

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA**

APPEAL COVER SHEET

Appellant	Appellee
Peter Gaal	Douglas N. Menchise as Chapter 7 Trustee of the bankruptcy estate of Procom America, LLC
Bankruptcy Case No. <u>8:20-bk-03522-MGW</u>	Adversary Case No. _____
Attorney: (Name, Address and Telephone Number)	Attorney: (Name, Address and Telephone Number)
Lynn Welter Sherman, Esq., Rhys P. Leonard, Esq., Trenam Law, 200 Central Ave., Ste. 1600, St. Petersburg, FL 33701, 727-820-7171	Robert F. Elgidely, Esq., Fox Rothschild LLP, One Biscayne Tower, 2 South Biscayne Blvd., Ste. 2750, Miami, FL 33131, 305-442-6543

NATURE OF PROCEEDING

Check appropriate item

☒ Appeal pursuant to 28 USC §158

Notice of Appeal filed: April 4, 2022

Date of Order Appealed: June 10, 2021, March 21, 2022, and March 22, 2022

Title of Order Appealed: See attached

Debtor's County of Residence: Hillsborough County, Florida

☐ Motion to Withdraw Reference

Filed: _____ By: _____

☒ Interlocutory Appeal

Title of Interlocutory Order or Decree: See attached

Date of Order or Decree: _____

Brief Description of Matter Appealed: _____

☒ Motion for Leave to Appeal

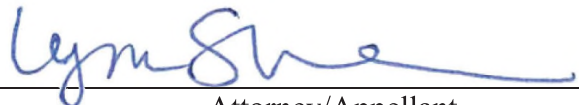
Date Filed: April 4, 2022

☐ Other _____

☐ Designation in Appeal

Have arrangements been made with a Court Reporter for Transcript? ☒ Yes ☐ No

If not, do you intend to do so? ☐ Yes ☐ No If ordered, on what date? April 4, 2022



Attorney/Appellant

ATTACHMENT TO APPEAL COVER SHEET

Appeal Pursuant to 28 USC § 158

Notice of Appeal filed: April 4, 2022

Date of Order Appealed: June 10, 2021, March 21, 2022, and March 22, 2022

Title of Order Appealed: (1) Order Granting Chapter 7 Trustee, Douglas N. Menchise's Motion to Compel Rule 2004 Examinations Duces Tecum (Doc. No. 265); (2) Memorandum Opinion on Service of a Subpoena on a Foreign National (Doc. No. 354); and (3) Order Denying Peter Gaal's Expedited Motion for Reconsideration of the Order Granting Chapter 7 Trustee, Douglas N. Menchise's, Motion to Compel Rule 2004 Examinations Duces Tecum (Doc. No. 357)

Debtor's County of Residence: Hillsborough County, Florida

Interlocutory Appeal

Title of Interlocutory Order or Decree: (1) Order Granting Chapter 7 Trustee, Douglas N. Menchise's Motion to Compel Rule 2004 Examinations Duces Tecum (Doc. No. 265); (2) Memorandum Opinion on Service of a Subpoena on a Foreign National (Doc. No. 354); and (3) Order Denying Peter Gaal's Expedited Motion for Reconsideration of the Order Granting Chapter 7 Trustee, Douglas N. Menchise's, Motion to Compel Rule 2004 Examinations Duces Tecum (Doc. No. 357)

Date of Order or Decree: June 10, 2021, March 21, 2022, and March 22, 2022, respectively

Brief Description of Matter Appealed: Dispute over what constitutes proper and effective service of a subpoena under Fed. R. Civ. P. 45(b) for a bankruptcy trustee to obtain documents and testimony under Bankruptcy Rule 2004 from a foreign national living abroad.

The interlocutory appeal box was checked out of an abundance of caution in the event the orders being appealed are deemed not to be final orders appealable as of right.