

ORDERED.

Dated: June 10, 2021



Michael G. Williamson
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

In re: Case No. 8:20-bk-03522-MGW

PROCOM AMERICA, LLC d/b/a Chapter 7
Beyond Band of Brothers d/b/a
BBOB,

Debtor.

**ORDER GRANTING CHAPTER 7 TRUSTEE, DOUGLAS N. MENCHISE'S,
MOTION TO COMPEL RULE 2004 EXAMINATIONS *DUCES TECUM* (Doc. 263)**

THIS CASE came before the Court without a hearing on the *Motion To Compel Rule 2004 Examinations Duces Tecum* (Doc. 263 – the “Motion to Compel”) filed by Douglas N. Menchise (the “Trustee”), as Chapter 7 Trustee of the bankruptcy estate of Procom America, LLC (the “Debtor”). The Court, being familiar with the record of this case, having reviewed the Motion to Compel, and being otherwise duly advised in the premises, does hereby

ORDER as follows:

1. The Motion to Compel is GRANTED.
2. Within five business days, counsel for Peter Gaal and the Debtor shall coordinate scheduling of the following 2004 examinations with counsel for the Trustee:
 - (a) Peter Gaal, individually;

- (b) Fed. R. Civ. P. 30(b)(6) corporate representative(s) of the Debtor who is designated to provide binding testimony on its behalf with respect to the subject matters set forth on Schedule A(II) of the Trustee's *Omnibus Notice Of Taking Rule 2004 Examinations Duces Tecum* (Doc. 260 – the “2004 Notice”);
- (c) Fed. R. Civ. P. 30(b)(6) corporate representative(s) of Procom Investments KFT who is designated to provide binding testimony on its behalf with respect to the subject matters set forth on Schedule A(II) of the 2004 Notice;
- (d) Fed. R. Civ. P. 30(b)(6) corporate representative(s) of Procom Consulting KFT who is designated to provide binding testimony on its behalf with respect to the subject matters set forth on Schedule A(II) of the 2004 Notice;
- (e) Fed. R. Civ. P. 30(b)(6) corporate representative(s) of Procom Consulting Utazasi IRODA KFT who is designated to provide binding testimony on its behalf with respect to the subject matters set forth on Schedule A(II) of the 2004 Notice; and
- (f) Fed. R. Civ. P. 30(b)(6) corporate representative(s) of Procom Tours, LLC who is designated to provide binding testimony on its behalf with respect to the subject matters set forth on Schedule A(II) of the 2004 Notice.

3. The 2004 examinations shall be conducted by Zoom or another remote video communication platform within 45 days of the date of entry of this Order.

4. The witnesses shall produce all non-privileged documents responsive to the Trustee's *duces tecum* requests in the 2004 Notice at least five business days prior to their examinations.

5. The Court reserves ruling on the Trustee's request for an award of costs incurred in connection with his preparation for and attendance at the 2004 examinations on May 28, 2021.

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Robert F. Elgidely, Esq. is directed to serve a copy of this order on interested parties who do not receive service by CM/ECF and file a proof of service within three days of entry of this order.