

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.)

**PROPOSED AGENDA OF MATTERS SCHEDULED FOR
HEARING ON MARCH 12, 2012 AT 10:00 A.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 March 12, 2012 at 10:00 a.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 MATTERS

1. **["Motion to Consolidate"]** Motion to Consolidate Cases (docket #975) *continued from February 13, 2012*
 - a) Trustee's Response To Florida Creditors' Rule 7042 Motion To Consolidate (docket #1018)
 - b) Florida Creditors' Motion To Seal Reply To Trustee Response And Notice Of Filing Evidentiary Materials In Support Of Florida Creditors Rule 7042 Motion To Consolidate And For Expedited Hearing (docket #1027)

Status: Going forward

2. **["Motion for Protective Order"]** Motion of Fifth Third Bank, N.A. to Limit or, Alternatively, for a Protective Order (docket #1005) *continued from February 13, 2012*

- a) Exhibits A & B To Motion Of Fifth Third Bank, N.A. To Limit Discovery Or, Alternatively, For A Protective Order (Dkt No. 1005) (docket #1011)
- b) [Joplin Regional Stockyards and Superior Livestock Auction, Inc.] Objection To Motion Of Fifth Third Bank To Limit Discovery Or , Alternatively, For A Protective Order (docket #1021)
- c) [Florida Creditors] Joinder In Objection To The Trustee's Motion For Release Of Proceeds From Account (docket #1024)
- d) [The First Bank and Trust Company] Objection To Motion Of Fifth Third Bank, N.A. To Limit Discovery Or, Alternatively, For A Protective Order (docket #1025)

Status: *Order Granting in Part and Continuing in Part the Motion of Fifth Third Bank, N.A. to Limit Discovery, or, Alternatively, for a Protective Order (docket #1051)*

III. NEW MATTERS

- 3. **["Peoples Bank Settlement"]** Motion To Approve Compromise And Settlement With Peoples Bank And Trust Company Of Pickett County (docket #990)

Status: *No objection filed; going forward*

- 4. **["Sale Motion"]** Motion For Order Approving Proposed Auction Sale Of Real Estate Free And Clear Of Liens, Claims And Encumbrances Pursuant To 11 U.S.C. § 363 (docket #1046)

Status: *No objection filed; going forward*

- 5. **["Employment Application"]** Application To Employ Ken Byrd Realty & Auction, Inc. As Auctioneer (docket #1047)

- a) Affidavit Of Ken Byrd In Support Of Application To Employ Ken Byrd Realty & Auction, Inc. As Auctioneer (docket #1048)

Status: *No objection filed; going forward*

- 6. **["Employment Application"]** Application To Employ Kroger, Gardis & Regas, LLP As Special Counsel To Chapter 11 Trustee (docket #1056)

Status: *No objection filed; going forward*

7. ["Elmore"] Trustee's Motion To Stay Deadlines In Elmore Contested Matter (docket #1072)

Status: No objection filed; going forward

8. ["Coffeyville"] Trustee's Motion To Stay Deadlines In Coffeyville Contested Matter (docket #1073)

Status: No objection filed; going forward

IV. ADVERSARY PROCEEDINGS

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

- a) [Bluegrass Stockyards, LLC, Bluegrass Stockyards East, LLC, and Bluegrass Stockyards of Richmond, LLC] Motion For Determination As To Confidentiality Of Documents Produced To Data Room Or, Alternatively, To File Documents Under Seal As Required By Discovery Protocol And Confidentiality Agreement (docket #52)

Status: Going forward

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

- a) Motion Pursuant To Fed R. Bankr. P. 9006(c) For Emergency Hearing On Motion Of Fifth Third Bank, N.A. To Limit Discovery Or, Alternatively, For A Protective Order (docket #120)

Status: Going forward

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

- a) Motion of Fifth Third Bank, N.A. to Limit or, Alternatively, for a Protective Order (docket #366)

