

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Consolidated Appeal Nos: 07-1569, 07-1612 and 07-1651

FILED

GOOGLE, INC.

Plaintiff,

vs.

CENTRAL MFG. INC. a/k/a
CENTRAL MFG. CO., a/k/a
CENTRAL MFG. CO.(INC).,
a/k/a CENTRAL MANUFACTURING
COMPANY, INC. and a/k/a
CENTRAL MFG. CO. OF ILLINOIS;
and STEALTH INDUSTRIES, INC.
a/k/a RENTAMARK and a/k/a
RENTAMARK.COM,

Defendants.

Case No: 07-CV-385

Hon. Virginia M. Kendall

Magistrate Judge Cole

Appeal from the U.S. District
Court for the Northern District
Eastern Division

Orders by Virginia M. Kendall
Dated 3/5/2007, 3/12/2007,
and 3/16/2007

MAY 16 2007
MAY 16, 2007
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

NOTICE OF FILING

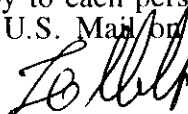
TO: Michael T. Zeller
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Richard M. Fogel, Trustee
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321 N. Clark Street, Suite 800
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PLEASE TAKE NOTICE that on the **16th day of May, 2007**, there was filed with the Clerk of the United States District Court for the Northern District of Illinois, Eastern Division, **1) Designation of Additional Content of Record on Appeal**; a copy of which is attached hereto.

I certify that I served this Notice mailing a copy to each person to whom it is directed at the address above indicated by depositing it in the U.S. Mail on this 16 day of May, 2007, with proper postage prepaid.



Leo Stoller, *pro se*
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Magistrate Judge Cole

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Orders by Virginia M. Kendall
Dated 3/5/2007, 3/12/2007
and 3/16/2007

DESIGNATION OF ADDITIONAL CONTENT OF THE RECORD ON APPEAL

NOW COMES Leo Stoller and identifies additional content of the record on appeal which consists of the transcript of the hearing on March 1, 2007, a copy of which is attached hereto.



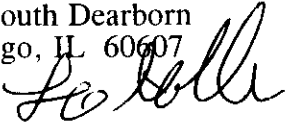
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Date: May 16, 2007

Certificate of Mailing

I hereby certify that the foregoing is being mailed via First Class Mail with the U.S. Postal Service in an envelope to the following address:

Clerk of the Court
United States District Court
219 South Dearborn
Chicago, IL 60607



Leo Stoller

Date: May 16, 2007

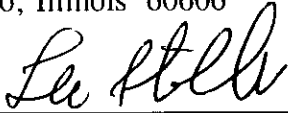
Certificate of Service

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
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Leo Stoller

Date: 5-16-07

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re:)
) No. 05 B 64075
LEO STOLLER,)
) Chicago, Illinois
) March 1, 2007
Debtor.) 10:30 a.m.

TRANSCRIPT OF PROCEEDINGS BEFORE THE
HONORABLE JACK B. SCHMETTERER

APPEARANCES:

MR. RICHARD FOGEL
trustee;

MR. RICHARD SALDINGER
on behalf of the trustee;

MR. WILLIAM FACTOR
on behalf of Pure Fishing;

ALSO PRESENT:

MR. LEO STOLLER
debtor.

