

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

In re CASE NO. 9:08-bk-04360-ALP
ULRICH FELIX ANTON ENGLER, et al., CHAPTER 7
Debtors. (Substantively Consolidated)

**TRUSTEE’S NOTICE OF FILING CASE LAW IN SUPPORT OF TRUSTEE’S
MOTION TO SUBSTANTIVELY CONSOLIDATE NON-DEBTOR DOUGLAS
INVESTMENTS, LLC WITH AND INTO THE DEBTORS’ BANKRUPTCY ESTATES**

NOTICE IS HEREBY GIVEN that 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, has filed the following case law in support of his Motion to Substantively Consolidate Non-Debtor Douglas Investments, LLC with and into the Debtors’ Bankruptcy Estates [D.E. 212]:

Composite Exhibit A – Supreme Court Case

Sampson v. Imperial Paper & Color Corp., 313 U.S. 215 (1941).

Composite Exhibit B – Circuit Court Cases

Alexander v. Compton (In re Bonham), 229 F.3d 750 (9th Cir. 2000).

Eastgroup Properties v. Southern Motel Assoc., Ltd., 935 F.2d 245 (11th Cir. 1991).

Soviero v. Franklin National Bank of Long Island, 328 F.2d 446 (2d Cir. 1964).

Fish v. East, 114 F.2d 177 (10th Cir. 1940).

Composite Exhibit C – District Court Cases

Simon v. New Center Hospital (In re New Center Hospital),
187 B.R. 560 (Bankr. E.D. Mich. 1995).

Walter E. Heller & Co. v. Langenkamp (In re Tureaud), 59 B.R. 973 (N.D. Okla. 1986).

Composite Exhibit D – Bankruptcy Court Cases

Walls v. Centurion Asset Management, Inc. (In re Bolze),
2009 WL 2232802 (Bankr. E.D. Tenn. July 23, 2009).

In re Alico Mining, Inc., 278 B.R. 586 (Bankr. M.D. Fla. 2002).

In re Bonham, 226 B.R. 56 (Bankr. D. Alaska 1998).

Bracaglia v. Manzo (In re United Stairs Corp.), 176 B.R. 359 (Bankr. D.N.J. 1995).

In re Baker & Getty Financial Services, Inc., 78 B.R. 139 (Bankr. N.D. Ohio 1987).

In re Tureaud, 45 B.R. 658 (Bankr. N.D. Ok. 1985).

Respectfully submitted,

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By: /s/ Robert F. Elgidely

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Trustee's Notice Of Filing Case Law In Support Of Trustee's 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 1st day of July, 2010.

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