

In the United States Bankruptcy Court

for the Northern District of Iowa

Western Division

DONALD W. STEINKE and MARY V. STEINKE
Debtors.

Bankruptcy No. 93-51968XS
Chapter 7

RULING ON MOTION FOR STAY PENDING APPEAL

William A. Gress asks the court to stay the trustee's distribution of estate property pending Gress' appeal of this court's order disallowing his claim. Hearing on the motion was held January 7, 1997 in Sioux City. James B. Cavanagh appeared for Mr. Gress; Donald H. Molstad appeared as trustee. The court, having heard the statements of counsel and having considered the matter, concludes that distribution should be stayed pending appeal on the condition that Gress file an appeal bond in the amount of \$500.00. The bond may be a cash bond undertaking filed by Gress with the Clerk of Bankruptcy Court. The bond shall be posted within 10 days of the date of this order, or the stay shall be dissolved.

IT IS ORDERED that the motion for stay of the trustee's final distribution is granted. The trustee is hereby stayed from making final distribution pending appeal of this court's order disallowing the claim of William A. Gress. The stay is conditioned on Gress' filing of an appeal bond in the amount of \$500.00 with the Clerk of Bankruptcy Court. The bond must be posted within 10 days of the date of this order, or the stay will be dissolved.

SO ORDERED THIS 9th DAY OF JANUARY 1997.

William L. Edmonds
Chief Bankruptcy Judge

I certify that on _____ I mailed a copy of this order by U.S. mail to: Don Molstad, Wil Forker, James Cavanagh, 2002 List and U. S. Trustee.