

UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF IOWA

IN RE:

DONALD FREDERICK CRAWFORD,

Debtors,

WESLEY B. HUISINGA,

Plaintiff/Trustee,

Vs.

JOHN C. WAGENER,

Defendants.

BANKRUPTCY NO. 82-02381

ADVERSARY NO. 83-0792

JUDGMENT

FILED  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA  
JUN 15 1984  
BARBARA A. EYERLY, CLERK

Pursuant to the Order for Judgment entered herein on the 15<sup>th</sup>  
day of June, 1984;

IT IS ORDERED that Plaintiff, Wesley B. Huisinga, Plaintiff/Trustee in Donald Frederick Crawford, Bankruptcy No. 82-02381, pending in the United States Bankruptcy Court for the Northern District of Iowa, recover of the Defendant, John C. Wagener, the sum of One Thousand One Hundred Forty-two Dollars and Eighteen Cents (\$1,142.18) together with interest at the statutory rate of 12.05 percent per annum (12.05%) from the date of Judgment until paid, together with the Court costs of this action in the sum of Sixty Dollars (\$60.00).

IT IS FURTHER ORDERED that this Judgment shall be entered in the Docket of the Clerk of this Court and that notice of the entry of this Judgment shall be given by ordinary mail to the Defendant, John C. Wagener, Hwy. 64, E. Maquoketa, Iowa 52060 and to the Trustee/Plaintiff, Wesley B. Huisinga, 751 Progress Avenue, Waterloo, IA 50701.

ORDERED this 15<sup>th</sup> day of June, 1984.

  
WILLIAM W. THINNES, UNITED STATES BANKRUPTCY  
JUDGE

Copies mailed to parties as set forth above this 18 day of June, 1984.

  
Deputy Clerk, Bankruptcy Court, P.O.  
Box 4371, Cedar Rapids, IA 52407

RECORDED: this 6-18-84  
Volume: 1  
Page: 137

UNITED STATES MARSHALS SERVICE  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF IOWA  
DIVISION

FILED  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA

FEB 13 1985

BARBARA A. EVERLY, CLERK

WESLEY B. HUISINGA )

Plaintiff, )

vs. )

JOHN C. WAGNER )

Defendant(s). )

CIVIL NO. BKY 83-0792

NOTICE OF GARNISHMENT  
AND INTERROGATORIES

TO Hawkeye Bank & Trust, Main Street, Maquoketa, IA 52060

as garnishee herein and as supposed debtor of \_\_\_\_\_

John C. Wagner

YOU ARE HEREBY NOTIFIED, that you are attached as garnishee, in the above-entitled action, by virtue of a Writ of Execution to me directed by the Clerk of said Bankruptcy Court for the sum of \$ ~~XXXXXXXX~~ 1,142.18 judgment, plus costs and interest from date of said judgment, and that you are required not to pay any non-exempt funds due or hereinafter to become due, by you to said defendant, subject to the provisions of Chapter 642, Code of Iowa any amendments thereto; and Section 1672 and 1673 of Title 15, U.S.Code and that you must remand possession of all non-exempt funds of said defendant(s) now or hereafter being in your custody or under your control, to the Clerk, U.S. Bankruptcy Court, Northern District of Iowa, P.O. Box 4371, Cedar Rapids, Iowa 52407, Phone: 319-399-2473.

SEE ATTACHED INSTRUCTIONS TO GARNISHEE FOR ADDITIONAL INFORMATION.

And you are further notified and requested to file full sworn answers to below questions with the Clerk of the U.S. Bankruptcy Court, within 14 days from the date of service, or you may be liable to pay entire judgment which said plaintiff may obtain against said defendant.

For your information the  
Attorney for Plaintiff is

Wesley B. Huisinga  
Bankruptcy Trustee  
751 Progress Avenue  
Waterloo, IA 50701

Phone: (319) 233-3301

JAMES P. JONKER

UNITED STATES MARSHAL  
P.O. Box 4740  
Cedar Rapids, IA 52407  
Phone: 319-399-2417

By: Fred G. Meyer  
Fred G. Meyer, Chief Deputy

Vol. I  
Page 137

U.S. Department of Justice  
United States Marshals Service

**PROCESS RECEIPT AND RETURN**

See Instructions for "Service of Process by the U.S. Marshal" on the reverse of this form.

PLAINTIFF WESLEY B. HUISINGA		COURT CASE NUMBER BKY 83-0792
DEFENDANT JOHN C. WAGNER		TYPE OF PROCESS NOTICE OF GARNISHMENT AND INTERROGATORIES
SERVE AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN Maquoketa State Bank	
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) Maquoketa, IA 52060	
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:		
Wesley B. Huisinga Bankruptcy Trustee 751 Progress Avenue Waterloo, IA 50701		Number of process to be served with this Form - 285
		Number of parties to be served in this case
		Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):  
Fold Fold

Please levy against any bank accounts, checking accounts, savings accounts, I.R.A.'s, Certificates of deposit, money market accounts, or any other funds on deposit.

