

Bruce Dopke (Admitted Pro Hac)
Stahl Cowen Crowley Addis, LLC
55 W. Monroe Street, Suite 1200
Chicago, IL 60603
Tel: 312-641-0060
Fax: 312-423-8189
Email: bdopke@stahlcowen.com

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE:)	Chapter 11
)	Case No. 18-13359(shl)
REPUBLIC METALS REFINING)	(Jointly Administered)
CORPORATION, et al.,)	
)	
Debtors.)	Hon. Sean H. Lane

STATEMENT OF CLAIMED OWNERSHIP AND CLAIMS
OF DESIGN GOLD GROUP, INC.

Now comes Design Gold Group, Inc. (“DGG”), by its counsel, and for its Statement of Claimed Ownership and Claims (the “Customer Statement”), respectfully states as follows:

1. This Customer Statement is filed by DGG pursuant to the terms of the “Order Approving Uniform Procedures For Resolution Of Ownership Disputes” entered by the Court on January 11, 2019 as Document No. 395 (the “Order”).
2. As permitted by paragraph 2(b) of the Order, DGG designates the “Limited Objection Of Design Gold Group, Inc. To Motion To (i) Approve Use of Cash Collateral (ii) Granting Adequate Protection To The Secured Parties And (iii) Scheduling A Final Hearing” which DGG filed in this case on November 21, 2018 (Doc. 163) (the “Objection”), as supplemented by this document, to be its “Customer Statement.”

3. Through this Customer Statement, DGG asserts claims against each of the Debtors under 11 U.S.C. §503(b)(9) in the following amounts:

- a. The amount of Three Thousand Five Hundred Forty-One and 02/100 Dollars (\$3,541.02) for the proceeds of silver contained in “Lot L181471” which DGG sold to Republic Metals Corporation (“RMC”) on October 30, 2018, as evidenced by the documentation attached to the Objection as Exhibit F and the first page of Exhibit G; and
- b. The amount of One Thousand Seven Hundred Seventy-One and 06/100 Dollars (\$1,771.60) for the proceeds of silver contained in “Lot L181472” which DGG sold to RMC on October 30, 2018, as evidenced by the documentation attached to the Objection as Exhibit F and the second page of Exhibit G.

4. In addition to DGG’s Section 503(b)(9) Claims noted in the preceding paragraph, DGG claims and states that it is and remains the owner of gold and silver contained in those lots designated by RMC as Lots L181473 and L181474 (identified in Exhibits C and D to the Objection) which had the approximate value on October 5, 2018 of One Hundred Sixty Thousand Dollars (\$160,000.00). This ownership claim is based on the fact that DGG never agreed to sell the material contained in Lots L181473 and L181474 to any of the Debtors, and the Debtors never agreed to purchase that material from DGG.

5. Because the Debtors never acquired rights or an ownership interest in the silver and gold metal contained in Lots L181473 and L181474, no claim, lien or other right of any creditor of the Debtors, including entities which lent money to the Debtors on a secured basis, could or would attach to the metal contained in those lots. Fla. Stat. Ch. 679.2031.

6. Further, DGG has the right in this Court to the imposition of a constructive trust on any metal (or its proceeds) traceable to Lots L181473 and L181474.

Dated: January 11, 2018

DESIGN GOLD GROUP, INC.

By: /s/ Bruce Dopke
One of its attorneys

Bruce Dopke (Admitted Pro Hac Vice)
Stahl Cowen Crowley Addis, LLC
55 W. Monroe Street, Suite 1200
Chicago, IL 60603
Tel: 312-641-0060
Fax: 312-423-8189
Email: bdopke@stahlcowen.com