

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

IN RE:) Chapter 11
)
EASTERN LIVESTOCK CO., LLC,) Case No. 10-93904-BHL-11
)
Debtor.) Hon. Basil H. Lorch III

**PROPOSED AGENDA OF MATTERS SCHEDULED FOR
HEARING ON AUGUST 22, 2011 AT 1:30 P.M. EDT**

James A. Knauer, the chapter 11 trustee appointed in this case ("Trustee"), by counsel, submits this proposed agenda for the hearing scheduled for August 22, 2011 at 1:30 p.m. EDT ("Hearing") in Room 103, U.S. Courthouse, 121 West Spring Street, New Albany, Indiana. The Trustee anticipates that the matters before the Court for the Hearing will take approximately two (2) hours.

I. DIAL IN INFORMATION

The dial-in telephone number for interested parties to participate in the Hearing by conference call is 1-888-399-7768; passcode 586676, followed by the pound ("#") key.

II. CONTINUED MATTER

1. ["**Purchase Money Claims Report**"] Trustee's Purchase Money Claims Report, Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #501) *continued from June 24, 2011*
 - a) Superior Livestock Auction, Inc.'s Objection To The Trustee's Purchase Money Claims Report, Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #512)
 - b) Joplin Regional Stockyards' Joinder In The Objection To The Trustee's Purchase Money Claims Report, Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #515)
 - c) David L. Rings, Phillip Taylor Reed, Glen Franklin and Northwest Alabama Livestock Yard's Joinder In The Objection To The Trustee's Purchase Money Claims Report, Motion To Transfer

Funds And Notice Of Release Of Proceeds From Account (docket #517)

- d) Ron Reed's Joinder In The Objection To The Trustee's Purchase Money Claims Report, Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #518)
- e) The First Bank and Trust Company's Objection To Trustee's Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #519)
- f) People's Bank's Response And Objection To Trustee's Money Claims Report, Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #536)
- g) Bluegrass Stockyards, LLC, Bluegrass Stockyards East, LLC, Bluegrass Stockyards of Campbellsville, LLC, Bluegrass Stockyards of Richmond, LLC, Bluegrass South Livestock Market, LLC, Bluegrass-Maysville Stockyards, LLC, East Tennessee Livestock Center, Inc., Piedmont Livestock, Inc., and Southeast Livestock Exchange, LLC's Objection To The Trustee's Purchase Money Claims Report, Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #539)
- h) Superior Livestock Auction, Inc.'s Supplemental Objection To The Trustee's Purchase Money Claims Report, Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #541)
- i) Supplemental Objection Of Joplin Regional Stockyards To The Trustee's Purchase Money Claims Report, Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #542)
- j) Objection To Eastern Trustee's Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #543)
- k) Response And Objection Of Brent Kuehny d/b/a Dollar K Cattle Co., And The Bank Of Kremlin To The Trustee's Purchase Money Claims Report, Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #544)
- l) Response And Objection Of Stockman Oklahoma Livestock Marketing, Inc. To The Trustee's Purchase Money Claims Report, Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #545)

- m) Response And Objection Of Crumpler Bros. To The Trustee's Purchase Money Claims Report, Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #546)
- n) CPC Livestock's Joinder In The Objection To The Trustee's Purchase Money Claims Report, Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #547)
- o) Coffeyville Livestock Market, LLC's Objection To Trustee's Purchase Money Claims Report, Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #548)
- p) Northwest Alabama Livestock Auction, Glen Franklin, Phillip Taylor Reed, David L. Rings, Gary S. Bell and Ron P. Reed's Supplemental Objection To The Trustee's Purchase Money Claims Report, Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #549)
- q) Russell DeCordova d/b/a DeCordova Cattle Company's Response In Opposition To Trustee's Purchase Money Claims Report, Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #552)
- r) Joplin Regional Stockyards and Superior Livestock Auction, Inc.'s Further Supplemental Objection To The Trustee's Purchase Money Claims Report, Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #553)
- s) [The First Bank and Trust Company] Supplemental Objection To Trustee's Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #554)
- t) Rex Elmore's Objection To Trustee's Purchase Money Claims Report, Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #555)
- u) Hilliard–McKetrick Investments, Inc. d/b/a Arcadia Stockyard; Cattlemen's Livestock Market, Inc.; Columbia Livestock Market, Inc.; Hardee Livestock Market, Inc.; North Florida Livestock Market, Inc.; Ocala Livestock Market, Inc.; Okeechobee Livestock Market, Inc.; Sumter County Farmers Market, Inc.; and Madison County Livestock Market, Inc. d/b/a Townsend Livestock Market; Ron Sizemore Trucking, Inc.; Oak Lake Cattle Co.; Eagle Bay, Inc.; and Daniel M. Byrd's Objection And Joinder In Objection To The Trustee's Purchase Money Claims Report, Motion For Release

