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Counsel for Mechanics Bank

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

IN RE: MCCLAIN FEED YARD, INC., MCCLAIN FARMS, INC., AND 7M CATTLE FEEDERS, INC., Debtors. ¹	Chapter 7 CASE NO. 23-20084-RLJ Jointly Administered
KENT RIES, CHAPTER 7 TRUSTEE FOR THE BANKRUPTCY ESTATES OF MCCLAIN FEED YARD, INC., MCCLAIN FARMS, INC., AND 7M CATTLE FEEDERS, INC., Plaintiff, v. COMMUNITY FINANCIAL SERVICES BANK; HTLF BANK; MECHANICS BANK; and RABO AGRIFINANCE, LLC., Defendants.	ADV. PROC. NO. 25-02005-swe Honorable Scott W. Everett

**MECHANICS BANK'S MOTION TO DISMISS TRUSTEE'S COMPLAINT UNDER RULE 7012 OF THE
FEDERAL RULES OF BANKRUPTCY PROCEDURE**

¹ The Debtors in these chapter 7 cases are: McClain Feed Yard, Inc. (Case No. 23-20084-RLJ), McClain Farms, Inc. (Case No. 23-20085-RLJ), and 7M Cattle Feeders, Inc. (Case No. 23-20086-RLJ).

NO HEARING WILL BE CONDUCTED HEREON UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AT ROOM 1254, 1100 COMMERCE ST. DALLAS, TEXAS 75242, BEFORE CLOSE OF BUSINESS ON THE DATE WHICH IS AT LEAST 21 DAYS FROM THE DATE OF SERVICE HEREOF.

ANY RESPONSE SHALL BE IN WRITING AND FILED WITH THE CLERK, AND A COPY SHALL BE SERVED UPON COUNSEL FOR THE MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED A HEARING MAY BE HELD WITH NOTICE ONLY TO THE OBJECTING PARTY.

IF NO HEARING ON SUCH NOTICE OR MOTION IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN.

Pursuant to Federal Rules of Bankruptcy Procedure 7009 and 7012, Defendant Mechanics

Bank (“Mechanics Bank”) files this Motion to Dismiss Trustee’s Original Adversary Complaint (the “Complaint”) as to Mechanics Bank.

Kent Ries, the Chapter 7 Trustee of the bankruptcy estates of McClain Feed Yard, Inc. (Case No. 23-20084-RLJ), McClain Farms, Inc. (Case No. 23-20085-RLJ), and 7M Cattle Feeders, Inc. (Case No. 23-20086-RLJ) (the “Trustee”), asserts fifteen numbered counts in the Complaint. Mechanics Bank moves to dismiss the counts as to Mechanics Bank. Pursuant to Local Bankruptcy Rule 7001-1, Mechanics Bank has contemporaneously filed its brief in support of the Motion which sets forth Mechanics Bank’s arguments and authorities supporting the dismissal of the Trustee’s claims.

WHEREFORE, Mechanics Bank respectfully requests that this Court dismiss the Complaint and grant such other and further relief to which Mechanics Bank may be justly entitled.

Dated: May 30, 2025

Respectfully submitted,

/s/ Buffey Elizabeth Klein

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COUNSEL FOR MECHANICS BANK

CERTIFICATE OF SERVICE

I hereby certify that on May 30, 2025, a true and correct copy of the foregoing was served upon all counsel of record pursuant to the Federal Rules of Bankruptcy Procedure.

/s/ Buffey Elizabeth Klein

Buffey Elizabeth Klein