

  
Patrick M. Flatley  
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

|                            |   |                      |
|----------------------------|---|----------------------|
| <i>In re:</i>              | ) |                      |
|                            | ) |                      |
| PANTHERA ENTERPRISES, LLC, | ) | CASE NO. 2:19-bk-787 |
|                            | ) |                      |
| Debtor.                    | ) | Chapter 11           |
|                            | ) |                      |
| PANTHERA ENTERPRISES, LLC, | ) |                      |
|                            | ) |                      |
| Plaintiff,                 | ) |                      |
|                            | ) |                      |
| v.                         | ) | A.P. No. 2:19-ap-51  |
|                            | ) |                      |
| PANTHERA TRAINING, LLC,    | ) |                      |
|                            | ) |                      |
| Defendant.                 | ) |                      |

**ORDER**

On October 28, 2019, a telephonic hearing was held in the above-styled bankruptcy case to consider the Motion to Compel Panthera Enterprises, LLC to Timely Perform All Obligations Under the Subcontract filed by Panthera Training, LLC (“Motion to Compel”). Upon consideration of the representations of counsel and for reasons fully stated on the record, the Court does hereby

**ORDER** that the parties may engage in discovery consistent with the provisions of Bankruptcy Rule 9014(c). Given the short timeframe prior to the next hearing, the parties should engage in a cooperative effort to provide requested information in a timely manner and not saddle the other party with overly burdensome requests. It is further

**ORDERED** that Panthera Training, LLC (“Panthera Training”) shall file an answer to the Complaint filed in *Panthera Enterprises, LLC v. Panthera Training, LLC*, A.P. No. 2:19-ap-51, by November 7, 2019. The answer should include any counterclaims or requests for preliminary injunctive relief related to the Motion to Compel. The Debtor shall file its answer to any counterclaims or requests for injunctive relief by November 20, 2019. It is further

**ORDERED** that the Debtor may file a request for a preliminary injunction related to its real property by November 7, 2019. Panthera Training shall file a response to the request for preliminary injunction by November 20, 2019. It is further

**ORDERED** that each of the parties shall file a prehearing memorandum by November 18, 2019. The memorandum should include a list of witnesses and exhibits, statement of facts, the parties' legal positions and authority that they will be relying on at the hearing. The parties may electronically file their exhibits with their prehearing memorandum. It is further

**ORDERED** that court will convene an evidentiary hearing to consider preliminary relief of all of these matters on November 21, 2019 at 9:30 a.m. in the L. Edward Friend II Bankruptcy Courtroom, located on the third floor of the U.S. Courthouse, 1125 Chapline Street, Wheeling, West Virginia. It is further

**ORDERED** that the parties shall present the court with two additional copies of each original document that is offered as evidence at the hearing.

In re:  
Panthera Enterprises, LLC  
Debtor

Case No. 19-00787-pmf  
Chapter 11

### CERTIFICATE OF NOTICE

District/off: 0424-2

User: ad  
Form ID: pdfdoc

Page 1 of 1  
Total Noticed: 7

Date Rcvd: Oct 29, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 31, 2019.

db Panthera Enterprises, LLC, 2506 Fishpond Road, Old Fields, WV 26845  
aty +Douglas E. Kahle, Basnight, Kinser, Leftwich & Nuckolls, P,  
308 Cedar Lakes Drive, 2nd Floor, Chesapeake, VA 23322-8342  
aty +Mark A. Lindsay, 707 Grant Street, Suite 2200, Pittsburgh, PA 15219-1945  
cr Panthera Training, LLC, 2506 Fish Pond Road, Old Fields, WV 26845  
cr +SMI, LLC, 123 East Main Street, 5th Floor, Charlottesville, VA 22902-6800  
cr +West Virginia Economic Development Authority, 180 Association DR, Charleston, WV 25311-1217  
cr West Virginia State Tax Department, Bankruptcy Unit, P.O. Box 766,  
Charleston, WV 25323-0766

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 31, 2019

Signature: /s/Joseph Speetjens

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### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 29, 2019 at the address(es) listed below:

Debra Lee Allen on behalf of Creditor West Virginia Economic Development Authority  
dallen@spilmanlaw.com  
Eric Michael Wilson on behalf of Creditor West Virginia State Tax Department  
eric.m.wilson@wv.gov, lora.l.rutledge@wv.gov  
Gary O. Kinder on behalf of U.S. Trustee United States Trustee gary.o.kinder@usdoj.gov  
John J. Richardson on behalf of Debtor Panthera Enterprises, LLC jrichardson@bernsteinlaw.com  
Julia A. Chincheck on behalf of Creditor Panthera Training, LLC jchincheck@bowlesrice.com  
Robert S. Bernstein, Esq on behalf of Plaintiff Panthera Enterprises, LLC  
rbernstein@bernsteinlaw.com,  
cwirick@bernsteinlaw.com;cwirick@ecf.courtdrive.com;rbernstein@ecf.courtdrive.com  
Robert S. Bernstein, Esq on behalf of Debtor Panthera Enterprises, LLC  
rbernstein@bernsteinlaw.com,  
cwirick@bernsteinlaw.com;cwirick@ecf.courtdrive.com;rbernstein@ecf.courtdrive.com  
Travis Alan Knobbe on behalf of Creditor West Virginia Economic Development Authority  
tknobbe@spilmanlaw.com, dambrose@spilmanlaw.com  
United States Trustee ustpregion04.ct.ecf@usdoj.gov  
William J. Leon on behalf of Creditor SMI, LLC jayleon@comcast.net

TOTAL: 10