- b) [Bluegrass Stockyards, LLC, Bluegrass South Livestock Market, LLC, Bluegrass Stockyards East, LLC, Bluegrass Stockyards of Campbellsville, LLC, Bluegrass-Maysville Stockyards, LLC, Alton Darnell, East Tennessee Livestock Center, Inc., Moseley Cattle Auction, LLC, Piedmont Livestock Company, Inc., and Southeast Livestock Exchange, LLC] Motion For Determination

As To Confidentiality Of Documents Produced To Data Room Or, Alternatively, To File Documents Under Seal As Required By Discovery Protocol And Confidentiality Agreement (docket #376)

- c) Walter Scott Newbern III 's Notice Of Appearance And Motion to Intervene (docket #383)

Status: *Going forward*

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

- a) Motion of Fifth Third Bank, N.A. to Limit or, Alternatively, for a Protective Order (docket #59)

Status: *Going forward*

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

- a) Florida Creditors Rule 7042 Motion To Consolidate (docket #29)
- b) Motion of Fifth Third Bank, N.A. to Limit or, Alternatively, for a Protective Order (docket #34)
- c) Trustee's Response To Florida Creditors' Rule 7042 Motion To Consolidate (docket #38)

Status: *Going forward*

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

- a) Motion of Fifth Third Bank, N.A. to Limit or, Alternatively, for a Protective Order (docket #79)

Status: *Going forward*

V. **RELATED CASES**

In re East-West Trucking, Case No. 10-93799

- 15. **["Claims Objection"]** Trustee's First Omnibus Objection To Claims And Notice Of Response Deadline (docket #257)

- a) Stipulation Resolving Trustee's First Omnibus Objection To Claim Of Cattlemen's Feedlot, Ltd (Claim 38) (docket #259)
- b) Response of Fifth Third Bank to Trustee's First Omnibus Objection to Claims and Notice of Response Deadline (docket #262)
- c) ELC Trustee's Response To Trustee's First Omnibus Objection To Claims And Notice Of Response Deadline (docket #263)
- d) Creditor Grant Gibson's response (docket #265)
- e) Stipulation Resolving Trustee's First Omnibus Objection to Claim of Grant Gibson (Claim 30) (docket #276)

Status: *Agreed Motion To Continue Hearing filed (docket #277)*

In re Thomas and Patsy Gibson, Case No. 10-93867

- 16. **["Trustee K. Pry's Extension of Time"]** Trustee's Motion for Third Extension of Time to File Complaint Objecting to the Debtors' Discharge (docket #493)
 - a) Debtors' Objection To Third Motion Of Kathryn L. Pry, Trustee For Extension To Time To File A Complaint Objecting To Discharge (docket #522; 534)

Status: *Going forward*

- 17. **["The First Bank And Trust Company's Extension of Time"]** Motion For Extension Of Time To File A Complaint Objecting To Discharge Of The Debtor Or To Determine Dischargeability Of Certain Debts (docket #494)
 - a) Debtors' Objection To Motion Of The First Bank And Trust Company For Extension To Time To File A Complaint Objecting To Discharge (docket #525; 537)

Status: *Going forward*

- 18. **["Trustee J. Knauer's Extension of Time"]** Third Motion For Extension Of Time To File Complaint Objecting To The Debtors' Discharge And To Challenge Dischargeability Of Certain Debts (docket #495)
 - a) Debtors' Objection To Third Motion Of James A. Knauer, Trustee For Extension To Time To File A Complaint Objecting To Discharge (docket #523; 535)

Status: *Going forward*

- 19. **["U.S. Trustee's Extension of Time"]** United States Trustee's Motion For Extension Of Time Within Which To File Complaint To Deny Discharge (docket #496)
 - a) Debtors' Objection To Motion Of United States Trustee For Extension To Time To File A Complaint Objecting To Discharge (docket #521; 533)

