

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

**In re:**

**Andrei Leon Gill, Sr.,**

**Debtor.**

**Chapter 7**

**Bankruptcy No. 12-33419**

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**UNITED STATES TRUSTEE'S APPLICATION FOR ORDER AUTHORIZING RULE  
2004 EXAMINATION**

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1. The United States Trustee, through his undersigned attorney, applies to the Court for authorization to conduct an examination pursuant to Fed. R. Bankr. P. 2004. The United States Trustee seeks authorization to examine Andrei Leon Gill, Sr.
2. This case was commenced by the filing of a voluntary petition under Chapter 7 on June 5, 2012. The case is currently pending in this Court. This Court has jurisdiction over this application pursuant to 28 U.S.C. §§ 157 and 1334, Bankruptcy Rule 5005 and Local Rule 1070-1. This proceeding is a core proceeding. This Application arises under Bankruptcy Rule 2004 and is filed under Local Rule 2004-1(a).
3. The Christensen Law Office, PLLC filed a complaint against the debtor on August 27, 2012. (DE #17.) In the complaint, Christensen Law Office alleges that the debtor and World Wide Funding & Investments, Inc.<sup>1</sup> fraudulently obtained \$98,497.61 from Darlla Gravidall, one of the debtor's unsecured creditors, shortly after May 19, 2006. The complaint further alleges that the debtor and World Wide Funding obtained \$99,100 on June 29, 2007 in connection with the refinance of a property formerly owned by Ms. Gravidall.
4. Ms. Gravidall obtained a judgment against the debtor (and others) in the amount of

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<sup>1</sup> The debtor listed World Wide Funding & Investments, Inc. in response to Question 18a. on the Statement of

\$101,085.56. Of that amount, \$21,387.95 was assigned to Christensen Law Office.

The debtor now seeks to discharge the judgment obtained by Ms. Gravdall and subsequently assigned to Christensen Law Office. (DE #1, Schedule F).

5. The United States Trustee seeks an accounting of the disposition of the funds that the debtor allegedly received as described in Paragraph 3, *supra*. The United States Trustee also believes that an examination of the debtor, including the production of financial records, is appropriate under the circumstances to determine whether an action pursuant to 11 U.S.C. § 727 is appropriate.

WHEREFORE, the United States Trustee requests that the Court enter an order approving the examination, pursuant to Bankruptcy Rule 2004, of Andrei Leon Gill, Sr.

Dated: September 13, 2012

DANIEL M. MCDERMOTT,  
UNITED STATES TRUSTEE  
Region 12

/e/ Colin Kreuziger  
Colin Kreuziger  
Trial Attorney  
MN Atty # 0386834  
Office of the United States Trustee  
1015 U.S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415  
(612) 334-1350

**VERIFICATION**

I, Colin Kreuziger, trial attorney for the United States Trustee, the applicant named in the foregoing application, declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information and belief.

Executed on: September 13, 2012

Signed: /e/ Colin Kreuziger  
Colin Kreuziger  
Trial Attorney

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**MEMORANDUM OF LAW**

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The facts are as stated in the attached application. Fed. R. Bankr. P. 2004(a) provides: “On motion of a party in interest, the court may order the examination of any entity.” Local Rule 2004-1(a) provides: “A party seeking to examine the debtor or other entity under Federal Rule of Bankruptcy Procedure 2004 shall file with the court and serve on the United States Trustee an application for an order directing such examination.” As stated above, the United States Trustee believes that a 2004 examination of the debtor is appropriate in this matter to obtain information regarding the debtor’s financial affairs, including an accounting of the disposition of the funds allegedly fraudulently obtained by the debtor. Accordingly, the Court should grant the application for order authorizing Rule 2004 examination.

Dated: September 13, 2012

DANIEL M. MCDERMOTT,  
UNITED STATES TRUSTEE  
Region 12

/e/ Colin Kreuziger  
Colin Kreuziger  
Trial Attorney  
MN Atty # 0386834  
Office of the United States Trustee  
1015 U.S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415  
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**UNSWORN CERTIFICATE OF SERVICE**

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The undersigned states under penalty of perjury that on September 13, 2012, she electronically filed the United States Trustee's Application for Order Authorizing Rule 2004 Examination, Verification, and proposed Order, thereby causing electronic service on the debtor's counsel and the chapter 7 trustee. She also served the debtor by first class mail postage prepaid to the address listed below:

**Addressee(s):**

Andrei Leon Gill, Sr.  
P.O. 11863  
Minneapolis, MN 55411

**Via CM/ECF:**

Carl E Christensen: [carl@clawoffice.com](mailto:carl@clawoffice.com), [carlechristensen@gmail.com](mailto:carlechristensen@gmail.com)

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/e/ Audrey Williams

**Office of the United States Trustee**

**Audrey Williams**

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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**UNSWORN CERTIFICATE OF SERVICE**

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The United States Trustee's Application for Order Authorizing Rule 2004 Examination came before the Court. Upon the application, and upon any additional record made pursuant to Loc. R. Bankr. P. (D. Minn.) 2004-1(a),

IT IS HEREBY ORDERED:

1. Counsel for the United States Trustee is authorized to examine Andrei Leon Gill, Sr.
2. To give notice of the date and time of the examination, and to compel the attendance of the examinee and/or the production of documents in connection with the examination, counsel for the United States Trustee shall comply with Loc. R. Bankr. P. (D. Minn.) 2004-1(b).

Dated:

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Gregory F. Kishel  
Chief United States Bankruptcy Judge