

NONPRECEDENTIAL DISPOSITION

To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals

**For the Seventh Circuit
Chicago, Illinois 60604**

Submitted May 18, 2026*
Decided May 27, 2026

Before

FRANK H. EASTERBROOK, *Circuit Judge*

DIANE S. SYKES, *Circuit Judge*

THOMAS L. KIRSCH II, *Circuit Judge*

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Teste:

Deputy Clerk
of the United States
Court of Appeals for the
Seventh Circuit

No. 25-2589

RAYMOND E. BUTLER, II,
Plaintiff-Appellant,

v.

ELI JACKFINN EDDI, a/k/a ELY EDDI,
et al.,
Defendants-Appellees.

Appeal from the United States District
Court for the Northern District of
Illinois, Eastern Division.

No. 1:25-cv-04443

Georgia N. Alexakis,
Judge.

ORDER

Raymond Butler, II, sued over thirty defendants, alleging a decades-long conspiracy to deprive him of the benefits of a trust created by his grandfather. Butler filed an emergency motion seeking to lift a stay of the proceedings, vacate a protective order, and impose a preliminary injunction to freeze the trust assets and appoint a

* We have agreed to decide the case without oral argument because the briefs and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. FED. R. APP. P. 34(a)(2)(C).

neutral fiduciary. The district judge denied the motion and Butler appealed. We affirm the judge's ruling on the preliminary injunction and motion to lift the stay, we dismiss the appeal with respect to the motion to vacate the protective order, and we deny Butler's petition for writ of mandamus and motion for leave to file a supplement to the writ of mandamus.

In January 2022, Butler filed a lawsuit in Illinois state court, alleging that his grandfather, Jonas Neufeld, and a family friend, Jack Finn, created the Jack Finn Irrevocable Trust for the benefit of Butler and his siblings. He alleged that Ilana and Ely Eddi eventually gained control of the trust and prevented Butler from receiving distributions. He also asserts that his signature was forged on the release of his rights to the trust.

Two years later, while the state case was still pending, Butler filed another lawsuit in the Western District of Michigan. He sued over thirty defendants—including the Eddis—for conspiring to deprive him of the benefits of trusts set up by his grandfather. He alleged that his grandfather had also created two additional trusts, the GPN Family Trust and Doros Generation Trust, for his benefit. The district judge stayed the proceedings because the ongoing state case was parallel to the federal lawsuit. *See Colorado River Water Conservation Dist. et al. v. United States*, 424 U.S. 800, 813–14 (1976).

In February 2025, a magistrate judge issued a protective order after Butler sent harassing and threatening communications to some of the defendants and employees of a non-party witness. The order barred Butler from communicating about the case with the defendants, their family members, or any witnesses, except through his attorney. A district judge upheld the order after an evidentiary hearing where Butler admitted that he had sent the communications and used language that echoed the “deny, defend, depose” phrase written on bullets used in the killing of the UnitedHealthcare CEO Brian Thompson.

The district court in Michigan then transferred the case to the Northern District of Illinois because the Western District of Michigan was not the proper venue for the lawsuit. Judge Georgia Alexakis continued the stay of the proceedings under the *Colorado River* doctrine because the state and federal cases involved the same issue—whether Butler was a beneficiary of the trusts—and the state court case could have preclusive effect on the federal lawsuit. The judge also continued the protective order

but modified it to allow Butler's new counsel, Katherine London, to make communications.

In July 2025, Butler filed an emergency motion seeking to lift the stay, vacate the protective order, freeze the trust assets, and appoint a neutral fiduciary to oversee the assets. He alleged that the Jack Finn Irrevocable Trust was a limited beneficiary of the GPN Family Trust and Doros Generation Trust, and therefore he was a beneficiary of the trusts and had rights to their assets, which included over 70 nursing homes worth approximately \$500 million. He further alleged that the defendants were illegitimately transferring the nursing homes into new trusts by copying the names of the GPN Family Trust and Doros Generation Trust and leveraging the confusion of the trusts' names to take over the nursing homes.

