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7 [Proposed] Attorneys for Michael G. Kasolas,
Trustee

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10 UNITED STATES BANKRUPTCY COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

13 In re

14 FOX ORTEGA ENTERPRISES, INC.,
15 dba PREMIER CRU,

16 Debtor.

Case No. 16-40050-WJL

Chapter 7

**EX PARTE MOTION FOR TURNOVER
ORDER**

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18 TO: THE HONORABLE WILLIAM J. LAFFERTY, UNITED STATES BANKRUPTCY
19 JUDGE AT OAKLAND CALIFORNIA, DEBTOR'S COUNSEL, AND THE U.S.
20 TRUSTEE:

21 Michael G. Kasolas, the trustee of the above referenced bankruptcy estate, hereby requests
22 that the court enter an order ex parte directing John Fox, the chief executive officer of the debtor,
23 to immediately turnover and deliver any computer he used to conduct company business,
24 including the computer he removed from the debtor's business premises, to counsel for the trustee
25 immediately.

26 This motion is based on the facts as set forth in the Declaration of Mark S. Bostick filed in
27 support of this motion. In summary those are: Mr. Fox kept a computer at the debtor's business
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1 premises on which he kept his business email and other transaction information relating to future
2 contracts, refunds and credits, priorities and other information that was separate from the debtor's
3 computer accounting systems. The answer the question, "what happened to the money" is likely
4 to be contained in that computer. If the computer is not turned over immediately, it may be
5 erased, seized or destroyed. Consequently, an immediate order is required to assist the trustee in
6 recovering possession of critical estate property.

7 WHEREFORE, Trustee requests that this Court enter an order demanding turnover of the
8 computer taken from the premises of Premier Cru by John Fox and any other computer kept by
9 John Fox has contains record of the debtor's business activity.

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11 DATED: January 28, 2016

WENDEL, ROSEN, BLACK & DEAN LLP

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13 By: /s/ Mark Bostick

14 Mark Bostick

15 Attorneys for Michael G. Kasolas
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