

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

In re

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

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

CHAPTER 7
(Substantively Consolidated)

Debtors.

**TRUSTEE'S MOTION FOR ENTRY OF STANDING ORDER
AUTHORIZING SPECIAL COUNSEL TO APPEAR TELEPHONICALLY
FOR ROUTINE, NON-EVIDENTIARY HEARINGS IN THE
MAIN BANKRUPTCY CASE AND ADVERSARY PROCEEDINGS**

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 sometimes referred to individually as "Engler," "PCO," and "PCOM," respectively, or collectively as the "Debtors"), through undersigned counsel (hereinafter the "Special Counsel"), files this Motion For Entry Of Standing Order Authorizing Special Counsel To Appear Telephonically For Routine, Non-Evidentiary Hearings In The Main Bankruptcy Case And Adversary Proceedings, and states in support thereof as follows:

PROCEDURAL BACKGROUND

1. On March 31, 2008, a group of creditors filed involuntary petitions for relief under Chapter 7 of Title 11 of the United States Code (hereinafter the "Bankruptcy Code") against Engler and PCO with the Clerk of this Court (hereinafter the "Petition Date").
2. On April 29, 2008, the Court entered Orders for Relief against Engler and PCO.
3. By orders entered on June 24, 2008 and April 23, 2010, the assets and liabilities

of Engler, PCO, and PCOM were substantively consolidated (hereinafter the “Main Bankruptcy Case”).

4. The Trustee was appointed and currently serves as the permanent Chapter 7 Trustee for the Debtors’ bankruptcy estates.

5. As of January 4, 2011, 1,222 Proofs of Claim in the aggregate amount of \$313,102,754.01 were filed in the Engler bankruptcy case and 210 Proofs of Claim in the aggregate amount of \$205,085,382.63 were filed in the PCO bankruptcy case.

6. The Trustee has filed over one hundred adversary proceedings to avoid and to recover fraudulent transfers with this Court and several courts throughout Europe (hereinafter the “Adversary Proceedings”).

RELIEF REQUESTED

7. The Trustee seeks a standing order authorizing Special Counsel to participate in routine, non-evidentiary hearings in the Main Bankruptcy Case and in the Adversary Proceedings (hereinafter referred to collectively as the “Hearings”) in order to avoid the need for Special Counsel to physically appear for the Hearings and the administrative expense associated with Special Counsel’s travel from Fort Lauderdale to Tampa, Florida.

8. A standing order authorizing Special Counsel to appear telephonically for the Hearings will not cause delay, prejudice, or interfere with the orderly administration of the bankruptcy estate.

BASIS FOR RELIEF

9. Section 105(a) of the Bankruptcy Code provides in pertinent part that “[t]he court may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title.”

10. The relief sought in the instant motion is also contemplated and authorized by the

Policy on Telephonic Appearances, Hearings Before Honorable Michael G. Williamson (August 9, 2010).

11. For the foregoing reasons, the Trustee respectfully submits that a standing order authorizing Special Counsel to appear telephonically for routine, non-evidentiary hearings in the Main Bankruptcy Case and the Adversary Proceedings is necessary, appropriate, and in the best interests of the Debtors' bankruptcy estate.

WHEREFORE, the Trustee respectfully requests this Honorable Court to enter a standing order authorizing Special Counsel to appear telephonically for routine, non-evidentiary hearings in the Main Bankruptcy Case and the Adversary Proceedings as well as for such other and further relief as the Court may deem just and proper.

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 Motion For Entry Of Standing Order Authorizing Special Counsel To Appear Telephonically For Routine, Non-Evidentiary Hearings In The Main Bankruptcy Case And Adversary Proceedings has been furnished to all creditors and parties in interest registered on the Court's CM/ECF System and posted on the website englerbk.com in accordance with the Order Granting Trustee's Motion To

Establish Certain Notice, Case Management And Administrative Procedures [D.E. 451] on the 5th day of January, 2011.

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