*Wesley B. Huisinga*

Signature of Attorney or other Originator requesting service on behalf of: Wesley B. Huisinga	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER (319) 233-3301	DATE 2-4-85
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**SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE**

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin No. 29	District to Serve No. 29	Signature of Authorized USMS Deputy or Clerk <i>DLR</i>	Date 2-5-85
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I hereby certify and return that I  have personally served,  have legal evidence of service,  have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc. shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above) KEVIN BURNS V.P.	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.
Address (complete only if different than shown above)	Date of Service 2/7/85 Time 12:20 pm Signature of U.S. Marshal or Deputy <i>Fred Meyer</i>

Service Fee 2.00	Total Mileage Charges (including endeavors) N/A	Forwarding Fee —	Total Charges 3.00	Advance Deposits	Amount owed to U.S. Marshal or	Amount Refund
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REMARKS:

2/13/85 - Received answers to interrogatories. FILED

U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA

FEB 13 1985

BARBARA A. EVERLY, CLERK

PRIOR EDITIONS  
MAY BE USED

1. CLERK OF THE COURT

FORM USM-285 (Rev. 12/16/80)

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UNITED STATES MARSHALS SERVICE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF IOWA  
DIVISION

**WESLEY B. HUISINGA**

Plaintiff,

vs.

**JOHN C. WAGNER**

Defendant(s).

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CIVIL NO. **EKY 83-0792**

NOTICE OF GARNISHMENT  
AND INTERROGATORIES

TO **Maquoketa State Bank, Maquoketa, IA 52060**

as garnishee herein and as supposed debtor of \_\_\_\_\_

**John C. Wagner**

YOU ARE HEREBY NOTIFIED, that you are attached as garnishée, in the above-entitled action, by virtue of a Writ of Execution to me directed by the Clerk of said Bankruptcy Court for the sum of \$ **1,142.18** judgment, plus costs and interest from date of said judgment, and that you are required not to pay any non-exempt funds due or hereinafter to become due, by you to said defendant, subject to the provisions of Chapter 642, Code of Iowa any amendments thereto; and Section 1672 and 1673 of Title 15, U.S. Code and that you must remand possession of all non-exempt funds of said defendant(s) now or hereafter being in your custody or under your control, to the Clerk, U.S. Bankruptcy Court, Northern District of Iowa, P.O. Box 4371, Cedar Rapids, Iowa 52407, Phone: 319-399-2473.

SEE ATTACHED INSTRUCTIONS TO GARNISHEE FOR ADDITIONAL INFORMATION.

And you are further notified and requested to file full sworn answers to below questions with the Clerk of the U.S. Bankruptcy Court, within 14 days from the date of service, or you may be liable to pay entire judgment which said plaintiff may obtain against said defendant.

For your information the  
Attorney for Plaintiff is

**Wesley B. Huisinga**  
**Bankruptcy Trustee**  
**751 Progress Avenue**  
**Waterloo, IA 50701**

**Phone: (319) 233-3301**

**JAMES P. JONKER**

UNITED STATES MARSHAL  
P.O. Box 4740  
Cedar Rapids, IA 52407  
Phone: 319-399-2417

By:

*Fred G. Meyer*  
**Fred G. Meyer, Chief Deputy**

QUESTIONS TO BE ANSWERED BY THE GARNISHEE AS REQUIRED BY PROVISIONS OF CHAPTER 642, CODE OF IOWA:

Is the defendant employed by you at this time? Yes \_\_\_\_\_ No

1. Are you in any manner indebted to the defendant in this suit, EXC 83-0792, or do you owe him money or property which is not yet due? If so, state particulars: NONE

2. Have you in your possession or under your control any property, rights or credits of the said defendant? If so, what is the value of same? \$53.35  
Balance of checking account

3. Do you know of any debts owing the said defendant, whether due or not due, or any property, rights or credits belonging to him and now in the possession or under control of others? If so, state particulars: NO

4. Do you compensate the defendant in this suit for any personal services whether denominated as wages, salary, commission, bonus or otherwise, including periodic payments pursuant to a pension or retirement program? If so, state the amount of the compensation reasonably anticipated to be paid defendant during the calendar year: NO

I do solemnly swear/affirm under penalty of perjury, that I have made full and true answers to the above questions touching the matter wherein I have been attached as garnishee.

Garnishee Maquoketa State Bank

By: Mary [Signature]

Subscribed and sworn to before me this 7th day of February 1985.

**JAMES P. JONKER**

By: Fred G. Meyer

UNITED STATES MARSHAL

DEPUTY

**Fred G. Meyer, Chief Deputy**

NOTE: After completing this form retain Copy Number 4 for your records.

Return Copy Number 1 along with any funds to:

Clerk, U.S. Bankruptcy Court  
P.O. Box 4371  
Cedar Rapids, IA 52407

Return Copies 2 and 3 in the enclosed envelope to:

U.S. Marshals Service  
P.O. Box 4740  
Cedar Rapids, IA 52407

**U.S. MARSHALS SERVICE  
PROCESS RECEIPT and RETURN**

**INSTRUCTIONS:** See "INSTRUCTIONS FOR SERVICE OF PROCESS BY THE U.S. MARSHAL" on the reverse of the last (No. 5) copy of this form. Please type or print legibly, insuring readability of all copies. Do not detach any copies.

