

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

IN RE:

ROYAL CONSTRUCTION AND
DEVELOPMENT, INC., and
NATHAN E. GILBERT

Alleged Debtors.

Bankruptcy Case No.

00-00794
Chapter 7

Jointly Administered

2000-05029
Inst. #

02/17/2000-05029
09:20 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
11.00
002 CJ1

ORDER APPOINTING INTERIM TRUSTEE

This matter having come before the Court on the Motion of one of the petitioning creditors, Belcher-Evans Millworks Co., Inc., for ("Creditor") for the appointment of an interim Trustee pursuant to 11 U.S.C. § 303(g) and 701 (the "Motion"). A hearing was held on the Motion after copies of the Motion were served upon the Alleged Debtors, their apparent attorney, the attorneys for at least some of the mortgage lender, and the attorney for what appears to be the largest single non-mortgage lender creditor.

Upon due consideration of the Motion and all pleadings of record, the Court finds that the Motion is due to be **GRANTED**. Therefore, the Court hereby **ORDERS** and **DECREES** as follows:

1. MAX POPE, SR. is hereby appointed as interim trustee (the "Trustee") in the above-styled bankruptcy cases.
2. The appointment of the Trustee will be effective as of close of business on the day this Order is executed (the "Time of Appointment"), notwithstanding the entry of this Order at a

ENTERED
FEB 15 2000
Clerk, U.S. Bankruptcy Court
Northern District of Alabama
By:

subsequent date or time.

3. Commencing at the Time of Appointment, the Trustee has all rights, powers, and duties set forth in 11 U.S.C. §§ 303(g), 701 and 704 with respect to the administration of the Alleged Debtors' bankruptcy estates.

4. Commencing at the Time of Appointment and until such as time as the Trustee takes possession of the Alleged Debtors' assets, the Alleged Debtors shall take no action to use, operate, expend, collect, deplete, transfer, destroy, mutilate or otherwise damage any of the Alleged Debtors' Assets, including, but not limited to any and all equipment of the Alleged Debtors. The Alleged Debtors shall not withdraw, spend or otherwise use any funds currently held in its bank accounts or other financial accounts.

5. If the Trustee subsequently determines that he has a conflict in serving as Trustee in this case, he will be permitted to withdraw as Trustee upon order of this Court.

IT IS SO ORDERED this the 15th day of February 2000.


U. S. BANKRUPTCY JUDGE

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