

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

In re: ) Case No. 10-50494  
)  
FAIR FINANCE COMPANY ) Chapter 7  
)  
Debtor. ) Chief Judge Marilyn Shea-Stonum  
)

**STATUS REPORT FOR JULY 12, 2011 STATUS CONFERENCE**

Brian A. Bash, Trustee herein, submits the following summary of the status of the Trustee’s administration of the estate:

Since the June 14, 2011 Status Report To this Court, the Trustee, with the assistance of his professionals, has accomplished the following key items:<sup>1</sup>

a) The Trustee has filed a complaint against National Lampoon, Inc. to avoid approximately \$9 million in fraudulent transfers and a motion to appoint a receiver over National Lampoon in an effort to preserve and prevent dissipation of assets.

b) The Trustee has settled litigation, pending approval of this Court, with the Committee to Elect Paul Ricketts, the Greater Indianapolis Republican Finance Committee, and the Marion County Republican Central Committee.

c) The Trustee has served subpoenas upon Textron Financial Corporation, Summit Alternative Investments, and Robert J. Laikin.

d) The Trustee has obtained a judgment against Jeffrey Osler on his note obligation.

e) The Trustee has obtained an order determining the issue of privilege regarding certain emails on the servers within his possession and has commenced the process of accessing and reviewing those documents.

f) The Trustee has filed a Motion to reserve a ruling on National Union’s *Motion to Permit Advancement of Defense Costs*, in order to afford an opportunity for focused settlement discussions.

<sup>1</sup> The Trustee and his professionals have addressed and resolved many of the administrative issues in this matter. This list is not exhaustive, but focuses on the issues most significant to asset recovery.



105049411071100000000001

g) The Trustee's forensic accountant has been deposed in the *Laikin* adversary and has continued to analyze Debtor's financial statements.

h) The Trustee has commenced settlement discussions with defendants in the adversary proceedings and has continued to pursue ongoing litigation.

i) The Trustee has sold the three remaining automobiles in its possession and has collected the balance of sale proceeds.

h) The majority of the Trustee's professionals' time has been spent investigating, identifying and developing numerous potential claims and causes of action.

In the following weeks, the Trustee intends to focus on accomplishing the following key actions:

1) Developing and filing causes of action to recover funds for the estate, including avoidance claims under chapter 5 of the Bankruptcy Code, breach of contract claims against loan recipients, and other claims.

2) Taking depositions in Cleveland, Indianapolis, and Los Angeles, and issuing additional requests for documents and examinations pursuant to Rule 2004.

3) Sending additional demand letters and pursuing additional obligations owing to the estate.

4) Negotiating the potential sale of United Trailers, Obsidian's only operating subsidiary, on whose assets the Trustee holds a second lien.

Date: July 11, 2011

Respectfully submitted,

/s/ Brian A. Bash

Brian A. Bash, Trustee (0000134)

Kelly S. Burgan (0073649)

Baker & Hostetler LLP

PNC Center

1900 East 9<sup>th</sup> Street, Suite 3200

Cleveland, OH 44114-3482

Telephone: 216.621.0200

Facsimile: 216.696.0740

Email: BashTrustee@Bakerlaw.com Email:

kbargan@bakerlaw.com

*Counsel for the Trustee*

## CERTIFICATE OF SERVICE

A copy of the foregoing has been served via ECF or regular, U.S. Mail, on July 11, 2011,  
on the attached service list.

*/s/ Brian A. Bash*

---

Brian A. Bash

## SERVICE LIST

### Electronic Mail Notice List

The following is the list of **parties** who are currently on the list to receive e-mail notice/service for this case.

