

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF WEST VIRGINIA

IN RE:

**PIN OAK PROPERTIES, LLC,**

Debtor

Case No. 1:17-bk-00608  
Chapter 11

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**MOTION OF CHAPTER 11 TRUSTEE FOR AN ORDER TO SHOW CAUSE WHY  
DIETRICH S. FANSLER AND PIN OAK LLC SHOULD NOT BE HELD IN CONTEMPT**

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Robert L. Johns, Chapter 11 Trustee (“Trustee”) of Pin Oak Properties, LLC (“Debtor”), respectfully requests the Court to issue an Order to show cause why Dietrich S. Fansler (“Fansler”) and Pin Oak LLC (“Pin Oak”) should not be held in contempt for producing none of the documents ordered by this Court to be produced. In support of the Motion, the Trustee respectfully states as follows:

**Preliminary Statement**

1. Since his appointment, the Trustee has reviewed the business records of the Debtor, including bank account records and records of investigations performed by creditors of the Debtor and by former counsel to the Debtor.

2. The Trustee has reason to believe that post-petition rent checks, which were to be deposited into the Debtor’s account were instead deposited in the account of Pin Oak — an account owned and controlled by Fansler — and that such funds were then dispersed in some cases to the Debtor, but in many cases, to parties other than the Debtor for the benefit of Fansler and other parties related to Fansler. Moreover, there is evidence that funds of the Debtor were improperly expended and diverted pre-petition.

3. To efficiently complete his investigation of the transactions involving Fansler and Pin Oak, the Trustee filed a motion seeking authority to request the production of documents because Fanslers is in sole possession of many financial and corporate records of the Debtor, and the Trustee and Fansler agreed that Fansler would produce such documents on or before August 10, 2018.

4. Fansler has not produced such documents as ordered by this Court and his first attempt to contact the Trustee since agreeing to the due date was through his newly retained counsel on the day the requested documents were due.

5. Despite the fact that he agreed to such due date, Fansler now hides behind his counsel and seeks an additional thirty (30) days to produce the requested documents, which would take the production beyond the date scheduled for his Rule 2004 Examination.

6. Accordingly, and for the reasons outlined below, the Trustee requests that the Court enter an Order directing Fansler and Pin Oak to show cause why they should not be held in contempt herein.

**JURISDICTION**

7. The Court has subject matter jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).

8. Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

**BACKGROUND**

9. On June 7, 2017, the Debtor filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code. The Debtor operated its business and affairs as a debtor-in-possession pursuant to 11 U.S.C. §§ 1107 and 1108 of the Bankruptcy Code.

10. On January 18, 2018, the Trustee was appointed as the Chapter 11 Trustee of the Debtor, and recently, the Trustee has filed a motion seeking conversion of this case to one under Chapter 7 [ECF 187].

11. Until the Trustee's appointment, Fansler was the sole manager of the Debtor with sole control of the Debtor's assets, funds and records.

12. The Debtor was a real estate development operation located near Fairmont, West Virginia.

13. The Debtor's primary source of operating funds was rental income from tenants of the Middletown Mall located at 9429 W. Mill Street, Whitehall, Marion County, West Virginia 26554, but the Middletown Mall was sold by the Trustee on May 8, 2018, pursuant to an Order of the Court [ECF 161] and, accordingly, the Debtor no longer has income.

14. The Middletown Mall occupies approximately 29.64 acres, 0.637 acres, and 0.944 acres of real estate and had approximately 22 rent-paying tenants.

15. The Debtor, before the appointment of the Trustee, and Pin Oak were under the common control of Fansler, who has not yet turned over all of the Debtor's accounting records to the Trustee.

16. Based on the Trustee's investigation to date, it appears that Fansler deposited into the Pin Oak account approximately \$500,000.00 worth of rent checks which should have gone into the Debtor's account. It also appears that Fansler transferred some of the money back into the Debtor's account but not all.

17. It has been reported to the Trustee by former counsel to the Debtor that approximately \$172,000.00 of rent is missing from the Debtor's account.

