



**ORDERED in the Southern District of Florida on July 2, 2025.**

A handwritten signature in black ink, appearing to read "Laurel M. Isicoff", written over a horizontal line.

**Laurel M. Isicoff, Judge  
United States Bankruptcy Court**

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION  
[www.flsb.uscourts.gov](http://www.flsb.uscourts.gov)

In re:

BH DOWNTOWN MIAMI, LLC and  
340 BISCAYNE OWNER LLC

Debtors.

Case No. 24-23028-LMI

Chapter 11  
(Jointly Administered)

BH DOWNTOWN MIAMI, LLC and  
340 BISCAYNE OWNER LLC

Plaintiffs,

CIRRUS 340 BB LENDER LLC, and  
CIRRUS REAL ESTATE FUNDING LLC

Defendants.

Adv. Proc. No. 25-01110-LMI

Chapter 11

**ORDER GRANTING PLAINTIFFS' MOTION FOR LEAVE TO AMEND  
COMPLAINT, DENYING DEFENDANTS' MOTION TO DISMISS, AND  
SCHEDULING BRIEFING DEADLINES AND HEARING**

THIS MATTER came before the Court on June 30, 2025 at 9:30 AM upon *Defendants' Motion to Dismiss Adversary Proceeding Complaint* [ECF 4], *Plaintiffs' Response to Defendants' Motion to Dismiss Adversary Proceeding Complaint* [ECF 17], *Defendants' Reply In Further Support of their to Motion to Dismiss Adversary Proceeding Complaint* [ECF 20], *Plaintiffs' Motion to Amend Adversary Complaint and Objection to Claims* [ECF 28], and *Defendants' Limited Response to Plaintiffs' Motion to Amend Complaint* [ECF 30]. Upon consideration of the foregoing filings, the argument of counsel and the record in this case, and for all the reasons stated on the record, the Court hereby ORDERS as follows:

1. Plaintiffs' Motion for Leave to Amend Adversary Complaint [ECF 28] is **GRANTED**. Plaintiffs shall file their Amended Complaint on June 30, 2025.
2. Defendants' Motion to Dismiss Complaint [ECF 4] is **DENIED** without prejudice.
3. Defendants shall respond to Plaintiffs' Amended Complaint no later than July 21, 2025.
4. In the event Defendants file a motion to dismiss, Plaintiffs shall file a response to the motion no later than August 11, 2025, and Defendants shall file a reply no later than August 18, 2025.
5. The hearing on any motion to dismiss is set as an in person hearing on September 2, 2025, at 1:30 PM, before the Honorable Laurel M. Isicoff, United States Bankruptcy Court, 301 N. Miami Avenue, Courtroom 8, Miami, Florida 33128.
6. Absent prior permission of the Court, the motion and response may not exceed twenty pages in length and the reply may not exceed ten pages in length. Title pages preceding the first page of text, signature pages and certificates of service are not counted as pages for purposes of this paragraph.

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Submitted By:

Linda Worton Jackson, Esq.

**Pardo Jackson Gainsburg & Shelowitz, PL**

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[Attorney Jackson is hereby directed to serve a conformed copy of this order on all interested parties and file a certificate of service conforming with Local Rule 2002-1(F).]