

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

In re

CASE NO. 9:08-bk-04360-ALP

ULRICH FELIX ANTON ENGLER and
PRIVATE COMMERCIAL OFFICE, INC.,

CHAPTER 7
(Substantively Consolidated)

**ORDER DENYING DEFENDANTS' MOTION
TO CONTINUE HEARINGS SET FOR MAY 21, 2010
AND SETTING FURTHER HEARING ON THE TRUSTEE'S
MOTION TO SUBSTANTIVELY CONSOLIDATE NON-DEBTOR DOUGLAS
INVESTMENTS, LLC WITH AND INTO THE DEBTORS' BANKRUPTCY ESTATES**

THIS CAUSE came before the Court on May 12, 2010 upon FIDELITY NATIONAL FINANCIAL, INC.'s and FIDELITY NATIONAL TIMBER RESOURCES, INC.'s (collectively, the "Defendants") Motion To Continue Hearings Set For May 21, 2010 [D.E. 362] (the "Motion to Continue"). The Court, having reviewed the Motion, the Response filed in opposition thereto by ROBERT E. TARDIF, JR. (the "Trustee"), as the Chapter 7 Trustee of the substantively consolidated bankruptcy estates [D.E. 369], as well as the Trustee's Motion To Permit Defendants To Participate In May 21, 2010 Hearings By Telephone [D.E. 370] (the "Motion for Telephonic Participation"), having heard argument by counsel for the parties, and being otherwise duly advised in the premises, does hereby

ORDER as follows:

1. Defendants' Motion to Continue is DENIED. The Court shall conduct a preliminary hearing on the Trustee's Motion To Substantively Consolidate Non-Debtor Douglas Investments, LLC With And Into The Debtors' Bankruptcy Estates Effective As Of The Date Of Entry Of An Order On This Motion [D.E. 212] (the "Preliminary Hearing") at the end of its 9:15 a.m. calendar on May 21, 2010.

2. The Trustee's Motion for Telephonic Participation is GRANTED. Defendants may participate in the May 21, 2010 Preliminary Hearing by telephone. The call-in number for the telephonic hearing is **1-866-910-4857**, participant code **242467**.

DONE AND ORDERED at Tampa, Florida on May 13, 2010 .



Michael G. Williamson
United States Bankruptcy Judge

Copies furnished to:

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