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U.S. DISTRICT COURT
U.S. BANKRUPTCY COURT
DISTRICT OF IDAHO

OCT 27 2004

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Attorney for Nevak Mining Ltd

UNITED STATES BANKRUPTCY COURT
DISTRICT OF IDAHO

IN RE:) Case NO. 03-21652
)
GERALD LINDSEY and) MOTION FOR TURNOVER
ONA LINDSEY,) OF MAIL
)
Debtors.)
_____)

COMES NOW, Nevak Mining Ltd, and moves this court for an order directing the Trustee in the above entitled case, and /or his attorneys of record to turnover any and all mail being held belonging to Nevak Mining Ltd. In support of this Motion, Nevak Mining Ltd, represents to the court as follows:

1. As early as March 2004, the Trustee in the above entitled case or his attorneys commenced intercepting mail destined for Nevak Mining Ltd. Attached hereto as Exhibit "A" is a true and correct copy of the mail intercept letter sent to

MOTION FOR TURNOVER
OF MAIL

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the U.S. Post Office in Whitebird, Idaho by the Trustee.

2. A similar mail intercept letter was sent by the Trustee to the U.S. Post Office in Grangeville, Idaho

3. There was not then, nor is there now, an order from any court allowing such intercept of mail;

Dated this 25 day of October, 2004

A handwritten signature in black ink, appearing to read 'Brit Groom', written over a horizontal line.

Brit Groom, Attorney for
Nevak Mining Ltd.

CERTIFICATE OF SERVICE

I hereby certify that on this 24 day of October, 2004, I served via U.S. Mail to the individuals indicated, a copy of the foregoing document.

Larry Carlier
United States Postal Inspector
P.O. Box 1464
Spokane Washington 99210

Barry McHugh
Attorney for Trustee
ELSAESSER, JARZABEK, ANDERSON
MARKS, ELLIOT & MCHUGH
1400 Northwood Center Court
Coeur d' Alene, Idaho 83814

Warren Derbidge
U.S. Attorney's Office
877 W. Main, Ste 201
Boise, Idaho 83702

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

Danny J. Radakovich
Attorney at Law
1624 G Street
Lewiston Idaho 83501

U.S. Trustee
MK Central Plaza
720 Park Boulevard, Suite 220
Boise, Idaho 83702

MOTION FOR TURNOVER
OF MAIL

II. James Magnuson
Attorney at Law
1250 Northwood Center Court
P.O. Box 2288
Coeur d' Alene, Idaho 83814

Steven McCrea
Attorney at Law
P.O. Box 1501
Cocur d' Alene, Id 83816-1501

Todd Richardson
Attorney at Law
1201 G Street
Lewiston, Idaho 83501

Gerald and Onah Lindsey
HC01- Box 109A
Whitebird, Idaho 83544

Clinton J. Henderson
Attorney at Law
604 Sixth Street
Clarkston, WA 99403



Brit Groom

March 2, 2004

United States Postal Service
Attn: Postmaster
P. O. Box 9998
Whitebird ID 83554

Re: Gerald Lindsay and Ona Lindsay - Bankruptcy Case No.03-21652
Dear Sir or Madam:

The undersigned is the duly appointed Chapter 7 Bankruptcy Trustee with regard to the estate of Gerald and Onna Lindsay. I am providing a copy of the "Order" for your reference. Mr. and Mrs. Lindsay do business as, or under, several assumed names, which we understand they have an address at your post office. These assumed names are as follows:

Searchlight Trust
National Holdings
River Mountain Ranch
Mountain Property Management
L T & L, Inc
NEVAK Mining, LLC
NEVAK Mining, Ltd.
Candle Mining Co., Inc.
Mud Creek Mining, Inc.

These businesses receive mail at the following addresses, but are not limited to these addresses:

P. O. Box 42 Grangeville ID 83530
P. O. Box 108, Whitebird ID 83554
P. O. Box 184 Whitebird ID 83554
HC 01 Box 109B Whitebird ID 83554

Under the Bankruptcy Code, all correspondence and mail addressed to these businesses are the property of the bankruptcy Trustee. We request that all mail addressed to any of the four above-named businesses be forwarded to our office in Sandpoint. **We are not requesting personal mail that is addressed to the individual debtors.**

Please contact us at (208) 263-8871 if you have any questions. If for any reason you are unable to comply with this request, please hold all such mail. Thank you.

Very Truly Yours,

Ford Elsaesser
Chapter 7 Bankruptcy Trustee

