order has on each Defendant and cite the Court to a specific order or statute that supports the party's position.

SO ORDERED, this 2nd day of December, 2024.

s/ Amelia G. Helmick
UNITED STATES MAGISTRATE JUDGE