

The document below is hereby signed.

Signed: April 15, 2013



S. Martin Teel, Jr.

S. Martin Teel, Jr.
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLUMBIA

In re)	
)	
JONG E. BAE,)	Case No. 12-00781
)	(Chapter 7)
Debtor.)	Not for publication in
)	West's Bankruptcy Reporter

MEMORANDUM DECISION RE MOTION TO DISMISS INVOLUNTARY CASE

Jong E. Bae has moved to dismiss this involuntary case. Only Randy McRae has opposed the motion, but as the record in the Superior Court of the District of Columbia shows, his claim, to the extent it was upheld, has been paid. He has appealed that court's disallowance of the rest of his claim, but obviously the claim is in bona fide dispute. Moreover, the doctrine of claim preclusion requires this court to treat him as owed nothing even though an appeal is pending. He is not eligible to pursue an involuntary petition under 11 U.S.C. § 303(b)(1). An order follows dismissing this case with prejudice to any further involuntary petition based on the circumstances that now exist.

[Signed and dated above.]

Copies to: Recipients of e-notification.