

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In re:

BKY No. 02-50600
ADV No. 04-5____

Invision of Duluth, Inc.,

Debtor.

Randall L. Seaver, Trustee,

Plaintiff,

COMPLAINT

vs.

Douglas S. Brown,

Defendant.

Randall L. Seaver, Trustee (“Trustee”) of the Bankruptcy Estate of Invision of Duluth, Inc. (“Debtor”) as and for his Complaint against Douglas S. Brown (“Defendant”), states and alleges as follows:

1. Trustee is the duly appointed Chapter 7 Trustee of the bankruptcy estate of the Debtor.
2. This bankruptcy case was commenced on July 24, 2002 by the filing of a Chapter 11 petition and was converted to a case under Chapter 7 on December 23, 2002.
3. This adversary proceeding is a core proceeding within the meaning of 28 U.S.C. §157(b)(2).
4. This court has jurisdiction over this adversary proceeding pursuant to 28 U.S.C. §§157 and 1334. This case arises under 11 U.S.C. §§547, 548, 549 and 550.

COUNT 1

5. Plaintiff realleges and reaffirms paragraph 1 through 4 above.

6. The Defendant, Douglas S. Brown, received payments, or payments were made for his benefit in the amount of at least \$13,402.27 after commencement of this case which unauthorized transfers are avoidable pursuant to 11 U.S.C. §549 and recoverable pursuant to 11 U.S.C. §550.

COUNT 2

7. Plaintiff realleges and reaffirms paragraph 1 through 6 above.

8. The books of the Debtor reflect a \$11,750 loan obligation owed by Defendant Douglas S. Brown to the Debtor.

COUNT 3

9. Plaintiff realleges and reaffirms paragraph 1 through 8 above.

10. Upon information and belief, attorney's fees owed by the Defendant individually were paid by the Debtor both pre-petition and post-petition and the total of those fees paid pre-petition and post-petition are avoidable and recoverable from the Defendant pursuant to 11 U.S.C. §§548, 549 and 550.

WHEREFORE, Plaintiff respectfully requests that this Court makes its Order:

1. Avoiding the post-petition transfer of at least \$13,402.47 to Defendant Douglas S. Brown pursuant to 11 U.S.C. §549 and entering judgment against him in the amount of at least \$13,402.27 pursuant to 11 U.S.C. §550, pursuant to Count 3 hereof.

2. Entering judgment against Defendant Douglas S. Brown in the amount of not less than \$11,750 pursuant to Count 2 hereof.

3. Entering judgment against Defendant Douglas S. Brown in an amount currently unknown, but believed to be in excess of \$1,500 pursuant to Count 3 hereof.

4. Awarding the Plaintiff his costs and disbursements in this action and any other or further relief as the court deems just and equitable.

FULLER, SEAVER & RAMETTE, P.A.

Dated: July 1, 2004

By: /e/ Randall L. Seaver

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Attorneys for Plaintiff