

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**
www.flmb.uscourts.gov

In re:

Procom America, LLC,

Debtor.

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

CERTIFICATE OF NECESSITY OF REQUEST FOR EMERGENCY HEARING

I HEREBY CERTIFY, as a member of the Bar of the Court, that I have carefully examined the matter under consideration and to the best of my knowledge, information and belief formed after reasonable inquiry, all allegations are well grounded in fact and all contentions are warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law can be made, that the matter under consideration is not interposed for any improper purpose, such as to harass, to cause delay, or to increase the cost of litigation, and there is just cause to request a consideration of the following pleading on an emergency basis:

PETER GAAL'S EMERGENCY MOTION FOR PROTECTIVE ORDER
(Doc. 365)

I CERTIFY FURTHER that there is a true necessity for an emergency hearing, specifically, that the 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) requires Peter Gaal to appear via Zoom for a Rule 2004 examination by May 5, 2022, and the Trustee has noticed his Rule 2004 examination *duces tecum* for testimony on May 3-4, 2022 and document production by April 26, 2022. Furthermore, Local Rule 2004-1(e) states a motion for protective order filed in response to a Rule 2004 subpoena "shall be filed as an emergency motion under Local Rule 9013-1(d)."

I CERTIFY FURTHER that the necessity of this expedited hearing has not been caused by a lack of due diligence on my part, but has been brought about only by circumstances beyond my control or that of my client. I further certify that this motion is filed with full understanding of F.R.B.P. 9011 and the consequences of noncompliance with same.

Dated: April 5, 2022.

/s/ Lynn Welter Sherman

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Counsel for Peter Gaal

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 5, 2022 a true and correct copy of the above and foregoing has been electronically filed with the Clerk of Court by using the CM/ECF system, which will send notice of electronic filing to all CM/ECF registered recipients.

/s/ Lynn Welter Sherman

Lynn Welter Sherman