

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

In re:)
)
KOGER MANAGEMENT GROUP, INC.) Case No. 07-11947-SSM
d/b/a TRI-STATE MANAGEMENT)
) Chapter 11
Debtor)

**ORDER CONDITIONALLY DENYING
MOTION FOR APPOINTMENT OF CHAPTER 11 TRUSTEE
AND SETTING STATUS HEARING**

Upon consideration of the motion of the Official Committee of Unsecured Creditors for appointment of a chapter 11 trustee,¹ and for the reasons stated on the record at the conclusion of an evidentiary hearing held on October 3 and 4, 2007, it is

ORDERED:

1. The motion for appointment of a trustee is denied at this time, conditioned upon the debtor causing its wholly-owned subsidiary, KMG, LLC, to file a chapter 11 petition not later than Tuesday, October 9, 2007. To the extent the subsidiary lacks sufficient funds to pay the filing fee, the debtor is authorized to advance such funds on its behalf.

2. A status hearing will be held on **Monday, November 19, 2007, at 10:30 a.m.**, to receive any additional evidence from the parties bearing on the appointment of a trustee.

¹ The motion was joined in by The Watergate of Alexandria Condominium Unit Owners Association, The River Place South Housing Corporation, Carlyn Place Association, The Pinewood Meadows Condominium Unit Owners Association, Maywood Condominium Unit Owners Association, Falls Run Community Association, The Madison, A Condominium Unit Owners Association, and Villas at Falls Run Condominium Unit Owners Association

3. The clerk will mail a copy of this order, or give electronic notice of its entry, to the parties listed below.

October 4, 2007
Date: _____
Alexandria, Virginia

/s/ Stephen S. Mitchell

Stephen S. Mitchell
United States Bankruptcy Judge

ENTERED ON DOCKET: October 4, 2007

Copies to:

Koger Management Group, Inc.
d/b/a Tri-State Management
Attn: Robert Koger, President
4105 Rust Road
Fairfax, VA 22030
Debtor in possession

Thomas P. Gorman, Esquire
Tyler, Bartl, Gorman & Ramsdell, PLC
700 S. Washington St., Suite 216
Alexandria, VA 22314
Counsel for the debtor in possession

Bradford F. Englander, Esquire
Linowes and Blocher, LLP
7200 Wisconsin Avenue
Suite 800
Bethesda, MD 20814
Counsel for the Official Committee of Unsecured Creditors

Frank Bove, Esquire
Office of the United States Trustee
115 South Union Street, Suite 210
Alexandria, VA 22314

Christopher A. Jones, Esquire
Whiteford, Taylor & Preston, LLP
3190 Fairview Park Drive, Suite 300
Falls Church, VA 22042

Counsel for The Watergate of Alexandria Condominium Unit Owners Association, The River Place South Housing Corporation, Carlyn Place Association, The Pinewood Meadows Condominium Unit Owners Association, Maywood Condominium Unit Owners Association, Falls Run Community Association, The Madison, A Condominium Unit Owners Association, and Villas at Falls Run Condominium Unit Owners Association.