

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In Re:

COURT REPORTING INSTITUTE, INC.,

Debtor.

BANKRUPTCY ESTATE OF COURT  
REPORTING INSTITUTE, INC., by and  
through Michael B. McCarty, Bankruptcy  
Trustee,

Plaintiff,

vs.

ALAN JANISCH, a single man; and KAI  
MOLDSKRED and JOYCE MOLDSKRED,  
husband and wife, and the marital community  
comprised thereof,

Defendants.

CHAPTER NO. 7

BANKRUPTCY NO. 06-14202

INTERNAL APPEAL NO. 08-S021

BAP NO. WW-08-1209

ADVERSARY NO. 07-01167

**Appellant's Designation of Record and Statement of Issues**

**Pursuant to Bankruptcy Rule 8006**

Kai Moldskred and Joyce Moldskred, having filed a notice of appeal on August 8, 2008, from an order of the bankruptcy court, dated July 29, which ordered that the Appellant's motion to reconsider partial summary judgment was denied, hereby designates the following for inclusion in the record on appeal and sets forth a statement of issues to be presented on appeal:

*Designation of Contents of Record*

1. Adversary case 07-01167. Complaint against Alen Janisch, Kai Moldskred, and Joyce Moldskred was filed by James F. Rigby on behalf of Michael B. McCarty on June 22, 2007 to Recover Preference.
2. Answer to Complaint filed by Joyce and Kai Moldskred on July 25, 2007.
3. Plaintiff's Motion for Summary Judgment filed by Michael B. McCarty on October 10, 2007
4. Plaintiff's Memorandum in Support of Motion for Summary Judgment filed by Michael B. McCarty on October 10, 2007.
5. Declaration of Michael B. BcCarty filed by Michael B. McCarty on October 10, 2007.
6. Declaration of Richard Ginnis by Michael B. McCarty on October 10, 2007.
7. Declaration of James Rigby filed by Michael B. McCarty on October 10, 2007.
8. Memorandum in Response to Motion for Summary Judgment and Cross Motion for Summary Judgment filed by Kai and Joyce Moldskred on November 21, 2007.
9. Defendant's Statement: Notice of Bankruptcy Filing by Defendant Alen Janisch filed by Alen Janisch on November 23, 2007.
10. Plaintiff's Motion for Summary Judgment filed by Michael B. McCary on April 10, 2008.
11. Second Declaration of Kai Moldskred in Response to Motion for Summary Judgment filed by Joyce and Kai Moldskred on June 13, 2008.
12. Defendant's Response to Motion for Summary Judgment filed by Edmund J Wood on June 13, 2008.
13. Plaintiff's Reply Memorandum in Support of Motion for Summary Judgment filed by Michael B. McCarty
14. Order of Partial Summary Judgment signed on July 11, 2008.
15. Motion for Reconsideration filed by Joyce and Kai Moldskred on July 21, 2008.
16. Order Denying Motion to Reconsider Partial Summary Judgment signed on July 29, 2008.
17. Notice of Appeal to BAP Court filed by Joyce and Kai Moldskred on August 8, 2008.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Issues Presented

1. Is a transferee entitled to present a defense of a fraudulent transfer action under 11 USC § 548(c) where the value in the form of money was given to the debtor prior to the transfer?

DATED this 8<sup>th</sup> day of September, 2008.

/s/ Jeffrey B. Wells

JEFFREY B. WELLS, WSBA #6317  
Attorney for Defendants Kai & Joyce Moldskred  
500 Union Street Suite 927  
Seattle, WA 98101  
206-624-0088