




Frank W. Volk, Chief Judge
United States Bankruptcy Court
Southern District of West Virginia
Dated: July 14th, 2020

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

In re:	:	
	:	
PANTHERA ENTERPRISES, LLC,	:	BK No. 2:19-BK-00787
	:	
Debtor.	:	Chapter 11
_____	:	
	:	
PANTHERA TRAINING, LLC, and	:	
WEST VIRGINIA ECONOMIC	:	
DEVELOPMENT AUTHORITY,	:	
	:	
Movants,	:	
	:	
v.	:	
	:	
PANTHERA ENTERPRISES, LLC,	:	
	:	
Respondent.	:	

PROTECTIVE ORDER

THIS DAY came the parties, Panthera Enterprises, LLC (hereinafter, “Debtor”), Panthera Training, LLC (hereinafter, “Training”), and the West Virginia Economic Development Authority (hereinafter, “WVEDA”) and upon the Motion for Protective Order filed by Training herein they presented their arguments to the Court; and in consideration thereof, and for good cause shown it is NOW THEREFORE,

ADJUDGED, ORDERED and DECREED that:

1. Training’s Motion for protective order should be and is hereby GRANTED; and

2. The discovery requests the Debtor has propounded upon Training and WVEDA, generally and those interrogatories and Requests for Production of Documents identified specifically in paragraphs 10 and 11 the Motion for a Protective Order, seek to elicit documents and information that Training asserts (1) is beyond the scope of the Joint Motion to Convert This Case to a Chapter 7 Proceeding for Cause Pursuant to 11 U.S.C. § 1112 (b) (1) or the Debtor's defenses thereto, (2) has no bearing on the bases for cause to convert, and (3) that is proprietary and confidential to Training;
3. To the extent that the discovery responses from Training or WVEDA contain the information described in paragraph 2 above, that information shall be subject to this Protective Order and shall be tendered in accordance with the terms hereof;
4. Training and WVEDA shall respond to the discovery requests identified in the Motion for a Protective Order as completely as possible as follows;
 - a. Training's internal quarterly financial statements shall be produced after being redacted to conceal all line items other than the line item displaying "gross receipts" and either "net income" or "net loss". In addition, Training shall produce copies of its accounting entries that recorded its receipt of payments of the invoices referenced in the Joint Motion to Convert (Dkt 132)
 - b. All communications containing the identity of Training's clients and prospective clients shall be redacted to conceal the identity of Training's client or prospective client and the nature of the contract work involved.
 - c. All communications describing training activities performed at the Facility shall be redacted to conceal the identity of the client and the details of work being performed.

- d. The production of communications and other financial records and documents related to Training's financial performance shall be limited to the production of the documents addressed in subparagraph 4.a. above.
5. The information and documents provided by Training or WVEDA pursuant to this Protective Order shall be marked "Confidential" and shall be used for purposes of discovery only and shall not be entered into evidence or otherwise used, disseminated, published or otherwise placed in the public domain in the absence of the Court's ruling admitting the documents into evidence;
6. The parties shall endeavor to resolve all issues pertaining to the information and documents described herein such that Training and WVEDA can provide the information and documentation sought and the Debtor can receive such information and documentation consistent with the terms and the tenor of this Protective Order; and
7. To the extent that the parties cannot agree upon the propriety of disclosure of certain documents or information, those documents or that information shall be submitted to the Court for consideration and action.

WE ASK FOR THIS:

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SEEN AND AGREED:

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SEEN AND AGREED:

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