

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

In re:

CHAPTER 7
Case No.

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

APR 19 1996

BARBARA A. EVERLY, CLERK

QUINTIN LEE NEUENKIRK
CONSTANCE MARIE NEUENKIRK
aka Constance Marie Petersen
Debtor

95-62309KW

WEBER URETHANE INSULATION, INC.
Plaintiff

v.

QUINTIN LEE NEUENKIRK et al
Defendant

Adversary Proceeding No.
96-6017KW

JUDGMENT

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

IT IS ORDERED AND ADJUDGED: That Judgment be entered in favor of Plaintiff Weber Urethane Insulation, Inc., and against Defendants Quintin Lee Neuenkirk and Constance Marie Neuenkirk, for the sum of \$1,127.60 plus applicable judgment interest beginning October 2, 1995, that said judgment is non-dischargeable pursuant to 11 U.S.C. 523(a)(2)(A) and shall survive these bankruptcy proceedings; and that the costs of this action, including Plaintiff's filing fee in the amount of \$120.00 be taxed to defendants and paid as an administrative cost in this bankruptcy.



[Seal of the U.S. Bankruptcy Court]
Date of Issuance: April 19, 1996

BARBARA A. EVERLY
Clerk of Bankruptcy Court

By: *Miriam A. Solay*
Deputy Clerk

Recorded Vol V
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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

APR 18 1996

IN RE:)
)
)
QUINTIN LEE NEUENKIRK)
CONSTANCE MARIE NEUENKIRK,)
a/k/a Constance Marie Petersen,)
)
Debtors.)
)
WEBER URETHANE INSULATION, INC.)
)
Plaintiff,)
)
v.)
)
QUINTIN LEE NEUENKIRK, et al,)
)
)
Defendants.)

BARBARA A. EVERLY CLERK

BANKRUPTCY NO. 95-62309 KW
ADVERSARY NO. 96-6017KW

DEFAULT JUDGMENT

BE IT REMEMBERED that on this 18 day of April, 1996, the above-entitled case came on for hearing on Plaintiff's Request for Entry of Order Determining Dischargeability of Debt.

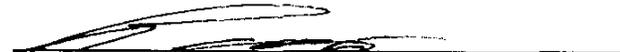
The Court, being fully advised in the premises and having examined the pleadings herein, FINDS:

1. Defendants, Quintin Lee Neuenkirk and Constance Marie Neuenkirk, and Defendants' attorney, Timothy C. Dunbar, were duly served with Summons and Notice of this adversary proceeding and the time for entering an appearance or responsive pleading has passed.
2. Defendants' failure to enter an appearance or other pleading constitutes default.
3. Defendants are not now, nor have they been since the commencement of this action, in any branch of the military or naval service, a prisoner in a penitentiary or reformatory, or under any other legal disability.

4. Defendants are indebted to Plaintiff in the amount of \$1002.60 plus applicable judgment interest from and after October 2, 1995, the date the Restitution Order was entered in Black Hawk County Cause No. FECR053576, having previously paid \$125.00, and judgment should be entered accordingly.

5. Defendants' indebtedness to Plaintiff is non-dischargeable pursuant to 11 U.S.C. 523(a)(2)(A).

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that judgment be entered in favor of Plaintiff and against Defendants for the sum of \$1,127.60 plus applicable judgment interest beginning October 2, 1995; that said judgment is non-dischargeable pursuant to 11 U.S.C. 523(a)(2)(A) and shall survive these bankruptcy proceedings; and that the costs of this action, including Plaintiff's filing fee in the amount of \$120.00, be taxed to Defendants and paid as an administrative cost in this bankruptcy proceeding.


U.S. BANKRUPTCY JUDGE

Prepared By: Mark S. Rolinger

Notice sent to:

W Judgment

Mark S. Rolinger
315 Clay Street
PO Box 627
Cedar Falls, IA 50613

Quintin Lee Neuenkirk
216 Conger Street
Waterloo, IA 50703

Constance Marie Neuenkirk
216 Conger Street
Waterloo, IA 50703

US Trustee - CR
Law Building Suite 400
225 2nd Street SE
Cedar Rapids, IA 52401

+ Timothy Dunbar

4-19-26 mg

United States Bankruptcy Court

Northern District of Iowa

In re
QUINTIN LEE NEUENKIRK
CONSTANCE MARIE NEUENKIRK
a/k/a Constance Marie Petersen

Bankruptcy Case No. 95-62309KW

Debtor

WEBER URETHANE INSULATION, INC.