PLAINTIFF <b>WESLEY B. HUISINGA</b>	COURT CASE NUMBER <b>Bankruptcy No. 83-0792</b>
DEFENDANT <b>John C. Wagner</b>	TYPE OF PROCESS <b>Writ of Execution</b>

**SERVE**  **AT**

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN  
**John C. Wagner**

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)  
**804 Country Club Road, Maquoketa, IA (Home) 652-3284 or  
defendant's business at Highway 64 East, Maquoketa, Ia, (652-2428)**

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:  <b>Wesley B. Huisinga Bankruptcy Trustee 751 Progress Ave. Waterloo, Iowa 50701</b>	Number of process to be served with this Form-285	<b>1</b>
	Number of parties to be served in this case	<b>1</b>
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):  
Fold

Marshal should make an ORAL DEMAND UPON the defendant, John C. Wagner, for a sufficient sum of money to satisfy the Writ of Execution. Total amount needed to satisfy this Writ of Execution including accrued interest to Feb. 6, 1985 is **\$1,291.17**. If oral demand is refused, Marshal should levy upon and seize money in any bank accounts held in name of defendant, John C. Wagner at Hawkeye Bank & Trust, Main St. Maquoketa or Maquoketa State Bank, Maquoketa, Ia.

Signature of Attorney or other Originator requesting service on behalf of: <i>Wesley B. Huisinga</i> <b>Wesley B. Huisinga</b>	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER <b>(319)233-3301</b>	DATE <b>2-4-85</b>
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**SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE**

I acknowledge receipt for the total number of process indicated (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin No. <b>29</b>	District to Serve No. <b>29</b>	Signature of Authorized USMS Deputy or Clerk <i>DLR</i>	Date <b>2-5-85</b>
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I hereby certify and return that I  have personally served,  have legal evidence of service,  have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above. (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode
Address (complete only if different than shown above)	Date of Service <b>2/7/85</b> Time <b>11:50 am</b>
	Signature of U.S. Marshal or Deputy <i>Fred S. Meyer</i>

Service Fee <b>3.00</b>	Total Mileage Charges (including endeavors) <b>\$ 14.40</b>	Forwarding Fee <del>17.40</del>	Total Charges <b>17.40</b>	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Fund (Check enclosed)
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REMARKS:  
**EXECUTION EXPIRES: April 1, 1985**

**FILED  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA  
FEB 13 1985  
BARBARA A. EVERLY, CLERK**

*Vol. I Page 137*

# United States Bankruptcy Court

BKY NO. 83-0792

For the NORTHERN District of IOWA

## WRIT OF EXECUTION

To: The United States Marshal for the NORTHERN District of IOWA,

Greeting:

On the 15th day of June, 1984, judgment was rendered in this action that the plaintiff, Wesley B. Huisinga, Trustee, shall recover from the defendant, John C. Wagner, the sum of \$ 1,142.18 together with interest thereon at the rate of 12.05 percent per annum from the 15th day of June, 1984, until paid, and \$ 60.00 costs were taxed against the defendant, John C. Wagner. The judgment was duly entered and docketed in the records of the clerk of this court on the 18th day of June, 1984, but no part of the judgment, interest thereon, or costs has been paid or satisfied.

Therefore:

You are hereby commanded to expose to execution sale so much of the property of the defendant, John C. Wagner, as may have been attached at the commencement of this action to insure enforcement of the judgment as is necessary to satisfy the judgment, accrued interest thereon, costs of suit, and your execution costs and expenses, the property that was attached being described as follows:

Any and all monies on deposit or held at Hawkeye Bank & Trust, Main Street, Maquoketa, IA or Maquoketa State Bank, Maquoketa, IA including IRA Accounts, Treasury Bills, and money market certificates of Defendant.

If such property is insufficient to satisfy the aforementioned amounts due from the defendant, John C. Wagner, you are further commanded to subject to execution sale sufficient of the defendant's other nonexempt personal property situated in your district as may be necessary to satisfy the remaining balance, and if such personal property is insufficient, then you are commanded to satisfy any final balance by a levy on and sale of sufficient of the defendant's remaining nonexempt real property situated within your district.

You are further commanded to return this writ with an endorsement thereon showing the manner of your compliance with its terms, together with the proceeds from the execution sale or sales, by the 1st day of April, 1985.



[Seal of the U.S. Bankruptcy Court]

Date of issuance: January 8, 1985

BARBARA A. EVERLY  
Clerk of Bankruptcy Court

By: Louise J. Westman  
Deputy Clerk

U.S. Bk. Ct. / Bankruptcy Court  
P. O. Box 4371  
Cedar Rapids, IA 52407

U.S. Department of Justice  
United States Marshals Service

**PROCESS RECEIPT AND RETURN**  
See Instructions for "Service of Process by the U.S. Marshal"  
on the reverse of this form.

PLAINTIFF WESLEY B. HUISINGA	COURT CASE NUMBER BKY 83-0792
DEFENDANT JOHN C. WAGNER	TYPE OF PROCESS NOTICE OF GARNISH- MENT AND INTERROGATORIES
<b>SERVE</b> AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN Hawkeye Bank & Trust ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) Main Street Maquoketa, IA 52060

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:	Number of process to be served with this Form - 285
Wesley B. Huisinga Bankruptcy Trustee 751 Progress Avenue Waterloo, IA 50701	Number of parties to be served in this case
	Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):  
Fold Fold

Please levy against any bank accounts, checking accounts, savings accounts, I.R.A.'s, Certificates of deposit, money market accounts, or any other funds on deposit.

