

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

IN RE:) CHAPTER 11
) CASE NO. 08-02751-D
AGRIPROCESSORS, INC.,)
)
)
)
)
)
Debtor.)

ORDER GRANTING U.S. TRUSTEE'S MOTION
TO CONVERT CASE FROM CHAPTER 11 TO CHAPTER 7

The matter before the court is the U.S. Trustee's motion to convert this case from chapter 11 to chapter 7 (doc. 965, filed September 15, 2009). The motion was served with a bar date notice on all creditors and parties-in-interest on September 17, 2009 (doc. 968). The bar date for objections was October 7, 2009. No objections have been filed with the court and the time for filing them has passed. The motion states that the chapter 11 trustee consents to the requested relief. The court finds that cause exists to grant the U.S. Trustee's motion pursuant to 11 U.S.C. § 1112(b)(1).

IT IS, THEREFORE, ORDERED that this case is converted from chapter 11 to chapter 7.

Dated and entered: October 8, 2009



Paul J. Kilburg
Bankruptcy Judge

Prepared by:
John F. Schmillen, ID 76543
Attorney for U.S. Trustee

P.O. Box 74890
425 2nd Street SE
Suite 800
Cedar Rapids, IA 52407-4890

In Re a Petition for Relief under chapter 7 of Title 11, U.S. Code, filed by or against the below-named Debtor(s) on October 8, 2009:

DEBTOR : Agriprocessors, Inc.
5600 First Avenue
Brooklyn, NY 11220

CASE NO. 08-02751

***APPOINTMENT OF INTERIM TRUSTEE
AND APPROVAL OF STANDING BOND***

NOTICE IS HEREBY GIVEN THAT:

1. The following interim trustee is hereby appointed, and the trustee's standing bond is fixed under the general blanket bond heretofore approved.

Joseph E. Sarachek
75 Rockefeller Plaza
16th Floor
New York, NY 10020

2. If the trustee rejects this appointment, the court and U.S. Trustee's office must be notified within five (5) days of receipt of this appointment. Otherwise, the trustee will be deemed to have accepted the appointment.

3. The undersigned deputy clerk certifies that on this date a copy of this notice was served on the above-named trustee, debtor(s), attorney for debtor(s), and U.S. Trustee.

HABBO G. FOKKENA
U. S. TRUSTEE

Dated: October 8, 2009 nbec

REJECTION

I, Joseph E. Sarachek, hereby reject appointment as Trustee.

Dated: This _____ day of _____, 20 ____.

Joseph E. Sarachek

In Re: CHAPTER 11
Bankruptcy No.

Agriprocessors, Inc. 08-02751

Debtor(s)

ORDER Regarding Conversion of Case under
Chapter 11 to Case Under Chapter 7

A party in interest other than the debtor has filed a motion in accordance with 11 U.S.C. § 1112(b) seeking to convert the case to a case under chapter 7 of the Bankruptcy Code (title 11 of the United States Code). The court finds that the motion should be granted.

IT IS ORDERED

1. This chapter 11 case is converted to a case under chapter 7.
2. The debtor, and the attorney for the debtor in the superseded case, are directed to file within 15 days after the date of this order:
 1. a final report as required under Bankruptcy Rule 1019(5); and
 2. a schedule of unpaid debts incurred after the commencement of the chapter 11 case, as required by Bankruptcy Rule 1019(5) accompanied by a certificate of service showing that the notice of the chapter 7 meeting of creditors was served upon all entities listed in the supplemental matrix required in paragraph 2(c) of this order; and
 3. a supplemental matrix conforming to the Local Rules listing only the names and addresses of the entities listed in the "schedule of unpaid debts"; and
 4. a statement of intention with respect to retention or surrender of property securing consumer debts, as required by 11 U.S.C. § 521(2)(A) and Bankruptcy Rule 1019(1)(B).
3. The debtor, or a trustee previously acting in the superseded chapter 11 case, shall forthwith turnover to the chapter 7 trustee all records and property of the estate under its custody and control as required by Bankruptcy Rule 1019(4).
4. If a trustee was appointed in the superseded case, the trustee shall, within 15 days after the date of this order, file a separate final report and account pursuant to Bankruptcy Rule 1019(5) and relevant sections of the Bankruptcy Code.

DATED and ENTERED October 8, 2009



Paul J. Kilburg
Chief Bankruptcy Judge