

# U.S. BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA

Honorable Pamela W. McAfee

Tuesday, January 16, 2024

Current as of 01/16/2024 at 9:11 AM

Room 208, 300 Fayetteville Street

Raleigh Courtroom

Raleigh, NC 27601

**10:00 AM**      **23-02538-5-PWM**      Custom Logging, LLC  
Ch 11  
Trustee: Cook  
**Moving:** William Walt Pettit                      for Commercial Credit Group, Inc.  
**Opposing** Philip Sasser                              for Custom Logging, LLC  
Brian Behr    for Bankruptcy Administrator  
Lilian L. Faulconer                              for First-Citizens Bank & Trust  
Company  
John C. Bircher, III                              for First-Citizens Bank & Trust  
Company  
William H. Kroll                                  for M.J. Price Construction Co., Inc.  
  
Jill Walters    for John Deere Construction &  
Forestry Company  
Joseph J. Vonnegut                              for Bobby Taylor Oil Company, Inc.

**Matter:** [Motion to Continue Confirmation filed obo Commercial Credit Group](#)

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**10:00 AM**      **23-02538-5-PWM**      Custom Logging, LLC  
Ch 11  
Trustee: Cook  
**Moving:** Philip Sasser                              for Custom Logging, LLC  
**Opposing** William H. Kroll                              for M.J. Price Construction Co., Inc.  
  
William Walt Pettit                              for Commercial Credit Group, Inc.  
Lilian L. Faulconer                              for First-Citizens Bank & Trust  
Company  
John C. Bircher, III                              for First-Citizens Bank & Trust  
Company  
Brian Behr    for Bankruptcy Administrator

**Matter:** [Hearing on Confirmation of Chapter 11 Plan](#)

**Comment:**

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**10:00 AM**      **23-02538-5-PWM**      Custom Logging, LLC  
Ch 11  
Trustee: Cook  
**Moving:** Philip Sasser                      for Custom Logging, LLC  
**Opposing** Richard Preston Cook              for Richard Preston Cook  
Brian Behr                                      for Bankruptcy Administrator  
William Walt Pettit                          for Commercial Credit Group, Inc.

**Matter:** [Motion to Use Cash Collateral](#)

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**11:00 AM**      **23-01918-5-PWM**      Cam-Car College Collectibles L.L.C.  
Ch 7  
Trustee: Bircher

**Motion Withdrawn**

**Moving:** Paul A. Fanning                      for First Citizens Bank & Trust  
Company  
Lilian L. Faulconer                          for First Citizens Bank & Trust  
Company  
**Opposing** Joseph Z Frost                      for Joseph Z Frost  
Richard Preston Cook                      for Cam-Car College Collectibles  
L.L.C.  
Parker Worth Rumley                      for Bankruptcy Administrator

**Matter:** [Motion for Relief from Stay, Or In The Alternative Motion for Adequate Protection filed obo First Citizens Bank and Trust](#)

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**11:00 AM**      **23-01918-5-PWM**      Cam-Car College Collectibles L.L.C.  
Ch 7  
Trustee: Bircher

**Motion Withdrawn**

**Moving:** Paul A. Fanning                      for First Citizens Bank & Trust  
Company  
Lilian L. Faulconer                          for First Citizens Bank & Trust  
Company  
**Opposing** Richard Preston Cook              for Cam-Car College Collectibles  
L.L.C.  
Joseph Z Frost                                  for Joseph Z Frost  
Parker Worth Rumley                      for Bankruptcy Administrator

**Matter:** [Motion to Prohibit or Condition Cash Collateral, Or In The Alternative Motion for Adequate Protection filed obo First Citizens Bank and Trust](#)

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12:30 PM 23-01918-5-PWM Cam-Car College Collectibles L.L.C.

Ch 7

Trustee: Bircher

**No Objection filed**

**Moving:** John C Bircher, III for John C Bircher III

**Opposing**

**Matter:** [Motion to Approve Compromise With Polar Bear Beach Games LLC](#)

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12:30 PM 23-01918-5-PWM Cam-Car College Collectibles L.L.C.

Ch 7

Trustee: Bircher

**No Objection filed**

**Moving:** John C Bircher, III for John C Bircher III

**Opposing**

**Matter:** [Motion to Sell Free & Clear of Liens - Inventory - personal property](#)

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01:30 PM 23-02889-5-PWM TOPPOS LLC

Ch 11

Trustee: Bircher

**Moving:** Lisa P. Sumner for 21st Mortgage Corporation

**Opposing** Lisa P. Sumner for 21st Mortgage Corporation

Joseph Zachary Frost for TOPPOS LLC

Blake Y. Boyette for TOPPOS LLC

Brian Behr for Bankruptcy Administrator

John C Bircher, III for John C Bircher III

**Matter:** [Motion for Relief from Automatic Stay filed obo 21st Mortgage Corporation](#)

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01:30 PM 23-02889-5-PWM TOPPOS LLC

Ch 11

Trustee: Bircher

**Moving:** Jay Robert Bender for Northpoint Commercial Finance, LLC

**Opposing** Blake Y. Boyette for TOPPOS LLC

Kirstin E. Gardner for Bankruptcy Administrator

Ashley A. Edwards for Red Fox Capital US

John C Bircher, III for John C Bircher III

**Matter:** [Subpoena to Produce Documents](#)

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01:30 PM 23-02889-5-PWM TOPPOS LLC

Ch 11

Trustee: Bircher

**Moving:** Jay Robert Bender for Northpoint Commercial Finance, LLC

**Opposing** Blake Y. Boyette for TOPPOS LLC

Brian Behr for Bankruptcy Administrator

**Matter:** [Emergency Motion Confirming Stay is Not in Effect filed obo Northpoint Commercial Finance](#)

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01:30 PM 23-02889-5-PWM TOPPOS LLC

Ch 11

Trustee: Bircher

**Moving:** Joseph Zachary Frost for TOPPOS LLC

Blake Y. Boyette for TOPPOS LLC

**Opposing** Kirstin E. Gardner for Bankruptcy Administrator

**Matter:** [Application to Employ Marcus & Millichap Real Estate Investment Services of NC, Inc.](#)

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01:30 PM 23-02889-5-PWM TOPPOS LLC

Ch 11

Trustee: Bircher

**Moving:** Blake Y. Boyette for TOPPOS LLC

**Opposing** Lisa P. Sumner for 21st Mortgage Corporation  
Kirstin E. Gardner for Bankruptcy Administrator  
Jay Robert Bender for Northpoint Commercial Finance,  
LLC  
Joseph J. Vonnegut for GreenState Credit Union

**Matter:** [Motion to Use of Cash Collateral.](#)

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01:30 PM 23-02889-5-PWM TOPPOS LLC

Ch 11

Trustee: Bircher

**Motion Withdrawn**

**Moving:** Blake Y. Boyette for TOPPOS LLC  
Joseph Zachary Frost for TOPPOS LLC

**Opposing**

**Matter:** [Motion to Sell Property - 180 Manufactured Homes Units in Cape Fear Village - Free and Clear](#)

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