*Wesley B. Huisinga*

Signature of Attorney or other Originator requesting service on behalf of: Wesley B. Huisinga	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER (319) 233-3301	DATE 2-4-85
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**SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE**

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin No. 29	District to Serve No. 29	Signature of Authorized USMS Deputy or Clerk DAR	Date 2-5-84
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I hereby certify and return that I  have personally served,  have legal evidence of service,  have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above) GARY DREW ASSISTANT V.P.	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.
Address (complete only if different than shown above)	Date of Service 2/17/85 Time 12:05 pm Signature of U.S. Marshal or Deputy <i>Frank Meyer</i>

Service Fee 3.00	Total Mileage Charges (including endeavors) N/A	Forwarding Fee -	Total Charges 3.00	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
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REMARKS:  
2/13/85 - Received answers to interrogatories.

**FILED**  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA

**FEB 13 1985**

BARBARA A. EVERLY, CLERK

Vol I, Page 137

UNITED STATES MARSHALS SERVICE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF IOWA  
DIVISION

**WESLEY B. HUISINGA**

Plaintiff,

vs.

**JOHN C. WAGNER**

Defendant(s).

CIVIL NO. **BKY 83-0792**

NOTICE OF GARNISHMENT  
AND INTERROGATORIES

TO **Hawkeye Bank & Trust, Main Street, Maquoketa, IA 52060**

as garnishee herein and as supposed debtor of \_\_\_\_\_

**John C. Wagner**

YOU ARE HEREBY NOTIFIED, that you are attached as garnishee, in the above-entitled action, by virtue of a Writ of Execution to me directed by the Clerk of said Bankruptcy Court for the sum of \$ ~~XXXXXX~~ **1,142.18** judgment, plus costs and interest from date of said judgment, and that you are required not to pay any non-exempt funds due or hereinafter to become due, by you to said defendant, subject to the provisions of Chapter 642, Code of Iowa any amendments thereto; and Section 1672 and 1673 of Title 15, U.S. Code and that you must remand possession of all non-exempt funds of said defendant(s) now or hereafter being in your custody or under your control, to the Clerk, U.S. Bankruptcy Court, Northern District of Iowa, P.O. Box 4371, Cedar Rapids, Iowa 52407, Phone: 319-399-2473.

SEE ATTACHED INSTRUCTIONS TO GARNISHEE FOR ADDITIONAL INFORMATION.

And you are further notified and requested to file full sworn answers to below questions with the Clerk of the U.S. Bankruptcy Court, within 14 days from the date of service, or you may be liable to pay entire judgment which said plaintiff may obtain against said defendant.

For your information the Attorney for Plaintiff is

**Wesley B. Huisinga  
Bankruptcy Trustee  
751 Progress Avenue  
Waterloo, IA 50701**

**Phone: (319) 233-3301**

**JAMES P. JOHNSON**

UNITED STATES MARSHAL  
P.O. Box 4740  
Cedar Rapids, IA 52407  
Phone: 319-399-2417

By: *Fred G. Meyer*  
**Fred G. Meyer, Chief Deputy**

QUESTIONS TO BE ANSWERED BY THE GARNISHEE AS REQUIRED BY PROVISIONS OF CHAPTER 642, CODE OF IOWA:

Is the defendant employed by you at this time? Yes \_\_\_\_\_ No    
 *We have no accounts with John C. Wagener (deposit account)*

1. Are you in any manner indebted to the defendant in this suit, **EXX 83-0792** or do you owe him money or property which is not yet due? If so, state particulars: NO

2. Have you in your possession or under your control any property, rights or credits of the said defendant? If so, what is the value of same? NO

3. Do you know of any debts owing the said defendant, whether due or not due, or any property, rights or credits belonging to him and now in the possession or under control of others? If so, state particulars: CONTRACT DUE

JOHN C. WAGENER BY DARRELL MICHEL

4. Do you compensate the defendant in this suit for any personal services whether denominated as wages, salary, commission, bonus or otherwise, including periodic payments pursuant to a pension or retirement program? If so, state the amount of the compensation reasonably anticipated to be paid defendant during the calendar year: NO

I do solemnly swear/affirm under penalty of perjury, that I have made full and true answers to the above questions touching the matter wherein I have been attached as garnishee.

Garnishee **Hawkeye Bank & Trust**

By: *Sandra Rodenlofer, Cashier*

Subscribed and sworn to before me this 7th day of February 19 85

**JAMES P. JUNKER**  
UNITED STATES MARSHAL

By: *Fred G. Meyer 1205P*  
DEPUTY  
**Fred G. Meyer, Chief Deputy** 2/7/85

NOTE: After completing this form retain Copy Number 4 for your records.

Return Copy Number 1 along with any funds to:

Clerk, U.S. Bankruptcy Court  
P.O. Box 4371  
Cedar Rapids, IA 52407

Return Copies 2 and 3 in the enclosed envelope to:

U.S. Marshals Service  
P.O. Box 4740  
Cedar Rapids, IA 52407

83-0792W

# United States Bankruptcy Court

For the NORTHERN District of IOWA

## WRIT OF EXECUTION

To: The United States Marshal for the \_\_\_\_\_ District of \_\_\_\_\_,

Greeting:

On the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, judgment was rendered in this action that the plaintiff, \_\_\_\_\_, shall recover from the defendant, \_\_\_\_\_, the sum of \$ \_\_\_\_\_ together with interest thereon at the rate of \_\_\_\_\_ percent per annum from the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, until paid, and \$ \_\_\_\_\_ costs were taxed against the defendant, \_\_\_\_\_. The judgment was duly entered and docketed in the records of the clerk of this court on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, but no part of the judgment, interest thereon, or costs has been paid or satisfied.

