

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

IN RE

**Jointly Administered under  
Case Number 08-45257**

PETTERS COMPANY, INC.,

Court File No. 08-45257

Debtors.

Court File Nos:

(includes:

Petters Group Worldwide, LLC;

08-45258 (GFK)

PC Funding, LLC;

08-45326 (GFK)

Thousand Lakes, LLC;

08-45327 (GFK)

SPF Funding, LLC;

08-45328 (GFK)

PL Ltd, Inc.;

08-45329 (GFK)

Edge One LLC;

08-45330 (GFK)

MGC Finance, LLC;

08-45331 (GFK)

PAC Funding, LLC;

08-45371 (GFK)

Palm Beach Finance Holdings, Inc.)

08-45392 (GFK)

Chapter 11 Cases

Judge Gregory F. Kishel

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**NOTICE OF HEARING AND MOTION FOR RELIEF FROM AUTOMATIC STAY**

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TO: The debtor(s) and other entities specified in Local Rule 9013-3.

1. Domain Assets, LLC, d/b/a CONSOR Intellectual Asset Management

("CONSOR"), by the undersigned attorney, moves the Court for the relief requested below and gives notice of hearing.

**NOTICE OF HEARING**

2. The Court will hold a hearing on this motion at 10:30 a.m. on December 9, 2008, in Courtroom No. 2A, at the Warren E. Burger Federal Building and U.S. Courthouse, at 316 North Robert Street, in St. Paul, Minnesota.

3. Any response to this motion must be filed and served by delivery not later than December 4, 2008, which is three days before the time set for the hearing (excluding Saturdays, Sundays, and holidays), or filed and served by mail not later than November 28, 2008, which is seven days before the time set for the hearing (excluding Saturdays, Sundays, and holidays). UNLESS A RESPONSE OPPOSING THE MOTION IS TIMELY FILED, THE COURT MAY GRANT THE MOTION WITHOUT A HEARING.

4. This Court has jurisdiction over this motion pursuant to 28 U.S.C. §§ 157 and 1334, Fed. R. Bankr. P. 5005 and Local Rule 1070-1.

5. This motion arises under 11 U.S.C. § 362 and Fed. R. Bankr. P. 4001. This motion is filed under Fed. R. Bankr. P. 9014 and Local Rules 9013-1 and 9013-2. This proceeding is a core proceeding pursuant to 28 U.S.C. § 157.

6. The petition commencing this chapter 11 case was filed on October 11, 2008. The case is now pending in this Court.

### **MOTION**

7. CONSOR moves the Court for an order granting CONSOR relief from the automatic stay imposed by 11 U.S.C. § 362, which became effective when debtors Petters Group Worldwide, LLC (“Petters Group”) and Petters Company, Inc. (“Petters Company”), hereinafter collectively, the “Debtors”, filed for bankruptcy protection on October 11, 2008. CONSOR seeks relief from the stay for the limited and sole purpose of prosecuting an appeal from an adverse summary judgment ruling in the matter of *Domain Assets, LLC, d/b/a CONSOR Intellectual Asset Management, Plaintiff, v. Petters Group Worldwide LLC, (individually and as successor in interest to RedtagBiz, Inc., d/b/a Redtag, Inc.) and Petters Company, Inc., Defendants*, United States District Court for the District of Minnesota, File No. 06-4379

(PAM/JSM). The appeal is currently pending before the United States Court of Appeals for the Eighth Circuit and has been briefed by both CONSOR and the International Licensing Industry Merchandising Association, Inc., as Amicus Curiae. *See Domain Assets, LLC, d/b/a CONSOR Intellectual Asset Management, Appellant, v. Petters Group Worldwide LLC, (individually and as successor in interest to RedtagBiz, Inc., d/b/a Redtag, Inc.) and Petters Company, Inc., Appellees*, File Nos. 08-2649 and 08-2724.

WHEREFORE, CONSOR requests an order (1) granting CONSOR relief from the automatic stay for the limited and sole purpose of prosecuting the appeal currently before the United States Court of Appeals for the Eighth Circuit, captioned *Domain Assets, LLC, d/b/a CONSOR Intellectual Asset Management, Appellant, v. Petters Group Worldwide LLC, (individually and as successor in interest to RedtagBiz, Inc., d/b/a Redtag, Inc.) and Petters Company, Inc., Appellees*, File Nos. 08-2649 and 08-2724; and (2) granting any other relief that the Court deems appropriate.

**HENSON & EFRON, P.A.**

Dated: November 12, 2008.

By s/ Wesley T. Graham  
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Stuart T. Williams, #11750X  
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CONSOR Intellectual Asset Management

**VERIFICATION**

I, Wesley T. Graham, one of the attorneys for Domain Assets, LLC, d/b/a CONSOR Intellectual Asset Management, declare under penalty of perjury that the facts set forth in the preceding motion are true and correct according to the best of my knowledge, information and belief.

Dated: November 12, 2008.

By s/ Wesley T. Graham