

United States Bankruptcy Court

MAY 22 1990

IN RE: For the NORTHERN District of IOWA

RANDY WITTENBURG
DEBBIE WITTENBURG
Debtors.

Case No. L-89-01701W
BARBARA A. EVERLY, CLERK

READLYN SAVINGS BANK
v.

Plaintiff

RANDY WITTENBURG
DEBBIE WITTENBURG

Defendant

Adversary Proceeding No. L-90-0025W

JUDGMENT

This proceeding having come on for trial or hearing before the court, the Honorable Michael J. Melloy, United States Bankruptcy Judge, presiding, and the issues having been duly tried or heard and a decision having been rendered,

[OR]

The issues of this proceeding having been duly considered by the Honorable Michael J. Melloy, United States Bankruptcy Judge, and a decision having been reached without trial or hearing.

IT IS ORDERED AND ADJUDGED: that Plaintiff Readlyn Savings Bank have and recover from the Defendants Randy & Debbie Wittenburg, jointly and severally, judgment for the sum of \$6,266.48 as of May 15, 1990, plus \$2.90 interest per diem thereafter, and costs of this action, including attorneys fees, are taxed to Defendants by the Clerk.

Vol II
Page 201

Copy to:
Atty. for Plaintiff
Atty. for Defendant
U.S. Trustee
MAY 22 1990



[Seal of the U.S. Bankruptcy Court]

Date of issuance: May 22, 1990

BARBARA A. EVERLY

Clerk of Bankruptcy Court

By: Patricia M. Suiger
Deputy Clerk

United States Bankruptcy Court

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

Northern District of Iowa

JUN 1 1990

In re

RANDY WITTENBURG
DEBBIE WITTENBURG

Debtor

Bankruptcy Case No.

L-89-01701W

BARBARA A. EVERLY, CLERK

READLYN SAVINGS BANK

Plaintiff

v.

Adversary Proceeding No.

RANDY WITTENBURG
DEBBIE WITTENBURG

Defendant

L-90-0025W

BILL OF COSTS

Notice is given that the following Bill of Costs will be presented to the bankruptcy clerk at the following place and time:

Address	Room
Barbara Everly, Clerk US Bankruptcy Court - Northern District Cedar Rapids, IA 52407	Date and Time 5-31-90

Judgment was entered in the above entitled action on 5-22-90 against Randy Wittenburg and Debbie Wittenburg
(date) (date)

The clerk of the bankruptcy court is requested to tax the following as costs:

Fees of the clerk ... (Filing Fee)	\$ 120.00
Fees for service of summons and complaint	\$ _____
Fees of the court reporter for any and all part of the transcript necessarily obtained for use in the case	\$ _____
Fees and disbursements for printing	\$ _____
Fees for witnesses (itemized on reverse)	\$ _____
Fees for exemplifications and copies of papers necessarily obtained for use in this case	\$ _____
Docket fees under 28 U.S.C. § 1923	\$ _____
Costs incident to taking of depositions	\$ _____
Costs as shown on Mandate of appellate court	\$ _____
Other costs [Please itemize] Long Distance phone calls	\$ 15.45
Attorney fees (See attached)	\$ 740.00
TOTAL	\$ 875.45

DECLARATION

I, attorney for Readlyn Savings Bank, Plaintiff declare under penalties of perjury that the
(name of party)
foregoing costs are correct and were necessarily incurred in this action, that the services for which fees have been charged were actually and necessarily performed, and that a copy of this Bill of Costs was mailed this day with postage fully prepaid to:

Name and Address of Judgment Debtor Randy Wittenburg and Debbie Wittenburg R.R. Readlyn, IA 50668	& Russell Schroeder, Jr. Atty. for Debtors 1100 Gilbert St. Charles City, IA 50616
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Date

Signature of Attorney

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Page 201

COSTS ARE TAXED IN THE FOLLOWING AMOUNT AND INCLUDED IN THE JUDGMENT: \$ 875.45

BARBARA A. EVERLY

Clerk of the Bankruptcy Court

June 1, 1990

Date

By: Patricia M. Sauger
Deputy Clerk

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

IN RE:
RANDY WITTENBURG
DEBBIE WITTENBURG

BANKRUPTCY NO.
L-89-01701W

Debtors

READLYN SAVINGS BANK

ADVERSARY NO.
L-90-0025W

Plaintiff,

v.

RANDY WITTENBURG
DEBBIE WITTENBURG

AFFIDAVIT

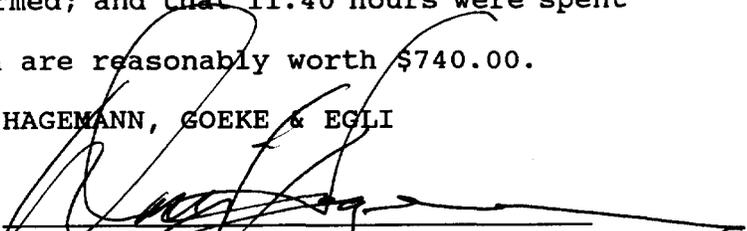
Defendants.

