

JAMES E. SIEBE
202 E. Second Street
P.O. Box 9045
Moscow, ID 83843
(208) 883-0622
Fax: (208) 882-8769

Attorney for Defendant
Idaho State Bar #2362

UNITED STATES
BANKRUPTCY COURTS

2004 MAY -7 P 4: 56

THE CLERK OF THE COURT
CLERK'S OFFICE

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF IDAHO

In Re:

GERALD & ONA LINDSEY,

Debtors.

Case No. 03-21652

**MOTION TO WITHDRAW
AND NOTICE OF HEARING**

COMES NOW THE UNDERSIGNED attorney for the Searchlight Trust, and respectfully moves this Court for entry of an order permitting his withdrawal as attorney of record in the above entitled proceeding.

This motion is made pursuant to B.R. 9010 and L.B.R. 9010.1, and the records and files herein. Withdrawal is requested for the following reasons:

1. Counsel agreed to appear only upon the condition that Robert Kovacevich, Esq. of Spokane associate as counsel pro hac vice, since he represented himself to have been retained by Julie

MOTION TO WITHDRAW AND
NOTICE OF HEARING

Fowler. To this point, Mr. Kovacevich has not followed through in associating in such manner. Counsel has met Julie Fowler once, in his office for less than five minutes, while she delivered some papers from Mr. Kovacevich. He has never met or had direct communication with others who claim to be principals in Searchlight or other entities in which it purportedly has interests. Counsel has not been furnished records, documents or other materials necessary to ascertain just what constitutes the trust or other entities, let alone able to assess the extent of his purported representation.

2. On information and belief, Michael Ioane has attempted to make an appearance in said matter without communicating his intention to the undersigned. On information and belief, Mr. Ioane, who purports to be a principal of unknown description in said entities, has threatened to sue Mr. Kovacevich and has maintained that he gave neither him nor the undersigned authority to make appearances and agree to accept service.

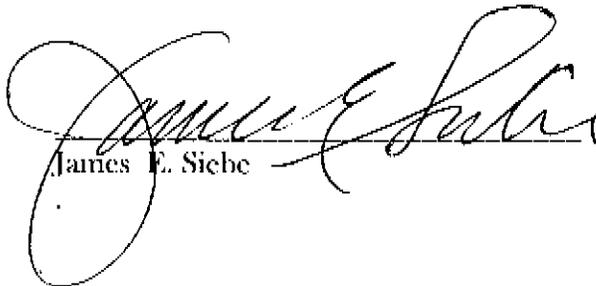
3. An irretrievable breakdown of the attorney-client relationship has occurred.

NOTICE OF HEARING

To: The undersigned mailers

PLEASE TAKE NOTICE that the undersigned will call on for hearing the foregoing Motion at the courtroom of the above-entitled court at the Federal Building, 220 E. Fifth Street, Moscow, Idaho on the 17th day of May, 2004, at 10:00 a.m. or as soon thereafter as counsel may be heard.

DATED this 7 day of May, 2004.


James E. Siebe

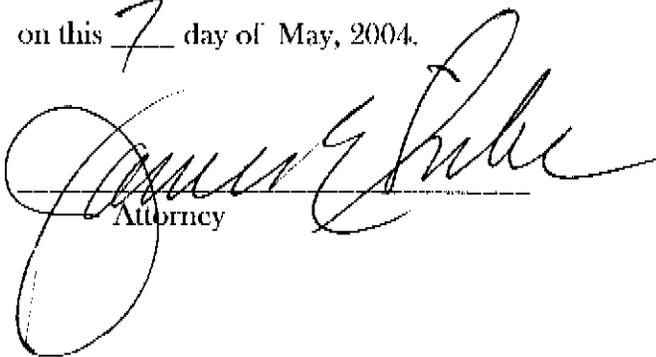
I hereby certify a true copy of the foregoing instrument was (1) hand delivered, or (2) ✓ deposited in the United States mail with postage thereon, prepaid, addressed to the following:

U.S. TRUSTEE
P. O. BOX 110
BOISE, ID 83701

FORD ELSAESSER
P O BOX 2220
SANDPOINT ID 83864

All others listed on Affidavit of Mailing

on this 7 day of May, 2004.


Attorney

MOTION TO WITHDRAW AND
NOTICE OF HEARING