

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In Re:) Chapter 7
)
KEITH DOUGLAS FREEMAN,) Case No. 24-00059
)
Debtor.) Honorable Donald R. Cassling

NOTICE OF MOTION

TO: See attached list

PLEASE TAKE NOTICE that on **Tuesday, February 20, 2024, at 9:30 a.m.**, I will appear before the Honorable Donald R. Cassling, or any judge sitting in that judge’s place, **either** in courtroom 619 of the Everett McKinley Dirksen United States Courthouse, 219 S. Dearborn Street, Chicago, IL 60604, **or** electronically as described below, and present the **Motion for Rule 2004 Examination of the Debtor** a copy of which is attached.

Important: Only parties and their counsel may appear for presentment of the motion electronically using Zoom for Government. All others must appear in person.

To appear by Zoom using the internet, go to this link: <https://www.zoomgov.com/>. Then enter the meeting ID and passcode.

To appear by Zoom using a telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and passcode.

Meeting ID and passcode. The meeting ID for this hearing is **161 414 7941** and the passcode is **619**. The meeting ID and passcode can also be found on the judge’s page on the court’s web site.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without calling it.

/s/ Adam G. Brief
Adam G. Brief, Assistant U.S. Trustee
United States Department of Justice
Office of the United States Trustee
219 South Dearborn, Room 873
Chicago, Illinois 60604
202.503.7104

CERTIFICATE OF SERVICE

I, Adam G. Brief, Assistant U.S. Trustee certify that on February 12, 2024, I caused to be served copies of the *Notice of Motion, Motion for Rule 2004 Examination of the Debtor* and *Proposed Order* on the ECF Registrants shown below *via* the Court's Electronic Notice for Registrants and for all other entities listed on the service list, *via* First Class US Mail.

/s/ Adam G. Brief _____

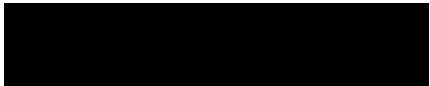
SERVICE LIST

Registrants Served Through the Court's Electronic Notice for Registrants:

- **Michael K Desmond** mkd.trustee@sgrlaw.com IL23@ecfcbis.com
- **Patrick S Layng** USTPRegion11.ES.ECF@usdoj.gov
- **Kristin T Schindler** ndil@geracilaw.com

**Parties Served via First Class Mail:
(Served by BMC Group)**

Keith Douglas Freeman



Atlas Acquisitions LLC
492C Cedar Lane, Ste 442
Teaneck, NJ 07666

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MOTION FOR RULE 2004 EXAMINATION OF THE DEBTOR

Now comes Patrick S. Layng, the United States Trustee for Region 11 (the “U.S. Trustee”), by the Assistant U.S. Trustee Adam G. Brief, and moves the Court to enter an order authorizing discovery from Keith Douglas Freeman (the “Debtor”) pursuant to Fed. R. Bankr. P. 2004. As his reasons for this request, the U.S. Trustee states to the Court as follows.

1. This is a core proceeding under 28 U.S.C. §157(b)(2)(A) which this Court may hear and determine pursuant to Internal Operating Procedure 15(a) and Local Rule 40.3.1(a) of the United States District Court for the Northern District of Illinois and Local Bankruptcy Rule 9013-9.

2. Movant is the U.S. Trustee and brings this motion pursuant to Fed. R. Bankr. P. 2004.

3. On January 3, 2024, the Debtor filed his voluntary petition for relief under Chapter 7 of the Bankruptcy Code. On or about that same day, Michael K. Desmond was appointed Chapter 7 Trustee in the Debtor’s case.

4. The Debtor’s Schedule I reflected the Debtor is employed as Municipality Manager at the Thorton Township and earns \$5,833.36 in gross monthly wages and a monthly income as “reimbursement” in the amount of \$2,345.00 with a total monthly income listed as \$8,178.36 (or \$98,140.32 annually).

5. The Debtor's Statement of Financial Affairs ("SOFA"), question four, reflected the Debtor had employment income of \$99,647.00 for 2023 and \$45,186.00 for 2022.

6. On January 23, 2024, the U.S. Trustee sent an email to counsel asking for certain financial documents, which have been provided. The information on the documents received is inconsistent with the information on the Debtor's schedules.

7. The U.S. Trustee seeks further information and documents to verify the veracity, truthfulness, and completeness of the Debtor's petition, schedules, statement of financial affairs, means test, amended schedules (if any) and testimony given at the meeting of creditors in order to determine whether there may be a basis to object to the Debtor's discharge under Section 727 of the Bankruptcy Code or file a motion to dismiss Debtor's case pursuant to Section 707. To do so, the U.S. Trustee needs to review documents and elicit testimony from the Debtor under Federal Rule of Bankruptcy Procedure 2004(c), which may include the production of documents and attendance at an examination.

WHEREFORE, the U.S. Trustee requests the Court enter an order authorizing the U.S. Trustee to conduct discovery of the Debtor pursuant to Fed. R. Bankr. P. 2004, and for such other relief as is just.

RESPECTFULLY SUBMITTED:

PATRICK S. LAYNG
UNITED STATES TRUSTEE

DATED: February 12, 2024

By: /s/ Adam G. Brief
Adam G. Brief, Assistant U.S. Trustee
United States Department of Justice
Office of the United States Trustee
219 South Dearborn, Room 873
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