Therefore:

You are hereby commanded to expose to execution sale so much of the property of the defendant, \_\_\_\_\_, as may have been attached at the commencement of this action to insure enforcement of the judgment as is necessary to satisfy the judgment, accrued interest thereon, costs of suit, and your execution costs and expenses, the property that was attached being described as follows:

If such property is insufficient to satisfy the aforementioned amounts due from the defendant, \_\_\_\_\_, you are further commanded to subject to execution sale sufficient of the defendant's other nonexempt personal property situated in your district as may be necessary to satisfy the remaining balance, and if such personal property is insufficient, then you are commanded to satisfy any final balance by a levy on and sale of sufficient of the defendant's remaining nonexempt real property situated within your district.

You are further commanded to return this writ with an endorsement thereon showing the manner of your compliance with its terms, together with the proceeds from the execution sale or sales, by the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.



[Seal of the U.S. Bankruptcy Court]

Date of issuance: January 8, 1985

BARBARA A. EVERLY  
Clerk of Bankruptcy Court

By: Louise J. Westman  
Deputy Clerk

U.S.D.C/Bankruptcy Court  
P. O. Box 4371  
Cedar Rapids, IA 52407

**U.S. MARSHALS SERVICE  
PROCESS RECEIPT and RET**

**INSTRUCTIONS:** See "INSTRUCTIONS FOR SERVICE OF PROCESS BY THE U.S. MARSHAL" on the reverse of the last (No. 5) copy of this form. Please type clearly and legibly, insuring readability of all copies. Do not detach copies.

PLAINTIFF <b>WESLEY B. HUISINGA</b>	COURT CASE NUMBER <b>Bankruptcy No. 83-0792</b>
DEFENDANT <b>JOHN C. WAGNER</b>	TYPE OF PROCESS <b>Writ of Execution</b>

**SERVE**  **AT**

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN  
**John C. Wagner**

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) **804 Country Club Road** Maquoketa, IA 52060

PHONE: **(652-2428 Business)**  
**(652-3284 Residence)**

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:  <b>Wesley B. Huisinga Bankruptcy Trustee 751 Progress Avenue Waterloo, IA 50701</b>	Number of process to be served with this Form-285	<b>1</b>
	Number of parties to be served in this case	<b>1</b>
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

**Marshal should make an ORAL DEMAND upon the defendant, John C. Wagner, for a sufficient sum of money to satisfy the Writ of Execution.**

**Total amount needed to satisfy this Writ of Execution is: \$1,234.99.**

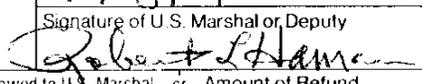
Signature of Attorney or other Originator requesting service on behalf of: <b>Wesley B. Huisinga</b>	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER <b>(319) 233-3301</b>	DATE <b>9/10/84</b>
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**SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE**

I acknowledge receipt for the total number of process indicated (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process <b>1</b>	District of Origin No. <b>29</b>	District to Serve No. <b>29</b>	Signature of Authorized USMS Deputy or Clerk <b>DRR</b>	Date <b>9-10-84</b>
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I hereby certify and return that I  have personally served,  have legal evidence of service,  have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above. (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode. Date of Service: <b>11-1-84</b> Time: _____ am/pm Signature of U.S. Marshal or Deputy 
Address (complete only if different than shown above)	

Service Fee <b>3.00</b>	Total Mileage Charges (including endeavors) <b>-</b>	Forwarding Fee <b>-</b>	Total Charges <b>3.00</b>	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund (Check enclosed)
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REMARKS: **EXECUTION EXPIRES: November 1, 1984**

**FILED**  
**U.S. BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF IOWA**  
**NOV -2 1984**  
**BARBARA A. EVERLY, CLERK**

*Vol. I Page 137*

# United States Bankruptcy Court

For the NORTHERN District of IOWA

## WRIT OF EXECUTION

To: The United States Marshal for the NORTHERN District of IOWA,

Greeting:

On the 15th day of June, 19 84, judgment was rendered in this action that the plaintiff, Wesley B. Huisinga, Trustee, shall recover from the defendant, John C. Wagner, the sum of \$ 1,142.18 together with interest thereon at the rate of 12.05 percent per annum from the 15th day of June, 1984, until paid, and \$ 60.00 costs were taxed against the defendant, John C. Wagner. The judgment was duly entered and docketed in the records of the clerk of this court on the 18th day of June, 19 84 but no part of the judgment, interest thereon, or costs have been paid or satisfied.

Therefore:

You are hereby commanded to expose to execution sale so much of the property of the defendant, John C. Wagner, as may have been attached at the commencement of this action to insure enforcement of the judgment as is necessary to satisfy the judgment, accrued interest thereon, costs of suit, and your execution costs and expenses, the property that was attached being described as follows:

If such property is insufficient to satisfy the aforementioned amounts due from the defendant, John C. Wagner, you are further commanded to subject to execution sale sufficient of the defendant's other nonexempt personal property situated in your district as may be necessary to satisfy the remaining balance, and if such personal property is insufficient, then you are commanded to satisfy any final balance by a levy on and sale of sufficient of the defendant's remaining nonexempt real property situated within your district.

You are further commanded to return this writ with an endorsement thereon showing the manner of your compliance with its terms, together with the proceeds from the execution sale or sales, by the 1st day of November, 19 84.



