

IN THE UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

IN RE: : CASE NO. 04-34091  
Chapter 11  
DT INDUSTRIES, INC., et al : Jointly Administered  
(Honorable Lawrence S. Walter)  
Debtors :

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**STATEMENT OF ATTORNEYS FOR CERTAIN CREDITORS  
PURSUANT TO BANKRUPTCY RULE 2019**

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Bogin Patterson Ellis Slaton & Stump ("Bogin Patterson") has been retained as attorneys for creditors CityWide Development Corporation ("CityWide") and Bauer Associates, Inc. dba Bauer Controls ("Bauer Controls") (collectively the "Creditors") in connection with the Chapter 11 bankruptcy proceedings of DT Industries, Inc., et al. ("the Debtors"). Bogin Patterson makes the following statement pursuant to Bankruptcy Rule 2019:

1. Bogin Patterson has been retained to represent the Creditors in connection with their respective claims against the Debtor in the **approximate** amounts and types as follows:

(a) CityWide Development Corporation  
8 N. Main Street  
Dayton, Ohio 45402

Basis for Claim: Leases of Headquarters and Factory Buildings in Dayton, Ohio and holdover tenancy after termination of Leases for which it has filed administrative claims.

Amount/Type of Claim: rent and taxes in the amount of \$462,816.99 from February, 2004 through June, 2004, plus rent at the rate of \$97,280.93 per month beginning July 1, 2004 and the real estate taxes which become due and payable on June 15, 2004. CityWide has filed a claim for administrative rent and taxes from May 13, 2004 until it recovers the leased real estate.

Time of Acquisition of Claim: Defaults under Factory Lease which is dated February 20, 1996 and Headquarters Lease which is dated March 5, 1999.

(b) Bauer Associates, Inc. dba Bauer Controls  
3915 Research Park Drive, Building A-7  
Ann Arbor, MI 48108

Basis for Claim: Purchase orders for goods and services, the work for which is in process and constitutes administrative claims.

Amount/Type of Claim: PO # J30221

Contract Price	\$176,033.00
Paid to date	<u>\$113,543.10</u>
Remainder for work in process	\$ 62,489.90

PO # A20097	
PO # G0010	
Contract Price	\$363,215.00
Paid to date	<u>\$327,080.60</u>
Remainder for work in process	\$ 36,134.40

PO # J30221	
Contract Price	\$ 13,579.00
Paid to date	<u>\$ 6,789.50</u>
Remainder for work in process	\$ 6,789.50

Total remaining to be paid	\$105,413.80
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2. Bogin Patterson has been retained by Creditors to provide legal representation in connection with the respective claims of the Creditors against the Debtors. CityWide and Bauer Controls each reserve the right to amend and reclassify the amounts and types of their claims as stated herein.

3. CityWide is an existing client of Bogin Patterson. Bauer Controls retained Bogin Patterson to represent its interests in this proceeding. Dennis L. Patterson is licensed to practice law in the State of Ohio (0017225) and has been admitted to practice in the Southern District of Ohio, Western Division, the Sixth Circuit Court of Appeals, and the United States Supreme Court. Curtis F. Slaton is licensed to practice law in the State of Ohio (0034587) and has been admitted to practice before the U.S. District Court for the Southern District of Ohio, Western Division.

4. Bogin Patterson does not have a claim against, or interest in, the Debtors.

Dated: June 1, 2004  
Dayton, Ohio

Respectfully submitted,

s/Dennis L. Patterson

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Dennis L. Patterson #0017225  
Curtis F. Slaton #0034587  
Bogin Patterson Ellis Slaton & Stump LLP  
131 N. Ludlow St., Suite 1200  
Dayton, OH 45402  
(937) 226-1200  
Fax: 937-226-1625  
Email:

Attorneys for CityWide Development  
Corporation and Bauer Associates, Inc. dba  
Bauer Controls

### **VERIFICATION**

I, Dennis L. Patterson, certify under penalty of perjury that the foregoing Statement is true and correct.

Date Signed: June 1, 2004

s/Dennis L. Patterson

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Dennis L. Patterson

### **CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing Statement was sent to all parties on the attached Service List this 1st day of June, 2004, either electronically or by regular U.S. mail, postage prepaid.

s/Dennis L. Patterson

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Dennis L. Patterson

**SERVICE LIST**

Julia W. Brand, Esq.  
Kenneth J. Ottaviano, Esq.  
Matthew A. Olins, Esq.  
Katten Muchin Zavis Rosenman  
525 W. Monroe Street  
Chicago, IL 60661-3693  
Case Attorneys for Debtors  
Served Electronically

Ronald S. Pretekin, Esq.  
Sylvie Derrien, Esq.  
Steven M. Whachstein, Esq.  
Coolidge Wall Womsley & Lombard  
33 W. First Street, suite 600  
Dayton, Ohio 45402  
Of Counsel for Debtors  
Served Electronically

Lawrence T. Burick, Esq.  
Thompson Hine LLP  
2000 Courthouse Plaza NE  
10 W. Second Street  
P.O. Box 8801  
Dayton, Ohio 45401-8801  
Served Electronically

Mary Anne Wilsbacher  
Assistant U.S. Trustee  
170 North High Street, Suite 200  
Columbus, Ohio 43215  
Served Electronically

J. Mark Fisher, Esq.  
Patricia J. Emswiller, Esq.  
6600 Sears Tower  
Chicago, IL 60606  
Served by Regular U.S. Mail

Thomas R. Noland, Esq.  
Statman Harris Siegel & Eyrich LLC  
1520 Fifth Third Center  
110 N. Main Street  
Dayton, Ohio 45402  
Served Electronically

C. Mark Brannum, Esq.  
D. Wade Carvell, Esq.  
Winstead Sechrist & Minick PC  
5400 Renaissance Tower  
1201 Elm Street  
Dallas, TX 75270  
Served Electronically

IRS  
P.O. Box 1579  
Room 3525  
Cincinnati, OH 45202  
Served by U.S. mail

Securities & Exchange Commission  
175 W. Jackson Blvd., Suite 900  
Chicago, IL 60604  
Served by U.S. mail

Michael C. Hammer, Esq.  
Dickinson Wright PLLC  
500 Woodward Ave., Suite 4000  
Detroit, MI 48226-3425  
Served by U.S. Mail

Edward Jewitt, Esq.  
Mayer, Brown, Rowe & Maw LLP  
20 Blackfriars Lane  
London EC4V 6HD, England  
Served Electronically

Dysinger Incorporated  
C/o Gregory M. Dysinger  
2324 E. River Road  
Dayton, Ohio 45439  
Served by U.S. Mail

Electro-Matic Products, Inc.  
c/o JoAnn Koenig  
23409 Industrial Park Court  
Farmington Hills, MI 48335  
Served by U.S. mail

Gemel Precision Tool Co.  
c/o Klaus Gehlert  
31 Industrial Dr.  
Iveyland, PA 18974-1499  
Served by U.S. Mail

Pyxis Technologies, LLC  
c/o Jeff Wickens  
12070 Farmington Road  
Livonia, MI 48150  
Served by U.S. mail

VNH Properties, LLC  
c/o VanBuren Hansford  
3 Sherwood Dr.  
Greenwich, CT 06831  
Served by U.S. mail

Sean D. Malloy, Esq/  
Jean R. Robertson, Esq.  
McDonald Hopkins Co., LPA  
2100 Bank One Center  
600 Superior Avenue E  
Cleveland, OH 44114  
Served Electronically