

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**Real Good Technologies, LLC,**

**Plaintiff & Judgment  
Creditor,**

**v.**

**Victory Solutions, LLC,**

**Defendant & Judgment  
Debtor.**

**Action No. 1:17-cv-00149-DCN**

**REAL GOOD TECHNOLOGIES, LLC'S  
NOTICE CONCERNING PENDING MOTIONS**

Real Good Technologies, LLC respectfully submits the following notice concerning its position on the status of pending motions, and states as follows:

**Motion for Revestment (ECF No. 146)**

1. On July 8, 2019, Real Good Technologies filed a Motion Seeking an Order Compelling Victory Solutions to Return Certain Property That has Been Revested Under 11 U.S.C. § 349(b)(3). (ECF No. 146). Victory Solutions filed an opposition brief objecting to the motion for revestment. (ECF No. 149). Real Good filed its reply on July 31, 2019. (ECF No. 150).

2. On August 12, 2019, this Court issued an Order requiring Victory Solutions to file an inventory by August 19, 2019. (ECF No. 152). Victory Solutions failed to timely comply with the Court's Order and Real Good subsequently filed a show cause motion on September 3, 2019. (ECF No. 153).

3. On the eve of the scheduled show cause hearing, Victory Solutions filed a Notice of Filing of Location of Equipment. (ECF No. 155).

4. Victory Solutions' notice indicates that some of the property subject to automatic revestment under 11 U.S.C. § 349(b)(3). (ECF No. 155, Ex. A).

5. Real Good takes the position that its motion for revestment is ripe for the Court to rule on, subject to the Internal Revenue Service's position should they seek to intervene in this matter.

6. Real Good Technologies has voluntarily added the address listed for the Internal Revenue Service in the recently dismissed Chapter 11 proceedings to the Certificate of Service below:

Internal Revenue Service  
P.O. Box 7346  
Philadelphia, Pennsylvania 19101-7346  
Re: Creditor Number 25671631

*See In re Victory Solutions LLC*, Bankr. Pet. No. 18-15798-(JPS) (Bankr. N.D. Ohio), Proofs of Claim (May 30, 2018) (Doc. 1-1, 1-2, 1-3).

**Motion to Show Cause (ECF No. 153)**

7. As noted above, Real Good filed a motion to show cause for Victory Solutions' disregard of the Court's August 12 Order. (ECF No. 153).

8. Given Victory Solutions has filed its Notice of Filing of Location of Equipment (ECF No. 155), albeit late and in the face of a show cause order, Real Good withdraws its motion to show cause. Real Good expects to seek confirmatory discovery on the nature and whereabouts of the property in question.

9. Although Real Good is withdrawing its motion to show cause, it takes the position that it is within this Court's inherent authority to award the fees and costs associated with having to seek compliance through a show cause motion and to prepare for the scheduled hearing.

Date: October 23, 2019

Respectfully submitted,

/s/ Michael L. Murphy

Michael L. Murphy (DC 480163)

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*Attorneys for Real Good Technologies,  
LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing *Real Good Technologies, LLC's Notice Concerning Pending Motions* was served upon the following through the Court's ECF system and further via email to the following:

Glenn E. Forbes, Esq  
**FORBES LAW LLC**  
Main Street Law Building  
166 Main Street  
Painesville, OH 44077  
[gforbes@geflaw.net](mailto:gforbes@geflaw.net)

*Counsel for Victory Solutions*

And mailing to the following address:

Internal Revenue Service  
P.O. Box 7346  
Philadelphia, Pennsylvania 19101-7346  
Re: Creditor Number 25671631

October 23, 2019

*/s/ Michael L. Murphy*  
Michael L. Murphy (DC 480163)  
**BAILEY & GLASSER, LLP**