Plaintiff

v.

Adversary Proceeding No. 96-6017KW

QUINTIN LEE NEUENKIRK et al

Defendant

WRIT OF EXECUTION TO THE UNITED STATES MARSHAL

Name and Address of Judgment Creditor
Weber Urethane Insulation, Inc. 106 Bourland Avenue Waterloo, IA 50703

Amount of Judgment:
\$ 1,127.60

Clerk's Fee:
\$ 120.00

Other Costs:
\$ _____

Interest From: _____
\$ _____

Costs of this writ:
\$ _____

vs.

Name and Address of Judgment Debtor
Quintin Lee Neuenkirk and Constance Marie Neuenkirk 4201 16th Avenue S.W. Cedar Rapids, IA 52404

TO THE UNITED STATES MARSHAL FOR THE NORTHERN **DISTRICT OF** IOWA **:**

You are directed to levy upon the property of the above named judgment debtor to satisfy a money judgment in accordance with the attached instructions.

TO THE JUDGMENT DEBTOR:

You are notified that federal and state exemptions may be available to you and that you have a right to seek a court order releasing as exempt any property specified in the marshal's schedule from the levy.

December 4, 1996
Date

S. J. Prentice
Clerk of the Bankruptcy Court
George D. Prentice II

UNITED STATES MARSHAL'S RETURN	
I received this writ on _____, and executed the same on _____.	
(date)	(date)
_____ United States Marshal	
By: _____ Deputy Marshal <i>Records No</i>	

Records No
Page 82

REDFERN, MASON, DIETER, LARSEN & MOORE, P.L.C.

ATTORNEYS AT LAW

415 CLAY STREET

P.O. BOX 627

CEDAR FALLS, IOWA 50613

TELEPHONE (319) 277-6830

FACSIMILE (319) 277-3531

LEROY H. REDFERN
DAVID R. MASON
ROBERT J. DIETER
JOHN C. LARSEN
STEVEN D. MOORE
DONALD B. REDFERN
MARK W. FRANSDAL
MARK S. ROLINGER
SUSAN BERNAU STAUDT

JAMES B. NEWMAN
1870-1958

WM. W. MCKINLEY
1926-1981

GEORGE F. NEWMAN
1908-1988

December 3, 1996

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

DEC - 4 1996

GEORGE D. PRENTICE, JR.
CLERK

Ms. Barbara A. Everly
Clerk of Bankruptcy Court
Northern District of Iowa
800 The Center
425 2nd St. S.E.
P.O. Box 74890
Cedar Rapids, IA 52407

Re: Quintin Lee Neuenkirk and Constance Marie Neuenkirk
Bankruptcy Case No. 95-62309KW
Adversary Proceeding No. 96-6017KW

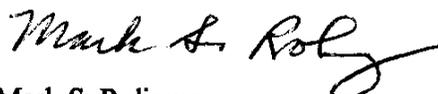
Dear Rhonda:

Enclosed please find Writ of Execution to the United States Marshal. I understand you will return the Writ to me for execution.

Very truly yours,

REDFERN, MASON, DIETER, LARSEN & MOORE, P.L.C.

By


Mark S. Rolinger

MSR/sjl
Enclosure

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

JAN 02 1997

In re: QUINTIN LEE NEUENKIRK, CONSTANCE)
MARIE NEUENKIRK a/k/a Constance Marie)
Petersen, Debtor)
WEBER URETHANE INSULATION, INC.,)
Plaintiffs,)

Bankruptcy Case
NO. 95-62309KW

GEORGE D. PRENTICE, II, CLERK

Adversary Proceeding No. 96-6017KW

vs.)

QUINTIN LEE NEUENKIRK, et al.,)

INTERROGATORIES

Defendants.)

