

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

In re

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

ULRICH FELIX ANTON ENGLER,
PRIVATE COMMERCIAL OFFICE, INC.,
and PCO CLIENT MANAGEMENT, INC.,

CHAPTER 7
(Substantively Consolidated)

Debtors.

**CERTIFICATE OF NECESSITY IN SUPPORT OF TRUSTEE'S *EXPEDITED* MOTION
FOR AUTHORIZATION TO INCUR EXPENSES FOR TRAVEL OF GERMAN
WITNESSES AND GERMAN INTERPRETER IN CONNECTION WITH
EVIDENTIARY HEARING ON THE MOTION TO SUBSTANTIVELY
CONSOLIDATE NON-DEBTOR DOUGLAS INVESTMENTS, LLC
WITH AND INTO THE DEBTORS' BANKRUPTCY ESTATES**

1. I HEREBY CERTIFY, as a member of the Bar of the Court, that I have carefully examined the matter under consideration and to the best of my knowledge, information and belief formed after reasonable inquiry, all allegations are well grounded in fact and all contentions are warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law can be made, that the matter under consideration is not interposed for any improper purpose, such as to harass, to cause delay, or to increase the cost of litigation, and there is just cause to request consideration of the matter on an *expedited*; albeit, non-emergency basis.

2. I CERTIFY FURTHER that there is a true necessity for an *expedited*; albeit, non-emergency hearing; specifically, because the Trustee needs to make timely, cost-effective arrangements with two to three witnesses to travel from Germany to Tampa, Florida in order to testify at the June 17, 2010 final evidentiary hearing on the Trustee's Motion To Substantively Consolidate Non-Debtor Douglas Investments, LLC With And Into The Debtors' Bankruptcy

Estates and requires court approval to pay the expenses of air transportation, hotel accommodations, and meals for such witnesses as well as the expense of a German interpreter. See D.E. Nos. 212 and 382.

3. I CERTIFY FURTHER that the necessity of this expedited; albeit, non-emergency hearing has not been caused by a lack of due diligence on my part, but has been brought about only by circumstances beyond my control or that of my client. I further certify that this motion is filed with full understanding of F.R.B.P. 9011 and the consequences of noncompliance with same.

DATED this 2nd day of June, 2010.

Respectfully submitted,

GENOVESE JOBLOVE & BATTISTA, P.A.
Attorneys for the Trustee
200 East Broward Boulevard, Suite 1110
Fort Lauderdale, Florida 33301
Telephone: (954) 453-8000
Telecopier: (954) 453-8010

By: /s/ Robert F. Elgidely
Robert F. Elgidely, Esq.
Florida Bar No. 111856
David C. Cimo, Esq.
Florida Bar No. 775400
Theresa Van Vliet, Esq.
Florida Bar No. 374040

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Certificate Of Necessity In Support Of Trustee's *Expedited* Motion For Authorization To Incur Expenses For Travel Of German Witnesses And German Interpreter In Connection With Evidentiary Hearing On The Motion To Substantively Consolidate Non-Debtor Douglas Investments, LLC With And Into The Debtors' Bankruptcy Estates has been filed with the Court and thereby furnished to all

creditors and parties in interest registered on the Court's CM/ECF System (including Douglas Szabo, Esq., Henderson, Franklin, Starnes & Holt, P.A., 1715 Monroe Street, P.O. Box 280, Fort Myers, FL 33902 and Steven M. Berman, Esq., Shumaker, Loop & Kendrick, LLP, 101 East Kennedy Boulevard, Suite 2800, Tampa, FL 33602) and has additionally been furnished via first class mail to Sean Moulton, Esq., Moulton Law Office, P.O. Box 631, 60 E. Wallace, Driggs, Idaho 83422, on the 2nd day of June, 2010.

By: /s/ Robert F. Elgidely
Robert F. Elgidely, Esq.