

[8hnstay] [ ORDER SCHEDULING PRELIMINARY HEARING ON MOTION FOR RELIEF FROM STAY]

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
FT. MYERS DIVISION

In re:

Case No. 9:08-bk-04360-ALP  
Chapter 7

Ulrich Felix Anton Engler  
aka Ulrich Engler  
aka Richard Engler  
aka Richie Engler  
Private Commercial Office, Inc.(08-4365)  
(Consolidated)  
1217 Cape Coral Parkway  
Apartment 121  
Cape Coral, FL 33904

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Debtor\* /

ORDER SCHEDULING PRELIMINARY  
HEARING ON MOTION FOR RELIEF FROM STAY

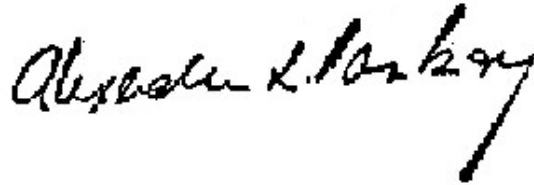
THIS CASE came on for consideration of the motion for relief from stay ("Motion") (Doc. No. 99 ) filed by Unkown Fidelity National Ranch Property ("Movant") on 12/16/2008 . The filing of this motion creates a contested matter under Fed. R. Bankr. P. 9014. The Court, therefore, orders as follows:

1. The Court hereby schedules a preliminary hearing on the Motion for January 23, 2009 at 09:15 AM in Ft. Myers, FL – Room 4-117, Courtroom E, United States Courthouse, 2110 First Street before the Honorable Alexander L. Paskay , United States Bankruptcy Judge.
2. The automatic stay of Bankruptcy Code § 362(a) is continued in effect until further order of this Court.
3. The movant shall file a statement with the Court within ten (10) days of this Order setting forth the description of the property, a statement of the unpaid principal due, accrued interest from a specific date to the date of the preliminary hearing, all late charges, attorney's fees, advances for taxes and insurance, all unearned interest, any other charges, the per diem interest factor, and what the movant believes is adequate protection in this case. The movant should also advise the Court as to how value will be determined, either by appraisal, blue book value, or expert witness testimony.
4. The debtor shall file with the Court a response to the movant's motion for relief from the automatic stay within (10) days of this Order. The response should include a description of the property which is the subject of the motion if different from that set forth in the motion, the amount of unpaid principal, accrued interest, late charges, attorney's fees, taxes, insurance, unearned interest, other charges, and the per diem factor. Further, the debtor should also set forth what it believes to be adequate protection to the movant in this case, and whether or not there is available an appraisal, other documentary evidence to show value, or whether expert witnesses will be used to determine value.

Appropriate Attire. You are reminded that Local Rule 5072-1(b)(16) requires that all persons appearing in court should dress in business attire consistent with their financial abilities. Shorts, sandals, shirts without collars, including tee shirts and tank tops, are not acceptable.

Avoid delays at Courthouse security checkpoints. You are reminded that Local Rule 5073-1 restricts the entry of cellular telephones and, except in Orlando, computers into the Courthouse absent a specific order of authorization issued beforehand by the presiding judge. Please take notice that as an additional security measure a photo ID is required for entry into the Courthouse.

DONE AND ORDERED on January 6, 2009 .

A handwritten signature in black ink, appearing to read "Alexander L. Paskay". The signature is written in a cursive style with a long, sweeping tail on the final letter.

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Alexander L. Paskay  
United States Bankruptcy Judge

\*All references to "debtor" shall include and refer to both debtors in a case filed jointly by two individuals.