

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
NEW ALBANY DIVISION

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

**APPLICATION OF  
STOCKMAN OKLAHOMA LIVESTOCK  
MARKETING, INC. FOR EXTENSION OF TIME TO FILE  
DISPOSITIVE ISSUE MEMORANDUM (CONSTRUCTIVE TRUST)**

Stockman Oklahoma Livestock Marketing, Inc. ("SOLM") applies to the Court for a one-day extension of time to submit its Dispositive Issue Memorandum regarding the dispositive legal issue identified in this Court's 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 (the "Scheduling Order") entered herein on July 25, 2011 [Doc 622]. In support hereof, SOLM states:

1. Pursuant to the Scheduling Order, SOLM was directed to submit its Memorandum of Law relating specifically to the dispositive issue of "whether applicable state law can operate to impose a constructive trust over proceeds of the Debtor's sale of cattle absent a prepetition judicial determination impressing such a constructive trust over Debtor's assets" (the "Dispositive Issue"). The Scheduling Order directed SOLM to file its Dispositive Issue Memorandum on or before September 30, 2011.

2. On October 12, 2011, this Court entered its Order Granting Agreed Motion to Extend Deadlines in Scheduling Order Regarding Contested Matters Involving Trustee's Purchase Money Claims Report and Objections Filed by SOLM, Crumpler Bros., Kuehny and

The Bank Of Kremlin, which, *inter alia*, extended the deadline for SOLM to file its Dispositive Issue Memorandum until October 31, 2011.

3. Counsel to SOLM has been unable to complete SOLM's Dispositive Issue Memorandum within the time so provided and desires a one-day extension of time until November 1, 2011 to complete and file its Memorandum.

4. Counsel to the Trustee has been contacted and advises that the Trustee does not oppose the requested relief.

5. A proposed order is submitted contemporaneously herewith.

Respectfully submitted,

/s/ Ross A. Plourde

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 31, 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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*/s/ Ross A. Plourde*

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