

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

IN RE:	§	
	§	CHAPTER 11
BULLIONDIRECT, INC.,	§	
	§	CASE NO. 15-10940-tmd
Debtor.	§	

**MOTION TO EXTEND TIME FOR
FILING SCHEDULES AND STATEMENTS**

COMES NOW BullionDirect, Inc., Debtor-in-Possession in the above styled proceeding under Chapter 11, and respectfully requests the Court to extend the time to file the Schedules and Statement of Financial Affairs, and in support thereof would respectfully show the Court the following:

1. This Chapter 11 Voluntary Bankruptcy was filed on July 20, 2015, and the deadline for filing schedules is August 3, 2015. The first meeting of creditors is scheduled for August 25, 2015, at 1:00 p.m.

2. This is a Complex Chapter 11 Case dealing with thousands of customers who transacted business related to acquisition, sale or storage of precious metals through the Debtor's website, www.bulliondirect.com. A significant amount of the data needed for completion of the schedules and the Statement of Financial Affairs is within the Debtor's complex database which supported the website. Debtor currently has no employees to extract the data, and the Debtor is not yet authorized to expend funds for recovery of financial information from the Debtor's system¹. Due to the many Consumer Complaints and investigations besieging BDI's management, Dan Bensimon was appointed President, Chief Restructuring Officer and Sole Director of BullionDirect, Inc. and was authorized to file the Voluntary Petition. Previous

¹ Debtor is seeking approval of a budget in its *Emergency Motion for Order Authorizing Payment of Expenses of Debtor in Possession* (Doc. No. 13) which is scheduled for hearing on August 3, 2015, at 1:30 pm.

management has agreed to work with him and provide the information necessary to prepare the Schedules, Statement of Financial Affairs, Initial Debtor Report, and other required pleadings. However, the data has not yet been provided, and it may be necessary to employ former employees of Debtor to review the files and produce the necessary information.

3. The Debtor-in-Possession, therefore, needs more time than allowed by the Bankruptcy Code to file the follow up schedules.

WHEREFORE, the Debtor-in-Possession requests that the time for filing schedules and statements in this case be extended to August 12, 2015, and for such other relief to which it may be entitled.

Respectfully submitted,

MARTINEC, WINN & VICKERS, P.C.
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Austin, TX 78701- 2117
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martinec@mwvmlaw.com

By: /s/ Joseph D. Martinec
Joseph D. Martinec
State Bar No. 13137500
PROPOSED ATTORNEYS FOR DEBTOR

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing *Motion to Extend Time for Filing Schedules and Statements* has been served via the Court's ECF Noticing System, by First Class Mail, postage prepaid, or by facsimile transmission, if so indicated, to the creditors and parties in interest on the attachment and to the following on July 31, 2015, and to the following:

BullionDirect, Inc.
P.O. Box 1987
Austin, TX 78767-2117
Debtor-in-Possession

U. S. Trustee
903 San Jacinto Blvd., Room 230
Austin, TX 78701

/s/ Joseph D. Martinec
Joseph D. Martinec

BULLIONDIRECT, INC.
Chapter 11 No. 15-10940-tmd
Mailing Labels – Master Service List

McCann, Louis S. Jr.
2108 Crown Dr.
St. Augustine, FL 32092

Krueger, Donald E.
3701 Sea Cliff St.
Santa Ana, CA 92704

Amended: 7/31/2015

BullionDirect, Inc.
P.O. Box 1987
Austin, TX 78767-1987

Gray, Richard L.
7466 Old Post Road
Boulder, CO 80301

Whalley, Lawrence G.
5 Carsey Lane
Houston, TX 77024

Dan Bensimon
7028 Cielo Azul Pass
Austin, TX 78732

Stephenson, Cecil
1065 Bingle Rd.
Houston, TX 77055

Hopwood, Edward M.
1 Cedar Ridge Lane
Warren, NJ 07059

Henry Hobbs/Valerie Wenger
Office of the U.S. Trustee
903 San Jacinto Blvd., Room 230
Austin, TX 78701

Veytsman, Marina
23958 Calvert St.
Woodland Hills, CA 91367

Lubitski, Craig J.
153 Oswegatchie Road
Waterford, CT 06385

**Twenty Largest Unsecured
Creditors**

Ortwein, Jeffrey
6227 Acorn Drive
Emmaus, PA 18049

Napoli, Mark A.
649 Mount Laurel Rd.
Mount Laurel, NJ 08054

Phillips, Pamela L.
59 Line Road
Malvern, PA 19355

Burns, Kenneth s. Jr.
1428 Deberry Blvd.
Florence, SC 29501

Governmental Agencies

Chamness, Robert O.
P.O. Box 1244
Davis, CA 95617

Stephenson, Blake
1065 Bingle Rd.
Houston, TX 77055

Internal Revenue Service
c/o Steven B. Bass
Assisant U.S. Attorney
816 Congress Ave., Ste. 1000
Austin, TX 78701
(Via ECF)

Suzuki, Kazu
(Served via Attorney Below)

Miller, Patrick R.
155223 Spunky Canyon Rd.
Green Valley, CA 91390

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Bankruptcy Regulatory Section
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Mullica Hill, NJ 08062

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4967 Aviary Dr. NW
Acworth, GA 30101

Pinard, Jean M.
4504 Springhill Estates Dr.
Parker, TX 75002

Nelson, Bryan D.
17540 S. Iroquois Trace
Tinley Park, IL 60477

Parties Requesting Notice

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Assistant Travis County Attorney
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(Via ECF or e-mail)

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(Diamond State & Dillon Gage)
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Dallas, TX 75202
(Via ECF)

Peter C. Ruggero (Dr. Suzuki)
1411 West Avenue, Ste. 200
Austin, TX 78701
(Via ECF)

Martin Seidler (G. Barrack)
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11107 Wurzbach Road
San Antonio, TX 78230
(Via ECF)

Douglas J. Powell (David Emery)
Law Offices of Douglas J. Powell, PC
820 West 10th Street
Austin, TX 78701
(Via ECF)

Proposed Order

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WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

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Debtor.	§	

ORDER EXTENDING TIME FOR FILING SCHEDULES AND STATEMENTS

CAME ON to be considered the Debtor's *Motion to Extend the Time for Filing Schedules and Statements* and, the Court having found that the same should be granted, it is accordingly

ORDERED that the time for filing the schedules and statement of financial affairs in this case be extended to August 12, 2015.

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Order prepared by:

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