[Seal of the U.S. Bankruptcy Court]

Date of issuance: 8/23/84

Clerk of Bankruptcy Court

By: [Signature]  
U.S.D.Ct. / Bankruptcy Court

**U.S. MARSHALS SERVICE  
PROCESS RECEIPT and FURN**

**INSTRUCTIONS:** See "INSTRUCTIONS FOR SERVICE OF PROCESS BY THE U.S. MARSHAL" on the reverse of the last (No. 5) copy of this form. Please print legibly, insuring readability of all copies. Do not d  
1 of 2

PLAINTIFF \_\_\_\_\_ COURT CASE NUMBER Vol 1 - Page 137  
 DEFENDANT Wesley B. Huisinga Bankruptcy 83-0792  
 TYPE OF PROCESS ORAL DEMAND  
John C. Wagner ~~Writ of Execution~~

**SERVE** NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN  
**AT** John C. Wagner (Defendant) (652-2429 Bus) (652-3284-RES)  
 ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)  
804 Country Club Road, Maquoketa, Iowa, or defendant's place of business, Wagner Ford, Inc, Highway 64 East, Maquoketa, Ia

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

<u>Wesley B. Huisinga, Bankruptcy Trustee</u> <u>751 Progress Ave.</u> <u>Waterloo, Iowa 50701</u>	Number of process to be served with this Form-285 <u>one</u>
	Number of parties to be served in this case <u>1</u>
	Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Marshal should make an oral demand upon defendant, John Wagner for sufficient sum of money to satisfy the writ.

Total amount needed to ~~satisfy~~ <sup>satisfy</sup> this Writ of Execution is \$1,234.99.

Signature of Attorney or other Originator requesting service on behalf of: Wesley B. Huisinga  PLAINTIFF  DEFENDANT TELEPHONE NUMBER (319) 233-3301 DATE Sept 10, 1984

**SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE**

I acknowledge receipt for the total number of process indicated (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process District of Origin No. <u>29</u>	District to Serve No. <u>29</u>	Signature of Authorized USMS Deputy or Clerk <u>BOR</u>	Date <u>9-10-84</u>
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I hereby certify and return that I  have personally served,  have legal evidence of service,  have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above. (See remarks below)

Name and title of individual served (if not shown above) \_\_\_\_\_

Address (complete only if different than shown above) \_\_\_\_\_

**FILED U.S. BANKRUPTCY COURT NORTHERN DISTRICT OF IOWA SEP 12 1984 BARBARA A. EVERLY, CLERK**

A person of suitable age and discretion then residing in the defendant's usual place of abode  
 Date of Service 9-11-84 Time 4:30 pm  
 Signature of U.S. Marshal or Deputy  
Robert L. Laman

Service Fee <u>3.00</u>	Total Mileage Charges (including endeavors) <u>13.92</u>	Forwarding Fee <u>-</u>	Total Charges <u>16.92</u>	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund (Check enclosed)
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REMARKS: EXECUTION EXPIRES: NOVEMBER 1, 1984

116 MILES -

MADE ORAL DEMAND ON JOHN C. WAGNER - HE INDICATED HE COULD NOT PAY IN NOW, BUT WILL PAY THE ABOVE AMOUNT WITH IN THE NEXT WEEK & 10 DAYS.



OFFICE OF THE CLERK  
OF

Memorandum

United States Bankruptcy Court  
FOR THE NORTHERN DISTRICT OF IOWA

August 23, 1984

TO: Wesley B. Huisinga, Trustee/  
Plaintiff

RE: Adversary Number 83-0792

The Writ of Execution regarding the judgment entered in the above matter has been signed, and is returned to you herewith.

We do not fill in any of the information on this form, therefore the date re return of writ has not been completed.

Also, we take no part in obtaining service of a Writ by the U. S. Marshal, so you will have to deal directly with them regarding that.

*May Low Brunckhorst*

Deputy Clerk

mlb

enc.

BARBARA A. EVERLY, CLERK, BANKRUPTCY COURT  
U.S. COURT HOUSE, P.O. BOX 4371  
CEDAR RAPIDS, IA 52407 319/399-2473  
FTS: 863-2473 - 863-2522

HUTTON, BOLLER, & HUISINGA LAW FIRM  
751 PROGRESS AVENUE  
WATERLOO, IOWA 50701

# Memo

TO Clerk, United States Bankruptcy Court  
Attention: Mary Lou  
P.O. Box 4371  
Cedar Rapids, IA 52407

FILED DATE August 21, 1984

U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA SUBJECT: Crawford #83-02381

AUG 23 1984

BARBARA A. EVERLY, CLERK

Dear Mary Lou:

Enclosed please find a Writ of Execution that I have partially filled out in the above-referenced bankruptcy. I am sending this to be signed by the Clerk of Bankruptcy Court and also have the date upon which the execution must be returned filled in by the Clerk's Office. Upon completion of this, please advise what is the next step in delivering this Execution to the United States Marshall's Office.

Very truly yours,

Wesley B. Huisinga, Bankruptcy Trustee

WBH/cs  
Enc.

