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COUNSEL FOR JEFFREY BARON

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**In re:** §  
§  
**ONDOVA LIMITED COMPANY,** § **CASE NO. 09-34784-SGJ-11**  
§  
**Debtor.** § **Chapter 11**

**JOINDER IN DEBTOR'S EMERGENCY MOTION ASSERTING: (I) NO  
PERFECTED LIEN ON DEBTOR'S CASH OR ACCOUNTS; AND (II) ABILITY  
TO UTILIZE SUCH PROPERTY OF THE ESTATE PER 11 U.S.C. § 363(c)(1)**

TO THE HONORABLE STACEY G. JERNIGAN,  
UNITED STATES BANKRUPTCY JUDGE:

Jeffrey Baron (“Baron”), a creditor in this case, hereby files this *Joinder in Debtor’s  
Emergency Motion Asserting: (I) No Perfected Lien on Debtor’s Cash or Accounts; and (II) Ability  
to Utilize Such Property of the Estate per 11 U.S.C. § 363(c)(1)* (“Joinder”) filed on July 29, 2009  
and in support thereof, respectfully represent as follows:

**I. JURISDICTION AND VENUE**

1. The Court has jurisdiction over the Motion pursuant to 28 U.S.C. §§ 157 and  
1334. This matter is a core proceeding and this Motion is proper in this district pursuant to 28

U.S.C. §§ 1408 and 1409.

2. The statutory basis for relief requested herein is Section 363 of the United States Bankruptcy Code.

## II. BACKGROUND

3. On July 27, 2009 (the “Petition Date”), the Debtor filed for bankruptcy protection under chapter 11 of title 11 of the Bankruptcy Code. Pursuant to Sections 1107 and 1108 of the Bankruptcy Code, the Debtor is continuing to operate its business and manage its property as a debtor in possession.

4. On or about July 29, 2009, the Debtor filed its *Emergency Motion Asserting: (I) No Perfected Lien on Debtor’s Cash or Accounts; and (II) Ability to Utilize Such Property of the Estate per 11 U.S.C. § 363(c)(1)* (the “Motion”) (Docket No. 10).

5. On September 17, 2009, the Court entered an order approving the appointment of a chapter 11 trustee (Docket No. 98).

## III. JOINDER

6. Though he does not agree with, join in or adopt the factual allegations made by the Debtor within the Motion, for his own independent reasons, Baron files this Joinder in the Motion and requests this Court grant the relief sought in the Motion, based upon the arguments and authority contained therein. Baron hereby joins and adopts those legal arguments here, as if fully set forth herein.

7. As argued in the Motion, no party has a security interest in the Debtor’s cash, deposit accounts or accounts as of the Petition Date, and the proceeds therein are not subject to any party’s security interest or lien, thus, the Debtor, as directed by the Chapter 11 Trustee, may continue to utilize same in the ordinary course of business without need of any specific order of

the Court authorizing said cash's use.

WHEREFORE, Baron respectfully requests an order of this Court granting the relief requested by the Debtor's Motion and for such other and further relief, legal or equitable, special or general to which Baron may show himself justly entitled.

Dated: January 5, 2010

Respectfully submitted

By: /s/ Gerrit M. Pronske  
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**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that on January 5, 2010 I caused to be served the foregoing pleading upon the service list attached hereto via the Court's electronic transmission facilities and/or United States mail, first class delivery.

/s/ Gerrit M. Pronske  
Gerrit M. Pronske

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