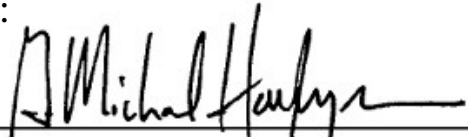




THE FOLLOWING ORDER
IS APPROVED AND ENTERED
AS THE ORDER OF THIS COURT:

DATED: December 24, 2014


G. Michael Halfenger
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

In the matter:

William J. Foley,

Case No. 14-31425-GMH

Debtor.

Chapter 7

ORDER DENYING EMERGENCY RELIEF AND SETTING HEARING

On December 22, 2014, Marc Rassbach, a creditor, filed a motion entitled, "Emergency Motion to Compel the Turn Over [sic] of Login and Password for Locked iPad." CM-ECF Doc. No. 108. The motion asks me to "compel the production of password and login to unlock iPad with Serial #F5RKXNH1DFHW in time for xmas." CM-ECF Doc. No. 108 at 1.

Neither the motion nor the accompanying "Affidavit About iPad Ownership" (CM-ECF Doc. No. 107-1) explain why there is a need for "emergency" relief or why the motion should be decided by Christmas, i.e., two days after it was filed. The motion and affidavit together suggest that Rassbach bought an iPad "that did not turn on" for \$21 from either Foley or from Sandwich Kings LLC, another entity listed on Foley's creditor

matrix. CM-ECF, Doc. No. 107-1 at 1.

Rassbach says that upon dismissal of Foley's bankruptcy case on September 26, 2014 (a dismissal that the court subsequently vacated on October 6, 2014), Rassbach "contacted Sandwich Kings LLC about items obtained on September 10th via the Writ." CM-ECF, Doc. No. 107-1 at 1. His papers do not explain what these items were, other than, apparently, the iPad, nor do they explain the nature of the writ to which he refers. And, although Rassbach contends that "[t]here should be no opposition or stonewalling from an Honest man who stands before The [sic] Court to re[e]stablish the functionality taken without due rights from Marc Rassbach", he does not offer any legal or factual basis for compelling Foley to "turn over [sic] the login and password to [him] so that he may 'unlock' the 'lost' iPad." CM-ECF, Doc. No. 108 at 3-4.

Accordingly, IT IS ORDERED that Rassbach's request for emergency relief and order compelling Foley to provide login and password information to him before December 25, 2014, is denied.

IT IS FURTHER ORDERED that the court will hold a hearing on Rassbach's motion to compel production of the iPad's "login and password" at **1:45 p.m. on January 23, 2015, at 2:00 p.m. at the U.S. Courthouse, 517 E. Wisconsin Avenue, Room 133, Milwaukee, Wisconsin 53202.**

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