


Patrick M. Flatley
United States Bankruptcy Judge

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

In re:)
)
PANTHERA ENTERPRISES, LLC,) CASE NO. 2:19-bk-787
)
Debtor.) Chapter 11

ORDER

On November 12, 2019, a telephonic preliminary hearing was held in the above-styled bankruptcy case to consider the *West Virginia Economic Development Authority's Motion to Convert this Case to a Chapter 7 Proceeding, or, in the Alternative, Dismiss this Bankruptcy Case for Cause* ("Motion to Convert") and *West Virginia Economic Development Authority's Motion for Relief from the Automatic Stay to Foreclose Against the Debtor's Real Property at 2506 Fish Pond Road, Old Fields, Hardy County, West Virginia* ("Motion for Relief from Stay"). 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 the Debtor shall file a written response to both motions by December 6, 2019. It is further

ORDERED that court will convene an evidentiary hearing to consider the Motion to Convert on December 16, 2019, at 10:00 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. It is further

ORDERED that the Motion for Relief from Stay is held in abeyance pending a decision on the Motion to Convert.

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: Nov 15, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 17, 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: Nov 17, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 15, 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 Plaintiff Panthera Enterprises, LLC
jrichardson@bernsteinlaw.com
John J. Richardson on behalf of Debtor Panthera Enterprises, LLC jrichardson@bernsteinlaw.com
Julia A. Chincheck on behalf of Defendant Panthera Training, LLC jchincheck@bowlesrice.com
Julia A. Chincheck on behalf of Creditor Panthera Training, LLC jchincheck@bowlesrice.com
Julia A. Chincheck on behalf of Counter-Claimant Panthera Training, LLC
jchincheck@bowlesrice.com
Robert S. Bernstein, Esq on behalf of Plaintiff Panthera Enterprises, LLC
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cwirick@bernsteinlaw.com; cwirick@ecf.courtdrive.com; rbernstein@ecf.courtdrive.com
Robert S. Bernstein, Esq on behalf of Debtor Panthera Enterprises, LLC
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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 ustpreion04.ct.ecf@usdoj.gov
William J. Leon on behalf of Creditor SMI, LLC jayleon@comcast.net
Zachary James Rosencrance on behalf of Defendant Panthera Training, LLC
zrosencrance@bowlesrice.com, ajones@bowlesrice.com
Zachary James Rosencrance on behalf of Creditor Panthera Training, LLC
zrosencrance@bowlesrice.com, ajones@bowlesrice.com

TOTAL: 15