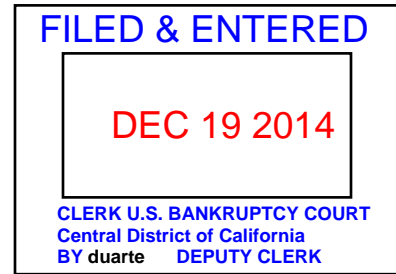


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7
8 **UNITED STATES BANKRUPTCY COURT** **CHANGES MADE BY COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **SANTA ANA DIVISION**

11 In re:
12
13 THE TULVING COMPANY, INC., a California
corporation,
14
15 Debtor.

Case No.: 8:14-bk-11492-ES

Chapter 7

**ORDER AUTHORIZING PRODUCTION
OF DOCUMENTS AND EXAMINATION
OF A-MARK PRECIOUS METALS, INC.
PURSUANT TO FED. R. BANKR. P. 2004**

**[NO HEARING REQUIRED PURSUANT
TO L.B.R. 2004-1(d)]**

16
17
18
19 Upon consideration of the *Motion for Order Authorizing the Production of Documents and*
20 *Examination of A-Mark Precious Metals, Inc. Pursuant to Fed. R. Bankr. P. 2004; Memorandum of*
21 *Points and Authorities in Support Thereof; and Supporting Declarations of Nicholas Troszak and*
22 *Linda F. Cantor* (the "Motion") filed by the Chapter 7 trustee herein (the "Trustee"); and good cause
23 appearing therefore:

24 **IT IS HEREBY ORDERED** that:

- 25 1. The Motion is granted as follows;
- 26 2. The Trustee shall issue a subpoena to A-Mark Precious Metals, Inc. for production of
27 the documents listed on Exhibit "A", attached to the Motion, provided however that to the extent the
28 Trustee, after review of those documents produced as set forth in Paragraph 3 below ("Initial

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1 Production”), seeks the production of documents set forth on the Subpoena other than the Initial
2 Production, the Trustee shall so notify A-Mark whose right to object to the production of such
3 further documents shall be reserved;

4 3. **As to paragraph 2 above, A-Mark Precious Metals, Inc. shall be served in the**
5 **manner set forth in Fed.R.Bankr.P. 7004(b)(3) – service to its attorney only shall not be**
6 **sufficient unless such attorney is specifically authorized by A-Mark Precious Metals, Inc. to**
7 **accept service of process on its behalf;**

8 4. For its initial response to the subpoena, A-Mark will provide the Trustee the
9 following documents **on no less than 14 days’ notice:**


- 10 a. monthly account statements which set forth all transactions between the Tulving
11 Company and A-Mark for the time period requested in the Motion;
12 b. spreadsheets and account ledgers which set forth the details behind the
13 transactions foregoing in MS Excel format; and
14 c. copies of all underlying contract documents between Tulving Company and A-
15 Mark;

16 5. A-Mark will provide assistance to the Trustee in reviewing the foregoing documents
17 and A-Mark will produce additional documents and information if subsequently requested by the
18 Trustee;

19 6. A-Mark shall submit to examination under oath by the Trustee upon twenty-one (21)
20 days written notice; and

21 7. The Court shall maintain jurisdiction of this matter.

22
23
24 Date: December 19, 2014


Erithe Smith
United States Bankruptcy Judge