UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

IN RE:

BULLIONDIRECT, INC. ' CASE NO. 15-10940-tmd

DEBTOR. ' CHAPTER 11

OBJECTION TO AGREED ORDER AUTHORIZING THE DISPOSITION OF <u>UNDEPOSITED CHECKS</u>

COMES NOW, Julius De Roma ("De Roma"), a creditor in the referenced case, by and through his counsel, and files this Objection the Agreed Order Authorizing the Disposition of Undeposited Checks, and respectfully shows as follows:

- De Roma placed an order for merchandise with Debtor on or about June 25,
 2015 (the "Merchandise").
- 2. De Roma mailed check no. 9737, in the amount of \$20,000.00 to the Debtor, for payment of the Merchandise.
- 3. A short time later, when the Merchandise had not arrived, De Roma contacted his bank to verify that check no. 9737 had not cleared and issued a stop payment on check no. 9737.

WHEREFORE, premises considered, Julius De Roma respectfully requests that this Court order the destruction or return of De Roma's check no. 9737, in the amount of \$20,000.00, due to failure of consideration, and that said check not be deposited.

Respectfully submitted,

ANDERSON, SMITH, NULL & STOFER One O'Connor Plaza, 7th Floor Post Office Box 1969 Victoria, Texas 77902 (361) 573-9191 Telephone (361) 573-5288 Facsimile

/s/ Richard T. Chapman
RICHARD T. CHAPMAN
Attorney-In-Charge
Admission No. 1305
State Bar No. 04130100
ATTORNEY FOR JULIUS DE ROMA

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the attached Objection the Agreed Order Authorizing the Disposition of Undeposited Checks has been forwarded to all parties of interest listed by First Class U. S. Mail, postage prepaid, and/or Electronic Case Filing on this the 25th day of August, 2015.

/s/ Richard T. Chapman RICHARD T. CHAPMAN

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