18. It appears that Fansler obtained the rent checks and deposited them into the bank account of Pin Oak by typing or writing the words “Pin Oak Properties” on the deposit slip, but then typing or writing the account number of non-debtor, Pin Oak, on the deposit slip instead of the correct account number for the Debtor’s account, causing the deposit to be credited to Pin Oak’s account rather than the Debtor’s account.

19. The money diverted from the Debtor to Pin Oak, as described above, belonged to the Debtor.

20. Upon information and belief, subsequent to the diversion of funds into the Pin Oak account, Fansler then used that account to pay funds for personal and business purposes unrelated to the Debtor.

21. Additionally, based on the Trustee’s review of the records of the Debtor and Pin Oak, and upon information and belief, Fansler and Pin Oak diverted funds from the Debtor for several years prior to filing the bankruptcy petition for the Debtor in June 2017.

22. To further his investigation, the Trustee decided it would be necessary and appropriate to seek Rule 2004 authority to formally seek discovery from Fansler and Pin Oak because Fansler is in sole possession of many financial and corporate records of the Debtor.

23. On several occasions prior to filing the request for production of documents with the Court, the Trustee’s counsel and Fansler discussed the production of documents and dates Fansler would be able to produce such documents.

24. The Trustee’s counsel and Fansler originally agreed to production on an earlier date, but later discussed and agreed to extend the due date to August 10, 2018.

25. On July 10, 2018, the Trustee filed *The Trustee’s Document Requests to Dietrich S. Fansler and Pin Oak LLC Pursuant to Rule 2004* (“Rule 2004 Motion”) [ECF 181] and a

proposed *Agreed Order Authorizing Examination of Dietrich S. Fansler and Pin Oak LLC and Requiring Production of Documents* (“Agreed Order”) [ECF 182], where the Trustee explained that Rule 2004 discovery is warranted and necessary for the Trustee to expeditiously complete his investigation of the use of the Debtor’s funds prior to the filing of the bankruptcy petition. The Fansler endorsed the proposed Agreed Order.

26. On July 11, 2018, the Court entered the Agreed Order, compelling Dietrich S. Fansler to produce the requested documents described in the Trustee’s Rule 2004 Motion on or before August 10, 2018.

27. The Trustee’s counsel sent the Court’s July 11, 2018 Agreed Order to Fansler by electronic mail and FedEx overnight on July 11, 2018. A copy of the electronic mail and FedEx Overnight are attached collectively as Exhibit A.

28. Trustee’s counsel reminded Fansler of the Court’s Agreed Order twice — once on July 27, 2018 and, again, on August 8, 2018 — but received no response from Fansler. A copy of the electronic mailings is attached collectively as Exhibit B.

29. On August 10, 2018 — the same day the documents were due — Fansler made his first attempt to contact the Trustee through his newly retained counsel, Raymond H. Yackel, by way of letter. Mr. Yackel’s letter to the Trustee’s counsel explained that he and Fansler first met to discuss this matter on that day — August 10, 2018.

30. Mr. Yackel’s letter also explained Fansler advised his counsel that “he has not had sufficient time to gather all of the documents [Trustee’s counsel] requested,” regardless of Fansler agreeing to the date, and requested that the Trustee agree to a thirty (30) day extension to gather and produce such documents.

**RELIEF REQUESTED**

31. After the Rule 2004 Motion was filed and the Agreed Order was entered by the Court, the Trustee's counsel several times notified Fansler of the entry of the Agreed Order and reminded him of the due date.

32. Despite repeated attempts to contact Fansler, he failed to respond and made no attempt to advise the Trustee of any need for additional time to produce documents.

33. Fansler has provided no documents to the Trustee in accordance with the Order.

34. Because Fansler has not provided any of the ordered documents, it appears that his request for more time is not legitimate and that his failure to comply is intentional and contumacious.

35. Fansler's failure to comply with the Court's Agreed Order gives the Trustee reason to believe that Fansler will not be present for the Rule 2004 Examination scheduled for August 21, 2018, at Jackson Kelly PLLC's office in Morgantown, West Virginia. The Trustee's counsel must travel to Morgantown for purposes of conducting the Rule 2004 Examination, so the Trustee requests that Fansler confirm his appearance for the August 21, 2018 Examination and be compelled to provide the ordered documents well prior to August 21, 2018.