The district judge eventually held an evidentiary hearing. Butler's only evidence that he was a beneficiary of any trust was his testimony that when he was six years old, he was present when his grandfather created the trusts, and Butler understood that they were created for his benefit. He also presented spreadsheets he created, which compiled data provided by the Centers for Medicare & Medicaid Services on regulatory filings for nursing homes that receive federal funding. Butler argued that discrepancies in the data showed that the nursing homes were being transferred to new owners. Butler's attorneys attempted to walk the judge through various spreadsheets, but the judge was unable to follow their exhibits, and the attorneys could not explain how their exhibits demonstrated that the nursing homes were under new ownership.

The defendants presented a sworn declaration by Charles Harris, the attorney who drafted the GPN Family Trust and Doros Generation Trust. Harris stated that he drafted the Chaim Rajchenbach Descendants Trust and the Menachem Shabat Descendants Trust but later changed the names to the GPN Family Trust and Doros Generation Trust. He stated that neither trust was created by Butler's grandfather and that Butler, Jack Finn, and Butler's family members were never beneficiaries of the trusts. The defendants also presented the declaration of Daniel Garden, the general counsel for Legacy Healthcare Financial Services LLC, the company that manages the entities operating the nursing homes. Garden stated that the nursing homes were owned and operated by the GPN Family Trust and Doros Generation Trust or entities affiliated with the trusts. Garden also stated that there were no other trusts with similar names that owned the nursing homes during the relevant period.

The district judge denied Butler's motion to freeze the trust assets and appoint a neutral fiduciary because Butler failed to show a likelihood of success on the merits. The judge declined to credit Butler's testimony because it was implausible that a six-year-old could appreciate the complexities of legal documents and understand that trusts were being created for his benefit. The judge credited the Harris and Garden declarations over Butler's spreadsheets to explain the discrepancies in the Centers for Medicare & Medicaid Services data and to show that the trusts had consistently owned the nursing homes. As for the stay, the judge ruled that it would remain in place as long as the state case was pending. The judge also continued the protective order based on Butler's substantial record of harassment.

Butler appeals but the parties first disagree about whether this court has jurisdiction to review the portions of the judge's order declining to lift the stay and vacate the protective order. The parties do not dispute that this court has appellate jurisdiction over the judge's denial of injunctive relief. *See* 28 U.S.C. § 1292(a)(1). Because the district judge chose to continue the stay of the federal proceedings under *Colorado River*, it is a final order, and we have jurisdiction to review the denial of the motion to lift the stay. *See DuPuy Synthes Sales, Inc. v. OrthoLA, Inc.*, 953 F.3d 469, 475 (7th Cir. 2020). As for the protective order, we lack appellate jurisdiction because it is a discovery order that can be complied with without inflicting irreparable harm. Because the protective order will become moot during the course of the proceedings, it is a discovery order, not a final order related to discovery. *See Allendale Mut. Ins. Co. v. Bull Data Sys., Inc.*, 32 F.3d 1175, 1177 (7th Cir. 1994). Further, we will not exercise pendent jurisdiction over the protective order because it is not inextricably intertwined with the merits of Butler's motion for a preliminary injunction. *See Abelesz v. Erste Group Bank AG*, 695 F.3d 655, 660 (7th Cir. 2012).

With respect to Butler's motion to freeze the trust assets and appoint a neutral fiduciary, he first argues that the judge did not consider his evidence of the ongoing dissipation of trust assets and erroneously credited the defendants' evidence instead of his. But the judge did consider Butler's evidence; she simply did not find it credible. *Cf. Santos Mendoza v. Bondi*, 151 F.4th 900, 905 (7th Cir. 2025) ("As we and our colleagues in other circuits have said repeatedly, 'a petitioner can't manufacture a legal dispute over a disagreement on the facts.'" (citation omitted)). We defer to a district judge's credibility determinations and will not disturb the judge's findings if they are "plausible in light of the record viewed in its entirety," *Anderson v. City of Bessemer City*, 470 U.S. 564, 573–74 (1985), which is the case here.