QUESTIONS TO BE ANSWERED BY THE GARNISHEE AS REQUIRED BY PROVISION
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 defendants or do you owe them money or
property which is not yet due? No If so, state particulars: _____

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

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

4. Do you compensate the defendants 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 defendants during the calendar year: yes -

* paid by mileage driver

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

RETURN ONE COMPLETED COPY TO THE Clerk, U. S. Bankruptcy Court
and one completed copy to
U. S. Marshal

(envelopes attached)

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 WEBER URETHANE INSULATION, INC.		COURT CASE NUMBER Bankruptcy No. 95-62309KW
DEFENDANT QUINTIN LEE NEUENKIRK and CONSTANCE MARIE NEUENKIRK a/k/a Constance Marie Petersen		TYPE OF PROCESS Adversary No. 96-6017KW
SERVE ➔	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN	
	West Side Transportation ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) 4201 16th Ave. S.W., Cedar Rapids, IA 52404	
AT		

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

JAN 13 1997

GEORGE D. PRENTICE, II, CLERK

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:	Number of process served with this Form - 285	
Mark S. Rolinger Attorney at Law PO Box 627 415 Clay St. Cedar Falls, IA 50613	Number of parties to be served in this case	1
	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

Garnish Defendant Quintin Lee Neuenkirk's wages at West Side Transportation, 4201 16th Avenue S. W., Cedar Rapids, IA 52404 to the full extent allowed.

Signature of Attorney or other Originator requesting service on behalf of: <i>Mark S. Rolinger</i>	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER (319) 277-6830	DATE 12/9/96
---	---	------------------------------------	-----------------

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 SAH (Advance \$45.00)	Date 12/11/96
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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) <i>Robert Klepper Vice Pres.</i>	<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 <i>12/24/96</i>
	Time 2 pm
	Signature of U.S. Marshal or Deputy <i>[Signature]</i>

Service Fee <i>40</i>	Total Mileage Charges (including endeavors) <i>5.00</i>	Forwarding Fee	Total Charges <i>45.00</i>	Advance Deposits	Amount owed to U.S. Marshal or <i>0</i>	Amount of Refund
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REMARKS:

Recorded: Vol V
Page 82

PRIOR EDITIONS
MAY BE USED

1. CLERK OF THE COURT

FORM USM-285 (Rev. 12/13/80)

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA

In re: QUINTIN LEE NEUENKIRK, CONSTANCE)
MARIE NEUENKIRK a/k/a Constance Marie)
Petersen, Debtor) Bankruptcy Case
WEBER URETHANE INSULATION, INC.,) NO. 95-62309KW
Plaintiffs,)
) Adversary Proceeding No. 96-6017KW
)
vs.)
)
QUINTIN LEE NEUENKIRK, et al.,)
) **INTERROGATORIES**
)
Defendants.)

QUESTIONS TO BE ANSWERED BY THE GARNISHEE AS REQUIRED BY PROVISION
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 defendants or do you owe them money or
property which is not yet due? No If so, state particulars: _____

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

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

4. Do you compensate the defendants 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 defendants during the calendar year: yes -

*paid by mileage driver

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

RETURN ONE COMPLETED COPY TO THE Clerk, U. S. Bankruptcy Court
and one completed copy to
U. S. Marshal

(envelopes attached)

United States Bankruptcy Court

Northern District of Iowa

In re
QUINTIN LEE NEUENKIRK
CONSTANCE MARIE NEUENKIRK
a/k/a Constance Marie Petersen

Bankruptcy Case No. 95-62309KW

Debtor

WEBER URETHANE INSULATION, INC.

Plaintiff

v.

QUINTIN LEE NEUENKIRK et al

Adversary Proceeding No. 96-6017KW

Defendant

WRIT OF EXECUTION TO THE UNITED STATES MARSHAL

Name and Address of Judgment Creditor
Weber Urethane Insulation, Inc. 106 Bourland Avenue Waterloo, IA 50703

Amount of Judgment:
\$ _____

Clerk's Fee:
\$ 120.00

Other Costs:
\$ _____

Interest From: _____
\$ _____

Costs of this writ:
\$ _____

vs.

Name and Address of Judgment Debtor
Quintin Lee Neuenkirk and Constance Marie Neuenkirk 4201 16th Avenue S.W. Cedar Rapids, IA 52404

TO THE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF IOWA:

You are directed to levy upon the property of the above named judgment debtor to satisfy a money judgment in accordance with the attached instructions.

TO THE JUDGMENT DEBTOR:

You are notified that federal and state exemptions may be available to you and that you have a right to seek a court order releasing as exempt any property specified in the marshal's schedule from the levy.

December 4, 1996
Date

George D. Prentice II
Clerk of the Bankruptcy Court

George D. Prentice II

UNITED STATES MARSHAL'S RETURN

I received this writ on _____, and executed the same on _____.
(date) (date)

United States Marshal

By: _____
Deputy Marshal

UNITED STATES BANKRUPTCY COURT
Northern District of Iowa

In re:

QUINTIN LEE NEUENKIRK)
CONSTANCE MARIE NEUENKIRK)
a/k/a Constance Marie Petersen)

Debtor)

WEBER URETHANE INSULATION, INC.,)

Plaintiff,)

vs.)

