B104 (FORM 104) (08/07)

ADVERSARY PROCEEDING COVER SHEET (Instructions on Reverse)	**ADVERSARY PROCEEDING NUMBER** (Court Use Only)

PLAINTIFF	**DEFENDANT**
Janice E. Stanton, Chapter 7 Trustee	**Pertronix, Inc.**
ATTORNEYS (Firm Name, Address, and Telephone No.) **Janice E. Stanton and Rex A. Redlingshafer** **STANTON AND REDLINGSHAFER, LLC** **104 W. 9th St., Suite 303** **Kansas City, MO 64105** **(816) 421-7770 x307 or x301** **(816) 421-7773- Fax**	**ATTORNEYS** (If Known)
PARTY (Check One Box Only) ☐ Debtor ☐ U.S. Trustee/Bankruptcy Admin. ☐ Creditor ☐ Other ☒ Trustee	**PARTY** (Check One Box Only) ☐ Debtor ☐ U.S. Trustee/Bankruptcy Admin. ☐ Creditor ☒ Other ☐ Trustee

CAUSE OF ACTION (WRITE A BRIEF STATEMENT OF CASE OF ACTION, INCLUDING ALL U.S. STATUTES INVOLVED) **Complaint to Avoid Transfers Pursuant to 11 U.S.C. § 547, to Recover Property Transferred Pursuant to 11 U.S.C. § 550 and to Disallow Claim Pursuant to 11 U.S.C. § 502(d)**

NATURE OF SUIT

(Number up to five (5) boxes starting with lead cause of action as 1, first alternative cause as 2, second alternative case as 3, etc.)

FRBP 7001(1) – Recovery of Money/Property ☐11-Recovery of money/property - §542 turnover of property 1 ☒12-Recovery of money/property - §547 preference ☐13-Recovery of money/property - §548 fraudulent transfer 2 ☒14-Recovery of money/property – other **FRBP 7001(2) – Validity, Priority or Extent of Lien** ☐21-Validity, priority or extent of lien or other interest in property **FRBP 7001(3) – Approval of Sale of Property** ☐31-Approval of sale of property of estate and of a co-owner - §363(h) **FRBP 7001(4) – Objection/Revocation of Discharge** ☐41-Objection / revocation of discharge - §727(c),(d),(e) **FRBP 7001(5) – Revocation of Confirmation** ☐51-Revocation of confirmation **FRBP 7001(6) – Dischargeability** ☐66-Dischargeability - §523(a)(1),(14),(14A) priority tax claims ☐62-Dischargeability - §523(a)(2), false pretenses, false representation, actual fraud ☐67-Dischargeability - §523(a)(4), fraud as fiduciary, embezzlement, larceny **(continued next column)**	**FRBP 7001(6) – Dischargeability (continued)** ☐61-Dischargeability - §523(a)(5), domestic support ☐68-Dischargeability - §523(a)(6), willful and malicious injury ☐63-Dischargeability - §523(a)(8), student loan ☐64-Dischargeability - §523(a)(15), divorce or separation obligation (other than domestic support) ☐65-Dischargeability – other **FRBP 7001(7) – Injunctive Relief** ☐71-Injunctive relief – imposition of stay ☐71-Injunctive relief – other **FRBP 7001(8) – Subordination of Claim or Interest** ☐81-Subordination of claim or interest **FRBP 7001(9) – Declaratory Judgment** ☐91-Declaratory judgment **FRBP 7001(10) – Determination of Removed Action** ☐01-Determination of removed claim or cause **Other** ☐SS-SIPA Case – 15 U.S.C. §§78aaa *et.seq.* ☐02-Other (e.g. other actions that would have been brought in state court is unrelated to bankruptcy case)
☐Check if this case involves a substantive issue of state law	☐Check if this is asserted to be a class action under FRCP 23
☐Check if a jury trial is demanded in complaint	Demand **$14,371.03**

