

## IT IS HEREBY ADJUDGED and DECREED that the below described is SO ORDERED.

**Dated: August 10, 2015.** 

TONY M. DAVIS
UNITED STATES BANKRUPTCY JUDGE

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

IN RE: §

§ CHAPTER 11

BULLION DIRECT, INC., § CASE NO. 15-10940-tmd

Debtor. §

## AGREED ORDER AUTHORIZING THE DISPOSITION OF UNDEPOSITED CHECKS

On the 3<sup>rd</sup> day of August, 2015, came on to be heard the *Emergency Motion for Order Authorizing Disposition of Undeposited Checks* (Doc#15) (the "Motion") filed by the Debtor. The Court, having considered the matters contained in the Motion, finds that good and sufficient cause exists for granting the Motion and that the terms of the Motion and the Order were discussed with and approved by the United States Trustee. Accordingly, it is therefore

**ORDERED** that, subject to the provisions set forth below, Debtor is authorized to deposit the checks, money orders, and bank drafts ("Checks") into the Debtor's Debtor-in-Possession Account and use the proceeds of said Checks as authorized by the Court if, after twenty-one (21) days after each Sender or payor listed on **Exhibit A** has been served with a copy of this Order and has not served a written Objection to this Order, which can be transmitted via email, to Debtor's counsel and the Attorney for the U. S. Trustee, as follows:

Joseph D. Martinec Attorney for Debtor 919 Congress Ave., Ste. 200 Austin, TX 78701 martinec@mwvmlaw.com Valerie Wenger Office of the U. S. Trustee 903 San Jacinto Blvd., Rm. 230 Austin, TX 78701 Valerie.L.Wenger@usdoj.gov

The Objection must set forth the factual or legal basis for the Objection. If such Objection is served in compliance with this Order, the Check attributable to the objecting party shall not be deposited pending a ruling by the court on the status of the Check in question. Checks for which no Objection has been timely served shall be deposited by Debtor in a separate Debtor-in-Possession account. It is further

**ORDERED** that Debtor shall serve a copy of this Order on each of the Senders or payors as to the Checks described in the Motion within three (3) days of the entry of this Order. It is further

**ORDERED** that Debtor may return checks received after July 20, 2015, to the Sender without further order of this court.

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By:

## APPROVED AS TO FORM:

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Valerie L. Wenger

Trial Attorney

By:

Joseph D. Martinec State Bar No. 13137500

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Order prepared by:

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