

UNITED STATES BANKRUPTCY COURT
DISTRICT OF ALASKA

IN RE:

POMRENKE MINING, LLC

Debtor.

Case No. 19-00083 GS

Chapter No. 7

**ORDER (1) GRANTING MOTION FOR TELEPHONIC APPEARANCE
AND (2) DENYING MOTION TO SHORTEN TIME AS MOOT**

On April 5, 2019, debtor Pomrenke Mining, LLC (Debtor) filed its Motion for Telephonic Appearance (ECF No. 20) (Motion), seeking a court order authorizing Debtor's representative, who resides in Texas, to appear telephonically for Debtor's April 19, 2019 Section 341(a) Meeting of Creditors. The Motion was accompanied by Debtor's *Ex Parte* Motion to Shorten Time (ECF No. 21), seeking a hearing on the Motion on shortened notice. In the Motion to Shorten Time, Debtor represented that the chapter 7 trustee does not oppose a telephonic appearance by Debtor's representative at the Section 341(a) meeting, but requested that Debtor file the Motion.

AK LBR 2003-1(a) addresses requests for telephonic appearance by debtors attending Section 341(a) meetings of creditors. Per AK LBR 2003-1(a)(1), debtors more than 150 air miles from the court may ask the trustee for permission to attend telephonically. In the event such request is denied, AK LBR 2003-1(a)(2) provides, "*If the trustee requires the personal appearance of the debtor(s), the court may grant a waiver of personal appearance at the creditors meeting on the motion of the debtor(s) for good cause shown after a hearing on notice given to all interested parties.*" [Emphasis added].

This rule was amended to permit case trustees to decide when to permit telephonic appearances while allowing for limited review. Here, the trustee has stated his non-opposition to Debtor's telephonic appearance. There being no dispute as to the debtor's telephonic appearance as permitted by AK LBR 2003-1(a)(1), there is no need for a hearing. Accordingly,

IT IS HEREBY ORDERED that Debtor's Motion for Telephonic Appearance (ECF No. 20) is GRANTED.

IT IS FURTHER ORDERED that Debtor's Ex Parte Motion to Shorten Time (ECF No. 21) is DENIED as moot. In light of the trustee's non-opposition to Debtor's telephonic appearance at the Section 341(a) Meeting of Creditors, the court has decided the Motion for Telephonic Appearance without the notice and hearing typically required under AK LBR 2003-1(a)(2).

DATED this 5th day of April, 2019.

By: /s/ Gary Spraker
GARY SPRAKER
United States Bankruptcy Judge

Serve: Debtor
M. Mills, Esq.
J. Travostino, Esq.
C. Christianson, Esq.
K. Battley, Trustee
U.S. Trustee
ECF Participants via NEF
Case Manager