

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.

**TRUSTEE'S *EXPEDITED* MOTION TO AUTHORIZE
REINHARD HOFMANN OF THE MANNHEIM, GERMANY
PUBLIC PROSECUTOR'S OFFICE TO PARTICIPATE IN JUNE 17, 2010
EVIDENTIARY HEARING BY VIDEO CONFERENCING EQUIPMENT**

ROBERT E. TARDIF, JR. (hereinafter the "Trustee"), as Chapter 7 Trustee for the substantively consolidated bankruptcy estates of Ulrich Felix Anton Engler, Private Commercial Office, Inc., and PCO Client Management, Inc. (hereinafter referred to collectively as the "Debtors"), by and through his undersigned counsel, hereby files his *Expedited* Motion To Authorize Reinhard Hofmann Of The Mannheim, Germany Public Prosecutor's Office To Participate In June 17, 2010 Evidentiary Hearing By Video Conferencing Equipment, and states in support thereof as follows:

1. On April 20, 2010, the Trustee filed a Motion To Substantively Consolidate Non-Debtor Douglas Investments, LLC With And Into The Debtors' Bankruptcy Estates [D.E. 212] (hereinafter the "Motion to Substantively Consolidate").

2. On May 5, 2010, non-creditors Fidelity National Financial, Inc. and Fidelity National Timber Resources, Inc. filed a Motion For Reconsideration Of Order Granting Trustee's Motion To Approve Compromise And Settlement And Opposition To Trustee's

Motion To Substantially Consolidate Non-Debtor Douglas Investments, LLC With And Into Debtors' Bankruptcy Estates [D.E. 363].

3. The Court conducted a preliminary hearing on the Motion to Substantively Consolidate on May 21, 2010 and entered an Order on May 28, 2010 scheduling a final evidentiary hearing on the motion for June 17, 2010 at 1:30 p.m. in Tampa, Florida [D.E. 382] (hereinafter the "Evidentiary Hearing").

4. On June 4, 2010, the Court entered an Order granting the 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 [D.E. 395].

5. Unfortunately, Dr. Reinhard Hofmann (the Senior Public Prosecutor of the Mannheim, Germany Public Prosecutor's Office whose name appears on the international arrest warrant as well as the request for arrest and extradition of Ulrich Felix Anton Engler a/k/a Richie Engler) is unable to travel from Mannheim, Germany to Tampa, Florida for the Evidentiary Hearing due to scheduling conflicts and work related issues.

6. The Trustee therefore wishes to call Dr. Hofmann as a witness at the Evidentiary Hearing via video conferencing equipment.

7. Dr. Hofmann is fluent in the English language but, the Trustee has also secured the services of a German interpreter (who will be physically present at the Evidentiary Hearing) should translation of any questions by counsel or the Court be necessary.

8. The Trustee respectfully submits that Dr. Hofmann's testimony at the Evidentiary Hearing is necessary and is in the best interests of the creditors of the bankruptcy estate because

such testimony would aid in establishing the grounds set forth in the Motion to Substantively Consolidate.

WHEREFORE, the Trustee respectfully requests this Honorable Court to enter an Order authorizing Reinhard Hofmann of the Mannheim, Germany Public Prosecutor's Office to participate in the Evidentiary Hearing by video conferencing equipment and for such other and further relief as the Court may deem just and proper.

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 Trustee's *Expedited* Motion To Authorize Reinhard Hofmann Of The Mannheim, Germany Public Prosecutor's Office To Participate In June 17, 2010 Evidentiary Hearing By Video Conferencing Equipment 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 9th day of June,
2010.

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