1 THE CLERK: Stoller, 05 B 64075.

2 THE COURT: Someone is on the line?

3 THE CLERK: Yes.

4 MR. FOGEL: Good morning, Your Honor.

5 Richard Fogel, trustee.

6 THE COURT: Just a moment. Hang on a
7 second, please.

8 MR. FOGEL: I'm sorry.

9 THE COURT: Is someone on the phone?

10 Hello? Anyone on the phone?

11 THE CLERK: I'll go check.

12 THE COURT: What should we do?

13 THE CLERK: I see it blinking.

14 THE COURT: Well, it doesn't matter.

15 Hello? Anyone on the phone?

16 What should I do? Should I push this
17 again?

18 THE CLERK: Yes, push this because it's
19 blinking.

20 THE COURT: Anyone on the phone? Hello?
21 Hello?

22 THE CLERK: No, it's off. It's gone.

23 THE COURT: Are we able to get these folks
24 back, do you think?

25 THE CLERK: Yes, um-hmm.

1 THE COURT: Should I try again?

2 THE CLERK: Hold on, wait, wait, wait.

3 It's not blinking here, but it's blinking in there.

4 Okay. It's still not blinking.

5 THE COURT: Okay. Is there a service
6 operator that we're in touch with?

7 THE CLERK: Yes, there is.

8 THE COURT: Would you tell the service
9 operator that we'll give him five minutes to make
10 contact with us. After that, we won't be able to.
11 Do we have phone numbers for these people?

12 THE CLERK: It's not working.

13 THE COURT: Is our equipment not working?

14 THE CLERK: It's our equipment. It's not
15 working.

16 THE COURT: Our equipment is not working?
17 This phone is not working? Do we have phone numbers
18 for anybody?

19 MS. CLAY: There are two attorneys. Do
20 you want to get both of them on?

21 THE COURT: Yeah. We have here a system
22 that's supposed to put them on.

23 MS. CLAY: Right. They're on my line.

24 THE COURT: You can't transfer? Our phone
25 isn't working?

1 THE CLERK: That's right.

2 MS. CLAY: Hello?

3 UNIDENTIFIED SPEAKER: Yes.

4 MS. CLAY: Okay.

5 THE COURT: Okay. This is the judge in
6 the Stoller case. Who is on the phone, please?

7 MR. LAFEVER: Judge, Michael Lafeber on
8 behalf of the Northern Star Counsel, Boy Scouts of
9 America.

10 MR. LACORTE: Good morning, Your Honor.
11 Brian Lacorte of Gallagher & Kennedy on behalf of Go
12 Daddy.

13 THE COURT: Go Daddy, hmm?

14 All right, folks.

15 MR. FOGEL: Your Honor, if I might?

16 THE COURT: We have here first the motion
17 of the trustee to vacate an order scheduling the
18 debtor's deposition. Do you have an order for that?

19 MR. FOGEL: Yes, I do, Your Honor.

20 THE COURT: May I have the order for that?

21 MR. FOGEL: It should be attached to the
22 motion.

23 THE COURT: Do you have any objection to
24 the order, sir?

25 MR. STOLLER: Yes, I do, Your Honor.

1 THE COURT: Do you have an objection to my
2 vacating the order?

3 MR. STOLLER: I have no objection to your
4 vacating the order.

5 THE COURT: Do you have any objection to
6 this order draft --

7 MR. STOLLER: Can I take a look at it?

8 THE COURT: -- that you just said you have
9 an objection to?

10 MR. STOLLER: Can I take one quick look at
11 it?

12 THE COURT: I expect you to look at it and
13 then tell me whether you object to it.

14 MR. STOLLER: Thank you, Judge.

15 I don't have an objection.

16 THE COURT: What?

17 MR. STOLLER: I don't have an objection,
18 Your Honor.

19 (Document tendered.)

20 THE COURT: Is there anybody that has an
21 objection? I can't imagine anybody has any standing
22 to object to it. But at any rate, I hear none.
23 That order is vacated without objection.

24 MR. FOGEL: Thank you, Judge.

25 THE COURT: Now --

1 MR. STOLLER: Thank you, Judge.

2 THE COURT: -- do you wish to take his
3 deposition?

4 MR. FOGEL: Your Honor, if I may, I wish
5 to address the court with a brief status report on
6 some developments in the case that have taken place
7 that may affect and resolve other matters both on
8 the call today and in general in the case, if you
9 could bear with me for a moment.

10 First let me tell Your Honor that I
11 missed the last couple of hearings in this matter
12 because my father died last week.

13 THE COURT: I'm so sorry to hear that.

14 MR. FOGEL: And I spent time with my
15 family rather than appear in court at these
16 hearings. But I was --

17 THE COURT: That's where you should have
18 been.

19 MR. FOGEL: -- represented by counsel.
20 And I --

21 THE COURT: Your counsel did very well.

22 MR. FOGEL: -- take the defamatory
23 aspersions that Mr. Stoller has placed on his
24 website about my presence or absence very
25 personally.

