

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: MONDAY, MARCH 12, 2012 10:00 AM NA 103
Bankruptcy Judge: BASIL H. LORCH
Courtroom Clerk: KRISTIN GOSS
Reporter / ECR: AMY BRUCKERT

Matters:

- 1) Continued Hearing Re: Motion to Consolidate Claims of 10-bk-93904 filed by Walter Scott Newbern III on behalf of Creditors Arcadia Stockyard, Daniel M. Byrd, Cattlemen's Livestock Market, Inc., Columbia Livestock Market, Inc., Eagle Bay, Inc., Florida Association Livestock Markets, Hardee Livestock Market, Inc., Madison County Livestock Market, Inc. d/b/a Townse, North Florida Livestock Market, Inc., Oak Lake Cattle Co., Ocala Livestock Market, Inc., Okeechobee Livestock Market, Inc., Ron Sizemore Trucking, Inc., Sumter County Farmers Market, Inc [975] with a Response in Opposition to filed by Shawna M Eikenberry on behalf of Trustee James A. Knauer [1018]
R / M #: 0 / 0
- 9) Continued Expedited Hearing Re: Motion of Fifth Third Bank, N.A. to Limit Discovery or, Alternatively, For a Protective Order filed by Randall D. LaTour on behalf of Creditor Fifth Third Bank [1005] with Objections filed by: John M. Rogers on behalf of Creditor Joplin Regional Stockyards, Petitioning Creditor Superior Livestock Auction, Inc [1021] ; by Walter Scott Newbern III on behalf of Creditors Arcadia Stockyard, Daniel M. Byrd, Cattlemen's Livestock Market, Inc., Columbia Livestock Market, Inc., Eagle Bay, Inc., Hardee Livestock Market, Inc., Madison County Livestock Market, Inc. d/b/a Townse, North Florida Livestock Market, Inc., Oak Lake Cattle Co., Ocala Livestock Market, Inc., Okeechobee Livestock Market, Inc., Ron Sizemore Trucking, Inc., Sumter County Farmers Market, Inc. [1024] and by Daniel J. Donnellon on behalf of Creditor First Bank and Trust Company, The [1025]
R / M #: 0 / 0
- 2) Hearing Re: Emergency Motion to Seal Document In Reply To Trustee filed by Walter Scott Newbern III on behalf of Creditors Arcadia Stockyard, Daniel M. Byrd, Cattlemen's Livestock Market, Inc., Columbia Livestock Market, Inc., Eagle Bay, Inc., Florida Association Livestock Markets, Hardee Livestock Market, Inc., Madison County Livestock Market, Inc. d/b/a Townse, North Florida Livestock Market, Inc., Oak Lake Cattle Co., Ocala Livestock Market, Inc., Okeechobee Livestock Market, Inc., Ron Sizemore Trucking, Inc., Sumter County Farmers Market, Inc [1027]
R / M #: 0 / 0
- 3) Hearing Re: Motion to Sell Property Free and Clear of Liens under Sec. 363(f) 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 filed by Dustin R. DeNeal on behalf of Trustee James A. Knauer [1046]
R / M #: 0 / 0
- 4) Hearing Re: Application to Employ Ken Byrd Realty & Auction, Inc. as Auctioneer filed by Dustin R. DeNeal on behalf of Trustee James A. Knauer [1047]
R / M #: 0 / 0
- 5) Hearing Re: Motion to Compromise & Settle under Fed.R.Bankr.P. 9019 Motion To Approve Compromise And Settlement With Peoples Bank And Trust Company Of Pickett County filed by Dustin R. DeNeal on behalf of Trustee James A. Knauer [990]
R / M #: 0 / 0
- 6) Emergency Hearing Re: Application to Employ Kroger, Gardis & Regas, LLP as Special Counsel to Chapter 11 Trustee filed by James A. Knauer on behalf of Trustee James A. Knauer [1056]
R / M #: 0 / 0

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MONDAY, MARCH 12, 2012 10:00 AM

- 7) Status Conference Re: Trustee's Motion To Stay Deadlines In Elmore Contested Matter filed by Kevin M. Toner on behalf of Trustee James A. Knauer [1072]
R / M #: 0 / 0
- 8) Status Conference Re: Trustee's Motion To Stay Deadlines In Coffeyville Contested Matter filed by Kevin M. Toner on behalf of Trustee James A. Knauer [1073]
R / M #: 0 / 0

Appearances:

In Court Appearances:

