

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
FT. MYERS DIVISION

In re:

Case No. 9:08-bk-04360-MGW
Case No. 9:08-bk-04365

Ulrich Felix Anton Engler and
Private Commercial Office, Inc.

Jointly Administered

Debtors.

**ORDER SCHEDULING SUMMARY JUDGMENT SUBMISSIONS ON
APPLICATION FOR ADMINISTRATIVE EXPENSE CLAIM**

THIS CASE came on for consideration without a hearing on Klaus Wolfschmidt, Reinhard Muller, and Anneliese Schmitt's Application for Administrative Expense Claim (Doc. No. 864) (the "Application"). The Court previously held a preliminary hearing on the Application on December 5, 2012. At the December 5 preliminary hearing, the Court scheduled a final evidentiary hearing on the Application for 1:30 p.m. on Wednesday, February 13, 2013 (Doc. No. 884). In the interim, however, the Chapter 7 Trustee and Petitioning Creditors' counsel have determined that a final evidentiary hearing is not necessary and that the Court can consider the Application on cross-motions for summary judgment. Accordingly, it is

ORDERED:

1. Cross motions for summary judgment, with accompanying affidavits, if applicable, shall be filed no later than thirty (30) days from entry of this Order.
2. Each party shall have seven (7) days from submission of the cross motions to file a reply, if such party deems it appropriate.

3. The Court shall consider the filings, without a hearing, unless the Court determines that an oral presentation will aid the Court, or unless such party requests a hearing in writing in connection with any reply.

4. The final evidentiary hearing currently scheduled for February 13, 2013, at 1:30 p.m., is **CANCELLED**.

DONE and ORDERED in Chambers at Tampa, Florida on February 11, 2013.



MICHAEL G. WILLIAMSON
United States Bankruptcy Judge

Copies furnished to:

Roberta A. Colton, Trenam Kemker, Post Office Box 1102, Tampa, Florida 33601-1102
Trustee Robert E Tardif, Jr., Post Office Box 2140, Fort Myers, FL 33902
United States Trustee - FTM7, 7, Timberlake Annex, Suite 1200, 501 E. Polk Street,
Tampa, FL 33602