



Pillsbury Winthrop Shaw Pittman LLP
31 West 52nd Street | New York, NY 10019-6131 | tel 212.858.1000 | fax 212.858.1500

Leo T. Crowley
Patrick E. Fitzmaurice
Kwame O. Akuffo
Tel: +1.212.858.1000
tel: +1.212.858.1500
leo.crowley@pillsburylaw.com
patrick.fitzmaurice@pillsburylaw.com
kwame.akuffo@pillsburylaw.com

November 1, 2023

Honorable Michael E. Wiles
United States Bankruptcy Court
Southern District of New York
One Bowling Green, Courtroom 617
New York, NY 10004-1408

Re: ***In re JCK Legacy Company et al***, Case No. 20-10418 (MEW)
Letter Response to Alberto Colt-Sarmiento's Letter Requesting
Credentials

Dear Judge Wiles:

We represent Yale Scott Bogen, the appointed successor trustee (the “**Successor GUC Recovery Trustee**”) of the JCK Legacy GUC Recovery Trust (the “**GUC Recovery Trust**”) created under the confirmed Chapter 11 plan of distribution in the above-referenced case. *See* ECF No. 879.

On October 18, 2023, Alberto Colt-Sarmiento filed a letter requesting the Successor GUC Recovery Trustee’s “license profile” and “entire credentials” (the “**Letter Request**”) and, in support, Mr. Colt-Sarmiento stated that he “need[s] to know who [he] is dealing with.”¹ It thus appears that this submission by Mr. Colt-Sarmiento may be related to his earlier objection to the *Notice of Presentment of Motion for Entry of an Order Appointing Yale Scott Bogen as Successor GUC Recovery Trustee of the JCK Legacy GUC Recovery Trust* (the “**Presentment Motion**”). *See* ECF No. 1547. That objection was overruled by the Court by order dated July 7, 2023. *See* ECF No. 1548.

¹ A copy of the *Letter Requesting Credentials* is attached as **Exhibit A**.



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The Letter Request should be denied without further action because the Successor GUC Recovery Trustee's credentials were described in detail in the Presentment Motion, which was granted on June 23, 2023, *see* ECF Nos. 1541 and 1543, and because the Court has overruled Mr. Colt-Sarmiento's objection to the Presentment Motion. *See* ECF No. 1548. Further, Mr. Colt-Sarmiento is not entitled to additional information about the Successor GUC Recovery Trustee because he is not a beneficiary of the GUC Recovery Trust and therefore is not a party in interest herein.²

For the foregoing reasons, the Letter Request should be denied, and a proposed order for the Court's consideration and entry on the docket is attached as **Exhibit C**.

Respectfully submitted,

/s/ Leo T. Crowley

Leo T. Crowley

Patrick E. Fitzmaurice

Kwame O. Akuffo

Counsel to Successor GUC Recovery Trustee

² On September 7, 2022, the Court entered an order disallowing Proof of Claim No. 2725 filed by Mr. Colt-Sarmiento. A copy is attached as **Exhibit B**.

Exhibit A

Letter Requesting Credentials

OCT 18 2023

RE: YALE SCOTT BOGEN

Hello. I would like to request Yale Scott Bogen's License Profile; and entire Credentials. I need to know who I am dealing with. See *Younge v. United States Trustee, Region 16 (In re Younge)*, 2020 U.S. Dist. LEXIS 169710, 2020 WL 5548742 (C.D. Cal.

September 15, 2020) (at fn3). Thank you for your cooperation; I will be waiting for a ruling on this point.

X Alberto Colt-S

ALBERTO COLT-S

Without Prejudice

RE: Phone Call or Zoom hearing to make
Contact & establish Communication
about concerns:

Hi. I have been in communication with every-
one in this Lawsuit through letters & motions
but I would like to be able to access someone
over the phone & to schedule a date & phone
time to talk to someone about my claim.

Because I'm in Prison my Prison won't honor
Bankruptcy proceedings & doesn't have the system
that is used to communicate. We have Zoom
and we have cell phones now in prison. So if
Someone can respond to me via letter & give
me a date a month out so I can be prepared
& time to call; it will be helpful. I have ques-
tions about other claims & what that means
for me for bringing them to JCK LEGACY for
reconstruction? I hope to collaborate soon &
I understand I am just a Prisoner to everyone
here but I also have a voice. I also would
like help sealing & classifying all my discovery;

in the event another inmate files a claim; it
will place my life in jeopardy if my claim
isn't classified. My claim is so classified &
Unique.

