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U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

<p>1. Name of conveying party(ies): <u>Ferry, Ray</u></p> <p><input checked="" type="checkbox"/> Individual(s)      <input type="checkbox"/> Association  <input type="checkbox"/> General Partnership      <input type="checkbox"/> Limited Partnership  <input type="checkbox"/> Corporation-State  <input type="checkbox"/> Other _____</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies) Name: <u>David Gottlieb</u> Internal Address: _____ Address: _____</p> <p>Street Address: <u>15233 Ventura Blvd., 9th Flr.</u> City: <u>Sherman Oaks</u> State: <u>CA</u> Zip: <u>91403</u></p> <p><input type="checkbox"/> Individual(s) citizenship _____  <input type="checkbox"/> Association _____  <input type="checkbox"/> General Partnership _____  <input type="checkbox"/> Limited Partnership _____  <input type="checkbox"/> Corporation-State _____  <input checked="" type="checkbox"/> Other <u>Chapter 7 Bankruptcy Trustee</u></p> <p><small>If assignee is not domiciled in the United States, a domestic representative designation is attached: <input type="checkbox"/> Yes <input type="checkbox"/> No (Designations must be a separate document from assignment) Additional name(s) &amp; address(es) attached? <input type="checkbox"/> Yes <input type="checkbox"/> No</small></p>
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<p>3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment      <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement      <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____</p> <p>Execution Date: <u>04 Apr 01</u></p>	
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<p>4. Application number(s) or registration number(s): A. Trademark Application No.(s) <u>74299770 and 75766091</u></p>	<p>B. Trademark Registration No.(s) <u>1864434 and 1759269</u></p>
Additional number(s) attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

<p>5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>Wesley H. Avery, Esq.</u> Internal Address: <u>Sulmeyer, Kupetz, Baumann &amp; Rothman</u> Street Address: <u>300 So. Grand Ave., 14th Flr.</u> City: <u>Los Angeles</u> State: <u>CA</u> Zip: <u>90071</u></p>	<p>6. Total number of applications and registrations involved: <span style="border: 1px solid black; padding: 2px;">4</span></p> <p>7. Total fee (37 CFR 3.41).....\$ <u>115.00</u> <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account</p> <p>8. Deposit account number: _____</p> <p><small>(Attach duplicate copy of this page if paying by deposit account)</small></p>
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**DO NOT USE THIS SPACE**

9. Statement and signature.  
*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Wesley H. Avery            11/14/01  
Name of Person Signing      Signature      Date

Total number of pages including cover sheet, attachments, and document: 15

01/11/2002 LMKELLER 00000159 74299770

01 FC:481  
02 FC:482

40.00 UP  
75.00 DP

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patent & Trademarks, Box Assignments  
Washington, D.C. 20231

**TRADEMARK**  
**REEL: 002420 FRAME: 0808**

**UNITED STATES BANKRUPTCY COURT**  
Central District of California

I hereby attest and certify that on 11-6-01 the  
attached reproduction(s), containing 13 pages, is a  
full, true and correct copy of the complete document entitled:

AD 01-01210 R6; TRUSTEE'S  
COMPLAINT

which includes:  Exhibits  Attachments

and in my legal custody at the marked location:

- |                                                                                       |                                                                                     |
|---------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| <input type="checkbox"/> North Los Angeles Street<br>Los Angeles, CA 90012            | <input type="checkbox"/> 3420 Twelfth Street, Suite 125<br>Riverside, CA 92501-3819 |
| <input type="checkbox"/> 411 West 4th Street, Suite 2074<br>Santa Ana, CA 92701-4593  | <input type="checkbox"/> 1415 State Street<br>Santa Barbara, CA 93101-2511          |
| <input checked="" type="checkbox"/> 210 Burbank Boulevard<br>Woodland Hills, CA 91367 |                                                                                     |

**Jon D. Ceretto, Clerk of Court**

By: [Signature]  
Deputy Clerk

**THIS CERTIFICATION IS VALID ONLY WITH THE  
UNITED STATES BANKRUPTCY COURT SEAL.**

ORIGINAL

DEBTOR:

FERRY, RAY

JUDGE: HON. A. Greenwald - 460

TRUSTEE:

