

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

IN RE: )  
)  
UNITED SITE SERVICES, INC., ) CASE NO.: 25-23630-MBK  
)  
Debtor. ) CHAPTER 11  
\_\_\_\_\_)  
)  
JESS MCNABB, )  
)  
Movant, )  
) CONTESTED MATTER  
v. )  
)  
UNITED SITE SERVICES, INC., and )  
LAUREN BIELSKIE, Chapter 11 )  
Trustee, )  
)  
Respondents. )  
\_\_\_\_\_)

**JESS MCNABB'S MOTION FOR RELIEF FROM AUTOMATIC  
STAY AND WAIVER OF RIGHT TO HEARING  
WITHIN 30 DAYS AS PROVIDED BY 11 USC § 362(e)**

Jess McNabb ("Movant"), pursuant to Rules 4001 and 9014 of the Federal Rules of Bankruptcy Procedure and 11 U.S.C. § 362(d), hereby amends and requests relief from the automatic stay imposed by 11 U.S.C. § 362(a). In support thereof, Movant states as follows:

1.

Debtor filed a petition constituting an Order for Relief under Chapter 11 of Title 11 of the United States Code on December 29, 2025 (the "Petition Date").

2.



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On or about September 29, 2022, Debtor was the employer/owner of a motor vehicle being operated by Employee, Gustavo Aleman-Martinez, (hereinafter referred to as "Employee") on Friendship Road, in Hall County, Georgia. At said time and place, Debtor's vehicle forcefully crashed into the vehicle being operated by Movant, thus giving rise to the collision which is the basis of Movant's personal injury claim against Debtor.

3.

The collision caused significant bodily injuries to Movant. As a result of the injuries, Movant incurred substantial damages including pain and suffering, medical expenses for treatment, and lost wages.

4.

Movant desires to pursue his claim for damages from Debtor's insurance carrier concerning the accident that occurred on September 29, 2022.

5.

Movant will suffer irreparable harm if the stay is not lifted, and he is unable to pursue his claim for damages.

6.

Movant's claim for damages will not impact the rights of creditors in Debtor's instant Bankruptcy Case.

7.

Good cause exists, including the absence of adequate protection, to grant relief from the automatic stay pursuant to 11 U.S.C. § 362(d)(1). Such relief will allow

Movant, and its successors and assigns, to exercise all contractual and non-bankruptcy rights and remedies available to it, to the extent of the automobile insurance coverage applicable to Movant's claims against Debtor arising from the motor vehicle accident that occurred on September 29, 2022. In addition, Movant is entitled to relief from the automatic stay under 11 U.S.C. § 362(d)(2).

8.

Movant hereby waives its right to have the Motion heard within thirty (30) days pursuant to 11 U.S.C. § 362(e).

WHEREFORE, Movant prays that the Court enter an Order (the "Order") granting relief as follows:

- (a) modify the automatic stay imposed by 11 U.S.C. § 362(a) to permit Movant to pursue recovery under the automobile insurance coverage applicable to its claims against Debtor arising from the September 29, 2022, automobile accident;
- (b) award Movant, and its successors and assigns, its attorneys' fees as provided for in the Note;
- (c) provide that the Order shall not be superseded by Debtor's Chapter 11 Plan, if confirmed; and the terms of relief granted in, the Order shall be deemed incorporated into the confirmed Plan; and to the extent there are conflicting terms resulting from such incorporation, the terms of, and relief granted in, the Order shall prevail;

- (d) provide that any Order entered shall become effective and enforceable immediately upon entry irrespective of FED. R. BANKR. P. 4001(a)(4); and
- (e) grant such other and further relief as the Court deems just and proper.

Respectfully submitted this 4<sup>th</sup> day of February, 2026.

**Kenneth S. Nugent, P.C.**

By: /s/ Michael H. Ruder  
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**ORDER**

Upon motion and for proper cause shown, it is hereby ORDERED that relief from the automatic stay is GRANTED so as to permit Movant to fully exercise his rights to pursue his claims against Debtor to the extent of any and all applicable automobile insurance coverage.

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

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Michael B. Kaplan, Judge  
United States Bankruptcy Court  
District of New Jersey

Prepared by:

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_____	)	

CERTIFICATE OF SERVICE

This is to certify that I have on this day electronically filed the foregoing ***MOTION FOR RELIEF FROM AUTOMATIC STAY AND WAIVER OF RIGHT TO HEARING WITHIN 30 DAYS AS PROVIDED BY 11 U.S.C. § 362(e)*** (the "Document") using the Bankruptcy Court's Electronic Case Filing program, which sends notice of the Document and an accompanying link to the Document to the following parties:

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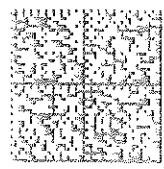
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