QUINTIN LEE NEUENKIRK, et al.,)

Defendant.)

Bankruptcy Case No. 95-62309KW

Adversary Proceeding No. 96-6017KW

NOTICE OF GARNISHMENT AND
INTERROGATORIES

TO: West Side Transportation
4201 16th Avenue S.W.
Cedar Rapids, IA 52404

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 Court for the sum of \$120.00, the Clerk's Fee, and that you are required not to pay non-exempt funds due or hereinafter to become due, by you to said defendants, subject to the provisions of Chapter 642, Code of Iowa or 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 defendants now or hereafter being in your custody or under your control, to the Clerk, U.S. Bankruptcy Court, Northern District of Iowa.

SEE ATTACHED INSTRUMENTS TO GARNISHEE FOR ADDITIONAL INFORMATION.

And you are further notified and requested to file full sworn answers to the attached Interrogatories with the Clerk of the U.S. Bankruptcy Court, within fourteen (14) days from the date of service, or you may be liable to pay entire amount which said plaintiffs may obtain against said defendants.

For your information, the
Attorney for the Plaintiff is:
Mark S. Rolinger
REDFERN, MASON, DIETER, LARSEN & MOORE
415 Clay St., P.O. Box 627
Cedar Falls, IA 50613
(319) 277-6830

Garnishee:

By _____

NOTE: After completing this form, retain one copy for your records.

Return one copy along with any funds to:

Clerk, U.S. Bankruptcy Court
Northern District of Iowa
P.O. Box 74890
Cedar Rapids, IA 52407

Return two copies to:

U.S. Marshal's Service
101 - 1st Street SE, Room 320
Cedar Rapids, IA 52401



Attorney for Plaintiffs

INSTRUCTIONS TO GARNISHEE (WAGES)

The disposable earnings of an individual are exempt from garnishment to the extent provided by the Federal Consumer Credit Protection Act, Title III, 15 U.S.C. secs. 1671-1677. The maximum amount of an employee's gross earning which may be garnished during any one calendar year is two hundred fifty dollars for each judgement creditor, except as provided in section 627.12 or when those gross earnings are reasonably expected to be in excess of twelve thousand dollars for that calendar year as determined from the answers taken by the court pursuant to section 642.5, subsection 4. When the employee's gross earnings are reasonably expected to be more than twelve thousand dollars, the maximum amount of those earnings which may be garnished during a calendar year for each creditor is as follows:

- a. Earnings from \$12,001.00 to \$15,999.99 withhold \$400.00
- b. Earnings from \$16,000.00 to \$23,999.99 withhold \$800.00
- c. Earnings from \$24,000.00 to \$34,999.99 withhold \$1,500.00
- d. Earnings from \$35,000.00 to \$49,999.99 withhold \$2,000.00
- e. Earnings from \$50,000.00 and more withhold 10%

Any net disposable earnings remaining shall be delivered to the Clerk of Court, Cedar Rapids, Iowa 52401. Make checks payable to the Clerk of Court, and include the case number and name of judgement debtor on all checks.

COMPUTATION TABLES PER PAY PERIOD FORM From 15 U.S. C. 1673 (a) (2)

1. If the defendant - employee's earnings are less than:

- a. \$127.50 for a WEEKLY pay period
- b. \$255.00 for a BI-WEEKLY pay period
- c. \$276.25 for a SEMI-MONTHLY pay period
- d. \$552.50 for a MONTHLY pay period

Pay the employee as if his pay check were not garnished. You withhold nothing.

2. If the defendant - employee's disposable earnings are:

- a. \$127.50 to \$170.00 for a WEEKLY pay period Pay him \$127.50
- b. \$255.00 to \$340.00 for a BI-WEEKLY pay period Pay him \$255.00
- c. \$276.25 to \$358.34 for a SEMI-MONTHLY pay period Pay him \$276.25
- d. \$552.50 to \$736.67 for a MONTHLY pay period Pay him \$552.50

3. If the defendant - employee's disposable earnings are more than:

- a. \$170.00 for a WEEKLY pay period Pay him 75% of his disposable earnings
- b. \$340.00 for a BI-WEEKLY pay period Pay him 75% of his disposable earnings
- c. \$368.34 for a SEMI-MONTHLY pay period Pay him 75% of his disposable earnings
- d. \$736.67 for a MONTHLY pay period Pay him 75% of his disposable earnings