Other Relief Sought: **Disallowance of Claim Pursuant to 11 U.S.C. § 502(d)**

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BANKRUPTCY CASE IN WHICH THIS ADVERSARY PROCEEDING ARISES		
NAME OF DEBTOR **Arrow Speed Warehouse, Inc., *et. al.***	BANKRUPTCY CASE NO. **08-50698-jwv7**	
DISTRICT IN WHICH CASE IS PENDING **Western District of Missouri**	DIVISION OFFICE **Kansas City**	NAME OF JUDGE **Honorable Jerry W. Venters**
RELATED ADVERSARY PROCEEDING (IF ANY)		
PLAINTIFF	DEFENDANT	ADVERSARY PROCEEDING NO.
DISTRICT IN WHICH ADVERSARY IS PENDING	DIVISION OFFICE	NAME OF JUDGE
SIGNATURE OF ATTORNEY (OR PLAINTIFF) **/s/ Rex A. Redlingshafer**		
DATE **September 7, 2010**	PRINT NAME OF ATTORNEY (OR PLAINTIFF) **Rex A. Redlingshafer**	

INSTRUCTIONS

The filing of a bankruptcy case creates an "estate" under the jurisdiction of the bankruptcy court which consists of all of the property of the debtor, wherever that property is located. Because the bankruptcy estate is so extensive and the jurisdiction of the court so broad, there may be lawsuits over the property or property rights of the estate. There also may be lawsuits concerning the debtor's discharge. If such a lawsuit is filed in a bankruptcy court, it is called an adversary proceeding.

The cover sheet and the information contained on it do not replace or supplement the filing and service of pleadings or other papers as required by law, the Bankruptcy Rules, or the local rules of court. The cover sheet, which is largely self-explanatory, must be completed by the plaintiff's attorney (or by the plaintiff if the plaintiff is not represented by an attorney). A separate cover sheet must be submitted to the clerk for each complaint filed.

Plaintiffs and **Defendants**. Give the names of the plaintiffs and defendants exactly as they appear on the complaint.

Attorneys. Give the names and addresses of the attorneys, if known.

Party. Check the most appropriate box in the first column for the plaintiffs and the second column for the defendants.

Demand. Enter the dollar amount being demanded in the complaint.

Signature. This cover sheet must be signed by the attorney of record in the box on the second page of the form. If the plaintiff is represented by a law firm, a member of the firm must sign. If the plaintiff is pro se, that is, not represented by an attorney, the plaintiff must sign.

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MISSOURI
KANSAS CITY DIVISION

In re:	)	
	)	
ARROW SPEED WAREHOUSE, INC., *et. al*.,	)	**Case No. 08-50698-jwv7**
	)	**Chapter 7**
Debtors.	)	**(Jointly Administered)**
	)	
JANICE E. STANTON, TRUSTEE,	)	
	)	
Plaintiff,	)	
v.	)	
	)	**Adv. Pro. No. 10-_____**
Pertronix, Inc.	)	
	)	
Defendant.	)	
	)	

COMPLAINT TO AVOID TRANSFERS PURSUANT TO 11 U.S.C. § 547, TO RECOVER PROPERTY TRANSFERRED PURSUANT TO 11 U.S.C. § 550, AND DISALLOW CLAIM PURSUANT TO 11 U.S.C. § 502(d)

Janice E. Stanton, the duly-appointed Chapter 7 Trustee in the captioned bankruptcy cases (the "Trustee" or "Plaintiff"), by and through her undersigned counsel, for her Complaint to Avoid Transfers pursuant to 11 U.S.C. § 547, to Recover Property Transferred Pursuant to 11 U.S.C. § 550 and Disallow Claim Pursuant to 11 U.S.C. § 502(d) against **Pertronix, Inc.** ("Defendant"), states and alleges as follows:

JURISDICTION

1. This Court has jurisdiction over this adversary proceeding under 28 U.S.C. §§ 1334 and 157, 11 U.S.C. §§ 547 and 550.

2. This is a core proceeding within the meaning of 28 U.S.C. §§ 157 (b)(2)(A), (E), (F) and (O).

3. Venue is proper in this Court pursuant to 28 U. S. C. § 1409.

BACKGROUND

4. On September 21, 2008 (the "Petition Date"), Debtors[1] filed voluntary petitions for relief under Chapter 11 of Title 11 of the United States Code (the "Code").