STATE OF IOWA, COUNTY OF BREMER, SS:

The undersigned being first duly sworn depose and say that we are the attorneys for the Plaintiff herein and as such, rendered legal services for said Plaintiff; and that such services were actually and necessarily performed; and that 11.40 hours were spent performing such services which are reasonably worth \$740.00.

HAGEMANN, GOEKE & EGLI

By


Don L. Hagemann

By


Lucy J. Gamon
100 E. Bremer Avenue
P.O. Box 89
Waverly, IA 50677
(319) 352-2518

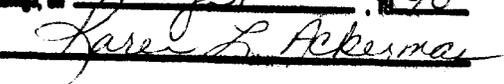
Copy to:
Russell Schroeder, Jr.
Atty. at Law
1100 Gilbert St.
Charles City, IA 50616

Randy & Debbie Wittenburg
R.R.
Readlyn, IA 50668

Readlyn Savings Bank
Readlyn, IA 50668

PROOF OF SERVICE

The undersigned certifies that the foregoing instrument was served upon all parties to the above cause by depositing a copy thereof in the U.S. Mail, postage prepaid, in envelopes addressed to each of the attorneys of record herein at their respective addresses disclosed on the pleadings, on May 31, 1990.


Karen L. Ackerman

Hagemann, Goeke & Egli
100 E. Bremer Ave.
P.O. Box 89
Waverly , IA 50677

Readlyn Savings Bank
Readlyn, IA 50668

May 31, 1990
General

ITEMIZED STATEMENT

PREVIOUS BALANCE

\$0.00

CREDITS

PROFESSIONAL SERVICES RENDERED

November, 1989

- 27 Review of Bankruptcy Provisions; letter from Steve Sampson; preparation of Objection to Discharge
- 28 Drafting bankruptcy pleading; letter to Steve Sampson

December, 1989

- 12 Telephone conference with Russ Schroeder reA: Motion to Lift Stay; telephone conference with Steve Sampson; filing bankruptcy documents
- 14 Telephone conference with Bankruptcy Clerk (2); memo to file (2); letter to Bankruptcy Clerk
- 18 Attend meeting of creditors; obtain relief from and stay; telephone conference with Dean Jacobsen
- 22 Letter from and letter to Steve Sampson

Hagemann, Goeke & Egli

Readlyn Savings Bank

May 31, 1990
Page 2

PROFESSIONAL SERVICES RENDERED (Continued)

- 27 Attend Creditor's Meeting
- 27 Telephone conference with Bankruptcy Clerk re: filing fee; memo to file

January, 1990

- 3 Letter to Steve Sampson re: lifting of stay
- 18 Telephone conference with Steve Sampson

February, 1990

- 12 Conference with Steve Sampson re: Randy Wittenburg
- 22 Filing Objection to Discharge

March, 1990

- 5 Letter to Steve Sampson re: settlement of objection to discharge
- 7 Telephone conference with Russ Schroeder; telephone conference with Steve Sampson re: settlement
- 8 Telephone conference with Steve Sampson re: settlement possibility
- 9 Telephone conference from Russ Schroeder re: settlement; telephone conference to Steve Sampson re: same
- 14 Telephone conference with Russ Schroeder; telephone conference with Steve Sampson re: settlement; letter to Russ Schroeder
- 21 Review of settlement offer; telephone conference with Russ Schroeder and Steve Sampson re: same
- 22 Letter to and telephone conference with Steve Sampson re: settlement offer

April, 1990

- 6 Telephone conference to Steve Sampson; telephone conference with Russ Schroeder re: negotiations

Hagemann, Goeke & Egli

Readlyn Savings Bank

May 31, 1990
Page 3

PROFESSIONAL SERVICES RENDERED (Continued)

7	Review of service requirements
10	Conference with Don re: status
10	Conference with Russ Schroeder; telephone conference to Charles City re: settlement of Wittenburg case
11	Conference with Steve Sampson; conference with Don re: settlement
18	Telephone conference to Charles City re: Wittenburg with offer to settle by Wittenburg taking property plus paying \$5000.00

May, 1990

8	Letter to Russ Schroeder
14	Prepare Default Judgment
15	Preparation of Default; telephone conference with Steve Sampson
17	Letter to Bankruptcy Clerk re: entry of Default Judgment re: Wittenburg

TOTAL SERVICES

\$740.00

DISBURSEMENTS

February, 1990

12	Disbursement to Bankruptcy Clerk for filing fee re: Wittenburg	120.00
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March, 1990

7	Long distance calls	1.35
9	Long distance calls	2.70
14	Long distance calls	1.35
21	Long distance calls	1.35
22	Long distance calls	1.35

Hagemann, Goeke & Egli

Readlyn Savings Bank

May 31, 1990
Page 4

DISBURSEMENTS (Continued)

April, 1990

6	Long distance calls	2.70
10	Long distance calls	1.65
18	Long distance calls	1.65

May, 1990

15	Long distance calls	1.35
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	TOTAL DISBURSEMENTS	----- \$135.45 -----
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	BALANCE DUE	\$875.45
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SUMMARY OF PROFESSIONAL SERVICES

LJG	9.70 Hours	\$	580.00
DLH	1.70 Hours	\$	160.00
	-----		-----
TOTAL	11.40 Hours	\$	740.00

DEG/fi
READSB 10001 4A

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

IN RE:
RANDY WITTENBURG
DEBBIE WITTENBURG

BANKRUPTCY NO.
L-89-01701W

MAY 21 1990

Debtors

BARBARA A. EVERLY, CLERK

READLYN SAVINGS BANK

ADVERSARY NO.
L-90-0025W

Plaintiff,

v.