1 While I was away and since I've been
2 back --

3 THE COURT: Are you -- you put some
4 comments about his absence on your website, sir?

5 MR. STOLLER: All I said was he was
6 conspicuous by his absence. I didn't --

7 THE COURT: Do you wish to apologize to
8 him for --

9 MR. STOLLER: Under the circumstances --

10 THE COURT: -- your extraordinarily rude
11 remarks?

12 MR. STOLLER: I do apologize to him for
13 his -- for those remarks.

14 THE COURT: Let's go ahead.

15 MR. FOGEL: Your Honor, I received
16 yesterday an offer to purchase the intellectual
17 property of the bankruptcy estate from a corporation
18 that has been formed by some of Mr. Stoller's
19 creditors. The offer has some conditions to it.
20 One of the conditions is the entry of an order
21 substantively consolidating the nondebtor corporate
22 shells that Mr. Stoller owns with the individual
23 bankruptcy estate. Based on findings of fact that
24 Your Honor has made in this case, and based on
25 pleadings that Mr. Stoller has subsequently filed in

1 other cases, I believe that there may very well be a
2 basis for you to do so.

3 THE COURT: What are they offering?

4 MR. FOGEL: They've offered \$10,000 in
5 cash. Now, it is not a significant amount of money,
6 but it is a starting point. And the creditors and
7 Mr. Stoller in my opinion are the only parties that
8 have or would place value on the portfolio. The
9 creditors have nuance value attached to it,
10 Mr. Stoller would have intrinsic value to attach to
11 it.

12 If I were to get in a position to sell
13 the intellectual property portfolio at a sale in
14 this courtroom to which Mr. Stoller or his brother
15 or his daughter or his friends or whoever and he
16 want to pony up some money and participate --

17 THE COURT: At an auction?

18 MR. FOGEL: -- we'll have an auction sale.
19 I would have the auction sale in this courtroom.
20 And if Mr. Stoller thinks that might be a good idea,
21 perhaps he might not oppose substantive
22 consolidation so that we can get to a sale more
23 quickly rather than less quickly. If there is a
24 sale, the perpetual motions to compel me to abandon
25 or for a declaration that I've abandoned will all be

1 unnecessary because, as I've been telling you all
2 along, I'm administering the assets. Now, that's
3 one development.

4 Another development is I've had
5 discussions with Go Daddy. And I understand at the
6 most recent hearing Go Daddy was a big issue as to
7 whether or not I should be abandoning my interest in
8 various things or what value there is, what value
9 there isn't.

10 THE COURT: Because there may be some
11 deadline that's going to be based --

12 MR. FOGEL: Yes, sir. And here is where
13 we're at: In that matter, the evidence on both
14 sides, Mr. Stoller's evidence and Go Daddy's
15 evidence, has already been submitted. There is a
16 motion for summary judgment pending by Go Daddy.

17 THE COURT: I thought there was a briefing
18 schedule.

19 MR. FOGEL: Go Daddy is willing and I am
20 willing, subject to Your Honor's approval and
21 Mr. Stoller's willingness to do so, we're all
22 willing to give him an opportunity to file a
23 response to the motion for summary judgment and a
24 brief in support of it.

25 THE COURT: Who file?

1 MR. FOGEL: Mr. Stoller.

2 THE COURT: On your behalf?

3 MR. FOGEL: On behalf of Central
4 Manufacturing Company, the opposer.

5 THE COURT: And the opposer is a
6 corporation?

7 MR. FOGEL: The opposer is not a
8 corporation. The opposer is an entity that you
9 found to be a sole proprietorship of Mr. Stoller.

