

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

IN RE:)	CHAPTER 7
)	BANKRUPTCY NO. 08-2751
AGRIPROCESSORS, INC.)	
)	
Debtor.)	
)	
JOSEPH E. SARACHEK, in his capacity as)	
CHAPTER 7 TRUSTEE,)	ADVERSARY NO. _____
)	
Plaintiff,)	
vs.)	
)	
FRIENDS OF ASSOCIATED BETH RIVKA)	
SCHOOLS FOR GIRLS possibly a/k/a BAIS)	
RIVKAH possibly a/k/a BETH RIVKA possibly)	
a/k/a BAIS RIVKA,)	
)	
Defendants.)	

COMPLAINT TO AVOID FRAUDULENT CONVEYANCES

Plaintiff Trustee Joseph E. Sarachek (the "Trustee"), in his capacity as Trustee, by and through his undersigned counsel, and in support of this Complaint respectfully states:

JURISDICTION AND VENUE

1. Plaintiff is the duly appointed Chapter 7 Trustee in the Agriprocessors, Inc. ("Agriprocessors") bankruptcy, as above captioned.
2. The Defendants, Friends Of Associated Beth Rivka Schools For Girls possibly a/k/a Bais Rivkah possibly a/k/a Beth Rivka possibly a/k/a Bais Rivka, (collectively referred to hereinafter as "Bais Rivka"), within the two-year period prior to filing, received payments from Agriprocessors totaling \$32,000.00.

3. This Court has jurisdiction over this Complaint pursuant to 28 U.S.C. §§ 1334 and 157. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(F). Venue is proper in this adversary proceeding pursuant to 28 U.S.C. § 1409.

FACTUAL ALLEGATIONS

4. On November 4, 2008, (the "Petition Date") the Debtor filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code (the "Bankruptcy Code") with the United States Bankruptcy Court for the Eastern District of New York (the "New York Court").
5. By Order dated November 20, 2008, the New York Court approved the appointment of Joseph E. Sarachek as the Trustee in this case (Iowa Docket No. 56).
6. After hearings that concluded on December 12, 2008, the New York Court entered an Order granting a Motion to Change Venue from the Eastern District of New York to the Northern District of Iowa (Iowa Docket No. 1).
7. On October 3, 2009, the Court entered its orders converting this case to a case under Chapter 7 of the Bankruptcy Code and appointing Joseph E. Sarachek as Chapter 7 Trustee.
8. Within the two years before the Petition Date, Defendants received at least twenty-two (22) payments, totaling \$32,000.00, detailed on Exhibit "A," attached hereto, from the Debtor.
9. The Trustee is not aware of any value provided to the Debtor from the Defendants in exchange for the payments, and therefore, the Trustee

reasonably concludes that the transfers were in exchange for less than a reasonably equivalent value.

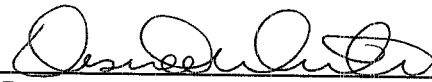
10. Debtor was insolvent at all times during the two-year period before the Petition Date.
11. The payments as described above constitute recoverable fraudulent conveyances pursuant to 11 U.S.C. § 548.
12. Pursuant to the provisions of 11 U.S.C. § 548, the Trustee is entitled to recover the value of the fraudulent conveyances.

CONCLUSIONS

13. The payments as described above constitute recoverable fraudulent conveyances pursuant to 11 U.S.C. § 548.
14. Pursuant to the provisions of 11 U.S.C. §§ 550 and 551, the Trustee is entitled to recover the value of the fraudulent conveyances. Therefore, the Trustee is entitled to entry of a judgment in his favor and against Defendants in the amount of \$32,000.00.

WHEREFORE, the Trustee respectfully requests entry of judgment in his favor and against Defendants in the amount of \$32,000.00 and the Trustee requests such other and further relief as the Court deems just and equitable under the circumstances.

Respectfully submitted,



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ATTORNEYS FOR CHAPTER 7 TRUSTEE

Exhibit A

Detail of Payments to Bais Rivka

Amount	Check Number	Check Date	Date Cleared
\$ 1,250.00	124160	12/18/2006	12/22/2006
\$ 1,250.00	124161	1/18/2007	1/19/2007
\$ 1,250.00	124162	2/18/2007	2/23/2007
\$ 1,250.00	124163	3/18/2007	3/21/2007
\$ 1,250.00	124164	4/17/2007	4/18/2007
\$ 1,250.00	124165	5/18/2007	5/23/2007
\$ 1,250.00	124166	6/18/2007	6/20/2007
\$ 1,250.00	124167	7/18/2007	7/19/2007
\$ 1,250.00	124168	8/18/2007	8/21/2007
\$ 1,250.00	124169	9/18/2007	9/19/2007
\$ 1,250.00	124170	10/18/2007	10/19/2007
\$ 1,250.00	124171	11/18/2007	11/20/2007
\$ 1,700.00	134181	10/15/2007	10/16/2007
\$ 1,700.00	134182	11/15/2007	11/16/2007
\$ 1,700.00	134183	12/15/2007	12/18/2007
\$ 1,700.00	134184	1/15/2008	1/16/2008
\$ 1,700.00	134185	2/15/2008	2/19/2008
\$ 1,700.00	134186	3/15/2008	3/18/2008
\$ 1,700.00	134187	4/15/2008	4/16/2008
\$ 1,700.00	134188	5/15/2008	5/16/2008
\$ 1,700.00	134189	6/15/2008	6/17/2008
\$ 1,700.00	134190	7/15/2008	7/16/2008
\$ 32,000.00	Total amount paid by Agriprocessors, Inc.		