QUESTIONS TO BE ANSWERED BY THE GARNISHEE AS REQUIRED BY PROVISIONS OF CHAPTER 642, CODE OF IOWA:

Is the defendant employed by you at this time? Yes \_\_\_\_\_ No

*We have no accounts with John C. Wagener (deposit account)*

1. Are you in any manner indebted to the defendant in this suit, BKY 83-0792, or do you owe him money or property which is not yet due? If so, state particulars: NO

2. Have you in your possession or under your control any property, rights or credits of the said defendant? If so, what is the value of same? NO

3. Do you know of any debts owing the said defendant, whether due or not due, or any property, rights or credits belonging to him and now in the possession or under control of others? If so, state particulars: CONTRACT DUE

JOHN C. WAGENER BY DARRELL MICHEL

4. Do you compensate the defendant in this suit for any personal services whether denominated as wages, salary, commission, bonus or otherwise, including periodic payments pursuant to a pension or retirement program? If so, state the amount of the compensation reasonably anticipated to be paid defendant during the calendar year: NO

I do solemnly swear/affirm under penalty of perjury, that I have made full and true answers to the above questions touching the matter wherein I have been attached as garnishee.

Garnishee Hawkeye Bank & Trust

By: *Linda Boduchofers, Cashier*

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

JAMES P. JONKER  
UNITED STATES MARSHAL

by: *Fred G. Meyer 12:51P*  
DEPUTY  
Fred G. Meyer, Chief Deputy 2/7/85

NOTE: After completing this form retain Copy Number 4 for your records.

Return Copy Number 1 along with any funds to:

Clerk, U.S. Bankruptcy Court  
P.O. Box 4371  
Cedar Rapids, IA 52407

Return Copies 2 and 3 in the enclosed envelope to:

U.S. Marshals Service  
P.O. Box 4740  
Cedar Rapids, IA 52407

UNITED STATES MARSHALS SERVICE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF IOWA  
DIVISION

FEB 13 1985

BARBARA A. EVERLY, CLERK

WESLEY B. HUISINGA )

Plaintiff, )

vs. )

JOHN C. WAGNER )

Defendant(s). )

CIVIL NO. BKY 83-0792

NOTICE OF GARNISHMENT  
AND INTERROGATORIES

TO Maquoketa State Bank, Maquoketa, IA 52060

as garnishee herein and as supposed debtor of \_\_\_\_\_

John C. Wagner

YOU ARE HEREBY NOTIFIED, that you are attached as garnishee, in the above-entitled action, by virtue of a Writ of Execution to me directed by the Clerk of said Bankruptcy Court for the sum of \$ 1,142.18 judgment, plus costs and interest from date of said judgment, and that you are required not to pay any non-exempt funds due or hereinafter to become due, by you to said defendant, subject to the provisions of Chapter 642, Code of Iowa any amendments thereto; and Section 1672 and 1673 of Title 15, U.S.Code and that you must remand possession of all non-exempt funds of said defendant(s) now or hereafter being in your custody or under your control, to the Clerk, U.S. Bankruptcy Court, Northern District of Iowa, P.O. Box 4371, Cedar Rapids, Iowa 52407, Phone: 319-399-2473.

SEE ATTACHED INSTRUCTIONS TO GARNISHEE FOR ADDITIONAL INFORMATION.

And you are further notified and requested to file full sworn answers to below questions with the Clerk of the U.S. Bankruptcy Court, within 14 days from the date of service, or you may be liable to pay entire judgment which said plaintiff may obtain against said defendant.

For your information the  
Attorney for Plaintiff is

Wesley B. Huisinga  
Bankruptcy Trustee  
751 Progress Avenue  
Waterloo, IA 50701

Phone: (319) 233-3301

JAMES P. JONKER

UNITED STATES MARSHAL  
P.O. Box 4740  
Cedar Rapids, IA 52407  
Phone: 319-399-2417

By: Fred G. Meyer  
Fred G. Meyer, Chief Deputy

QUESTIONS TO BE ANSWERED BY THE GARNISHEE AS REQUIRED BY PROVISIONS OF CHAPTER 642, CODE OF IOWA:

Is the defendant employed by you at this time? Yes \_\_\_\_\_ No

1. Are you in any manner indebted to the defendant in this suit, BKY 83-0792, or do you owe him money or property which is not yet due? If so, state particulars: NONE

2. Have you in your possession or under your control any property, rights or credits of the said defendant? If so, what is the value of same? \$53.35  
Balance of checking account

3. Do you know of any debts owing the said defendant, whether due or not due, or any property, rights or credits belonging to him and now in the possession or under control of others? If so, state particulars: NO

4. Do you compensate the defendant in this suit for any personal services whether denominated as wages, salary, commission, bonus or otherwise, including periodic payments pursuant to a pension or retirement program? If so, state the amount of the compensation reasonably anticipated to be paid defendant during the calendar year: NO

I do solemnly swear/affirm under penalty of perjury, that I have made full and true answers to the above questions touching the matter wherein I have been attached as garnishee.

Garnishee Maquoketa State Bank By: Mary [Signature]

Subscribed and sworn to before me this 7th day of February 1985.

JAMES P. JONKER By: Fred C. Meyer  
UNITED STATES MARSHAL DEPUTY

Fred C. Meyer, Chief Deputy

NOTE: After completing this form retain Copy Number 4 for your records.

Return Copy Number 1 along with any funds to:

Clerk, U.S. Bankruptcy Court  
P.O. Box 4371  
Cedar Rapids, IA 52407

Return Copies 2 and 3 in the enclosed envelope to:

U.S. Marshals Service  
P.O. Box 4740  
Cedar Rapids, IA 52407

# United States Bankruptcy Court

BKY No. 83-0792

For the NORTHERN District of IOWA

FILED  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA

## WRIT OF EXECUTION

To: The United States Marshal for the NORTHERN District of IOWA **FEB 13 1985**

Greeting:

**BARBARA A. EVERLY, CLERK**

On the 15th day of June, 1984, judgment was rendered in this action that the plaintiff, Wesley B. Huisinga, Trustee, shall recover from the defendant, John C. Wagner, the sum of \$ 1,142.18 together with interest thereon at the rate of 12.05 percent per annum from the 15th day of June, 1984, until paid, and \$ 60.00 costs were taxed against the defendant, John C. Wagner. The judgment was duly entered and docketed in the records of the clerk of this court on the 18th day of June, 1984, but no part of the judgment, interest thereon, or costs has been paid or satisfied.

