

Barry McHugh, ISB #3439  
 Bruce A. Anderson, ISB #3392  
 Tacya Howell, ISB #6858  
 ELSAESSER JARZABEK ANDERSON  
 MARKS ELLIOTT & McHUGH, CHTD.  
 Attorneys at Law  
 1400 Northwood Center Court  
 Coeur d'Alene, Idaho 83814  
 Tel: (208) 667-2900  
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U.S. DISTRICT COURT  
 COEUR D'ALENE, IDAHO  
 MAY 10 PM 2 55  
 [Handwritten signature]

Attorneys for Trustee

UNITED STATES BANKRUPTCY COURT  
 DISTRICT OF IDAHO

In Re: )  
 )  
 GERALD & ONA LINDSEY, d/b/a ) Case No. 03-21652  
 SEARCHLIGHT TRUST and RIVER )  
 MOUNTAIN RANCH, ) AFFIDAVIT OF BARRY McHUGH IN  
 ) SUPPORT OF MOTION TO COMPEL  
 Debtors. )  
 \_\_\_\_\_ )

STATE OF IDAHO )  
 ) ss  
 County of Kootenai )

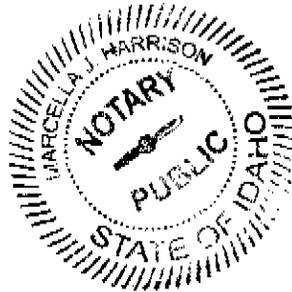
I, Barry McHugh, being first duly sworn on oath, deposes and says:

1. I am an attorney licensed to practice in the State of Idaho, I am over the age of 18 and I have personal knowledge of the following facts.
2. Attached as Exhibit 1 is a true and correct copy of the portion of the transcript (pp. 443, 18 thru 453, 10) regarding the \$660,000.00 loan which Gerald Lindsey testified to at the Section 341 hearing held on March 15, 2004.

DATED this 7<sup>TH</sup> day of May, 2004.

Barry McHugh  
Barry McHugh

SUBSCRIBED AND SWORN to before me this 7<sup>th</sup> day of May, 2004.



Marcelle J. Harrison  
Notary Public for Idaho  
Residing at Coeur d'Alene  
My Commission Expires 4-11-08

CERTIFICATE OF SERVICE

I hereby certify that on the 7<sup>TH</sup> day of May, 2004, a true and correct copy of the foregoing AFFIDAVIT OF BARRY McHUGH IN SUPPORT OF MOTION TO COMPEL was served upon the following in the manner indicated:

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

US Mail  
 Overnight Mail  
 Hand Delivered  
 Facsimile

U.S. Trustee  
304 N. 8<sup>th</sup> Street, Rm 347  
Boise, ID 83702

US Mail  
 Overnight Mail  
 Hand Delivered  
 Facsimile

Barry McHugh  
Attorney at Law  
1400 Northwood Center Ct., Ste. C.  
Cocur d'Alene, ID 83814

US Mail  
 Overnight Mail  
 Hand Delivered  
 Facsimile

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

US Mail  
 Overnight Mail  
 Hand Delivered  
 Facsimile

Warren Derbidge  
US Attorney's Office  
877 W. Main, Ste. 201  
Boise, ID 83702

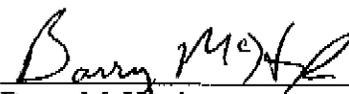
US Mail  
 Overnight Mail  
 Hand Delivered  
 Facsimile

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

US Mail  
 Overnight Mail  
 Hand Delivered  
 Facsimile

James Siebe  
Attorney at Law  
P.O. Box 9045  
Moscow, ID 83843

US Mail  
 Overnight Mail  
 Hand Delivered  
 Facsimile

  
\_\_\_\_\_  
Barry McHugh