

**IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF MISSISSIPPI**

**IN RE: JOHN COLEMAN  
Debtor**

**CHAPTER 11  
CASE NO. 21-11833-SDM**

**LIMITED RESPONSE TO MOTION TO  
CLARIFY ORDER APPOINTING EXAMINER [94]**

COMES NOW John Coleman (the “Debtor”), and files this his Limited Response to the *Motion to Clarify Order Appointing Examiner [94]* (the “Motion”) [DK #161], filed herein by Albert Altro, CPA, CIRA, Managing Director of Traverse LLC (the “Examiner”), and, responding to the Motion would respectfully respond as follows, to-wit:

1. The Debtor appreciates the somewhat uncertain position of the Examiner and welcomes the opportunity to clarify the order appointing him and give the Court the benefit of the Debtor’s thoughts about this matter.

2. The FBI seized documents that date back many years, and are contained in over 100 boxes of documents, many of which contain routine records that recorded deliveries of grain, payments for grain, bookkeeping entries, accounts payable and voluminous additional information that is of no benefit to the Examiner, the Debtor respectfully submits.

3. The costs of examining hundreds of thousands of pieces of paper contained in over 100 boxes seized by the FBI would be prohibitive and, in all likelihood, would not further the duties and obligations of the Examiner.

4. That kind of investigation would exhaust all of the funds in this case, and then some, leaving the case administratively insolvent with no real benefit, so far as the Debtor can perceive.

5. As noted, however, the Debtor understands that the Examiner desires to conduct a thorough examination to determine what claims or causes of action may be available to the Debtor.

Records that are many years old not only will probably not reveal any causes of action of the Debtor, any cause of action that may be somehow hidden within hundreds of thousands of pages of documents are likely barred by the statute of limitations.

6. However, in the event the Examiner desires to convert his fee arrangement from that of an hourly basis to a contingent fee, will be acceptable to the Debtor, agreed to by the Debtor and actually encouraged by the Debtor. Otherwise, the search of hundreds of thousands of pages of documents, many of which are many years old, is not only not a good investment, but a waste of the precious few estate assets that exist here.

7. Other grounds to be assigned upon a hearing hereof.

WHEREFORE, PREMISES CONSIDERED, Debtor respectfully prays that upon a hearing hereof this Honorable Court will clarify its order appointing the Examiner, with a view toward conservation of estate assets but yet allowing the Examiner to fulfill his duties. Debtor prays for general relief.

THIS, the 16<sup>th</sup> day of May, 2022.

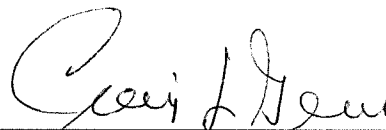
Respectfully submitted,

JOHN COLEMAN

By His Attorneys,

LAW OFFICES OF CRAIG M. GENO, PLLC

By:



Craig M. Geno

OF COUNSEL:

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**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:

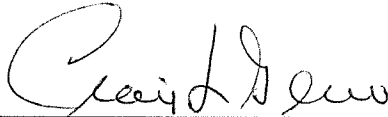
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THIS, the 16<sup>th</sup> day of May, 2022.

  
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Craig M. Geno