WHEREFORE, the Trustee respectfully requests that this Court enter an Order directing Fansler and Pin Oak to show cause why they should not be held in contempt herein, and to impose such sanctions upon Fansler and Pin Oak, including damages and reasonable attorney's fees, as the Court deems appropriate.

Dated August 14, 2018.

**ROBERT L. JOHNS, CHAPTER  
11 TRUSTEE FOR THE  
BANKRUPTCY ESTATE OF PIN  
OAK PROPERTIES, LLC**

By Counsel

*/s/ William F. Dobbs, Jr.*

William F. Dobbs, Jr., Esq. (WV State Bar No. 1027)

Nicole C. Johns, Esquire (WV State Bar No. 13000)

JACKSON KELLY PLLC

500 Lee Street, East; Suite 1600

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*Counsel for Robert L. Johns, Trustee  
of the Bankruptcy Estate of Pin Oak  
Properties LLC*

**From:** Johns, Nicole  
**Sent:** Wednesday, July 11, 2018 12:28 PM  
**To:** 'dsferow@comcast.net'  
**Cc:** William F. Dobbs Jr., Esq. (WDOBBS@jacksonkelly.com)  
**Subject:** Agreed 2004 Exam  
**Attachments:** ECF 185 - Agreed Order Authorizing Examination of Dietrich S. Fansler and Pin Oak LLC and Requiring Production of Documents (4812-5636-3629).pdf

Steve,

The Judge entered the Agreed Order authorizing the 2004 examination and requiring production of documents. Please find attached for your files.

Thank you,  
Nicole Johns

**Nicole Johns** | Associate | **Jackson Kelly PLLC**

500 Lee Street East , Suite 1600 | Charleston, WV 25301-3202 | [www.JacksonKelly.com](http://www.JacksonKelly.com)

Office: (304) 340-1081 | [nicole.c.johns@JacksonKelly.com](mailto:nicole.c.johns@JacksonKelly.com) | [V-card](#) | [BIO](#)

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E-mail: [nicole.c.johns@jacksonkelly.com](mailto:nicole.c.johns@jacksonkelly.com)

July 11, 2018

VIA FEDEX OVERNIGHT

Dietrich S. Fansler  
3120 Fairway Drive  
Morgantown, WV 26508

Re: Agreed Order Authorizing Examination of Dietrich S. Fansler and Pin  
Oak LLC and Requiring Production of Documents

Dear Mr. Fansler:

Enclosed please find the *Agreed Order Authorizing Examination of Dietrich S. Fansler and Pin Oak LLC and Requiring Production of Documents* [ECF 185] entered by the Court on July 11, 2018. If you have any questions, please let us know.

Sincerely,

  
Nicole C. Johns

Enclosure

CC: William F. Dobbs, Jr.  
Robert L. Johns (via e-mail w/ enclosure)

Order Entered.

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Patrick M. Flatley  
United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF WEST VIRGINIA

IN RE:

**PIN OAK PROPERTIES, LLC,**

Debtor

Case No. 1:17-bk-00608  
Chapter 11.

**AGREED ORDER AUTHORIZING EXAMINATION OF DIETRICH S. FANSLER AND  
PIN OAK LLC AND REQUIRING PRODUCTION OF DOCUMENTS**

Robert L. Johns, Chapter 11 Trustee ("Trustee") in the above-captioned Chapter 11 case, has discussed with Dietrich S. Fansler and Pin Oak LLC the provision of testimony and the production of documents pursuant to §§ 105(a) and 1103(o) of Title 11 of the United States Code and Rules 2004, 9013 and 9016 of the Federal Rules of Bankruptcy Procedure requiring Dietrich S. Fansler, in his personal capacity and as the former officer and manager of the Debtor, and in his capacity as the owner and manager of Pin Oak LLC, to produce documents and testify under oath at a Rule 2004 examination.

