

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF Southern Indiana
Minute Entry/Order

Hearing Information:

Debtor: EASTERN LIVESTOCK CO., LLC
Case Number: 10-93904-BHL-11 **Chapter:** 11
Date / Time / Room: TUESDAY, NOVEMBER 15, 2011 01:30 PM NA 103
Bankruptcy Judge: BASIL H. LORCH
Courtroom Clerk: KRISTIN GOSS
Reporter / ECR: AMY BRUCKERT

Matters:

- 1) Continued Hearing Re: Motion to Quash Order Granting Motion for 2004 Examination upon the United States Department of Agriculture, Grain Inspection, Packers & Stockyards filed by Jill Zengler Julian on behalf of Joined Party United States Department of Agriculture, Grain Ins. [616] with a Brief in Support of Motion to Quash, filed by Jeffrey L Hunter on behalf of Joined Party United States Department of Agriculture, Grain Ins [630] and a Response in Opposition to Motion to Quash filed by Walter Scott Newbern III on behalf of Creditor Florida Association Livestock Markets [636]
R / M #: 0 / 0
VACATED: Per parties - Motion to Continue to be filed. Matter to be continued for status in 90 days.
- 2) Hearing Re: Motion For Order Approving Proposed Auction Sale Of Certain Personal Property Assets Of Debtor Free And Clear Of Liens, Claims And Encumbrances Pursuant To 11 U.S.C. § 363 filed by Dustin R. DeNeal on behalf of Trustee James A. Knauer [758] with an Objection filed by Meredith R. Thomas on behalf of Other Professional Kathryn Pry [772]
R / M #: 0 / 0
- 3) Oral Argument Re: Trustee's Purchase Money Claims Report / Dispositive Motion (Constructive Trust)
R / M #: 0 / 0
VACATED: Agreed Motion to Continue Oral Argument. Motion granted. Matter continued to 12/14/11 @ 10:00 a.m. Court to issue notice.
- 4) Oral Argument Re: Trustee's Purchase Money Claims Report/ Kremlin Issue
R / M #: 0 / 0
VACATED: Agreed Motion to Continue Oral Argument. Motion granted. Matter continued to 12/14/11 @ 10:00 a.m. Court to issue notice.
- 5) Final Hearing Re: Motion to Abandon, Corrected Motion for Relief from Stay filed by Lisa Koch Bryant on behalf of Creditor Peoples Bank & trust Co. of Pickett County [317]
R / M #: 0 / 0
VACATED: Agreed Motion to Continue filed. Motion granted. Matter continued to 12/14/11 @ 10:00 a.m. Court to issue notice.
- 6) Continued Status Conference Re: Motion for Authority (Trustee's Purchase Money Claims Report, Motion To Transfer Funds And Notice Of Release Of Proceeds From Account) filed by Dustin R. DeNeal on behalf of Trustee James A. Knauer [501]
R / M #: 0 / 0

Appearances:

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(continue)... 10-93904-BHL-11

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In Court Appearances:

TERRY E. HALL, ATTORNEY FOR JAMES A. KNAUER
C. R. BOWLES/JOHN AMES/CHRISTY MOORE , ATTORNEYS FOR GLEN FRANKLIN, JOPLIN REGIONAL STOCKYARDS, NORTHWEST ALABAMA LIVESTOCK YARD, PHILLIP TAYLOR REED, RON P. REED, B&B FARMS, BILLY NEAT, BREEDING BROTHERS, BRENT KEITH, DAVID L. RINGS, DENNIS NEAT, GARY S. BELL, IKE'S TRUCKING, INC., JEREMY COFFEY, JIMMY BRUMMETT, MIKE LOY, MOSELEY CATTLE AUCTION, LLC, SOUTHEAST LIVESTOCK EXCHANGE LLC, SOUTHLAND HAULERS, LLC, SUPERIOR LIVESTOCK AUCTION, INC.
MARK A. ROBINSON, ATTORNEY FOR CACTUS GROWERS, INC., FRIONA INDUSTRIES, LP, J&F OKLAHOMA HOLDINGS, INC.
MICHAEL WAYNE OYLER, ATTORNEY FOR YOUR COMMUNITY BANK
DANIEL J. DONNELLON, ATTORNEY FOR FIRST BANK AND TRUST COMPANY, THE
ANDREW STOSBERG - ATTORNEY FOR WILLIE DOWNS

Phone Appearances:

