

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.)	
)	
TFLM REALTY INC., f/k/a CHESED AND)	
TZEDAKAH OF T'FILOH L'MOSHE, INC.,)	
)	
Defendant.)	

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 Defendant, TFLM Realty Inc., f/k/a Chesed and Tzedakah of T'filoh L'moshe, Inc. ("TFLM Realty"), within the two-year period prior to filing, received payments from Agriprocessors totaling \$116,644.00.
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, Defendant received at least twenty-one payments, detailed on Exhibit "A," attached hereto, from the Debtor.
9. The Trustee is not aware of any value provided to the Debtor from the Defendant 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.

Exhibit A

Detail of Payments to TFLM Realty

Amount	Check Number	Check Date	Date Cleared
\$ 9,025.00	33340	2/1/2007	2/8/2007
\$ 3,500.00	37399	10/19/2007	10/23/2007
\$ 3,500.00	37400	10/19/2007	10/23/2007
\$ 3,400.00	37724	11/1/2007	11/5/2007
\$ 4,025.00	37725	11/1/2007	11/5/2007
\$ 2,500.00	40525	2/28/2008	3/3/2008
\$ 2,500.00	40536	2/28/2008	3/4/2008
\$ 2,500.00	40523	2/28/2008	3/17/2008
\$ 4,900.00	41534	4/10/2008	4/14/2008
\$ 5,897.00	41535	4/10/2008	4/14/2008
\$ 7,801.00	129105	3/29/2007	4/5/2007
\$ 8,157.00	132037	5/10/2007	5/14/2007
\$ 8,490.00	132339	5/31/2007	6/4/2007
\$ 3,883.00	132832	7/5/2007	7/9/2007
\$ 8,250.00	133144	7/19/2007	7/24/2007
\$ 10,062.00	133721	8/16/2007	8/22/2007
\$ 7,005.00	134100	9/11/2007	9/13/2007
\$ 5,296.00	134244	9/25/2007	9/27/2007
\$ 5,953.00	135014	12/13/2007	12/17/2007
\$ 5,000.00	135212	1/3/2008	1/7/2008
\$ 5,000.00	135873	3/20/2008	3/25/2008
\$116,644.00	Total amount paid by Agriprocessors, Inc.		