CHAPTER: 07 AD01-01210

CLERK, U.S. BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIF. ID: 624  
REFEREN NO: SV-000075 CHG EST

1 Wesley H. Avery (CA Bar No. 155724)  
2 **SULMEYER, KUPETZ, BAUMANN & ROTHMAN**  
3 A Professional Corporation  
300 South Grand Avenue, 14th Floor  
4 Los Angeles, CA 90071  
(213) 626-2311 (phone)  
(213) 629-4520 (facsimile)

5 Attorneys for David K. Gottlieb,  
Chapter 7 Trustee

8 UNITED STATES BANKRUPTCY COURT

9 CENTRAL DISTRICT OF CALIFORNIA, SAN FERNANDO VALLEY DIVISION

11 In re ) Case No. SV 00-19655-AG  
Chapter 7

12 RAY FERRY aka Raymond Ferry, )  
13 an individual, dba Dynacomm ) Adv. No. AD 01-01210-AG  
14 dba the Captain Company, )

14 Debtor. )

15 S.S.N. No. 135-46-3758 )

16 \_\_\_\_\_ )  
17 DAVID K. GOTTLIEB, Chapter 7 )  
Trustee, )  
18 v. Plaintiff, )

19 EUGENE REYNOLDS, an )  
individual, and GOTHIX )  
20 MARKETING, INC., a California )  
corporation, dba Famous )  
21 Monsters of Filmland, dba )  
Central Media and dba the )  
22 Captain Company, )

23 Defendants. )

TRUSTEE'S COMPLAINT: (1) TO AVOID  
AND RECOVER FRAUDULENT AND  
PREFERENTIAL TRANSFERS OF  
PROPERTY, (2) FOR A CONSTRUCTIVE  
TRUST, (3) FOR AN INJUNCTION, AND  
(4) FOR AN ACCOUNTING AND TURNOVER  
[11 U.S.C. §§ 105(a), 542,  
544(b), 547, 548 and 550,  
28 U.S.C. § 2201(a) and Cal. Civ.  
Code § 2224]

DATE: [to be set]  
TIME: [to be set]  
PLACE: Courtroom 302  
Warner Center  
21041 Burbank Blvd.  
Woodland Hills, CA 91367

Summons issued APR - 6 2001

Answer Date May 7, 2001

Hrg. Date June 6, 01 at 1:30 P.M

25 TO DEFENDANTS EUGENE REYNOLDS AND GOTHIX MARKETING, INC.:

26  
27 David K. Gottlieb, plaintiff herein, complaining of the  
28 defendants, alleges as follows:

210

1                    STATEMENT OF JURISDICTION, PARTIES AND PROCEEDINGS

2  
3            1.    This Court has jurisdiction over this proceeding  
4 pursuant to 28 U.S.C. §§ 157(b)(1) and 1334(a), as this is a core  
5 proceeding under 28 U.S.C. § 157(b)(2)(E), (F) and (H). Venue  
6 properly lies in this judicial district pursuant to 28 U.S.C. §  
7 1409(a), in that the instant proceeding is related to a case under  
8 Title 11 of the United States Code which is still pending.

9            2.    Plaintiff David K. Gottlieb ("Trustee" or  
10 "Plaintiff") is the duly appointed and acting chapter 7 trustee in  
11 the instant chapter 7 bankruptcy case pending in the San Fernando  
12 Division of the Central District of California which is styled In re  
13 Ferry, Case No. SV 00-19655-AG (the "Bankruptcy Case"). The above-  
14 captioned debtor Ray Ferry, an individual (the "Debtor"), initiated  
15 the Bankruptcy Case by filing a voluntary chapter 7 petition on  
16 October 26, 2000 (the "Petition Date").

17           3.    Defendant Eugene Reynolds, an individual  
18 ("Reynolds"), resides in the Central District of California at the  
19 Residence of the Debtor.

20           4.    Defendant Gothix Marketing, Inc. ("Gothix") is a  
21 California corporation that was incorporated on June 14, 2000.  
22 Reynolds is the President of Gothix and is its sole shareholder.