By agreement of counsel for the Trustee and Mr. Fansler, it is hereby

**ORDERED**, that Dietrich S. Fansler appear on the 21<sup>st</sup> day of August 2018 at 10:00 a.m. in the offices of Jackson Kelly, PLLC, 150 Clay Street, Morgantown, West Virginia 26507, before a Notary Public or other such officer or person authorized by law to administer an oath to be examined by counsel for the Trustee pursuant to 2004 of the Rules of Bankruptcy Procedure in his personal capacity, his capacity as the former officer and manager of the Debtor and in his capacity as owner and manager of Pin Oak LLC; and it is further

**ORDERED** that Dietrich S. Fansler shall produce the documents described in The Trustee's Document Requests To Dietrich S. Fansler and Pin Oak LLC Pursuant To Bankruptcy Rule 2004 attached to this Order, for inspection and copying by counsel for the Trustee on or before August 10, 2018 at the offices of Jackson Kelly, PLLC, 150 Clay Street, Morgantown, West Virginia 26507; and it is further

**ORDERED** that a subpoena compelling such attendance and requiring the production of documents may be sought and issued.

Presented by:

/s/ William F. Dobbs, Jr.

William F. Dobbs, Jr., Esq. (WV State Bar No. 1027)

Nicole C. Johns, Esquire (WV State Bar No. 13000)

JACKSON KELLY PLLC

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*Counsel for Robert L. Johns, Trustee  
of the Bankruptcy Estate of Pin Oak  
Properties LLC*

Agreed to by:

/s/ 

Dietrich S. Fansler

3120 Fairway Drive

Morgantown, WV 26508

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF WEST VIRGINIA

IN RE:

**PIN OAK PROPERTIES, LLC,**

Debtor

Case No. 1:17-bk-00608  
Chapter 11

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**THE TRUSTEE'S DOCUMENT REQUESTS TO DIETRICH S. FANSLER AND  
PIN OAK LLC PURSUANT TO BANKRUPTCY RULE 2004**

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Pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure, Robert L. Johns, the Trustee of the Chapter 11 bankruptcy estate of the Debtor, by and through his undersigned counsel, hereby requests that Dietrich S. Fansler and Pin Oak LLC produce all Documents described below in their possession, custody or control, in accordance with the definitions and instructions set forth below.

These documents should be produced at the office of Jackson Kelly PLLC, 150 Clay Street, Morgantown, West Virginia 26507, at 12:00 p.m. on or before August 10, 2018.

**DEFINITIONS**

1. "Any" or "each" should be understood to include and encompass "all;" "or" should be understood to include and encompass "and;" and "and" should be understood to include and encompass "or."

2. "Communication" or "Communications" means and includes, but is not limited to, any of the following: (a) any written letter, memorandum, or other Document of any kind by mail, courier, other delivery services, telecopy, facsimile, telegraph, electronic mail, voicemail, or any other means; (b) any telephone call, whether or not such call was by chance or

prearranged, formal or informal; and (c) any conversation or meeting between two or more Persons, whether or not such contact was by chance or prearranged, formal or informal.

3. "Debtor" means Pin Oak Properties, LLC which filed a voluntary chapter 11 petition under the Bankruptcy Code commencing this Chapter 11 cases, and any of its officers, directors, attorneys, accountants, agents, employees, representatives, and other Persons acting on its behalf.

4. "Document" or "Documents" shall have the meaning prescribed by Rule 7034 of the Federal Rules of Bankruptcy Procedure, including, without limitation, any tangible thing upon which any expression, Communication or representation has been recorded by any means including, but not limited to, handwriting, typewriting, printing, photostating, photographing, videotaping, magnetic impulse, computer disks, computer storage drives, computer tapes, or mechanical, electronic or digital recording or information storage of any kind, and any non-identical copies (whether different from the original because of notes made on such copies, because of indications that said copies were sent to different individuals than were the originals, or because of any other reason), including but not limited to working papers, preliminary, intermediate or final drafts, correspondence, memoranda, electronic mail, charts, notes, records of any sort of meetings, financial calculations, diaries, reports of telephone or other oral conversations, desk calendars, appointment books, and all other writings and recordings of every kind that are in your actual or constructive possession, custody, or control.