Of Fund And Notice Of Release Of Proceeds From Account
(docket #556)

- v) Trustee's Omnibus Reply To Objections To Purchase Money Claims Report (docket #564)
- w) Notice of Submission Of Declaration Of Patrick J. O'Malley In Support Of Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #566)
- x) First Order Regarding Trustee's Purchase Money Claims Report (docket #587)
- y) Notice Of Filing Of Amended Exhibit A To Trustee's Purchase Money Claims Report (docket #596)
- z) Order Granting Joint Motion to Extend Time to File Scheduling Orders In Certain Contested Matters (docket #606)
- aa) Scheduling Order Regarding Contested Matter Involving Trustee's Purchase Money Claims Report And Objections Filed By SOLM, Crumpler Bros., Kuehny And The Bank Of Kremlin (docket #622)
- bb) Supplemental Objection Of Coffeyville Livestock Market, LLC To Trustee's Purchase Money Claims Report, Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #650)
- cc) Bluegrass Stockyards, LLC, Bluegrass Stockyards East, LLC, Bluegrass Stockyards of Campbellsville, LLC, Bluegrass Stockyards of Richmond, LLC, Bluegrass South Livestock Market, LLC, Bluegrass-Maysville Stockyards, LLC, East Tennessee Livestock Center, Inc., Piedmont Livestock Company, Inc., and Southeast Livestock Exchange, LLC's Supplemental Objections To Trustee's Motion Regarding Payment Of Cattle Sale Proceeds (docket #651)
- dd) Supplemental Objection Of Rex Elmore To Trustee's Purchase Money Claims Report, Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #652)
- ee) The First Bank and Trust Company's Second Supplemental Objection To Trustee's Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #653)

- ff) Kathryn L. Pry, Chapter 7 Trustee's Joinder Of First Bank And Trust Company's Second Supplemental Objection To Trustee's Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #655)
- gg) The First Bank and Trust Company's Third Supplemental Objection To Trustee's Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #668); The First Bank and Trust Company's Amended Third Supplemental Objection To Trustee's Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #669)
- hh) Hilliard-McKetrick Investments, Inc. d/b/a Arcadia Stockyard; Cattlemen's Livestock Market, Inc.; Columbia Livestock Market, Inc.; Hardee Livestock Market, Inc.; North Florida Livestock Market, Inc.; Ocala Livestock Market, Inc.; Okeechobee Livestock Market, Inc.; Sumter County Farmers Market, Inc.; and Madison County Livestock Market, Inc. d/b/a Townsend Livestock Market; Ron Sizemore Trucking, Inc.; Oak Lake Cattle Co.; Eagle Bay, Inc.; and Daniel M. Byrd's Supplemental Objection And Joinder In Objection To The Trustee's Motion For Release Of Proceeds From Account (docket #670)
- ii) [J&F Oklahoma Holdings, Inc., Friona Industries, LP and Cactus Growers, Inc.] Third Party Defendants' Joint Response To Trustee's Motion To Transfer Funds and To Objection To Motion (docket #672)
- jj) Trustee's Objection To The Supplemental Objections Filed By First Bank And The Florida Creditors (docket #674)
- kk) Trustee's Response To Certain Supplemental Objections To Purchase Money Claims Report, Motion To Transfer Funds And Notice Of Release Of Proceeds From Account (docket #675)