23           5.    Reynolds has had a close personal relationship with  
24 the Debtor for more than twenty years. Indeed, Thomas A. Brackey II  
25 dba Freund & Brackey, who is the Debtor's lawyer, is also the lawyer  
26 of both Reynolds and Gothix (collectively, the "Defendants"). As  
27 such, the Defendants are insiders of the Debtor under 11 U.S.C. §  
28 ("Section") 101(31)(A).

1           6.    The instant complaint (the "Complaint") initiates an  
2 adversary proceeding in which Plaintiff is seeking to recover  
3 fraudulent and preferential transfers made to the Defendants by the  
4 Debtor.

5  
6                   ALLEGATIONS COMMON TO ALL CAUSES OF ACTION  
7

8           7.    In 1988, the Debtor began publishing the magazine  
9 Famous Monsters of Filmland and continued to do so until May 15,  
10 2000 (the "Magazine"). During this time, the Magazine earned  
11 substantial income for the Debtor through subscription sales,  
12 newsstand sales, and the sale of mail order merchandise which was  
13 advertised in the Magazine.

14           8.    On August 17, 1993, the Debtor registered the dba  
15 "Captain Company" in Los Angeles County.

16           9.    On November 24, 1994, the trademark "Famous Monsters  
17 of Filmland" was registered with the United States Trademark Office  
18 in the name of the Debtor by registration number 74299770 (the  
19 "Trademark"). As of the Petition Date, the Trademark was owned by  
20 the Debtor and therefore constitutes property of the Estate.

21           10. On July 18, 1995, the Debtor declared the value of  
22 the Trademark and the Magazine to be \$225,000.00.

23           11. On October 1, 1996, the Debtor registered the dba's  
24 "Captain Company" and "Dynacomm" in Los Angeles County.

25           12. By a grant deed executed on June 26, 1995 and  
26 recorded on August 10, 1995 with the Los Angeles County Recorder as  
27 document number 951307424, the Debtor obtained legal and equitable  
28 title to that valuable single family residence commonly known as

1 16328 Community Street, North Hills, California 91343 which has been  
2 given L.A. County Assessor's Parcel # 2689-005-022 (the  
3 "Residence").

4 13. Since October 1, 1996, but prior to May 15, 2000,  
5 using the dba Dynacomm the Debtor published the Magazine, and using  
6 the dba Captain Company the Debtor sold mail order merchandise  
7 through advertisements in Famous Monsters of Filmland. Through  
8 Dynacomm and Captain Company, both of which were and are based at  
9 the Residence, the Debtor alleges that he had income of  
10 approximately \$125,000.00 in 1999 and \$142,000.00 in 1998.

11 14. That State Court Fraud Action styled Ackerman v.  
12 Ferry, LASC Case No. LC 039960 (the "State Court Fraud Action") was  
13 initiated against the Debtor on January 24, 1997. Trial began in  
14 the State Court Fraud Action on April 15, 2000, and a judgment (the  
15 "Judgment") was rendered in favor of plaintiff Mr. Forest Ackerman  
16 ("Ackerman") and against the Debtor for damages of \$724,500.00 on  
17 May 10, 2000.

18 15. On or about May 15, 2000, following the issuance of  
19 the Judgment, the Debtor secretly transferred (the "Magazine  
20 Business Assets Transfer") to the Defendants for no consideration  
21 all of the tangible and intangible assets of the Magazine, including  
22 without limitation the following: (a) the merchandise inventory of  
23 Captain Company, (b) the fonts, templates, computer software and  
24 photographs used to create the Magazine, (c) the telephone number  
25 which the Captain Company used to receive sales orders, (d) the  
26 subscription list for the magazine used by Dynacomm, (e) the  
27 newsstand customer list used by Dynacomm, (f) the dba Captain  
28 Company, (g) the post-office box where the Captain Company received

1 its mail orders, (h) the Magazine's website and (i) the goodwill of  
2 the Magazine (collectively, the "Magazine Business Assets"), in  
3 order to defraud the Trustee, Ackerman and the Debtor's other  
4 creditors.