EXCEPTIONS TO THE TABLES

1. If this garnishment is for STATE TAX, disregard the computation table and deliver 100% of the disposable earnings to the CLERK (See section 626.29, 626.31, 422.26).
2. The assignment of income concerning Child Support or unpaid alimony has priority over a garnishment or an assignment for a purpose other than the support of the dependants in the court order being enforced. See section 252 D. 1.
3. If this garnishment is for support of a person, the amount retained from earnings shall be (a) where the Judgement Debtor is supporting his spouse or dependent child (other than a spouse or child with respect to whose support this garnishment is made) fifty (50) percent of the Debtor's disposable earnings each week; or (b) where the Judgement Debtor is not supporting a person as set forth in (1), sixty (60) percent of Debtor's disposable earnings each week. An additional five (5) percent of Debtor's disposable earnings shall be retained if the support being collected is more than twelve (12) weeks past due. (See 15 USCA 1673 sub. (b) (1) (2) & (c) is less restrictive than 627.12 CODE OF IA.
4. If the judgement being collected arises from a consumer credit transaction, you should collect no more than those amounts set forth in Section 537.5105, 1989 Code of Iowa. (Pay employee 75% of net disposable earnings, or \$170.00 per week, whichever is greater.)

642.22 VALIDITY OF GARNISHMENT NOTICE. 1. A notice of garnishment served upon a garnishee is effective without serving another notice until the earliest of the following:

- A. The annual maximum permitted to be garnished under section 642.21 has been withheld.
- B. The writ of execution expires.
- C. The judgement is satisfied.
- D. The garnishee is served with a notice that the garnishment shall cease.

2. A supervised financial organization, as defined in section 537.1301, subsection 41, which is garnished for an account of a defendant, after paying the clerk any amounts then in the account, shall monitor the account for any additional amounts at least monthly while the garnishment notice is effective.

United States Bankruptcy Court

Northern District of Iowa

In re

QUINTON LEE NEUENKIRK
CONSTANCE MARIE NEUENKIRK
a/k/a Constance Marie Petersen
Debtor

Bankruptcy Case No. 95-62309KW

WEBER URETHANE INSULATION, INC.
Plaintiff

v.
QUINTON LEE NEUENKIRK et al
Defendant

Adversary Proceeding No. 96-6017KW

WRIT OF EXECUTION TO THE UNITED STATES MARSHAL

Name and Address of Judgment Creditor
Weber Urethane Insulation, Inc.
101 Bourland Avenue
Waterloo, IA 50703

Amount of Judgment:
\$ 1,127.60

Clerk's Fee:
\$ 120.00

Other Costs:
\$ 45.00 (service fee)

vs.

Name and Address of Judgment Debtor
Quinton Lee Neuenkirk and Constance Marie
Neuenkirk
570 Cedar Bend
Waterloo, IA 50703

Interest From: _____
\$ _____

Costs of this writ:
\$ _____

TO THE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF IOWA:

You are directed to levy upon the property of the above named judgment debtor to satisfy a money judgment in accordance with the attached instructions.

TO THE JUDGMENT DEBTOR:

You are notified that federal and state exemptions may be available to you and that you have a right to seek a court order releasing as exempt any property specified in the marshal's schedule from the levy.

May 12, 1997

Date

Clerk of the Bankruptcy Court
George D. Prentice, II

UNITED STATES MARSHAL'S RETURN

I received this writ on _____, and executed the same on _____
(date) (date)

United States Marshal

By: _____
Deputy Marshal

Recorded, Vol II
Page 82

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 WEBER URETHANE INSULATION, INC.	COURT CASE NUMBER Bankruptcy No. 95-62309KW
DEFENDANT QUINTON LEE NEUENKIRK and CONSTANCE MARIE NEUENKIRK a/k/a Constance Marie Petersen	TYPE OF PROCESS Adversary No. 96-6017KW

SERVE ➔ AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN Cedar Leasing
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) 570 Cedar Bend, Waterloo, Iowa 50703

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW: Mark S. Rolinger REDFERN, MASON, DIETER, LARSEN & MOORE 415 Clay St., PO Box 627 Cedar Falls, IA 50613	Number of process to be served with this Form - 285 MAY 27 1997
	Number of parties to be served in this case GEORGE D. PRENTICE, II CLERK 1
	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

Garnish Defendant Quinton Lee Neuenkirk's wages at Cedar Leasing, 570 Cedar Bend, Waterloo, Iowa 50703 to the full extent allowed.