10 THE COURT: Yes. And you want --

11 MR. FOGEL: And the thinking --

12 THE COURT: You would -- you're saying you
13 would give him special leave to actually file a
14 brief.

15 MR. FOGEL: He could file a brief.

16 THE COURT: Is that something you're bound
17 by?

18 MR. FOGEL: That is something that I would
19 be bound by.

20 THE COURT: And would not have to approve?

21 MR. FOGEL: I would ask him to let me read
22 it before it's filed. Then we would ask TTAB to
23 rule on the papers. And we also would suggest that
24 Mr. Stoller would have the right to file any
25 additional papers that TTAB might request in

1 connection with this matter in order to rule. Stay
2 with me, please.

3 THE COURT: I'm staying.

4 MR. FOGEL: That way --

5 THE COURT: TTAB? Who is TTAB?

6 MR. FOGEL: That's the Trademark Trial and
7 Appeal Board --

8 THE COURT: Oh, yes.

9 MR. FOGEL: -- before whom --

10 THE COURT: Right, right.

11 MR. FOGEL: -- the Go Daddy matter is
12 pending.

13 THE COURT: Thank you.

14 MR. FOGEL: No one would agree to allow
15 him to appeal in the event of an adverse ruling, but
16 I will have sold the mark that is underlying this
17 matter, and the new owner of the mark, be it the
18 entity, be it Mr. Stoller or someone --

19 THE COURT: The mark involving the Go
20 Daddy matter?

21 MR. FOGEL: The mark involving the Go
22 Daddy matter.

23 THE COURT: Why don't you offer it for
24 sale now?

25 MR. FOGEL: Independently one mark doesn't

1 mean anything. I have to put the portfolio up for
2 sale.

3 THE COURT: Well, I don't know.

4 MR. FOGEL: Yes, sir, I do. And --

5 THE COURT: Portfolio? You mean the Go
6 Daddy portfolio?

7 MR. FOGEL: No, no, no. The --

8 THE COURT: His own portfolio?

9 MR. FOGEL: Mr. Stoller and his entities'
10 portfolio of marks. That's what someone wants to
11 buy. That's what Mr. Stoller wants me to abandon
12 back to him. It needs to be put for sale before
13 Your Honor. And if it's sold by allowing
14 Mr. Stoller to file his response to Go Daddy's
15 motion for summary judgment, we'll preserve the
16 interests. There will be no harm to him by me
17 denying him the right to speak, and it will be dealt
18 with in that fashion.

19 Similarly, the Boy Scouts counsel, who
20 have this motion up today for leave to proceed with
21 an action that they filed pre-petition seeking
22 certain declaratory relief, they and I have had a
23 discussion, and they've agreed to put their motion
24 over for a period of time and give me some time to
25 respond because they ultimately want to fight with

1 the owner of the mark. They don't want to fight
2 with me, they don't want to fight with the estate.
3 Again, either the entity or, for lack of a better
4 term, I'll say Mr. Stoller, will own the mark at the
5 end of the sale process and they'll deal with him.

6 THE COURT: Appearance.

7 MR. FACTOR: Good morning, Your Honor.
8 Bill Factor for Pure Fishing. Sorry I'm late.

9 MR. FOGEL: Last but not least --

10 THE COURT: Have you given any briefing to
11 counsel who just appeared of what you have just told
12 me?

13 MR. FOGEL: Yes, sir.

14 THE COURT: Go ahead.

15 MR. FOGEL: Last but not least, I was not
16 here on Monday, but I do want to address the motion
17 to vacate the order that you granted. And in my
18 opinion, Mr. Stoller has made much ado about
19 nothing. We took steps -- upon knowing after hours
20 that Mr. Stoller did not like the order, therefore
21 we took steps -- I contacted chambers to try to
22 prevent the entry of it. When it --

23 THE COURT: It had already been entered.

24 MR. FOGEL: -- was entered, we moved to
25 vacate it. I want --

1 THE COURT: Counsel, I started off --

2 MR. FOGEL: -- to answer your question.

3 You said do I want to depose Mr. Stoller.

4 THE COURT: I asked you whether you want
5 to depose him.

6 MR. FOGEL: Yes. And I wanted to give you
7 this narrative to explain why I probably do, but I
8 don't necessarily need to do it on Wednesday under
9 rush circumstances.