RANDALL LATOUR - ATTORNEY FOR FIFTH THIRD BANK
KEVIN TONER - ATTORNEY FOR TRUSTEE, JAMES KNAUER
JOHN M. ROGERS, ATTORNEY FOR JOPLIN REGIONAL STOCKYARDS, SUPERIOR LIVESTOCK AUCTION, INC.
KENT A BRITT, ATTORNEY FOR FIFTH THIRD BANK
JOHN FREDERICK MASSOUH, ATTORNEY FOR FRIONA INDUSTRIES, LP AND CATTLEMENS FEEDLOT LTD.
STEPHEN A. WEIGAND, ATTORNEY FOR FIRST BANK AND TRUST COMPANY, THE
JESSICA E. YATES, ATTORNEY FOR CPC LIVESTOCK, LLC AND FREDIN BROS.
WALTER SCOTT NEWBERN, ATTORNEY FOR FLORIDA ASSOCIATION LIVESTOCK MARKETS
DAVID A. LAIRD, ATTORNEY FOR PEOPLES BANK OF COLDWATER KANSAS
AMELIA MARTIN ADAMS, ATTORNEY FOR ALTON DARNELL DBA DARNELL ALTON BARN, BLUE GRASS MAYSVILLE STOCKYARDS, LLC, BLUE GRASS SOUTH LIVESTOCK MARKET, LLC, BLUE GRASS STOCKYARDS EAST, LLC, BLUE GRASS STOCKYARDS OF CAMPBELLSVILLE,, BLUE GRASS STOCKYARDS OF RICHMOND, LLC, BLUE GRASS STOCKYARDS, LLC, EAST TENNESSEE LIVESTOCK CENTER, INC., PIEDMONT LIVESTOCK, INC., SOUTHEAST LIVESTOCK EXCHANGE, LLC, MOSELEY CATTLE AUCTION, LLC
CHARLES R. WHARTON, ATTORNEY FOR U.S. TRUSTEE
JOHN R. CARR, ATTORNEY FOR FIRST BANK AND TRUST COMPANY, THE
BRET S. CLEMENT, ATTORNEY FOR FIRST BANK AND TRUST COMPANY, THE
MEREDITH THOMAS - ATTORNEY FOR PRY (GIBSON CASE 10-93867)
JOHN HUFFAKER - ATTORNEY FOR FRIONA INDUSTRIES AND CATTLEMENS FEEDLOT LTD
JOE ROBERTS - ATTORNEY FOR LAUREL LIVESTOCK
JACK DAWSON - NICHOLS LIVESTOCK
MICHAEL MCCLAIN - ATTORNEY FOR GRANT GIBSON

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Proceedings:

*Disposition: Hearing held.

- (1) VACATED: Per parties - Motion to Continue to be filed. Matter to be continued for status hearing in 90 days. Continued to 2/13/12 @ 10:00 a.m. (EDT) in New Albany. Court to issue notice.
- (2) Motion Granted. Parties to draft order and then submit to court for signature.
- (3) VACATED: Agreed Motion to Continue Oral Argument. Motion Granted. Matter continued to 12/14/11 @ 10:00 a.m. (EDT). Court to issue notice.
- (4) VACATED: Agreed Motion to Continue Oral Argument. Motion Granted. Matter continued to 12/14/11 @ 10:00 a.m. (EDT). Court to issue notice.
- (5) VACATED: Agreed Motion to Continue filed. Matter continued to 12/14/11 @ 10:00 a.m. (EDT). Court to issue notice.
- (6) Status held.

Note: Motion to Approve an Informal Ad Hoc Committee has been filed. Motion to be sent out on notice and opportunity for 21 days. If any objections filed, a hearing will be conducted on 12/14/11 @ 10:00 a.m. Court to issue notice.

Note: Additional Omnibus hearing dates for 2012: January 13, 2012 @ 10:00 a.m (EDT) in New Albany, Indiana
February 13, 2012 @ 10:00 a.m.(EDT) in New Albany, Indiana
March 12, 2012 @ 10:00 a.m. (EDT) in New Albany, Indiana.

A dial in number will be provided for each omnibus hearing date. The dial in number can be located on court's website at www.insb.uscourts.gov with a link to the Trustee's website for Eastern Livestock.

IF COUNSEL HAS BEEN DIRECTED BY THE COURT TO SUBMIT AN ORDER BASED ON THE COURT'S RULING OR THE PARTIES' AGREEMENT, THEN NO FURTHER NOTICE OR REMINDER WILL BE ISSUED. THE COURT WILL NOT KEEP A CASE OPEN SOLELY BECAUSE THE ORDER WAS NOT SUBMITTED WITHIN THE TIME PERIOD DIRECTED BY THE COURT. IN SUCH INSTANCE, A REOPENING FEE WILL APPLY.