Status: *Going forward*

- 20. **["Fifth Third Bank's Extension of Time"]** Third Motion Of Fifth Third Bank For Extension Of Time To File A Complaint Objecting The Discharge Of The Debtor And/Or To Determine The Dischargeability Of Certain Debts (docket #497)
 - a) Debtors' Objection To Motion Of Fifth Third Bank For Extension To Time To File A Complaint Objecting To Discharge (docket #524; 536)

Status: *Going forward*

- 21. **["Bluegrass Companies' Extension of Time"]** Bluegrass Companies' Motion For Third Extension Of Time To Object To Discharge And/Or Dischargeability Of Debt (docket #501)
 - a) Debtors' Objection To Third Motion Of The Bluegrass Companies For Extension To Time To File A Complaint Objecting To Discharge (docket #520; 532)

Status: *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>
April 23, 2012	10:00 a.m. EDT
May 14, 2012	10:00 a.m. EDT
June 11, 2012	10:00 a.m. EDT

Respectfully submitted,

FAEGRE BAKER DANIELS LLP

By: /s/Terry E. Hall

James M. Carr (#3128-49)
Kevin M. Toner (#11343-49)
Terry E. Hall (#22041-49)
Dustin R. DeNeal (#27535-49)
300 N. Meridian Street, Suite 2700
Indianapolis, IN 46204-1782
Telephone: (317) 237-0300
Facsimile: (317) 237-1000
jim.carr@faegrebd.com
kevin.toner@faegrebd.com
terry.hall@faegrebd.com
dustin.deneal@faegrebd.com

Counsel for James A. Knauer, Chapter 11 Trustee

Wendy W. Ponader (#14633-49)
600 East 96th Street, Suite 600
Indianapolis, IN 46240
Telephone: (317) 569-9600
Facsimile: (317) 569-4800
wendy.ponader@faegrebd.com

CERTIFICATE OF SERVICE

I hereby certify that on March 9, 2012, 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.

