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*Attorneys for Michael F. Thomson, Chapter 11 Trustee  
of The Falls Event Center, LLC*

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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH**

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In re:

THE FALLS AT MCMINNVILLE, LLC,

Debtor.

Bankr. Case No. 18-25492

Chapter 11

The Honorable R. Kimball Mosier

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**TRUSTEE'S OPPOSITION TO MOTION TO SELL REAL PROPERTY**

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Michael F. Thomson, the duly appointed Chapter 11 trustee of the bankruptcy estate of The Falls Event Center LLC, Case No. 18-25116 (the "Trustee"), which is the sole member and the manager of The Falls at McMinnville, LLC, the debtor herein (the "Debtor"), hereby files his opposition (the "Opposition") to the *Motion to Sell Real Property* [Docket No. 95] (the "Motion"), filed by *pro se* creditors Brent Pulley, Walter Stickel, and Meilin Liu (collectively, the "Creditors"). In support of this Opposition, the Trustee represents as follows:

## **JURISDICTION AND VENUE**

1. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding under 28 U.S.C. § 157(b). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

## **BACKGROUND**

2. On July 11, 2018, The Falls Event Center LLC (“TFEC”) filed a voluntary petition in this Court under Chapter 11 of the Bankruptcy Code, Case Number 18-25116 (the “TFEC Case”).

3. On July 27, 2018, the Debtor filed a voluntary petition [Case 18-25492, Dkt. 1].

4. On November 1, 2018, the UST, Debtor TFEC, and the Official Committee of Unsecured Creditors (the “Committee”) filed its stipulation for the appointment of a Chapter 11 trustee [TFEC Case, Docket No. 183] (the “Stipulation”).

5. On November 1, 2018, the UST filed his motion to appoint a Chapter 11 Trustee and approve the Stipulation [TFEC Case, Docket No. 184].

6. On November 14, 2018, the Court entered the order granting the Stipulation and directing the UST to appoint a qualified person to serve as Chapter 11 trustee for the TFEC estate. [TFEC Case, Docket No. 204].

7. On November 26, 2018, the UST appointed the Trustee as Chapter 11 trustee in the TFEC Case.

8. On November 27, 2018, the Court entered an order approving the appointment of the Trustee as the Chapter 11 trustee of the Debtor TFEC's estate. [TFEC Case, Docket No. 214].

9. Debtor TFEC is the sole member and the manager of the Debtor.

10. On April 19, 2019, the Creditors filed the Motion, seeking to buy certain property of the Debtor pursuant to an attached "Letter of Intent", signed only by the Creditors.

11. Neither the Trustee nor the Debtor has agreed to the terms set forth in the Motion.

12. Neither the Trustee nor the Debtor has entered into any agreement regarding the sale of any of the Debtor's property to the Creditors.

13. The Creditors' Motion has no factual or legal basis, and is procedurally improper.

Wherefore, the Trustee requests that the Court deny the Motion, and for such further relief the Court holds equitable and just.

DATED this 6<sup>th</sup> day of May, 2019.

/s/ Megan K. Baker  
Michael F. Thomson  
Peggy Hunt  
Megan K. Baker  
DORSEY & WHITNEY LLP  
*Attorneys for Chapter 11 Trustee of The  
Falls Event Center, LLC*

**CERTIFICATE OF SERVICE, BY NOTICE OF ELECTRONIC FILING**

I hereby certify that on the 6th day of May, 2019, I electronically filed the **TRUSTEE'S OPPOSITION TO MOTION TO SELL REAL PROPERTY** with the United States Bankruptcy Court for the District of Utah by using the CM/ECF system. I further certify that the parties of record in this case, as identified below, are registered CM/ECF users and will be served through the CM/ECF system.

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**CERTIFICATE OF SERVICE – MAIL, OTHER**

I hereby certify that on this 6th day of May, 2019, I caused to be served a true and correct copy of the **TRUSTEE'S OPPOSITION TO MOTION TO SELL REAL PROPERTY** as follows:

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