

**NOT FOR PUBLICATION**

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

**FILED**

JUN 17 2008

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

CRAIG BATLEY,

Plaintiff - Appellant,

v.

HOMESEEKERS.COM, INC. d/b/a  
REALIGENT, INC., REALIGENT  
DEVELOPMENT, INC., GENSTAR  
MEDIA, a division of  
HOMESEEKERS.COM, INC., and GULF  
UNDERWRITERS INSURANCE CO.,

Defendants - Appellees.

and

TERRY PULLAN, a citizen of California

Defendant

No. 07-55563

D.C. No. CV-01-05642-R

MEMORANDUM\*

Appeal from the United States District Court  
for the Central District of California  
Manuel L. Real, District Judge, Presiding

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

Submitted June 4, 2008\*\*  
Pasadena, California

Before: KOZINSKI, Chief Judge, ALDISERT\*\*\* and D.W. NELSON, Circuit Judges.

Appellant Craig Batley raises a number of issues on appeal stemming from two orders issued by the United States District Court for the Central District of California. We agree with the District Court that the United States Bankruptcy Court was the proper court to determine whether Batley's claim against Homeseekers.com had been discharged in bankruptcy and whether the claim could be reactivated following completion of Homeseekers.com's bankruptcy proceedings. We also agree that the evidence in this case shows that Homeseekers.com did not assign the insurance policies at issue to Batley, and therefore Gulf Underwriters Insurance Co. has no liability to Batley.

**AFFIRMED.**

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\*\* The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

\*\*\* The Honorable Ruggero J. Aldisert, Senior United States Circuit Judge for the Third Circuit, sitting by designation.