5 16. The Defendants have been publishing the Magazine and  
6 selling mail order merchandise since May 15, 2000 under their own  
7 names, and under the fictitious names Central Media, Famous Monsters  
8 of Filmland, and the Captain Company since June 23, 2000.  
9 Notwithstanding the Magazine Business Assets Transfer, the Magazine  
10 continues: (a) to be published from the Residence by the Debtor, (b)  
11 to use the same telephone number, post office box and website as  
12 before, (c) to be written and produced by the Debtor, (d) to exploit  
13 the Trademark, (e) to sell the same mail order merchandise, (f) to  
14 use the dba Captain Company, and (g) to provide income to the  
15 Debtor, as though said transfer had never taken place.

16 17. On May 1, 2000, Gothix and the Debtor allegedly  
17 entered into a five-year written lease (the "Lease") of the "guest  
18 house" of the Residence (the "Lease Transfer"). No consideration is  
19 paid by the lessee Gothix to the lessor Debtor under the Lease. The  
20 Lease is void on its face as Gothix did not exist as a legal entity  
21 when the Lease was executed.

22 18. The Lease was never recorded prior to the Petition  
23 Date.

24 19. Like the Magazine Business Assets Transfer, the Lease  
25 Transfer (collectively, the "Transfers") was designed by the Debtor  
26 and the Defendants to defraud the Trustee, Ackerman and the Debtor's  
27 other creditors.

28 20. By a minute order entered on October 6, 2000 in the

1 State Court Fraud Action, the Honorable Stephen D. Petersen, Judge  
2 of the Los Angeles Superior Court, found "that there appears to be  
3 a fraudulent transfer of defendant's properties based on the  
4 following: the transfer was made to an insider, the transfer was  
5 concealed, there was little or no consideration for the transfer,  
6 the judgment debtor becoming insolvent after the transfer,  
7 inconsistencies on the circumstances surrounding the transfer and  
8 the time of the transfer from the verdict period to the signing of  
9 the judgment. Court finds that there is prima facie case of  
10 f[r]audulent transfer of assets of Raymond Ferry and Dynacomm to  
11 Gothix Marketing and Gene Reynolds."

12           21. At all times herein mentioned there existed a unity  
13 of interest and ownership among the Defendants and the Debtor, such  
14 that they are the alter egos of each other, as the Defendants are,  
15 and at all times herein mentioned were, mere instrumentalities and  
16 conduits through which the Debtor has frustrated Ackerman's lawful  
17 attempts to satisfy the Judgment, and through which the Debtor has  
18 continued to enjoyed the profits of the Magazine and his occupancy  
19 of the Residence exactly as he had prior to the Transfers; the  
20 Debtor exercises such complete control and dominance over the  
21 Defendants that any individuality or separateness of Reynolds,  
22 Gothix and the Debtor do not, and at all times material herein did  
23 not, exist.

24  
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1 FIRST CAUSE OF ACTION

2 AVOIDANCE OF PREFERENTIAL TRANSFERS

3 [11 U.S.C. § 547(b)]

4  
5 22. Plaintiff realleges each and every allegation  
6 contained in paragraphs 1-21 of this Complaint and, by this  
7 reference, incorporates said allegations as though set forth fully  
8 herein.

9 23. Plaintiff is informed and believes, and thereon  
10 alleges that the Transfers were made to the Defendants for the  
11 Defendants' benefit as creditors of the Debtor.

12 24. Plaintiff is informed and believes, and thereon  
13 alleges that the Transfers were made to the Defendants on account of  
14 an antecedent debt owed by the Debtor to the Defendants before said  
15 Transfers were made.

16 25. Plaintiff is informed and believes, and thereon  
17 alleges that the Transfers were made to the Defendants while the  
18 Debtor was insolvent.

19 26. Plaintiff is informed and believes, and thereon  
20 alleges that the Transfers were made to the Defendants within one  
21 year of the Petition Date.

22 27. Plaintiff is informed and believes, and thereon  
23 alleges that the Transfers enabled the Defendants to receive more  
24 than the Defendants would otherwise receive if: (a) the Debtor's  
25 case were a case under chapter 7 of the United States Bankruptcy  
26 Code, (b) the Transfers had not been made, and (c) the Defendants  
27 had received payment of the Defendants' debt to the extent provided  
28 by the provisions of the Bankruptcy Code.