David L. Abt
davidabt@mwt.net

C. R. Bowles, Jr
cbowles@bgdlegal.com

John Hunt Lovell
john@lovell-law.net

Mark A. Robinson
mrobinson@vhlaw.com

Jeffrey R. Erler
jeffe@bellnunnally.com

Edward M King
tking@fbtlaw.com

Randall D. LaTour
rdlatour@vorys.com

John R. Carr, III
jrciii@acs-law.com

Bret S. Clement
bclement@acs-law.com

Daniel J. Donnellon
ddonnellon@ficlaw.com

Stephen A. Weigand
sweigand@ficlaw.com

John Frederick Massouh
john.massouh@sprouselaw.com

John W. Ames
james@bgdlegal.com

Robert Hughes Foree
robertforee@bellsouth.net

Kim Martin Lewis
kim.lewis@dinslaw.com

Jeremy S Rogers
Jeremy.Rogers@dinslaw.com

Ivana B. Shallcross
ishallcross@bgdlegal.com

Deborah Caruso
dcaruso@daleeke.com

Meredith R. Thomas
mthomas@daleeke.com

Charles R. Wharton
Charles.R.Wharton@usdoj.gov

David L. LeBas
dlebas@namanhowell.com

Jessica E. Yates
jyates@swlaw.com

Laura Day Delcotto
ldelcotto@dlgfir.com

Ross A. Plourde
ross.plourde@mcafeetaft.com

Todd J. Johnston
tjohnston@mcjllp.com

Karen L. Lobring
lobring@msn.com

Elliott D. Levin
edl@rubin-levin.net

Sean T. White
swhite@hooverhull.com

Michael W. McClain
mike@kentuckytrial.com

James Edwin McGhee
mcghee@derbycitylaw.com

Jerald I. Ancel
jancel@taftlaw.com

David Alan Domina
dad@dominalaw.com

Jill Zengler Julian
Jill.Julian@usdoj.gov

Michael Wayne Oyler
moyler@rwsvlaw.com

James E. Rossow
jim@rubin-levin.net

Steven A. Brehm
sbrehm@bgdlegal.com

James M. Carr
james.carr@faegrebd.com

Shawna M. Eikenberry
shawna.eikenberry@faegrebd.com

James A. Knauer
jak@kgrlaw.com

Christie A. Moore
cmoore@bgdlegal.com

Jeffrey E. Ramsey
jramsey@hopperblackwell.com

Joseph H. Rogers
jrogers@millerdollarhide.com

William Robert Meyer, II
rmeyer@stites.com

James Bryan Johnston
bjtexas59@hotmail.com

Judy Hamilton Morse
judy.morse@crowedunlevy.com

John Huffaker
john.huffaker@sprouselaw.com

Kelly Greene McConnell
lisahughes@givenspursley.com

Walter Scott Newbern
wsnewbern@msn.com

Timothy T. Pridmore
tpridmore@mcjllp.com

Sandra D. Freeburger
sfreeburger@dsf-atty.com

John M. Rogers
johnr@rubin-levin.net

Robert H. Foree
robertforee@bellsouth.net

William E. Smith
wsmith@k-glaw.com

Thomas C Scherer
tscherer@binghamchale.com

Jeffrey J. Graham
jgraham@taftlaw.com

Kent A Britt
kabritt@vorys.com

Jeffrey L. Hunter
jeff.hunter@usdoj.gov

Jason W. Cottrell
jwc@stuartlaw.com

James B. Lind
jblind@vorys.com

Anthony G. Raluy
traluy@fbhlaw.net

Jack S. Dawson
jdawson@millerdollarhide.com

Terry E. Hall
terry.hall@faegrebd.com

Erick P. Knoblock
eknoblock@daleeke.com

Shiv Ghuman O'Neill
shiv.oneill@faegrebd.com

Eric C. Redman
ksmith@redmanludwig.com

James E. Smith
jsmith@smithakins.com

Allen Morris
amorris@stites.com

James T. Young
james@rubin-levin.net

John M. Thompson
john.thompson@crowedunlevy.com

Matthew J. Ochs
matt.ochs@moyewwhite.com

T. Kent Barber
kbarber@dlgfir.com

Kirk Crutcher
kcrutcher@mcs-law.com

Theodore A Konstantinopoulos
ndohbky@jbandr.com

Lisa Koch Bryant
courtmail@fbhlaw.net

John David Hoover
jdhoover@hooverhull.com

Sarah Stites Fanzini
sfanzini@hopperblackwell.com

Susan K. Roberts
skr@stuartlaw.com

David A. Laird
david.laird@moyewwhite.com

Trevor L. Earl
tearl@rwsvlaw.com

Joshua N. Stine
jnstine@vorys.com

Amelia Martin Adams
aadams@dlgfir.com

Robert A. Bell
rabell@vorys.com

Melissa S. Giberson
msgiberson@vorys.com

Christopher E. Baker
cbaker@hklawfirm.com

Dustin R. DeNeal
dustin.deneal@faegrebd.com

Jay Jaffe
jay.jaffe@faegrebd.com

Harmony A. Mappes
harmony.mappes@faegrebd.com

Wendy W. Ponader
wendy.ponader@faegrebd.com

Joe T. Roberts
jratty@windstream.net

Robert K. Stanley
robert.stanley@faegrebd.com

Andrew D. Stosberg
astosberg@lloydmc.com

Kevin M. Toner
kevin.toner@faegrebd.com

U.S. Trustee
ustpregion10.in.ecf@usdoj.gov

Andrea L. Wasson
andreawassonatty@gmail.com

Christopher M. Trapp
ctrapp@rubin-levin.net

Eric W. Richardson
ewrichardson@vorys.com

I further certify that on March 9, 2012, a copy of the foregoing pleading was served via electronic mail transmission on the following:

Ashley S. Rusher
asr@blancolaw.com

Darla J. Gabbitas
darla.gabbitas@moyewwhite.com

/s/ Terry E. Hall