

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TENNESSEE

In re:

No. 94-11742
Chapter 7

FIRST THERMAL SYSTEMS, INC.

Debtor

C. KENNETH STILL, TRUSTEE

Plaintiff

v.

Adversary Proceeding
No. 95-1115

CHATTANOOGA RUBBER AND GASKET
CO., GULF-COAST OFFICE PRODUCTS
OF TENNESSEE, INC., HOT SHOT EXPRESS,
INC., and RODEN ELECTRIC,

Defendants

MEMORANDUM AND ORDER

This adversary proceeding is before the court for review *sua sponte*. It appears that this adversary proceeding has been filed by the trustee to recover four separate and distinct allegedly preferential transfers from four separate and distinct defendants.

Rule 20 of the Fed. R. Civ. P. applies in adversary proceedings pursuant to Bankr. R. 7020. Rule 20 provides in pertinent part:

“All persons ... may be joined in one action as

defendants if there is asserted against them jointly, severally, or in the alternative, any right to relief in respect of or arising out of the same transaction, occurrence, or series of transactions or occurrences, and if any question of law or fact common to all defendants will arise in the action.”

While there may be questions of law common to all of the defendants in this adversary proceeding, the alleged right to relief does not arise out of the same transaction, occurrence, or series of transactions or occurrences. Accordingly, the court concludes that the defendants should not be joined in one action.

It is ORDERED that the trustee’s complaint as to Gulf-Coast Office Products of Tennessee, Inc.; Hot Shot Express, Inc.; and Roden Electric is dismissed.

ENTER:

BY THE COURT

entered 9/1/1995

R. THOMAS STINNETT
U.S. BANKRUPTCY JUDGE