Butler argues that the judge erroneously required him to produce evidence of the existence of the original trusts, which he contends is an impossible task because the trust documents are in the exclusive control of the defendants, who are engaging in evasive discovery tactics. But Butler misconstrues the record; the parties had not yet entered discovery in the federal case because it was stayed pending the outcome of the Illinois state case. Regardless, Butler filed the motion for injunctive relief, so it was his burden to show that he was likely to succeed on the merits. *See Minocqua Brewing Co. LLC v. Hess*, 160 F.4th 849, 855 (7th Cir. 2025). The district court correctly allocated the burden of production to Butler given the procedural posture of the case and his inability to produce evidence that he was a beneficiary of the trusts in advance of discovery is not an error on the judge's part.

Butler contends that the judge abused her discretion when she determined that there was no irreparable harm because that finding was not based on evidence. But even if this was an error, it is harmless because Butler failed to establish even a "negligible chance" of a likelihood of success on the merits. *See Lukaszczyk v. Cook County*, 47 F.4th 587, 598 (7th Cir. 2022) (citation omitted).

Next, Butler argues that the district judge misapplied the *Colorado River* doctrine when she declined to lift the stay. Butler maintains that the judge erred by treating the federal case as duplicative of the state case because the federal case had a larger scope, more defendants, and sought different relief.

The district judge did not abuse her discretion by extending the stay because the state and federal cases are parallel actions and there was a substantial likelihood that the state litigation would dispose of all claims presented in the federal case. *See GeLab Cosmetics LLC v. Zhuhai Aobo Cosmetics Co.*, 99 F.4th 424, 429 (7th Cir. 2024). The state and federal cases share the same plaintiff and involve the same issues—whether Butler is a beneficiary of the Jack Finn Irrevocable Trust and whether he signed a release of his rights to that trust. Both defendants in the state case, Ely and Ilana Eddi, are also defendants in the federal case, among about thirty other defendants. When there are new parties, the relevant inquiry is "whether the addition of new parties with different interests alters the central issues in the concurrent case." *Antosh v. Village of Mount Pleasant*, 99 F.4th 989, 994 (7th Cir. 2024) (internal citation omitted). Here, the incentives and goals of the new defendants in the federal action align with those of the Eddis—to show that Butler is not a beneficiary of the trusts—and that suffices to make the parties in the two suits "functionally the same." *Id.* (citation omitted); *see also GeLab Cosmetics LLC*, 99 F.4th at 429.

Next, Butler argues that Judge Alexakis was biased when she denied his motion. In addition to her rulings against him, Butler points to her interruption of counsel mid-sentence and a moment when she allegedly slammed her hand on the bench and screamed “What evidence!” during the hearing.

But “judicial remarks during the course of a trial that are critical or disapproving of, or even hostile to, counsel, the parties, or their cases, ordinarily do not support a bias or partiality challenge.” *Liteky v. United States*, 510 U.S. 540, 555 (1994). And Butler has not identified any of the limited circumstances that might suggest judicial bias—having personal involvement with the defendants or a financial incentive in the case’s outcome. *See United States v. Williams*, 949 F.3d 1056, 1061 (7th Cir. 2020). And the fact that Judge Alexakis “expressed dissatisfaction, annoyance, or even anger” with Butler and his counsel is not a reason for the judge to recuse herself. *See United States v. Barr*, 960 F.3d 906, 921 (7th Cir. 2020).

We have considered Butler’s other arguments, and none merits discussion.

We AFFIRM the denial of Butler’s motion to lift the stay, freeze the trust assets, and appoint a neutral fiduciary. Butler’s appeal of the denial of his motion to vacate the protective order is DISMISSED for lack of appellate jurisdiction. Butler’s request for a writ of mandamus and motion for leave to file a supplement to the writ of mandamus are DENIED as frivolous.