10 THE COURT: I understand.

11 MR. FOGEL: I also don't need to do it if
12 Mr. Stoller is going to try to limit it, as his
13 proposed order says, to one narrow matter where he
14 gets to reserve the right to assert the Fifth.

15 THE COURT: You're entitled --

16 MR. FOGEL: I don't want him to do that.

17 THE COURT: You're entitled to depose him
18 and I am entitled to order him to come --

19 MR. FOGEL: Sure.

20 THE COURT: -- and be sworn. And what
21 happens after that, I do not know.

22 MR. FOGEL: I understand.

23 THE COURT: Do you want me to order him to
24 appear on some date, whatever that date might be?

25 MR. FOGEL: Not today I don't want you to

1 because I think it would be in the best interest,
2 and maybe even Mr. Stoller will agree that it be in
3 the best interest, to proceed to sale of assets.
4 And I'm not sure that I need his deposition in order
5 to properly set up an asset sale. And regardless of
6 what he says about any of these items, the causes of
7 action, the claims, the counterclaims, the licenses,
8 the marks --

9 THE COURT: Or the value.

10 MR. FOGEL: -- the market will speak. Two
11 people will be in a room bidding for it, and whoever
12 bids the most money tells me what it's worth.

13 THE COURT: Okay.

14 Mr. Stoller, what is your view on all
15 of this?

16 MR. STOLLER: My view is I have appealed
17 your decision to convert me to a 7, to a 13, from a
18 13 to a 7. That's up now in front of Judge Hibler.
19 I have appealed seven or eight other of your
20 decisions. I don't feel it is appropriate to rule
21 based on what the trustee is requesting to have an
22 asset sale. To suggest that after 37 years of my
23 business career in acquiring trademarks that they
24 would be sold for \$10,000, all of them, when this --
25 Mr. Factor represents Pure Fishing, and they

1 invested 950,000, which he consented to in what I
2 feel is an unlawful settlement, but be that as it
3 may, contesting one mark, \$950,000. I offered them
4 the mark for \$5,000.

5 THE COURT: Can I you cut --

6 MR. STOLLER: The point is --

7 THE COURT: -- you short? I think you
8 just indicated that you don't like the idea.

9 MR. STOLLER: The point is the marks are
10 worth millions of dollars.

11 MR. FOGEL: So let him buy them for
12 \$11,000 and make a bundle.

13 THE COURT: I understand.

14 Now, unless you have some new point to
15 make --

16 MR. STOLLER: I have --

17 THE COURT: -- I take it you're against
18 what the trustee has said.

19 MR. STOLLER: Absolutely. I've offered
20 100,000 to pay my debts and to get out of this.

21 MR. FOGEL: That's not how it's going to
22 work.

23 THE COURT: Would you take this form, each
24 of you, please. It's a possible order for
25 deposition. Will you pass it out, please.

1 Now, I have authority over the debtor.
2 I can order him to appear for a deposition. I can
3 order him to be sworn. We can do it in a couple of
4 phases. Phase one might be for some earlier subject
5 matter, and phase two might be for some later
6 subject matter, or we could do it at any time as it
7 might be convenient to you folks. Do you wish me to
8 do it today or not?

9 MR. FOGEL: No, sir, I do not.

10 THE COURT: Okay. What do you wish me to
11 do today?

12 MR. FOGEL: Today I would like you to
13 continue the Northern Star, Boy Scouts counsel's
14 motion until April 2nd, 30 days from today. I'd
15 like 28 days to respond to it.

16 THE COURT: What date do you want me to
17 set it?

18 MR. FOGEL: April 2. And pursuant to
19 conversation with counsel, Mr. Lafeber, who is on
20 the phone, I believe that date is acceptable to him.