1           28. By reason of the foregoing, the Transfers are  
2 avoidable pursuant to Section 547(b).  
3

4                           **SECOND CAUSE OF ACTION**

5                   **AVOIDANCE OF FRAUDULENT TRANSFERS, ACTUAL INTENT**

6                           **[11 U.S.C. § 548(a)(1)(A)]**  
7

8           29. Plaintiff realleges each and every allegation  
9 contained in paragraphs 1-21 of this Complaint and, by this  
10 reference, incorporates said allegations as though set forth fully  
11 herein.

12           30. Plaintiff is informed and believes, and thereon  
13 alleges that the Debtor and the Defendants made the Transfers with  
14 the actual intent to hinder, delay, or defraud any entity to which  
15 the Debtor was or became indebted to, on or after the date such  
16 Transfers were made or such obligation was incurred.

17           31. By reason of the foregoing, the Transfers are  
18 avoidable pursuant to Section 548(a)(1)(A).  
19

20                           **THIRD CAUSE OF ACTION**

21                   **AVOIDANCE OF FRAUDULENT TRANSFERS, CONSTRUCTIVE INTENT**

22                           **[Insolvency]**

23                           **[11 U.S.C. § 548(a)(1)(B)(i) and (ii)(I)]**  
24

25           32. Plaintiff realleges each and every allegation  
26 contained in paragraphs 1-21 of this Complaint and, by this  
27 reference, incorporates said allegations as though set forth fully  
28 herein.

1 33. Plaintiff is informed and believes, and thereon  
2 alleges that the Debtor received less than reasonably equivalent  
3 value for the Transfers from the Defendants.

4 34. Plaintiff is informed and believes, and thereon  
5 alleges that the Debtor was insolvent on the dates that the  
6 Transfers were made, or become insolvent as a result of the  
7 Transfers.

8 35. By reason of the foregoing, the Transfers are  
9 avoidable pursuant to Section 548(a)(1)(B)(i) and (ii)(I).

10  
11 **FOURTH CAUSE OF ACTION**

12 **AVOIDANCE OF FRAUDULENT TRANSFERS, CONSTRUCTIVE INTENT**

13 **[Unreasonably Small Capital]**

14 **[11 U.S.C. § 548(a)(1)(B)(i) and (ii)(II)]**

15

16 36. Plaintiff realleges each and every allegation  
17 contained in paragraphs 1-21 of this Complaint and, by this  
18 reference, incorporates said allegations as though set forth fully  
19 herein.

20 37. Plaintiff is informed and believes, and thereon  
21 alleges that the Debtor received less than reasonably equivalent  
22 value for the Transfers from the Defendants.

23 38. Plaintiff is informed and believes, and thereon  
24 alleges that the Debtor was engaged in the business of publishing  
25 the Magazine for which any property remaining with the Debtor after  
26 the Transfers was an unreasonably small amount of capital.

27 39. By reason of the foregoing, the Transfers are  
28 avoidable pursuant to Section 548(a)(1)(B)(i) and (ii)(II).

1 FIFTH CAUSE OF ACTION

2 RECOVERY OF AVOIDED TRANSFERS

3 [11 U.S.C. § 550(a)]

4  
5 40. Plaintiff realleges each and every allegation  
6 contained in paragraphs 1-39 of this Complaint and, by their  
7 reference, incorporates said allegations as though set forth fully  
8 herein.

9 41. By reason of the foregoing, Plaintiff is entitled to  
10 recover the Transfers or their value against the Defendants pursuant  
11 to Section 550(a).

12  
13 SIXTH CAUSE OF ACTION

14 CONSTRUCTIVE TRUST, INJUNCTION, ACCOUNTING AND TURNOVER

15 [11 U.S.C. §§ 105(a), 542 and 544(b), 28 U.S.C. § 2201(a)

16 and Cal. Civ. Code § 2224]

17  
18 42. Plaintiff realleges each and every allegation  
19 contained in paragraphs 1-41 of this Complaint, and by their  
20 reference incorporates said allegations as though set forth fully  
21 herein.