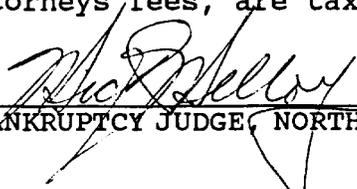
RANDY WITTENBURG
DEBBIE WITTENBURG

JUDGMENT BY DEFAULT
FOR WANT OF
APPEARANCE

Defendants.

BE IT REMEMBERED that on this 21st day of May, 1990, this cause comes on for Hearing, Plaintiff appearing by Don L. Hagemann, and Defendants appearing not, nor anyone for them. Plaintiff files an Affidavit relating to the Defendants' military service under the Soldiers and Sailors Civil Relief Act, and moves for default against all Defendants. The Court finds from an inspection of the record that none of the Defendants is or has been in military service. The Court finds that all Defendants have been duly and legally served with proper Original Notice as shown by proofs on file and now are within the jurisdiction of the Court and also that the time for all appearances has passed and no Defendant has appeared. Default is accordingly entered against all Defendants. The Court hears Plaintiffs' proofs and finds that the facts are as alleged in the Petition and that Plaintiff is entitled to the relief herein awarded.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Plaintiff have and recover from the Defendants, Randy and Debbie Wittenburg, jointly and severally, judgment for the sum of \$6,266.48 as of May 15, 1990, plus \$2.90 interest per diem thereafter, and costs of this action, including attorneys fees, are taxed to Defendants by the Clerk.


BANKRUPTCY JUDGE, NORTHERN DISTRICT OF IOWA

Copy for
Atty. for Plaintiff
Atty. for Defendant
U.S. Trustee
MAY 22 1990

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

FEB 22 1994

BARBARA A. EVERLY, CLERK

IN RE: RANDY WITTENBURG AND DEBBIE WITTENBURG, DEBTORS

READLYN SAVINGS BANK,)	Case No. L-89-01701W
Plaintiff,)	
)	Adversary No. L-90-0025W
vs.)	
RANDY WITTENBURG)	RELEASE AND SATISFACTION
DEBBIE WITTENBURG,)	OF JUDGMENT
Defendants.)	

COMES NOW the Readlyn Savings Bank and hereby releases the judgment entered on the 22nd day of May, 1992, in Vol. II, page 201 in the above-captioned matter, including attorney fees and costs.

Date: February 14, 1994

READLYN SAVINGS BANK

By: 
STEVEN C. SAMPSON, President
Readlyn, IA 50668
(319) 279-3321

Copy mailed to
filing attorney *Regerman*

FEB 22 1994 *M*

Recorded: Vol. II
page 201

HAGEMANN, GOEKE & EGLI

ATTORNEYS AT LAW

F. P. HAGEMANN (1889-1950)
HARRY H. HAGEMANN (1900-1970)
CARL E. HAGEMANN (1908-1989)
DON L. HAGEMANN
DALE E. GOEKE
STEVEN M. EGLI

WAVERLY, IOWA
50877

(319) 352-2518

FOUNDED 1896

100 EAST BREMER AVE
CENTURY BUILDING
P. O. BOX 89
FAX (319) 352-3136

February 18, 1994

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

FEB 22 1994

BARBARA A. EVERLY, CLERK

Ms. Barbara A. Everly, Clerk
U. S. Bankruptcy Court
P. O. Box 74890
Cedar Rapids, IA 52407

Re: Readlyn Savings Bank vs. Wittenburg
Case No. L-89-01701W
Adversary No. L-90-0025W

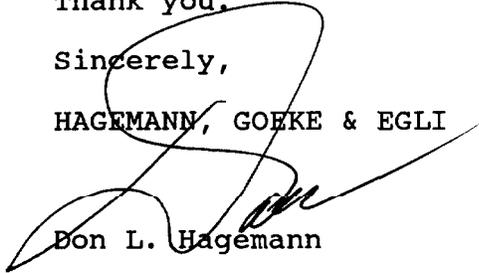
Dear Ms. Everly:

Enclosed find a Release and Satisfaction of Judgment in the above matter. Please return a file-stamped copy in the envelope enclosed.

Thank you.

Sincerely,

HAGEMANN, GOEKE & EGLI


Don L. Hagemann

DLH/sms
Enclosures