

# What We Know

## ARTICLES & INSIGHTS

### ABOUT THE AUTHOR



**Byron Saintsing** leads a practice group focused on matters involving [construction law](#), commercial and business litigation, representation of [equipment lessors](#), charter schools, and education law, and commercial creditor bankruptcy. Byron has written and lectured on many topics pertaining to construction and equipment leasing, including editing materials on North Carolina's adoption of Article 2A of the Uniform Commercial Code.

## Good news for subcontractors and material suppliers regarding mechanics lien claims in NC

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In a case closely followed by the subcontractor and supply house industry in North Carolina, the U.S. District Court for the Eastern District of North Carolina held yesterday that filing a mechanics lien claim after a bankruptcy case has been filed does not violate the automatic stay of the Bankruptcy Code. Subcontractors and material suppliers now have the green light to file their mechanics lien claims without fear of them being invalidated, or worse being sanctioned by the Bankruptcy Court, for violating the automatic stay. Although our firm did not participate in this case, our firm was active in several of the cases that the Court cites in its decision, particularly the *Ferguson Enterprises, Inc. v. Mammoth Grading, Inc.* case.

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