

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

IN RE: PANTHERA ENTERPRISES, LLC
Debtor.

Case No.: 19-00787
Chapter 7

TRUSTEE'S STATUS REPORT

Now comes the Trustee, Aaron C. Amore, with a status report on this case.

The Trustee has continued to work cooperatively with Panthera Training LLC in the bidding and fulfillment of work related to its primary government contract with the Drug Enforcement Administration (DEA).

Novation of DEA Contract

The Trustee has worked to assure all necessary documents, tasks and requirements were met by the Estate to conform with the requirements established for the novation of its contracts. After initial delays and the need to obtain additional reports of the accounts and balance sheet both before and after the sale of the training center, all documents were delivered to the appropriate government agencies

The request for novation was delivered to the appropriate governmental agencies on March 11, 2022. Repeated requests were made by both the Trustee and counsel for Panthera Training. Responses were received that said agencies are down staff and are behind on such applications but that it had received the request. Subsequently, it was learned, after repeated requests by the Trustee and Panthera Training, that the documents delivered via Federal Express could not be used and that the documents must be received electronically. No mechanism exists to receive them in any other fashion other than emailing them. Counsel for Panthera Training initiated multiple emails on July 8, 2022 which were received by the DEA.

The Trustee and Panthera Training obtained confirmation that the novation documents had been received via email and were being reviewed and that it would take up to two weeks to process. On October 4, 2022, the Trustee received an email from Naomi Collier, Contract Support Specialist, DEA, advising that "the novation is in policy/legal review" and that she hopes to hear something this week. See Exhibit A.

Status of compliance with Order granting motion to sell

The Trustee has made payments to West Virginia Paving, LLC and Howard Shockey & Sons, Inc. consistent with the Court's order approving the motion to sell and the order approving the Trustee's Motion for First Interim Distribution. The Trustee has also paid Kelly Smith, CPA for his work on the audit as well as John P. "Jack" Lantzy for the preparation of tax returns. Smith also has a supplemental fee pending with the Court for his work done related to the accounts and balance sheet as of the day of the sale as required by the DEA for its novation documentation.

The Trustee has received \$152,500.00 of the allowed commission of \$205,291.82.

Status of case

The Trustee is required to cooperate in the novation process and cannot take further steps to conclude the case by way of liquidation of the note, which is the sole remaining asset in this case. The Trustee continues to work with Panthera Training which is actively conducting training exercises pursuant to the DEA contract. The Trustee continues to receive a four percent commission on all work performed with that figure rising to eight percent once the novation is complete. To date the Trustee has received \$45,092.00 from Panthera Training. The original note of \$275,000.00 has been paid down to \$229,908.00.

Future expenses/costs

The Trustee does not expect significant expenses or costs by way of keeping the estate open. The estate will have additional tax return(s) but these returns will not be complicated and will simply reflect funds in and out with no additional tax liability incurred. The Trustee anticipates he will have nominal administrative expenses moving forward.

Respectfully submitted,

/s/ Aaron C. Amore

Aaron C. Amore WVSb #6455
Chapter 7 Trustee
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CERTIFICATE OF SERVICE

I, Aaron C. Amore hereby certify that on this 6th day of October, 2022, the foregoing ***TRUSTEE'S REPORT*** was served through the Court's ECF system on all parties registered to receive CM/ECF notices, by U.S. Mail and/or email, including:

Via Email:

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Jack Lantzy jlantzy@sek.com
Mark A. Lindsay mlindsay@bernsteinlaw.com
Rob Duncan tarpon777@yahoo.com
Rob Duncan as manager of TR&L tkelsey@woodsrogers.com
Bruce & Stacie Hardy bsrhardy@comcast.net
Henry Swergold hswergold@platzerlaw.com

CM/ECF

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- **United States Trustee** ustpreion04.ct.ecf@usdoj.gov
- **Eric Michael Wilson** eric.m.wilson@wv.gov, lora.l.rutledge@wv.gov

Manual Notice List

Notice was not mailed to the parties below as no addresses were provided. To the extent the Trustee has email addresses the below notice parties, they were emailed.

Rob Duncan
Manager/Duncan Development Group, LLC
Rob Duncan
Manager/TR&L, LLC,
a Virginia Limited Liability Company
Successor to SMI, LLC,
a Virginia Limited Liability Company

Bruce Hardy
Stacie Hardy
Anthony McIntyre
Timothy Miller

/s/ Aaron C. Amore

Aaron C. Amore, Esq.