Signature of Attorney or other Originator requesting service on behalf of: <i>Mark S. Rolinger</i>	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER (319) 277-6830	DATE 5/6/97
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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>STH</i>	Adv = 45.00	Date 5-16-97
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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) <i>Colleen Lott - office manager</i>	Date of Service 5/24/97	Time 10:43 am	Signature of U.S. Marshal or Deputy <i>J.C. H. Michael</i>
Address (complete only if different than shown above)			

Service Fee <i>60.00</i>	Total Mileage Charges (including endeavors) <i>29.45</i>	Forwarding Fee <i>—</i>	Total Charges <i>89.45</i>	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
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REMARKS:

*Recorded Vol II
Page 82*

United States Bankruptcy Court

Northern District of Iowa

In re

QUINTON LEE NEUENKIRK
CONSTANCE MARIE NEUENKIRK
a/k/a Constance Marie Petersen
Debtor

Bankruptcy Case No. 95-62309KW

WEBER URETHANE INSULATION, INC.
Plaintiff

v.
QUINTON LEE NEUENKIRK et al
Defendant

Adversary Proceeding No. 96-6017KW

WRIT OF EXECUTION TO THE UNITED STATES MARSHAL

Name and Address of Judgment Creditor
Weber Urethane Insulation, Inc.
101 Bourland Avenue
Waterloo, IA 50703

Amount of Judgment:
\$ 1,127.60

Clerk's Fee:
\$ 120.00

vs.

Other Costs:
\$ 45.00 (service fee)

Name and Address of Judgment Debtor
Quinton Lee Neuenkirk and Constance Marie
Neuenkirk
570 Cedar Bend
Waterloo, IA 50703

Interest From:
\$

Costs of this writ:
\$

TO THE UNITED STATES MARSHAL FOR THE NORTHERN **DISTRICT OF** IOWA:

You are directed to levy upon the property of the above named judgment debtor to satisfy a money judgment in accordance with the attached instructions.

TO THE JUDGMENT DEBTOR:

You are notified that federal and state exemptions may be available to you and that you have a right to seek a court order releasing as exempt any property specified in the marshal's schedule from the levy.

May 12, 1997

Date

Clerk of the Bankruptcy Court
George D. Prentice, II

UNITED STATES MARSHAL'S RETURN

I received this writ on _____, and executed the same on _____
(date) (date)

United States Marshal

By: _____
Deputy Marshal

UNITED STATES BANKRUPTCY COURT
Northern District of Iowa

In re:

QUINTIN LEE NEUENKIRK)
CONSTANCE MARIE NEUENKIRK)
a/k/a Constance Marie Petersen)

Debtor)

WEBER URETHANE INSULATION, INC.,)

Plaintiff,)

Bankruptcy Case No. 95-62309KW

vs.)

Adversary Proceeding No. 96-6017KW

QUINTIN LEE NEUENKIRK, et al.,)

NOTICE OF GARNISHMENT AND
INTERROGATORIES

Defendant.)

TO: Cedar Leasing
570 Cedar Bend
Waterloo, IA 50703

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 Court for the sum of \$120.00, the Clerk's Fee, and \$45.00, the service fee, and that you are required not to pay non-exempt funds due or hereinafter to become due, by you to said defendants, subject to the provisions of Chapter 642, Code of Iowa or 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 defendants now or hereafter being in your custody or under your control, to the Clerk, U.S. Bankruptcy Court, Northern District of Iowa.

SEE ATTACHED INSTRUMENTS TO GARNISHEE FOR ADDITIONAL INFORMATION.

And you are further notified and requested to file full sworn answers to the attached Interrogatories with the Clerk of the U.S. Bankruptcy Court, within fourteen (14) days from the date of service, or you may be liable to pay entire amount which said plaintiffs may obtain against said defendants.

For your information, the
Attorney for the Plaintiff is:
Mark S. Rolinger
REDFERN, MASON, DIETER, LARSEN & MOORE
415 Clay St., P.O. Box 627
Cedar Falls, IA 50613
(319) 277-6830

Garnishee:

By _____

NOTE: After completing this form, retain one copy for your records.