- Brian A Bash bashtrustee@bakerlaw.com, bbash@ecf.epiqsystems.com
- Brian A Bash BBash@bakerlaw.com
- Kelly Burgan kburgan@bakerlaw.com
- Anthony J. Cespedes ajc1253@yahoo.com
- Adam D. Cornett acornett@taftlaw.com, cmillner@taftlaw.com;docket@taftlaw.com
- Breaden M Douthett bdouthett@bakerlaw.com, krossiter@bakerlaw.com
- J Douglas Drushal ddrushal@ccj.com
- Joseph Esmont jesmont@bakerlaw.com, joe.esmont@gmail.com
- Leon Friedberg lfriedberg@cpmlaw.com, rswoager@cpmlaw.com;squinn@cpmlaw.com
- H Ritchey Hollenbaugh hrh@cpmlaw.com, rms@cpmlaw.com;slq@cpmlaw.com
- Cynthia A Jeffrey ecfdoh@reimerlaw.com, RACJ.ecfdoh@yahoo.com
- Stuart A. Laven slaven@beneschlaw.com, docket@beneschlaw.com;mkrawczyk@beneschlaw.com;lbehra@beneschlaw.com
- Trish D. Lazich trish.lazich@ohioattorneygeneral.gov, angelique.seals@ohioattorneygeneral.gov
- Scott B. Lepene slepene@beneschlaw.com, docket@beneschlaw.com;mkrawczyk@beneschlaw.com;lbehra@beneschlaw.com
- David A Looney attorney@bright.net
- Grant A Mason gamason@millermast.com
- Matthew H Matheney mmatheney@frantzward.com, dlbeatrice@frantzward.com
- Shorain L. McGhee shorain.mcghee@sbcglobal.net
- David P. Meyer dmeyer@dmlaws.com, docket@dmlaws.com
- David Polan Meyer dmeyer@dmlaws.com
- Michael J Moran moranecf@yahoo.com
- David A Mucklow davidamucklow@yahoo.com
- Mark A Phillips mphillips@beneschlaw.com, docket@beneschlaw.com;lbehra@beneschlaw.com;cgreen@beneschlaw.com
- Timothy Paul Piatt tppiatt@mgplaborlaw.com
- Clinton E. Preslan ndohbky@jbandr.com
- David F. Proano dproano@bakerlaw.com
- Stephen J Pruneski spruneski@rlblp.com
- Ray H Stoess raystoess@600westmain.com
- Vance P Truman medinaatty@yahoo.com, medinaatty@gmail.com
- United States Trustee
- Nancy A Valentine navalentine@hahnlaw.com, hlpcr@hahnlaw.com
- Thomas C Wagner wagnert@tcwlawyers.com, wagnert@vwlawyers.com
- Wayne County Litigants ddrushal@ccj.com

## Manual Notice List

The following is the list of **parties** who are **not** on the list to receive e-mail notice/service for this case (who therefore require manual noticing/service).

Emily S. Donahue  
Jackson Walker L.L.P.  
901 Main Street, Suite 6000  
Dallas, TX 75202

Eric W. Sleeper  
Barton Barton & Plotkin LLP  
420 Lexington Avenue  
New York, NY 10170

Christine A. Arnold  
6005 Twin Lakes Drive  
Parma, OH 44219

Gary Sallee  
11650 Olio Road, Suite 1000-333  
Fishers, IN 46037

Charles R. Dyas, Jr.  
Barnes & Thornburg LLP  
Fifth Third Center  
21 East State Street, Suite 1850  
Columbus, OH 43215

Robert Hanlon  
Eileen Hanlon  
P.O. Box 42  
State Route 43  
Mogadore, OH 44260

Leon Friedberg  
Dennis J. Concilla  
Carl A. Aveni  
H. Ritchey Hollenbaugh  
Carlile Patchen & Murphy LLP  
366 Broad Street  
Columbus, OH 43215

John McCauley, Esq.  
J. Richard Kiefer, Esq.  
Bingham McHale LLP  
2700 Market Tower  
10 West Market Street  
Indianapolis, IN 46204

Robert Boote  
Ballard Spahr LLP  
919 North Market Street, 12th Floor  
Wilmington, DE 19801-3034

Tobey Daluz  
Ballard Spahr LLP  
919 North Market Street, 12th Floor  
Wilmington, DE 19801-3034

Leslie C Heilman  
Ballard Spahr LLP  
919 North Market Street, 12th Floor  
Wilmington, DE 19801-3034

Jay Jaffe  
Baker & Daniels LLP  
600 E. 96th Street, Suite 600  
Indianapolis, IN 46240

Michael V. Demczyk  
12370 Cleveland Avenue, NW  
P.O. Box 867  
Uniontown, OH 44685