21 THE CLERK: Judge, can we get it to 11:30
22 instead of 10:30?

23 THE COURT: Yeah.

24 MR. FOGEL: That's all I want you to do
25 today.

1 THE COURT: And what --

2 MR. LACORTE: Your Honor, this is Brian
3 Lacorte. If I may be heard for a moment?

4 THE COURT: What's that date, please?

5 THE CLERK: April 2nd at 11:30.

6 THE COURT: Yes, counsel?

7 MR. LACORTE: Yes, thank you. Go Daddy
8 would request that the court entertain an order
9 stipulated with the trustee to allow Mr. Stoller to
10 make a -- and have a limited participation in the
11 pending opposition with Go Daddy and the Trademark
12 Trial and Appeal Board to respond to the summary
13 judgment motion. That proceeding has been pending
14 for four years. And as the trustee indicated to the
15 court, the evidence stage and trial is closed and
16 has been for several months. And the only remaining
17 issue for the Trademark Trial and Appeal Board to
18 rule or decide the case is the pending summary
19 judgment motion. While there is no briefing
20 schedule, the Trademark Trial and Appeal Board judge
21 is awaiting, I believe, the outcome of the
22 development in the bankruptcy court to determine who
23 will respond to the motion, whether it's the
24 trustee, an attorney, Mr. Stoller, somebody. And
25 our hope is that with this proceeding today, we

1 could at least have an opportunity to present the
2 court an order that would permit Mr. Stoller this
3 limited participation that has been discussed.

4 THE COURT: Mr. Stoller, is there anything
5 you wish to say on that subject?

6 MR. STOLLER: Yes. I'm not in a
7 position -- I want to file my response. But because
8 of --

9 THE COURT: Nothing has been filed for you
10 to respond to. But I just want --

11 MR. STOLLER: They filed a motion for
12 summary judgment.

13 THE COURT: Oh, that's a different
14 subject.

15 MR. STOLLER: Okay. What is it that
16 you're referring to?

17 THE COURT: You're not listening to what
18 he suggested?

19 MR. STOLLER: I think --

20 THE COURT: All right.

21 In that case, are you going to be
22 filing some motion, Mr. Trustee? And Mr. Stoller
23 will focus on it when it's filed.

24 MR. FOGEL: Yes, yes. We will bring
25 pleadings before the court to deal with the matters

1 that are now presently up on today's call, yes, sir.

2 THE COURT: And when are you going to file
3 a motion for him to have permission to file what you
4 call a brief?

5 MR. FOGEL: I believe I will try to get
6 that filed next week. I'm going to be out of town
7 for two days from --

8 THE COURT: What day do you want to set
9 it?

10 MR. FOGEL: I don't know yet, Judge.
11 There are some other matters coming up between now
12 and April 2nd, I believe. I would attempt to notice
13 it for a matter that something else is already up
14 for.

15 THE COURT: All right.

16 Mr. Stoller, will you promise me to
17 read the proposed order he sends you so that you can
18 tell me whether or not you oppose when you come into
19 court that day, whatever that day is?

20 MR. STOLLER: I will read whatever order
21 he sends to me. But in terms of the Go Daddy
22 matter, I think that that should be --

23 THE COURT: They apparently want to give
24 you a chance to file a brief.

25 MR. STOLLER: But I can't file a brief --

1 I can file a brief, but I need -- because of all of
2 these pending other cases which are interwound, I
3 need additional time to resolve some of these
4 matters because we're in a disadvantaged situation
5 right now.

6 THE COURT: Now, with regard to this
7 matter where they want to propose that you be given
8 a chance to file a brief, will you be opposing being
9 given a chance to file a brief?

10 MR. STOLLER: No. I want to file a brief.
11 I will file a brief. But basically I need more time
12 because there are appeals pending. There are a lot
13 of interwound actions that are taking place that I
14 can't --

15 THE COURT: Perhaps you can talk to these
16 folks and to the agency as to how much time you can
17 get before we come up. At any rate, there is no
18 motion before me. Nothing is requested. I'm
19 setting the matter of deposition for status on
20 April 2 at 11:30 to see what happens.

