

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

**AMENDED
PROPOSED AGENDA OF MATTERS SCHEDULED FOR
HEARING ON OCTOBER 25, 2011 AT 3:00 P.M. EDT**

James A. Knauer, the chapter 11 trustee appointed in this case ("Trustee"), by counsel, submits this amended proposed agenda for the hearing scheduled for October 25, 2011 at 3:00 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 one (1) hour.

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 – reserved funds for resolution**
 - a. Florida objections (Docket Nos. 556 and 670) pertaining to Fund No. 41
 - b. First Bank Objections (Docket Nos. 519, 554, 653, 668 and 669) pertaining to Fund Nos. 13, 54, 76 and 87
 - c. Stockman Oklahoma Livestock Marketing, Inc. (Docket No. 545) pertaining to Fund No. 65
 - d. Joplin Regional Stockyards (Docket Nos. 515, 542 and 553) pertaining to Fund No. 40

- e. Rex Elmore (Docket Nos. 555, 652) pertaining to Fund Nos. 53, 54, and 55
- f. Bluegrass Stockyards of Campbellsville, LLC (Docket Nos. 539 and 651) pertaining to Fund Nos. 11 and 36
- g. Bluegrass Stockyards of Richmond, LLC (Docket Nos. 539 and 651) pertaining to Fund No. 62
- h. Piedmont Livestock Company, Inc. (Docket Nos. 539 and 651) pertaining to Fund No. 59

Status: Arguments on the Kremlin Issue and the Dispositive Issue (pursuant to the 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))

III. NEW MATTERS

- 2. **["Motion to Collect Receivable"]** Motion Requesting Entry Of An Order Granting Trustee Authority To 1) Collect Receivable, 2) Hold Receivable Proceeds In Segregated Account Pending Determination Of Rights Therein, 3) Transfer Receivable Proceeds To Operating Account After Such Determination And 4) Continuing Briefing Schedule On The Foregoing (docket #732)

Status: No objection filed; going forward.

- 3. **["Discovery Protocols"]** Joint Motion And First Stipulation Regarding Discovery Protocols (docket #738)

Status: No objection filed; going forward.

IV. ADVERSARY PROCEEDINGS

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

Status: Pretrial conference.

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

Status: Request made at September 28, 2011 hearing to establish an Ad Hoc Committee. Motion was to be filed and set for hearing on October 25, 2011.

6. **["Friona"]** Friona Industries, LP, et al. vs Eastern Livestock Co., LLC, et al. (Adv. Proc. 11-59093)
 - a. Friona Industries L.P.'s First Amended Complaint in the Nature of Interpleader (docket #30)
 - b. J&F Oklahoma Holdings, Inc.'s First Amended Intervention And Complaint in the Nature of Interpleader (docket #33)
 - c. Cactus Growers, Inc.'s First Amended Complaint In Intervention In The Nature Of Interpleader (docket #34)
 - d. Motion Of Superior Livestock Auction, Inc. To Stay Proceedings (docket #170)
 - i. Trustee James Knauer's Response In Opposition To Superior Livestock Auction, Inc.'s Motion To Stay (docket #182)
 - ii. Interpleader Plaintiffs' Joint Reply To Motion To Stay Proceedings And Motion To Consolidate Or Dismiss (docket #183)

Status: *Status conference.*

7. **["Innovative"]** Innovative Livestock Services, Inc., et al. vs Eastern Livestock Co., LLC, et al. (Adv. Proc. 11-59098)
 - a. Motion Of Superior Livestock Auction, Inc. To Stay Proceedings (docket #25)

Status: *Status conference.*

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

Status: *Status conference.*

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

Status: *Status conference.*

V. RELATED CASES

In re Thomas and Patsy Gibson 10-93867

10. ["**Motion for 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 objection filed; going forward.

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

11. ["**Motion to Destroy Records**"] Trustee Michael J. Walro's Motion For Authority To Destroy Debtor's Records (docket #211)
- a. Eastern Livestock Trustee's Objection To Motion For Authority To Destroy Debtor's Records (docket #217)
- b. Agreed Entry Resolving Eastern Livestock Trustee's Objection To Motion For Authority To Destroy Debtor's Records (docket #220)

Status: Order Approving Agreed Entry (docket #224)

12. ["**Motion to Pay Priority Claim**"] Trustee's Motion For Authority To Pay Priority Claim Of David Sells (docket #219)
- a. Amended Trustee's Motion For Authority To Pay Priority Claim Of David Sells (docket #222)

Status: No objection filed; going forward.

VI. NEXT SCHEDULED HEARINGS

The dial-in telephone number for interested parties to participate in the upcoming scheduled hearings, as indicated below, by conference call is 1-888-399-7768; passcode 586676, followed by the pound ("#") key. The hearings will be held in Room 103, U.S. Courthouse, 121 West Spring Street, New Albany, Indiana.

<u>Hearing Date</u>	<u>Time</u>
November 15, 2011	1:30 p.m. EST
December 14, 2011	10:00 a.m. EST

Respectfully submitted,

BAKER & DANIELS LLP

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CERTIFICATE OF SERVICE

I hereby certify that on October 24, 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 October 24, 2011, a copy of the foregoing pleading was served via electronic mail transmission on the following:

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