

1 IN THE UNITED STATES BANKRUPTCY COURT  
2 FOR THE NORTHERN DISTRICT OF ILLINOIS  
3 EASTERN DIVISION

4 CULT AWARENESS NETWORK, ) 94 B 22133  
5 ) October 23, 1994  
6 Debtor. ) Chicago, Illinois  
7 ) 9:30 A.M.  
8 )

9 EXCERPT (A) OF PROCEEDINGS  
10 BEFORE THE HONORABLE RONALD BARLIANT

11 APPEARANCES:

12 For the Debtor: Mr. Benjamin P. Hyank  
13 For the Trustee: Ms. Elizabeth A. Graber  
14 Mr. Philip V. Martino  
(Trustee)  
15 For the United States Trustee: Ms. Denise A. DeLaurent  
16 For Jason Scott: Mr. Kendrick L. Naxon  
17 Mr. John T. Moran  
18 Mr. David J. Letvin  
19 For Landmark Education Corporation: Mr. Walter Maksym  
20 Mr. Thomas R. Califano  
21 For John Doe, a member of the Cult Awareness Network: Mr. David W. Wirt  
22 Also Present: Ms. Cynthia Kisser  
23 Mr. Steven L. Hayes  
24  
25

1 THE CLERK: Recalling Cult Awareness Network, 95  
2 B 22133.

3 MR HYINK: Good morning, your Honor. Benjamin P.  
4 Hyink on behalf the debtor.

5 MS. GRABER: Good morning, your Honor. Elizabeth  
6 Graber and Philip Martino, trustee.

7 MS. DE LAURENT: Denise DeLaurent on behalf of  
8 the United States Trustee.

9 MR. MOXON: Kendrick Moxon on behalf of Jason  
10 Scott.

11 MR. MORAN: John Moran on behalf of Jason Scott.

12 MR. MAKSYM: Walter Maksym on behalf of Landmark  
13 Education Corporation.

14 MR. CALIFANO: Tom Califano also on behalf of  
15 Landmark Education Corporation.

16 MR. WIRT: Good morning, your Honor. David Wirt  
17 on behalf of John Doe, a member of the Cult Awareness  
18 Network.

19 MS. KISSER: And Cynthia Kisser as a creditor.

20 THE COURT: Well, now that you've caught me in a  
21 good mood, what do you want to say?

22 (Laughter.)

23 MR. MARTINO: Judge, there have been lots of  
24 moods here, not the least of which was mine. I'd like to  
25 apologize for being late and for being improperly attired.

1 protocol goes ahead, that's going to go out on notice to a  
2 number of people who may raise arguments, significant  
3 arguments. If we can get this matter set for 10:30 or  
4 11:00 that would probably make life better for all of us.

5 THE COURT: We'll make it 10:30. 10:30 is fine.  
6 November 19th at 10:30.

7 MR. LETVIN: Your Honor, may the court reporter  
8 be loaned to us for purposes of making a record of the  
9 sale?

10 THE COURT: That's up to the court reporter. You  
11 can deal with the court reporter. I'm not going to order  
12 her to do that.

13 Okay? All right?

14 MR. MARTINO: Thank you, Judge.

15 THE CLERK: Will everyone please rise? This  
16 court is now adjourned.

17 (Whereupon the Court left the  
18 bench.)

19 MR. MARTINO: Hopefully everyone who is here has  
20 heard all of the statements that were made in open court.  
21 If not, they're bidding blindly because for all purposes  
22 these are going to be subject to all the statements that  
23 were made, and there were a lot of them.

24 I have received an offer to purchase certain  
25 assets that have been described for \$9,000 from Cynthia

1 Kissar. I am holding her cashier's check in that amount.  
2 I have received only one other check.

3 If there is anyone else who wants to bid,  
4 you must submit a \$10,000 cashier's check or certified  
5 check to me now. The only other check that I have  
6 received is from Steven Hayes. A law corporation is the  
7 purchaser of it. It is in the amount of \$10,000, and it  
8 is consistent with the notice that has gone out and the  
9 statements that I have made in court.

10 Is there anyone else who intends to bid?

11 (No audible response.)

12 Hearing none, Ms. Kissar, the ball is in  
13 your court.

14 MS. KISSER: I will bid \$11,000.

15 MR. HAYES: I'll bid 12.

16 MS. KISSER: I will bid \$13,000.

17 MR. HAYES: 14.

18 MS. KISSER: I will bid \$15,000.

19 MR. HAYES: 16.

20 MS. KISSER: I will bid \$17,000.

21 MR. HAYES: 18.

22 MR. MARTINO: Keep going, guys.

23 (Laughter.)

24 MS. KISSER: I'll bid 18 -- I mean 19.

25 MR. HAYES: 20.

1 MS. KISSER: No more.

2 MR. MARTINO: Would you like to take a break, or  
3 are you done? I can give you a couple minutes.

4 MS. KISSER: Okay. That would be fine.

5 MR. MARTINO: Okay.

6 I would request that everyone except Ms.  
7 Kissar stay in the room, and if she's going to consult  
8 with anyone she may go out now.

9 Ms. Kissar, if you're going to make an offer  
10 please come back within three minutes.

11 MS. KISSER: Yes, I will.

12 (Short break taken.)

13 MS. KISSER: I do not want to raise my bid.

14 MR. MARTINO: I will accept the offer of Mr.  
15 Hayes for \$20,000. We will document this with a court  
16 order tomorrow.

17 (Document tendered to Mr.  
18 Martino.)

19 Thank you, sir.

20 I acknowledge receipt of three cashier's  
21 checks in the aggregate amount of \$20,000.

22 Ms. Kissar, I will return your check and  
23 thank you very much.

24 (Document tendered to Ms.  
25 Kissar.)