21 MR. FOGEL: Thank you, sir.

22 THE COURT: I do believe that the Boy
23 Scouts' motion --

24 Is Boy Scout counsel on the phone?

25 MR. LAFEBER: I am, Your Honor.

1 THE COURT: Yes. According to this
2 complaint which I have read, many events on which it
3 is based occurred pre-bankruptcy, and therefore it
4 seems to me we'd have to consider this under the
5 stay. So you'll have to pursue your alternative
6 motion to -- alternative motion to modify stay. Do
7 you hear what I said?

8 MR. LAFEVER: I did, Your Honor.

9 THE COURT: But you've not paid the fee
10 for modifying stay. Somewhere along here I got
11 something -- yes. The clerk tells me you haven't
12 paid that fee. If you want me to consider that
13 alternative motion, you'll have to pay your 150
14 bucks to the clerk's office like everybody else.

15 MR. LAFEVER: We will definitely do that,
16 Your Honor.

17 THE COURT: And you do not notice the
18 Chapter 7 trustee.

19 I gather, however, you've received a
20 copy of this?

21 MR. FOGEL: Yes, sir. I don't want to say
22 how, but I definitely was served.

23 THE COURT: Okay. Now, who is James Long
24 of Briggs & Morgan?

25 MR. LAFEVER: Mr. Long is my partner, Your

1 Honor. We're kind of in the middle of a big snow
2 storm here in Minneapolis, and he's stuck at home
3 today.

4 THE COURT: All right. If you file any
5 more motions, you should serve copies in this
6 bankruptcy on all persons who are on the notice list
7 and certainly upon the Chapter 7 trustee.

8 Are you folks here representing other
9 parties?

10 MR. SALDINGER: Richard Saldinger on
11 behalf of Mr. Fogle, Your Honor.

12 THE COURT: Yes.

13 MR. FACTOR: Pure Fishing, Your Honor.
14 Bill Factor.

15 THE COURT: Pure Fishing, I don't know
16 whether you have an interest in this, but you're
17 entitled to get notice of it. I want you to
18 communicate with counsel if you want a copy. I
19 suppose you could also pull it off the web.

20 MR. FACTOR: I will, Your Honor. Thank
21 you.

22 THE COURT: And how much time does the
23 trustee want to respond to this?

24 MR. FOGEL: We've agreed to 28 days, which
25 would be two days before the status hearing on

1 April 2.

2 THE COURT: Okay. Mr. Stoller has already
3 filed something, but I'll give you the same 28 days.

4 MR. STOLLER: Thank you very much.

5 THE COURT: Trustee and Stoller may
6 respond to this motion treated as motion to modify
7 stay within 28 days hereof.

8 How much time to respond -- to reply,
9 counsel on the phone?

10 MR. LAFEVER: Well, obviously, I would
11 like to have at least a week, Your Honor.

12 THE COURT: Seven days to reply. Set for
13 status --

14 MR. FOGEL: April 2, 11:30.

15 THE COURT: -- and argument what date?

16 MR. FOGEL: April 2, 11:30.

17 THE COURT: Status and argument, not
18 evidence. Now, is that five weeks out? March --

19 MR. LAFEVER: I don't think that gives us
20 enough -- I don't think that gives us any time to
21 reply, Your Honor. I'm doing the math here, and
22 it's the --

23 THE COURT: Trustee, can I give you 21
24 days?

25 MR. FOGEL: Yes, sir.

1 THE COURT: Is that enough time?

2 MR. FOGEL: Yes, sir.

3 THE COURT: Twenty-one and seven. That
4 gives us enough time.

5 Anything else, folks?

6 MR. FOGEL: Not today. Thank you very
7 much for your time, Judge.

8 MR. STOLLER: Thank you, Judge.

9 MR. FACTOR: Thank you.

10 THE COURT: Thank you.

11

12 (Which were all the proceedings
13 had in the above-entitled cause,
14 March 1, 2007.)

15

16 I, GARY SCHNEIDER, CSR, RPR, DO HEREBY CERTIFY THAT
17 THE FOREGOING IS A TRUE AND ACCURATE TRANSCRIPT OF
18 PROCEEDINGS HAD IN THE ABOVE-ENTITLED CAUSE.

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