

ORDERED.

Dated: August 14, 2020



Michael G. Williamson  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

[www.flmb.uscourts.gov](http://www.flmb.uscourts.gov)

In re:

Case No. 8:20-bk-03522-MGW  
Chapter 7

PROCOM AMERICA, LLC,

Debtor.

---

**AGREED ORDER GRANTING, IN PART, THE FLORIDA  
ATTORNEY GENERAL'S MOTION FOR AN ORDER DECLARING  
THE AUTOMATIC STAY UNDER 11 U.S.C. § 362 INAPPLICABLE TO THE  
ATTORNEY GENERAL'S ACTIONS AGAINST THE DEBTOR, OR IN THE  
ALTERNATIVE, FOR RELIEF FROM THE AUTOMATIC STAY (Doc. No. 120).**

THIS case came on for consideration, without a hearing, on the Office of the Attorney General, State of Florida, Department of Legal Affairs' ("Attorney General") Motion for an Order Declaring the Automatic Stay under 11 U.S.C. § 362 Inapplicable to the Attorney General's Actions Against the Debtor, or in the Alternative, for Relief from the Automatic Stay (Doc. No. 120) ("Motion"); the Motion was served on all interested parties with the Local Rule 2002-4 negative notice legend informing the parties of their opportunity to respond within 21 days of the date of service; the Trustee Douglas N. Menchise ("Trustee") filed a limited objection as to the scope of relief sought by the Motion; the Attorney General and the Trustee agree on and consent

to the form and content of this Order; no other party filed a response in opposition; the Court having reviewed the Motion and being otherwise fully informed in the matter before this Court;

It is hereupon

**ORDERED and ADJUDGED:**

1. The Motion is GRANTED to the extent set forth herein;
2. The automatic stay does not apply, as an exercise of its police powers, to the Attorney General's Florida Deceptive and Unfair Trade Practices Act investigative actions against the Debtor and its representatives pursuant to section 501.206, Florida Statutes, and the Attorney General can proceed to investigate the Debtor and related entities or persons for deceptive and unfair trade practices, including proceeding with legal action, provided:
  - a. The Attorney General is prohibited from enforcement of any money judgment against the Debtor or against any third parties as to property of the estate,
  - b. The Attorney General may not act to obtain possession of property of the estate or of property from the estate or to exercise control over property of the estate,
  - c. The Attorney General may not (i) act to create, perfect, or enforce any lien against property of the estate, (ii) act to create, perfect, or enforce against property of the debtor any lien to the extent that such lien secures a pre-petition claim or (iii) act to collect, assess, or recover a pre-petition claim.

Attorney Michael Roland is directed to serve a copy of this order on interested parties and file a proof of service within 3 days of entry of the order.