5. On September 23, 2009, the Court issued its Order converting the captioned cases to Chapter 7.

6. Plaintiff is the duly appointed, qualified and acting Chapter 7 Trustee in the captioned cases and has the proper authority to bring this action.

7. Defendant either received transfers of property from one or more of Debtors during the Preference Period (as defined below) or was the beneficiary of such transfers.

CAUSES OF ACTION

COUNT I
(Preferential Transfers – 11 U.S.C. § 547)

8. Plaintiff adopts and incorporates the preceding allegations as if set forth fully herein.

9. On or within 90 days before the Petition Date (the "Preference Period"), one or more of Debtors transferred at least $14,371.03, plus such additional amounts as may be discovered in discovery, to or for the benefit of Defendant (the "Transfers"). Attached as **Exhibit A** and incorporated by reference is list of checks(s) and/or wire transfers comprising of the Transfers.

10. The Transfers were made to or for the benefit of Defendant, a creditor of Debtors within the meaning of Code § 101.

11. The Transfers were for, or on account of, an antecedent debt owed by Debtors to Defendant before such Transfers were made (the "Debt").

[1] Arrow Speed Warehouse, Inc.; Streetside Auto, LLC

12. The Transfers were made while Debtors were insolvent.

13. The Transfers enabled Defendant to receive more than Defendant would have received if (a) these cases were cases under Chapter 7 of the Bankruptcy Code, (b) the Transfers had not been made, and (c) Defendant received payment on the Debt under the provisions of the Code.

COUNT II
(Recovery Of Avoided Transfers – 11 U.S.C. § 550)

14. Plaintiff adopts and incorporates the preceding allegations as if set forth fully herein.

15. Plaintiff is entitled to avoid the Transfers pursuant to Code § 547(b).

16. Plaintiff is entitled to recover the Transfers or their value from Defendant pursuant to Code § 550(a).

17. Any judgment entered in favor of Plaintiff should include pre-judgment interest and provide for the accrual of post-judgment interest, plus allowable costs and expenses, including attorneys' fees and expenses to the extent allowed by applicable law.

COUNT III
(Disallowance of Claims – 11 U.S.C. § 502(d))

18. Plaintiff adopts and incorporates the preceding allegations as if set forth fully herein.

19. Code § 502(d) provides that "[n]otwithstanding subsections (a) and (b) of this section, the court shall disallow any claim of any entity from which property is recoverable under section 542, 543, 550 or 553 of this title or that is a transferee of a transfer avoidable under section 522(f), 522(h), 544, 545, 547, 548, 549, or 724(a) of this title, unless such entity or transferee has paid the amount, or turned over such property, for which such entity or transferee is liable under section 522(i), 542, 543, 550, or 553 of this title."

20. Defendant has failed to turnover to Plaintiff certain property that Plaintiff is entitled to recover under applicable provisions of the Code, and/or are transferees of a transfer avoidable under Code §§ 547 and 550. Accordingly, any claim filed by Defendant should be disallowed pursuant to Code § 502(d).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests that the Court enter judgment granting Plaintiff the following relief against Defendant:

a. Avoiding the Transfers as preferential transfers under Code § 547(b);

b. Granting judgment in favor of Plaintiff and against Defendant in an amount equal to the aggregate amount of the Transfers, plus applicable pre-judgment interest, post-judgment interest, and, to the extent allowed by law, costs and fees (the "Judgment");

c. Ordering Defendant to immediately pay the Judgment to Plaintiff pursuant to Code § 550(a);

d. Disallowing any claims of Defendant pursuant to Code § 502(d); and

e. Granting Plaintiff such other and further relief as the Court deems just and equitable.

Respectfully submitted,

STANTON AND REDLINGSHAFER, LLC

/s/ Rex A. Redlingshafer

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ATTORNEYS FOR PLAINTIFF

EXHIBIT A

Entity	Debtor Entity	Date Paid by Bank	Transaction Date	Transaction Number	Amount
Pertronix, Inc.	Arrow Speed Warehouse, Inc.	08-15-08	08-06-08	0000090810	$14,371.03