Google Inc v. Central Mfg. Inc. et al

Doc. 22 Att. 18

Case 1:07-cv-00385

Document 22-19 Filed 02/12/2007 Page 1 of 3

UNITED STATES BANKRUPTCY COURT FOR NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

În Re:)) Hon. Jack B. Schmetterer
LEO STOLLER,	<u> </u>
Debtor.	Appeal from the U.S. District Court for the Northern District, Eastern Division Case No. 05-B-64075

DEBTOR'S RESPONSE TO MOTION OF TRUSTEE TO APPROVE AGREEMENT WITH GOOGLE, INC. TO MODIFY STAY AND COMPROMISE CERTAIN CLAIMS WITH CERTAIN OF THE DEBTOR'S WHOLLY-OWNED CORPORATIONS AND RELATED RELIEF

NOW COMES the Debtor in opposition to the Trustee's motion to approve an agreement with Google, Inc., and states as follows:

The Debtor opposes the Trustee's motion on the grounds that the Google case represents a substantial asset to the Debtor's estate. The Trustee's attempt to enter an agreement with Google, Inc. dismissing the petition to cancel the Google trademark at the Trademark Trial and Appeal Board and requesting abandonment of Central Mfg.'s intent to use application 78-905,472 without any consideration, represents an abuse of the Trustee's duty to the Debtor's estate. In the opinion of the Debtor, the Google case represents one of the largest assets of the Debtor's estate. Consequently, the Debtor is requesting that the Court deny the Trustee's motion to approve any agreement with Google, Inc.

Secondly, the Debtor has appealed the decision by this Court to convert to a Chapter 7 liquidation, and the granting of the Trustee's motion will prevent the Debtor from being made whole in the event that the Debtor's appeal is successful.

The third ground for this Court to deny the Trustee's motion is that Debtor has proffered a settlement proposal to the Trustee, Richard M. Fogel, and the Debtor's creditors. The Debtor is requesting that the Court deny Trustee's motion and/or any motion to approve any settlement.

WHEREFORE, the Debtor prays that the Court deny Trustee's Motion to Approve

Agreement With Google, Inc. To Modify Stay and Compromise Certain Claims With Certain

of The Debtor's Wholly Owned-Corporations and Related Relief.

Leo Stoller, pro se 7115 W. North Avenue Oak Park, Illinois 60302

(312) 545-4554

Émail: ldms4@hotmail.com

Date: December 4, 2006

Certificate of Mailing

I hereby certify that the foregoing is being hand-delivered to the following address:

Clerk of the Court United States Bankruptcy Court

219 S. Dearborn Chicago, JL 60607

Leo Stoller

Date: December 4, 2006

Certificate of Service

I hereby certify that the foregoing is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to:

Richard M. Fogel, Trustee Janice A. Alwin, Esq. Counsel for Trustee Shaw, Gussis, Fishman, Glantx, Wolfson & Towbin LLC. 321 N. Clark Street, Suite 800 Chicago, Illinois 60610

Michael Zeller

Quinn, Emanuel, Urquhart, Oliver & Hedges, LLP.

865 South Figueroa Street, 3rd Floor Los Angeles CA 90017

Leo Stoller

Date: December 4, 2006

C:\MARK\$42\STOLLER7.DOC