5. "Dream Ranch" means Dream Mountain Ranch, LLC.

6. "Fansler" means Dietrich S. Fansler.

7. "Pin Oak" means Pin Oak LLC.

8. "Person" or "Persons" means all natural persons, corporations, partnerships or other business associations, and all other legal or governmental entities or associations.

9. **"Relating to"** and **"Concerning"** each mean, in addition to their usual and customary meanings, concerning, relating to, discussing, mentioning, evidencing, embodying, constituting, effecting, referring to, assessing, recording, analyzing, describing, evaluating, memorializing, about, regarding, touching upon, listing, or reflecting the matter specified in these Requests.

10. **"You"** or **"Your"** shall refer to Dietrich S. Fansler and Pin Oak and any other Person currently or formerly acting or purporting to act on such Person's behalf for any purpose whatsoever.

11. The singular form of a word shall include the plural form, and the plural form shall include the singular form.

12. The use of the present tense includes the past tense, the use of the past tense shall include the present tense, and the use of any verb in any tense shall be construed as including the use of that verb in all other tenses.

### **INSTRUCTIONS**

1. Unless otherwise specified in any Request, the Requests seek Documents generated, transmitted or received.

2. Each Request for Documents requires the production of all Documents described herein, in your possession, custody or control, or your attorneys or their agents, employees, representatives and investigators.

3. All Documents are to be produced as kept in the usual course of business or organized and labeled to correspond to the specific Requests set forth below.

4. In responding to each Request, if any Document requested has been amended (including by an amendment and restatement), or any waiver, consent, supplement, forbearance or other similar instrument has been entered into in connection with such Document, furnish

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each such amendment, amendment and restatement, waiver, consent, supplement, forbearance, or other similar instrument.

5. In responding to each Request, furnish all exhibits, schedules, annexes, appendices, or any other ancillary Documents related to each Document produced.

6. All drafts of responsive Documents must be produced, as well as all non-identical copies. Any comment, notation, or other marking shall be sufficient to distinguish Documents that are otherwise similar in appearance and to make them separate Documents for purposes of your response. Likewise, any draft, preliminary form, or superseded version of any Document is also to be considered a separate Document.

7. To the extent applicable, furnish executed versions of each Document requested.

8. The file folder or other container in which a Document is kept is deemed to be an integral part of the Document and shall be produced with the Document.

9. Each paragraph and subparagraph hereof and the definitions herein are to be construed independently, and not by or with reference to any paragraph or subparagraph or definition herein for purposes of limiting the scope of any particular Request or the subject matter thereof.

10. If, in answering these Requests, you claim any ambiguity in interpreting either these Requests or a definition or instruction applicable thereto, you shall not use such claims as a basis for refusing to respond, but shall identify as part of the response the language deemed to be ambiguous and the interpretation chosen or used in responding to the Request.

11. If any requested Document or thing cannot be produced in full, produce it to the extent possible, indicating what is being withheld and the reason it is being withheld.

12. If you object to any part of a Request, produce Documents responsive to all parts of the Request to which you do not object.

13. These Requests shall be deemed continuing so as to require supplementation if you or your attorneys or agents become aware of, receive or generate additional Documents responsive to these Requests after the time of the initial response.

14. If any Document called for by these Requests is withheld under a claim of privilege or protection, that Document need not be produced but you shall with respect to that Document:

- a) identify each Person who prepared or participated in the preparation of the Document, and the date the Document was created;
- b) identify each Person who ever sent or received the Document;
- c) state the present location of the Document and all copies thereof;
- d) describe the nature of the Document; and
- e) state the grounds asserted as the reason for non-production, and explain and substantiate the claim of privilege, so as to permit adjudication of the propriety of that claim.

15. If you are unable to locate any Document requested, state all efforts that have been made to locate it, and identify any individual who you believe is likely to possess any information regarding the present location of the Document.

16. If you know of any Documents responsive to a particular Request but cannot produce them, so state, produce the Documents within your possession, custody or control on the subject matter sought, and identify each Person whom you believe has Documents responsive to the Request.