Return one copy along with any funds to:

Clerk, U.S. Bankruptcy Court
Northern District of Iowa
P.O. Box 74890
Cedar Rapids, IA 52407

Return two copies to:

U.S. Marshal's Service
101 - 1st Street SE, Room 320
Cedar Rapids, IA 52401



Attorney for Plaintiffs

INSTRUCTIONS TO GARNISHEE (WAGES)

The disposable earnings of an individual are exempt from garnishment to the extent provided by the Federal Consumer Credit Protection Act, Title III, 15 U.S.C. secs. 1671-1677. The maximum amount of an employee's gross earning which may be garnished during any one calendar year is two hundred fifty dollars for each judgement creditor, except as provided in section 627.12 or when those gross earnings are reasonably expected to be in excess of twelve thousand dollars for that calendar year as determined from the answers taken by the court pursuant to section 642.5, subsection 4. When the employee's gross earnings are reasonably expected to be more than twelve thousand dollars, the maximum amount of those earnings which may be garnished during a calendar year for each creditor is as follows:

- a. Earnings from \$12,001.00 to \$15,999.99 withhold \$400.00
- b. Earnings from \$16,000.00 to \$23,999.99 withhold \$800.00
- c. Earnings from \$24,000.00 to \$34,999.99 withhold \$1,500.00
- d. Earnings from \$35,000.00 to \$49,999.99 withhold \$2,000.00
- e. Earnings from \$50,000.00 and more withhold 10%

Any net disposable earnings remaining shall be delivered to the Clerk of Court, Cedar Rapids, Iowa 52401. Make checks payable to the Clerk of Court, and include the case number and name of judgement debtor on all checks.

COMPUTATION TABLES PER PAY PERIOD FORM

From 15 U.S.C. 1673 (a) (2)

1. If the defendant - employee's earnings are less than:

- a. \$127.50 for a WEEKLY pay period
- b. \$255.00 for a BI-WEEKLY pay period
- c. \$276.25 for a SEMI-MONTHLY pay period
- d. \$552.50 for a MONTHLY pay period

Pay the employee as if his pay check were not garnished. You withhold nothing.

2. If the defendant - employee's disposable earnings are:

- a. \$127.50 to \$170.00 for a WEEKLY pay period Pay him \$127.50
- b. \$255.00 to \$340.00 for a BI-WEEKLY pay period Pay him \$255.00
- c. \$276.25 to \$358.34 for a SEMI-MONTHLY pay period Pay him \$276.25
- d. \$552.50 to \$736.67 for a MONTHLY pay period Pay him \$552.50

3. If the defendant - employee's disposable earnings are more than:

- a. \$170.00 for a WEEKLY pay period Pay him 75% of his disposable earnings
- b. \$340.00 for a BI-WEEKLY pay period Pay him 75% of his disposable earnings
- c. \$368.34 for a SEMI-MONTHLY pay period Pay him 75% of his disposable earnings
- d. \$736.67 for a MONTHLY pay period Pay him 75% of his disposable earnings

EXCEPTIONS TO THE TABLES

1. If this garnishment is for STATE TAX, disregard the computation table and deliver 100% of the disposable earnings to the CLERK (See section 626.29, 626.31, 422.26).
2. The assignment of income concerning Child Support or unpaid alimony has priority over a garnishment or an assignment for a purpose other than the support of the dependants in the court order being enforced. See section 252 D. 1.
3. If this garnishment is for support of a person, the amount retained from earnings shall be (a) where the Judgement Debtor is supporting his spouse or dependent child (other than a spouse or child with respect to whose support this garnishment is made) fifty (50) percent of the Debtor's disposable earnings each week; or (b) where the Judgement Debtor is not supporting a person as set forth in (1), sixty (60) percent of Debtor's disposable earnings each week. An additional five (5) percent of Debtor's disposable earnings shall be retained if the support being collected is more than twelve (12) weeks past due (See 15 USCA 1673 sub. (b) (1) (2) & (c) is less restrictive than 627.12 CODE OF IA.
4. If the judgement being collected arises from a consumer credit transaction, you should collect no more than those amounts set forth in Section 537.5105, 1989 Code of Iowa. (Pay employee 75% of net disposable earnings, or \$170.00 per week, whichever is greater.)

642.22 VALIDITY OF GARNISHMENT NOTICE. 1. A notice of garnishment served upon a garnishee is effective without serving another notice until the earliest of the following:

- A. The annual maximum permitted to be garnished under section 642.21 has been withheld.
- B. The writ of execution expires.
- C. The judgement is satisfied.
- D. The garnishee is served with a notice that the garnishment shall cease.