ALBERTO COLT. S
x Alberto Colt. S
"ALL RIGHTS RESERVED,
WITHOUT PREJUDICE
UCC 1-308"

Exhibit B

Order Disallowing Proof of Claim No. 2725

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X	
In re:	: Chapter 11
	:
JCK LEGACY COMPANY, <i>et al.</i>,	: Case No. 20-10418 (MEW)
	:
Debtors.	: (Jointly Administered)
-----X	

**ORDER DISALLOWING PROOF OF CLAIM
NUMBER 2725 FILED BY ALBERTO COLT-SARMIENTO**

This matter having come before the Court upon the objection by William A. Brandt, Jr., the trustee (the “**Trustee**”) of the JCK Legacy GUC Recovery Trust that was created under the confirmed plan of reorganization in these cases, to proof of claim number 2725, filed by Alberto Colt-Sarmiento on July 19, 2020; and the Court having fully considered the matter; and for the reasons stated in the Decision Disallowing Proof of Claim Number 2725 Filed By Alberto Colt-Sarmiento, filed this same day,

IT IS HEREBY ORDERED:

1. Mr. Colt-Sarmiento’s request for further extension of the response deadline is denied.
2. The Trustee’s Claim Objection is sustained, and proof of claim 2725 is hereby disallowed and expunged.

Dated: New York, New York
September 7, 2022

s/Michael E. Wiles
Hon. Michael E. Wiles
United States Bankruptcy Judge

Exhibit C

Proposed Order

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

----- X
In re: : Chapter 11
: :
JCK LEGACY COMPANY, *et al.*, : Case No. 20-10418 (MEW)
: :
Debtors.¹ : (Jointly Administered)
: :
: **Related Docket No. 1563**

----- X
ORDER DENYING ALBERTO COLT-SARMIENTO'S LETTER REQUEST

On June 2, 2023, the GUC Recovery Trustee filed the *Notice of Presentment of Motion for Entry of an Order Appointing Yale Scott Bogen as Successor GUC Recovery Trustee of the JCK Legacy GUC Recovery Trust* (the “**Motion**”) [ECF No. 1541]. The Motion was accompanied by a declaration by Mr. Bogen that detailed his credentials and qualifications for appointment as successor trustee. On June 23, 2023, the Court entered an order granting the Motion and appointing Mr. Bogen as successor trustee (the “**Successor GUC Recovery Trustee**”) of the JCK Legacy GUC Recovery Trust (the “**GUC Recovery Trust**”). *See* ECF No. 1543. On July 5, 2023, the Clerk of the Court received an Objection to the Motion from Mr. Colt-Sarmiento [ECF No. 1547], which Objection was overruled by order dated July 7, 2023 [ECF No. 1548]. On October 18, 2023, Alberto Colt-Sarmiento filed a letter requesting the “license” and “entire credentials” of the Successor GUC Recovery Trustee (the “**Letter Request**”). *See* ECF No. 1563. Upon consideration of the Motion and the Letter Request, it is hereby ordered that the Letter Request is **DENIED** because (i) the declaration accompanied by the Motion describes in detail Mr. Bogen’s qualifications to serve as the Successor GUC

¹ The Debtors in these chapter 11 cases and the last four characters of each Debtor’s tax identification number are: JCK Legacy Company (0478) and Herald Custom Publishing of Mexico, S. de R.L. de C.V. (5UZ1). The location of the Successor GUC Recovery Trustee’s service address for purposes of these chapter 11 cases is: 500 West Cypress Creek Road Suite 400 Fort Lauderdale, Florida 33309.

Recovery Trustee, and (ii) Mr. Colt-Sarmiento is not a entitled to receive any other information concerning the Successor GUC Recovery Trustee because he is not a beneficiary of the GUC Recovery Trust and thus is not a party in interest with any pecuniary interest in the above-captioned case. *See* ECF No. 1523 (order disallowing Proof of Claim No. 2725 filed by Alberto Colt-Sarmiento).

Dated: October __, 2023
New York, NY

Honorable Michael E. Wiles
United States Bankruptcy Judge