17. All drafts of responsive Documents must be produced, as well as all non-identical copies. Any comment, notation, or other marking shall be sufficient to distinguish Documents that are otherwise similar in appearance and to make them separate Documents for



purposes of your response. Likewise, any draft, preliminary form, or superseded version of any Document is also to be considered a separate Document.

### **DOCUMENT REQUESTS**

You are required to produce the following Documents:

1. All Documents relating to the payment of rent by tenants of the Debtor on or after June 1, 2017 ("Post-Petition Rent").
2. All Documents relating to cash transactions involving the Debtor's account at United Bank (0085342042) on or after June 1, 2017.
3. All Documents relating to cash transactions involving the Pin Oak account at United Bank (0088122124) on or after June 1, 2017.
4. All Documents relating to payments from Pin Oak account number 0088122124 to the Debtor on or after June 1, 2017.
5. All Documents relating to the payment of rent by tenants of the Debtor from January 1, 2013 to June 1, 2017 ("Pre-Petition Rent").
6. All Documents relating to payment of funds from the Pre-Petition Rent or other Debtor Funds to or for the benefit of Fansler.
7. All Documents relating to payment of funds from the Pre-Petition Rent or other Debtor funds to or for the benefit of members of the family of Fansler, including his wife, his children, his wife's children or any person married to his or his wife's children, other than for salaries for which the Debtor deducted withholding.
8. All Documents relating to payment of funds from the Pre-Petition Rent or other Debtor funds for the purpose of acquiring equipment, machinery or assets belonging to parties other than the Debtor, including any payments made on debt incurred to purchase such machinery, equipment and assets.

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9. All Documents relating to payment of funds from the Pre-Petition Rent or other Debtor funds to or for the benefit of Dream Ranch.

10. All Documents relating to the payment of funds from the Post-Petition Rent or other Debtor funds to or for the benefit of Fansler.

11. All Documents relating to payment of funds from the Post-Petition Rent or other Debtor funds to or for the benefit of members of the family of Fansler, including his wife, his children, his wife's children or any person married to his or his wife's children, other than for salaries for which the Debtor deducted withholding.

12. All Documents relating to payment of funds from the Post-Petition Rent or other Debtor funds for the purpose of acquiring equipment, machinery, or assets belonging to parties other than the Debtor, including any payments made on debt incurred to purchase such machinery, equipment and assets.

13. All Documents relating to payment of funds from the Post-Petition Rent or other Debtor funds to or for the benefit of Dream Ranch.

14. All Documents relating to payments by Fansler, the Debtor and Pin Oak to any attorney or firm of attorneys.

15. All Documents relating to the physical transfer of checks for Post-Petition Rent from United Bank to Fansler.

16. All Documents relating to Key Contracting LLC.

17. All Documents relating to transactions with Walter Edgar Cosner or Pierpont Centre Office, including without limitation, "loan on equipment and sales of property".

18. All Documents relating to any bank account held by Fansler or by Fansler and any other person from January 1, 2013 to present.

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19. All Documents relating to bank statements, deposits and cancelled checks from July 1, 2016 to present in the name of Pin Oak.

20. All Documents relating to QuickBooks or any other accounting reports along with detail transactions lists from July 1, 2016 to present relating to Pin Oak.

21. All Documents relating to payments made by Pin Oak for the benefit of Dream Ranch.

22. All Documents relating to payments made by Fansler for the benefit of Dream Ranch.

23. All Documents relating to the purchase or maintenance of any equipment used at Dream Ranch or the Middletown Mall by Fansler, his wife, his children, his wife's children or any person married to his or his wife's children.

24. All Documents relating to the payment of funds from Pin Oak for the personal benefit of Fansler, his wife, his children, his wife's children or any person married to his or his wife's children.

/s/ William F. Dobbs, Jr.