22 43. Plaintiff is informed and believes, and thereon  
23 alleges that through the Transfers, which constitutes fraudulent and  
24 preferential transfers as to Plaintiff herein, the Defendants  
25 obtained possession of the Magazine Business Assets and the  
26 Residence which constitute property of the Estate pursuant to  
27 Section 541(a)(1). An actual controversy exists in that the  
28 Defendants assert legal title to the Magazine Business Assets and

1 lawful possession of the Residence, and the Defendants' claim is  
2 preventing turnover of same to the Trustee.

3 44. Plaintiff is informed and believes, and thereon  
4 alleges that the Defendants have held the Magazine Business Assets  
5 as a constructive trustee for Plaintiff's benefit since May 15,  
6 2000, and the Defendants have received monies through the operation  
7 of the Magazine and the exploitation of the Trademark, all of which  
8 are due Plaintiff.

9 45. Plaintiff is informed and believes, and thereon  
10 alleges that the amount of money due from the Defendants to  
11 Plaintiff is unknown to Plaintiff and cannot be ascertained without  
12 an accounting of the receipts and disbursements of the  
13 aforementioned operations of the Magazine since May 15, 2000.

14 46. Plaintiff is informed and believes, and thereon  
15 alleges that on April 3, 2001, Plaintiff demanded that the  
16 Defendants account for the aforementioned monies and pay the amount  
17 found due to Plaintiff, and that the Defendants turnover the  
18 Magazine Business Assets to the Trustee, but the Defendants have  
19 failed and refused, and continue to fail and refuse to render said  
20 accounting and pay Plaintiff, and to turnover the Magazine Business  
21 Assets to the Trustee.

22 47. Plaintiff is informed and believes, and thereon  
23 alleges that Plaintiff is faced with irreparable injury if an  
24 injunction does not issue ordering the Defendants and each of them  
25 to cease publication of the Magazine, to cease their unlawful  
26 exploitation of the Trademark, to turn over monies they have  
27 collected from their unlawful exploitation of the Magazine and the  
28 Trademark and to vacate the Residence. Plaintiff has no adequate

1 remedy at law, in that the Debtor and the Defendants have shown a  
2 propensity to fraudulently transfer assets to avoid the claims of  
3 the Debtor's creditors, and unless an injunction is issued to  
4 prevent same, any judgment that Plaintiff obtains against the  
5 Defendants for damages may be uncollectible.

6 48. By reason of the foregoing, Plaintiff is entitled to  
7 relief pursuant to 28 U.S.C. § 2201(a) and 11 U.S.C.  
8 §§ 105(a), 542(a), and Cal. Civ. Code § 2224.

9 **WHEREFORE**, the Trustee respectfully prays for judgment  
10 against the Defendants as follows:

11 a. On the first, second, third and fourth causes of  
12 action, that the Transfers be avoided for the benefit of the Estate.

13 b. On the fifth cause of action, either:

14 (1) damages in the amount of \$1,000,000.00,  
15 which is the value of the Transfers, plus interest at the legal rate  
16 from the date of the Transfers; or

17 (2) the return to the Trustee of all of the  
18 Estate assets received by the Defendants pursuant to the Transfers  
19 and the Lease be declared void *ab initio*.

20 c. On the sixth cause of action, for a declaratory  
21 judgment that the Defendants own no claim or interest in the  
22 Magazine Business Assets, that the Magazine Business Assets are  
23 property of the Estate, that the Lease is void *ab initio*, that the  
24 Defendants turn over to Plaintiff the Magazine Business Assets and  
25 the Residence, that the Defendants give an accounting to the Trustee  
26 as to all monies obtained or spent by them since May 15, 2000  
27 through their possession of the Magazine Business Assets and the  
28 Residence and that any surplus be turned over to the Trustee.

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d. On all causes of action, that the Trustee be awarded costs and attorney's fees incurred in connection with this action;

e. On all causes of action, that the Trustee be awarded punitive damages; and

f. For such other and further relief as this court deems just and proper.

DATED: 4/04/01

SULMEYER, KUPETZ, BAUMANN & ROTHMAN  
A Professional Corporation

By Wesley H. Avery  
Wesley H. Avery  
Attorneys for David K. Gottlieb,  
Chapter 7 Trustee