Therefore:

You are hereby commanded to expose to execution sale so much of the property of the defendant, John C. Wagner, as may have been attached at the commencement of this action to insure enforcement of the judgment as is necessary to satisfy the judgment, accrued interest thereon, costs of suit, and your execution costs and expenses, the property that was attached being described as follows:

Any and all monies on deposit or held at Hawkeye Bank & Trust, Main Street, Maquoketa, IA or Maquoketa State Bank, Maquoketa, IA including IRA Accounts, Treasury Bills, and money market certificates of Defendant.

If such property is insufficient to satisfy the aforementioned amounts due from the defendant, John C. Wagner, you are further commanded to subject to execution sale sufficient of the defendant's other nonexempt personal property situated in your district as may be necessary to satisfy the remaining balance, and if such personal property is insufficient, then you are commanded to satisfy any final balance by a levy on and sale of sufficient of the defendant's remaining nonexempt real property situated within your district.

You are further commanded to return this writ with an endorsement thereon showing the manner of your compliance with its terms, together with the proceeds from the execution sale or sales, by the 1st day of April, 1985.



[Seal of the U.S. Bankruptcy Court]

Date of issuance: January 8, 1985

BARBARA A. EVERLY  
Clerk of Bankruptcy Court

By: Louise J. Westman  
Deputy Clerk

U.S. D. Ct. / Bankruptcy Court  
P. O. Box 4371  
Cedar Rapids, IA 52407

**VOUCHER AND SCHEDULE OF PAYMENTS**

(MEMORANDUM)

Schedule No. 70  
 Sheet 1 of 1

**U. S. BANKRUPTCY COURT**  
 (DEPARTMENT OR ESTABLISHMENT)

BUREAU OR OFFICE <b>NORTHERN DISTRICT OF IOWA</b>	
LOCATION OF TRANSMITTING OFFICE <b>CEDAR RAPIDS, IOWA</b>	AGENCY STATION NO. <b>8629</b>
APPROPRIATION SUMMARY <b>CAN 110 - \$53.35</b>	

PAID BY
---------

VOUCHER NO.	PAYEE, AND IF NECESSARY, ADDRESS, INVOICE NO. OR OTHER IDENTIFICATION	AMOUNT	D O CHECK NO.
	<p><b>WESLEY B. HUISINGA</b>  <b>751 Progress Avenue</b>  <b>Waterloo, IA 50701</b>  <b>Plaintiff/Trustee in Bankruptcy</b>  <b>of Donald Frederick Crawford</b></p> <p><b>Garnishment of Bank Account of</b>  <b>John C, Wagener, Defendant,</b>  <b>pursuant to judgment entered by</b>  <b>this Court, in re Adversary 83-0792</b></p>	<b>\$53.35</b>	
<b>MEMORANDUM</b>		<b>GRAND TOTAL</b>	<b>\$53.35</b>

02/14/85

(Date)

(Authorized certifying officer)

*Vol. I*  
*Page 137*



( UNITED STATES BANKRUPTCY COURT  
OF THE NORTHERN DISTRICT OF IOWA

FILED  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA

IN RE:

BANKRUPTCY NO.

APR 13 1986

DONALD FREDERICK CRAWFORD  
dba Don's Flooring Center  
dba The Carpet Studio  
fdbba Jet Lounge

82-02381

BARBARA A. EVERLY, CLERK

Debtor.

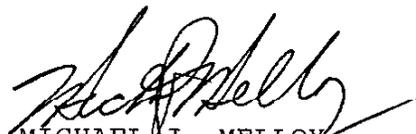
ORDER Granting Withdrawal of  
Trustee's Report Concerning Bids  
of Judgment; and ORDER Approving  
Application for Approval

Wesley B. Huisinga, Trustee herein, filed a report concerning bids of judgment on March 12, 1986. On March 14, 1986, the Trustee filed a withdrawal of said report and application for approval of a bid regarding the judgment.

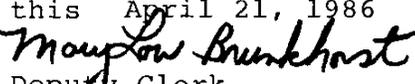
The Court finds the withdrawal of the March 14, 1986, report should be granted; and the application for approval of the bid in the amount of \$50.00 by Carson Pirie Scott, for the remaining interest in the judgment obtained by the Trustee on June 15, 1984, against defendant John C. Wagener in adversary number 83-0792, should be granted; and,

IT IS SO ORDERED.

ORDERED APRIL 18, 1986.

  
MICHAEL J. MELLOV  
Bankruptcy Judge

Copies mailed to:

Wesley B. Huisinga, Trustee/  
Attorney for Trustee;  
Jeffrey P. Berg,  
Attorney for Debtor;  
Thomas G. McCuskey,  
Attorney for Bidder;  
this April 21, 1986  
  
Deputy Clerk  
U. S. Bankruptcy Court  
P. O. Box 4371  
Cedar Rapids, IA 52407