William F. Dobbs, Jr. (WV State Bar No. 1027)

Nicole C. Johns, Esquire (WV State Bar No. 13000)

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*Counsel for Robert L. Johns, Chapter 11 Trustee For  
the Bankruptcy Estate of Pin Oak Properties, LLC*

**FedEx** Package  
Express *US Airbill*

FedEx Tracking Number **8033 8509 0831**

Form ID No. **0215**

Sender's Copy

**1 From** *Please print and press hard.*

Date **7/11/2018** Sender's FedEx Account Number **1359-3398**  
SENDER'S FEDEX ACCOUNT NUMBER ONLY

Sender's Name **Nicole C. Johns** Phone ( **304** ) **340-1000**

Company **JACKSON KELLY PLLC**

Address **500 LEE ST E STE 1600**

City **CHARLESTON** State **WV** ZIP **25301-3202**

**2 Your Internal Billing Reference** **32901/301** First 24 characters will appear on invoice. **OPTIONAL**

**3 To**  
Recipient's Name **Dietrich S. Fansler** Phone ( )

Company

Address **3120 Fairway Drive**  
We cannot deliver to P.O. boxes or P.O. ZIP codes. Dept./Floor/Suite/Room

Address  
Use this line for the HOLD location address or for continuation of your shipping address.

City **Morgantown** State **WV** ZIP **26508**

**HOLD Weekday**  
FedEx location address  
**REQUIRED, NOT available for FedEx First Overnight.**

**HOLD Saturday**  
FedEx location address  
**REQUIRED, Available ONLY for FedEx Priority Overnight and FedEx 2Day to select locations.**

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| <input type="checkbox"/> <b>FedEx First Overnight</b><br>Earliest next business morning delivery to select locations. Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected. | <input type="checkbox"/> <b>FedEx 2Day A.M.</b><br>Second business morning* Saturday Delivery NOT available.   |
| <input checked="" type="checkbox"/> <b>FedEx Priority Overnight</b><br>Next business morning.* Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.                        | <input type="checkbox"/> <b>FedEx 2Day</b><br>Second business afternoon.* Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected. |
| <input type="checkbox"/> <b>FedEx Standard Overnight</b><br>Next business afternoon.* Saturday Delivery NOT available.   | <input type="checkbox"/> <b>FedEx Express Saver</b><br>Third business day.* Saturday Delivery NOT available.   |

**5 Packaging** \* Declared value limit \$500.

**FedEx Envelope\***  **FedEx Pak\***  **FedEx Box**  **FedEx Tube**  **Other**

**6 Special Handling and Delivery Signature Options**

- SATURDAY Delivery**  
NOT available for FedEx Standard Overnight, FedEx 2Day A.M., or FedEx Express Saver.
- No Signature Required**  
Package may be left without obtaining a signature for delivery.
- Direct Signature**  
Someone at recipient's address may sign for delivery. *Fee applies.*
- Indirect Signature**  
If no one is available at recipient's address, someone at a neighboring address may sign for delivery. For residential deliveries only. *Fee applies.*
- Does this shipment contain dangerous goods?**  
One box must be checked.
- No**  **Yes** As per attached Shipper's Declaration.  **Yes** Shipper's Declaration not required.  **Dry Ice**  
Dry Ice, 9, UN 1845 \_\_\_\_\_ x \_\_\_\_\_ kg
- Dangerous goods (including dry ice) cannot be shipped in FedEx packaging or placed in a FedEx Express Drop Box.  **Cargo Aircraft Only**

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**From:** Dobbs, William  
**Sent:** Wednesday, August 08, 2018 2:20 PM  
**To:** 'Steve Fansler'  
**Cc:** Johns, Nicole  
**Subject:** RE: Document Production -- Pin Oak

Hello Steve, I'm just writing to remind you that documents are due on this Friday, August 10<sup>th</sup>. Thanks, Bill

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**From:** Dobbs, William  
**Sent:** Friday, July 27, 2018 3:34 PM  
**To:** 'Steve Fansler'  
**Cc:** Johns, Nicole  
**Subject:** Document Production -- Pin Oak

Hi Steve, Just following up on the order the Judge entered to be sure that you will produce the documents required by August 10<sup>th</sup>. Can you please confirm? Thanks and have a good weekend. Bill

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