UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

In re	CASE NO. 9:08-bk-04360-MGW
ULRICH FELIX ANTON ENGLER, PRIVATE COMMERCIAL OFFICE, INC., and PCO CLIENT MANAGEMENT, INC.,	CHAPTER 7 (Substantively Consolidated)
Debtors. _____/	

NOTICE OF APPEAL

PLEASE TAKE NOTICE that ROBERT E. TARDIF, JR. (the "Trustee" or the "Appellant"), as Chapter 7 Trustee for the substantively consolidated bankruptcy estates of Ulrich Felix Anton Engler, Private Commercial Office, Inc., and PCO Client Management, Inc. (collectively, the "Debtors"), hereby appeals to the United States District Court for the Middle District of Florida, pursuant to 28 U.S.C. § 158 and Rule 8001(a) of the Federal Rules of Bankruptcy Procedure, from the following Order of the Bankruptcy Court entered on May 10, 2013:

Order on *In Camera* Review of Documents [Dkt. No. 945] (the "Order")

1. The Order concerns the discrete issue of the scope and permissible application of the suspicious activity report privilege set forth at 12 C.F.R. 21.11(k). The same factual background and legal issue are currently the subject of motion practice in the related District Court suit styled *Franz Lesti, et al. v. Wells Fargo Bank, N.A., et al.*, United States District Court for the Middle District of Florida, Case No. 2:11-cv-695-FtM-29DNF [*See, e.g.*, Dkt. Nos. 36, 46, 73, and 90] (the "Related District Court Bank Litigation").

2. Appellant submits that the Order is a final order which is appealable as a matter of right pursuant to the standards set forth in *Warner v. Unsecured Creditors' Comm. (In re Warner)*, 94 B.R. 734, 736 (M.D. Fla. 1988) and other applicable law.

3. However, in the event the District Court determines that the Order is an interlocutory order, Appellant respectfully requests an opportunity to file a Motion for Leave to Appeal pursuant to Rule 8003(c) of the Federal Rules of Bankruptcy Procedure, *Charter Co. v. Prudential Ins. Co. of America (In re Charter Co.)*, 778 F.2d 617 (11th Cir. 1985), *Colonial Bank v. Freeman (In re Pacific Forest Products Corp.)*, 335 B.R. 910 (S.D. Fla. 2005), *Cohen v. Beneficial Industrial Loan Corp.*, 337 U.S. 541, 69 S. Ct. 1221, 93 L. Ed. 1528 (1949) and other applicable law which will be set forth in Appellant's Motion for Leave to Appeal (if necessary).

4. The discrete issue addressed in the Order is interrelated with, and will have a significant bearing on the outcome of, the Related District Court Bank Litigation and bankruptcy case.

5. The names of all parties to the Order appealed from and the names, addresses, and telephone numbers of their respective counsel are as follows:

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Dated: May 24, 2013
Fort Lauderdale, Florida

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 Notice Of Appeal of the Order On *In Camera* Review Of Documents has been has been furnished to all creditors and/or interested parties registered on the Court's CM/ECF System and was also posted on the website "englerbk.com" in accordance with the Order Granting Trustee's Motion To Establish Certain Notice, Case Management And Administrative Procedures [Doc. 451], on the 24th day of May, 2013.

By:/s/ Robert F. Elgidely
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