SEAN T. WHITE, ATTORNEY FOR JAMES A. KNAUER
JAMES A. KNAUER, ATTORNEY FOR JAMES A. KNAUER
KEVIN M. TONER, ATTORNEY FOR JAMES A. KNAUER
RANDALL D. LATOUR, ATTORNEY FOR FIFTH THIRD BANK
MELISSA GIBERSON, ATTORNEY FOR FIFTH THIRD
C. R. BOWLES, ATTORNEY 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.
JOHN W AMES, ATTORNEY FOR JOPLIN REGIONAL STOCKYARDS, PHILLIP TAYLOR REED, RON P. REED, DAVID L. RINGS, MOSELEY CATTLE AUCTION, LLC, SOUTHEAST LIVESTOCK EXCHANGE LLC, SUPERIOR LIVESTOCK AUCTION, INC.
LAURA DAY DELCOTTO, 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, SOUTHEAST LIVESTOCK EXCHANGE LLC
MICHAEL WAYNE OYLER, ATTORNEY FOR YOUR COMMUNITY BANK
WILLIAM ROBERT MEYER, ATTORNEY FOR REPUBLIC BANK AND TRUST COMPANY
DANIEL J. DONNELSON, ATTORNEY FOR FIRST BANK AND TRUST COMPANY, THE
ELLIOTT D. LEVIN, ATTORNEY FOR SUPERIOR LIVESTOCK AUCTION, INC.
LISA K. BRYANT - ATTORNEY FOR PEOPLES BANK & TRUST COMPANY
FRED SIMON - ATTORNEY FOR THOMAS & PATSY GIBSON 10-93867

Phone Appearances:

KENT BRITT/ERIC RICHARDSON, ATTORNEY FOR FIFTH THIRD
DEBORAH CARUSO - ATTORNEY FOR KATHRYN PRY, TRUSTEE IN GIBSON CASE 10-93867
JOHN M. ROGERS, ATTORNEY FOR JOPLIN REGIONAL STOCKYARDS, SUPERIOR LIVESTOCK AUCTION, INC.
CHRIS TRAPP, ATTORNEY FOR JOPLIN REGIONAL STOCKYARDS, SUPERIOR LIVESTOCK AUCTION, INC.
CHARLES R. WHARTON, ATTORNEY FOR U.S. TRUSTEE
JOHN CARR/BRET S. CLEMENT, ATTORNEY FOR FIRST BANK AND TRUST COMPANY, THE
JASON W. COTTRELL, ATTORNEY FOR REX ELMORE
STEPHEN A. WEIGAND, ATTORNEY FOR FIRST BANK AND TRUST COMPANY, THE
DAVID L. LEBAS, ATTORNEY FOR J&F OKLAHOMA HOLDINGS, INC.
JESSICA E. YATES, ATTORNEY FOR CPC LIVESTOCK, LLC
ROSS A. PLOURDE, ATTORNEY FOR BRENT KUEHNY, CRUMPLER BROS., STOCKMAN OKLAHOMA LIVESTOCK MARKETING, I, THE BANK OF KREMLIN
WALTER SCOTT NEWBERN, ATTORNEY FOR ARCADIA STOCKYARD, CATTLEMEN'S LIVESTOCK MARKET, INC., COLUMBIA LIVESTOCK MARKET, INC.,
TERRY HALL - ATTORNEY FOR TRUSTEE, JAMES KNAUER
JOHN MASSOUGH - ATTORNEY FOR FRIONA INDUSTRIES, LP
DAVID LAIRD - ATTORNEY FOR PEOPLES BANK OF COLDWATER KANSAS
PETE GANNOTT - ATTORNEY FOR LAUREL
TODD JOHNSTON - ATTORNEY FOR GABRIEL MORENO
ERIC REDMAN - ATTORNEY FOR BANK FIRST AND EDWARD STRICKLAND

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Proceedings:

* Disposition: Hearing held.

- (1) Moot per amended motion filed on 3/12/12. Amended Motion granted. Newburn to submit order.
- (2) Matter continued to Hearing on 4/23/12 @ 10:00 am (EST) in New Albany - Notice given in open court.
- (3) No objections filed. Motion Granted. Order to be entered.
- (4) No objections filed. Application Granted. Order to be entered.
- (5) No objections filed. Motion Granted as approved by amendment of parties. Order to be submitted.
- (6) No objections filed. Application Granted. Order to be entered.
- (7) No objections filed. Motion Granted. Order to be entered.
- (8) No objections filed. Motion Granted. Order to be entered.
- (9) Matter continued to Status Hearing on 4/23/12 @ 10:00 am (EST) in New Albany - Notice given in open court.

Note: Sean White granted a short extension to file preliminary report from Hoover Hull - special counsel for Trustee. Extension granted to 3/16/12.

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.