

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI

IN RE: EXPRESS GRAIN TERMINALS, LLC¹
Debtor

CHAPTER 11
CASE NO. 21-11832-SDM

LIMITED RESPONSE TO MOTION FOR ACCESS TO INTEREST DATA ROOM

COMES NOW Express Grain Terminals, LLC (the “Debtor”), and files this its Limited Response to the *Motion for Access to Interest Data Room* (the “Motion”) [DK #2641], filed herein by Albert Altro, CPA, CIRA, Managing Director of Traverse LLC, and Court-appointed examiner in *In re John Coleman*, Case No. 21-11833-SDM (the “Examiner”), and would respectfully respond to the Motion paragraph by paragraph as follows, to-wit:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.
6. Admitted in part. Affirmatively, the Debtor notes that the Appointment Order contemplates an investigation of John Coleman, “his assets, any and all payments made on behalf of [John Coleman] prepetition, and any other potential transfer of assets by the [John Coleman] or on his behalf.”

A broad reading of the Motion could lead one to believe that the Examiner is about to undertake an examination of this Debtor - and not John Coleman - because there is a vast amount of information in the Interest Data Room that has nothing to do with the task assigned to the

¹Jointly administered with *In re Express Biodiesel, LLC*, Case No. 21-11834-SDM and *In re Express Processing*, Case No. 21-11835-SDM.

Examiner in the John Coleman case. Further, any and all payments made on behalf of John Coleman or any transfer of assets on behalf of John Coleman that may have been conducted by the Debtor, are contained in the Debtor's schedules and statements of affairs that are already on file in this case, so there is no necessity to review them in the Interest Data Room.

Accordingly, while the Debtor has no objection to the Motion as a general matter, it is concerned that this investigation appears to be one of Express Grain Terminals and not of John Coleman. The Debtor does not have the funds available to undergo such an examination if it is extended.

7. Admitted, in part, and denied, in part, consistent with the affirmative responses to Paragraph 6.

Last Unnumbered Paragraph

Consistent with the prior admissions and denials, the Debtor does not object to the request in the Motion but files this Limited Response as a preliminary and cautionary Limited Response based upon what could be a broad reading of the Motion.

WHEREFORE, PREMISES CONSIDERED, Debtor respectfully prays that upon a hearing hereof this Honorable Court will enter its order consistent with this Limited Response and the Debtor's position herein. Debtor prays for general relief.

THIS, the 12 day of April, 2022.

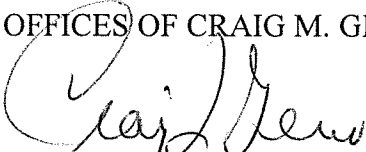
Respectfully submitted,

EXPRESS GRAIN TERMINALS, LLC

By Its Attorneys,

LAW OFFICES OF CRAIG M. GENO, PLLC

By: _____



Craig M. Geno

OF COUNSEL:

Craig M. Geno; MSB No. 4793
LAW OFFICES OF CRAIG M. GENO, PLLC
587 Highland Colony Parkway
Ridgeland, MS 39157
601-427-0048 - Telephone
601-427-0050 - Facsimile
cmgeno@cmgenolaw.com

N:\Firm Data\Users\Bankrupt\Express Grain Terminals, LLC\Pleadings\Limited Resp to Examiner's Mot for Access to Data Room 3-31-22.wpd

CERTIFICATE OF SERVICE

I, Craig M. Geno, do hereby certify that I have caused to be served this date, via email transmission and/or electronic filing transmission, a true and correct copy of the above and foregoing pleading to the following:

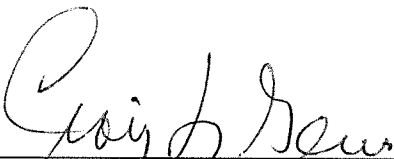
Abigail M. Marbury, Esq.
abigail.m.marbury@usdoj.gov

Sarah Beth Wilson, Esq.
sarah.beth.wilson@phelps.com

Garrett A. Anderson, Esq.
garrett.anderson@phelps.com

Danielle Mashburn-Myrick, Esq.
danielle.mashburn-myrick@phelps.com

THIS, the 1st day of April, 2022.



Craig M. Geno