

1 MICHAEL SCOTT IOANE
2 C/O 801 Woodside Road, Suite 14-404
3 Redwood City, California 94061

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4 MICHAEL SCOTT IOANE, A Non-party, Specially appearing, without attorney, for,
5 Search Light Trust (A Trust), Mountain Property Management and Trust Company (A Trust),
6 National Holding Trust (A Trust), Equitable Financial Services (A Trust) and River Mountain
7 Ranch (A Trust).

8 UNITED STATES BANKRUPTCY COURT
9 FOR THE DISTRICT OF IDAHO

10 In Re:

Case No.: 03-21652

11 GERALD & ONA LINDSEY,

**DECLARATION/AFFIDAVIT OF
MICHAEL IOANE IN OPPOSITION
TO EX PARTE MOTION TO AMEND
VOLUNTARY PETITION**

12 Debtors
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15 I, Michael Ioane, declare as follows:

16 1. I am a trustee residing in the State of Nevada for the following entities:
17 Search Light Trust (A Trust), Mountain Property Management and Trust Company (A Trust),
18 National Holding Trust (A Trust), Equitable Financial Services (A Trust) and River Mountain
19 Ranch (A Trust) that the following declaration is made in opposition to the Chapter 7 Trustee Ex
20 Parte Application to amend the voluntary petition and is not intended to constitute an express nor
21 implied waiver of any and all privileges that may exist.

22 2. That the Chapter 7 Trustee's Ex Parte Motion to Amend the Voluntary Petition
23 was served by mail and provided to First Amendment Publishers at 801 Woodside Road, Suite
24 14-404, Redwood City, California 94061.

25 3. That I am an employee of First Amendment Publishers and I am not the agent for
26 service of process.

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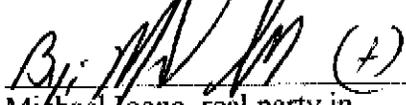
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4. That I understand the Chapter 7 Trustee has filed an Application to Amend the Voluntary Petition of Gerald Lindsey and Ona Lindsey to include the above-referenced trust. That the trusts were established pursuant to written documents prior to the filing of the instant bankruptcy petition. That acting as trustee on behalf of the trust, I have been advised administering the same and consider the assets contained therein not owned by Gerald Lindsey and Ona Lindsey.

5. That I have personal knowledge of each of the facts set forth herein and could and would competently testify thereto as a sworn witness in this proceeding.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed this 3rd day of April 2004 Carson City, Nevada.

MICHAEL SCOTT IOANE, Trustee for Search Light Trust (A Trust), Mountain Property Management and Trust Company (A Trust), National Holding Trust (A Trust), Equitable Financial Services (A Trust) and River Mountain Ranch (A Trust).



Michael Ioane, real party in interest, non-party to this suit

1 Brit D. Groom
Attorney at Law
2 P.O. Box 218
3 Grangeville, ID 83530

4 Sheila R. Schwager
Hawley Troxell
5 P.O. Box 1617
6 Boise, ID 83701-1617

7 Mountain Property Management
And Trust Company
8 108 East John Street
Carson City, NV 89706

9
10 Equitable Financial Services
108 East John Street
11 Carson City, NV 89706

12 U.S. Trustee
304 N. 8th Street, Room 347
13 Boise, ID 83701
14 Warren Derbidge
US Attorney's Office
15 877 W. Main Street, Suite 201
Boise, ID 83702

16
17 Gerald & Ona Lindsey
HC01 Box 109A
18 White Bird, ID 83554

19 National Holding Trust
108 East John Street
20 Carson City, NV 89706

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PROOF OF SERVICE

I, the undersigned declare:

I am over the age of 18, an American Citizen and not a party to the within action. My California mailing address is C/O 801 Woodside Road, Suite 14-404; Redwood City, California 94061.

On April 5, 2004, I served document(s) described as follows:

- **DECLARATION/AFFIDAVIT OF MICHAEL IOANE IN OPPOSITION TO EX PARTE MOTION TO AMEND VOLUNTARY PETITION**

on the interested parties in this action by placing true and correct copy(s) thereof enclosed in a sealed envelope addressed as follows:

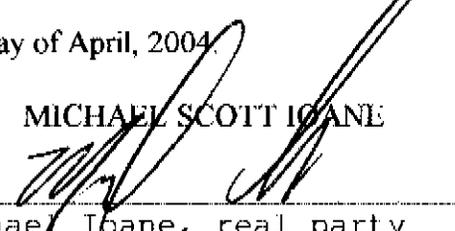
SEE ATTACHED SERVICE LIST

[XX] (BY MAIL) By placing said envelope(s), with postage thereon fully prepaid for first-class mail, for collection and mailing at my place o business following ordinary business practice. I am readily familiar with the ordinary business practice for the collection and processing of mail. In the ordinary course of business, mail is deposited with the United States Postal Service on the same day as it is placed for collection.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed at Carson City, Nevada, this 5th day of April, 2004.

MICHAEL SCOTT IOANE

By: 
Michael Ioane, real party
in interest

Service List

Ford Elsaesser
Chapter 7 Trustee
P.O. Box 2220
Sandpoint, ID 83864