2. A supervised financial organization, as defined in section 537.1301, subsection 41, which is garnished for an account of a defendant, after paying the clerk any amounts then in the account, shall monitor the account for any additional amounts at least monthly while the garnishment notice is effective.

13193

CLERK, US BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA
P.O. BOX 74890
CEDAR RAPIDS IA
52407

Invoice No Date
95-62309KW NEUENKIRK
06/18

Amount Discount Net Amount
165.00 0.00 165.00

DATE
06/18/97

TOTAL = \$165.00

CHECK NUMBER
00013193

CEDAR LEASING
P.O. BOX 1683 PH. 319-234-8379
WATERLOO, IA 50704

NORWEST BANK IOWA, N.A.
CEDAR FALLS WATERLOO

00013193

13193

33-22
730 402

*** ONE HUNDRED SIXTY FIVE & 00/100 DOLLARS

DATE AMOUNT
06/18/97 *****\$165.00

THE
ER

Eldon E. Jensen
AUTHORIZED SIGNATURE

2280 30002412890

UNITED STATES
BANKRUPTCY COURT
Northern District of Iowa
Cedar Rapids Division

00021031 - KH
June 26, 1997

Code	Case #	Qty	Amount
INCLATH	95-6017KW		165.00 CA
	Lease - Neuenkirk Adv.		
TOTAL -			165.00

CELEBRITY LEASING
P.O. BOX 1683
WATERLOO IA 50704

UOL V
Pg. 87

AA 506516

VOUCHER AND SCHEDULE OF PAYMENTS

DEPARTMENT OR ESTABLISHMENT: U.S. BANKRUPTCY COURT
 BUREAU OR OFFICE: NORTHERN DISTRICT OF IOWA
 LOCATION OF TRANSMITTING OFFICE: P.O. BOX 74890, CEDAR RAPIDS IA 52407
 TRANSMITTING OFFICE: P.O. BOX 74890, CEDAR RAPIDS IA 52407
 AUTHORITY: AUTHORITY REQUESTED NAME CERTIFY THAT THE ITEMS LISTED HEREIN ARE CORRECT AND PROPER PAYMENT FROM THE APPROPRIATION IS DESIGNATED HEREON OR ON SUPPORTING VOUCHERS

06/27/97

Theresa M. Kula
 Theresa M. Kula, Financial Administrator

CLERK
 U.S. DIST. CT.
 IOWA/NO.
 D.O. 4629
 PAID AUG 22 1997

DATE: 06/27/97

AUTHORIZED CERTIFYING OFFICER

APPROPRIATION SUMMARY

97 - 6047BK - BO8IANX \$165.00

FILED
 U.S. BANKRUPTCY COURT
 NORTHERN DISTRICT OF IOWA

AUG 25 1997

GEORGE P. FINCH
CLERK

ALIGN AREA	ALIGN AREA
CONT SHEET OF	AGENCY STATION NO
1 1 1	1 8629
	SCHEDULE NUMBER
	29700215
	FOR D.O. USE ONLY

GRAND TOTAL	NO-CHECK TOTAL
\$ 165.00	1

MEMORANDUM

PAYEE AND IF NECESSARY ADDRESS, INVOICE NUMBER, OTHER IDENTIFICATION LINES 1, 3, 5, AND 7	AMOUNT	NO CHECK	VOUCHER NO
--	--------	----------	------------

MARK S. ROLLINGER
 REDFERN, MASON, DIETER
 LARSEN & MOORE
 415 Clay St.
 P.O. Box 627
 Cedar Falls, IA 50613

\$ 165.00 1

Payment on Judgment
 entered 4/19/96.
 Funds receipted for
 on June 26, 1997.

RE: ADV. 96-6017KW
 Vol. V, Pg. 82

Copy of this SF1166 voucher mailed to:

U.S. Bankruptcy Court
 ATTN: Theresa Kula
 P.O. Box 74890
 Cedar Rapids, IA 52407

Copy of voucher to Monthly Acctg. Reports for AUGUST, 1997.

D.O. CHECK NUMBERS

BEGINNING

68387

ENDING

68387

BEGINNING

ENDING

USE FOR FIRST CHECK SERIAL NUMBER RANGE

USE FOR SECOND CHECK SERIAL NUMBER RANGE IF APPLICABLE