Status: *Going forward.*

- 2. **["Motion to Quash"]** Motion To Quash Order Granting Motion For 2004 Examination Upon The United States Department Of Agriculture, Grain Inspection, Packers & Stockyards (docket #629) *continued from July 27, 2011 and August 8, 2011*
 - a) Brief In Support Of Motion To Quash Order Granting Motion For 2004 Examination Upon The United States Department Of Agriculture, Grain Inspection, Packers & Stockyards (docket #630)

- b) Response To Motion To Quash Order for 2004 Examination (docket #636 and #638)
- c) Order On Motion To Quash (docket #662)

Status: *Going forward.*

III. NEW MATTER

- 3. **["Motion to Approve Lease"]** Motion For Order Approving Lease By And Between Trustee And Republic Bank & Trust Company (docket #664)

Status: *No objections filed.*

IV. RELATED MATTERS

In re Thomas and Patsy Gibson 10-93867

- 4. **["2004 Examination"]** The First Bank and Trust Company's Motion For Examination And Production Of Documents Pursuant To Fed. R. Bankr. P. 2004 (docket #303)

Status: *No objections filed.*

- 5. **["2004 Examination"]** The First Bank and Trust Company's Motion For Examination And Production Of Documents Pursuant To Fed. R. Bankr. P. 2004 (docket #305)

- (a) Objection Of Your Community Bank To The First Bank And Trust Company's Motion For Examination And Production Of Documents Pursuant To Fed. R. Bankr. P. 2004 (docket #312)
- (b) [The First Bank and Trust Company] Reply Brief To Objection To Examination And Production Of Documents Pursuant To Fed. R. Bankr. P. 2004 (docket #320)

Status: *Going forward.*

In re East-West Trucking Co., LLC 10-93799

- 6. **["Motion for Relief"]** Cattlemen's Feedlot, Ltd.'s Motion for Relief from Stay (docket #35)

Status: *Agreed Motion for Continuance filed (docket #196).*

7. **["Priority Claims"]** Trustee's Motion For Authority To Pay Priority Claims (docket #187)

Status: *No objections filed.*

8. **["Tax Reporting Requirements"]** Motion for Determination of Tax Reporting Requirements and Liability Pursuant to 11 U.S.C. §505 (docket #188)

Status: *No objections filed.*

V. ADVERSARY PROCEEDINGS

9. **["Downs"]** James A. Knauer, Chapter 11 Trustee of Eastern Livestock Co., LLC vs Willie Downs (Adv. Proc. 11-59086)

Status: *Status conference; going forward.*

10. **["Superior"]** Superior Livestock Auction, Inc. vs Eastern Livestock Co., LLC (Adv. Proc. 11-59088)

a. Third Party Defendants' Joint Motion To Consolidate Or To Dismiss (docket #37)

b. Trustee's Motion For Leave To Amend (docket #51)

a. Objection To Trustee's Motion For Leave To Amend (docket #56)

c. Objection Of Superior Livestock To The Notice Of Appearance Of Counsel For Non-Party The First Bank And Trust Company (docket #54)

Status: *Going forward.*

11. **["Friona"]** Friona Industries, LP, et al. vs Eastern Livestock Co., LLC, et al. (Adv. Proc. 11-59093)

Status: *Status conference; going forward.*

12. **["Innovative"]** Innovative Livestock Services, Inc., et al. vs Eastern Livestock Co., LLC, et al. (Adv. Proc. 11-59098)

Status: *Status conference; going forward.*

13. **["Rush Creek Ranch"]** Rush Creek Ranch, LLLP vs Eastern Livestock Company, LLC, et al. (Adv. Proc. 11-59104)

Status: *Status conference; going forward.*

14. **["Fredin Brothers"]** Fredin Brothers, Inc. vs Bankers Bank, et al. (Adv. Proc. 11-59108)

Status: *Status conference; going forward.*

Respectfully submitted,

BAKER & DANIELS LLP

By: /s/Terry E. Hall

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CERTIFICATE OF SERVICE

I hereby certify that on August 19, 2011, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

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I further certify that on August 19, 2011, a copy of the foregoing pleading was served via electronic mail transmission on the following:

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