

Trustee:

<b>United States Bankruptcy Court</b>		<b>PROOF OF CLAIM</b>	
<b>COEUR D'ALENE District of ID</b>		<b>CHI1</b>	
In Re: (Name of Debtor) <b>SYDNEY GUTIERREZ</b>		Case Number <b>0220218</b>	
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A "request" of payment of an administrative expense may be filed pursuant to 11 U.S.C. 503.			
Name of Creditor <i>(The person or entity to whom the debtor owes money or property)</i> <b>Discover Bank</b> Name and Address Where Notice Should be Sent  <b>DISCOVER FINANCIAL SERVICES</b> <b>P. O. Box 8003</b> <b>Hilliard OH 43026</b> Telephone No. <b>1-800-347-5515</b>		<input type="checkbox"/> Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.  <input type="checkbox"/> Check box if you have never received any notices from the bankruptcy court in this case.  <input type="checkbox"/> Check box if the address differs from the address on the envelope sent to you by the court.	
ACCOUNT OR OTHER NUMBER WHICH CREDITOR IDENTIFIES DEBTOR <b>6011000519507051</b> <b>DISCOVER CARD</b>		<input type="checkbox"/> replaces a previously filed claim, dated: _____ Check here if the claim: <input type="checkbox"/> amends	
1. BASIS FOR CLAIM: <input type="checkbox"/> Goods sold <input type="checkbox"/> Services performed <input type="checkbox"/> Money loaned <input type="checkbox"/> Personal injury/wrongful death <input type="checkbox"/> Taxes <input checked="" type="checkbox"/> Other (Describe Briefly) <b>Itemized statement is attached</b>		<input type="checkbox"/> Retiree benefits as defined in 11 U.S.C. 1114(a) <input type="checkbox"/> Wages, salaries, and compensations (Fill out below) Your social security number _____ Unpaid compensations for services performed from _____ to _____ (date) (date)	
2. DATE DEBT WAS INCURRED:		3. IF COURT JUDGMENT, DATE OBTAINED:	
4. CLASSIFICATION OF CLAIM. Under the Bankruptcy Code all claims are classified as one or more of the following: (1) Unsecured nonpriority, (2) Unsecured Priority, (3) Secured. It is possible for part of a claim to be in one category and part in another. CHECK THE APPROPRIATE BOX OR BOXES that best describe your claim and STATE THE AMOUNT OF THE CLAIM.			
<input type="checkbox"/> SECURED CLAIM \$ _____ Attach evidence of perfection of security interest Brief description of Collateral:  <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other (Describe briefly)  Amount of arrearage on other charges included in secured claim above, if any \$ _____  <input checked="" type="checkbox"/> UNSECURED NONPRIORITY CLAIM <b>\$3884.89</b> A claim is unsecured if there is not collateral or lien on property of the debtor securing the claim or to the extent that the value of such property is less than the amount of the claim.		<input type="checkbox"/> UNSECURED PRIORITY CLAIM \$ _____ Specify the priority of the claim. <input type="checkbox"/> Wages, salaries or commissions (up to \$2000), earned not more than 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. 507(a)(3) <input type="checkbox"/> Contributions to an employee benefit plan - U.S.C. 507(a)(4) <input type="checkbox"/> Up to \$900 of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. 507(a)(6) <input type="checkbox"/> Taxes or penalties of governmental units - 11 U.S.C. 507(a)(7) <input type="checkbox"/> Other - 11 U.S.C. 507(a)(2),(a)(5) - (Describe briefly)	
5. TOTAL AMOUNT OF CLAIM AT TIME CASE FILED: \$3884.89 (Unsecured) \$ (Secured) \$ (Priority) \$3884.89 (Total)			
<input type="checkbox"/> Check this box if claim includes prepetition charges in addition to the principal amount of the claim. Attach itemized statement of all additional charges.			
6. CREDITS AND SETOFFS: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim. In filing this claim, claimant has deducted all amounts that claimant owes the debtor.		<b>THIS SPACE FOR COURT USE ONLY</b>	
7. SUPPORTING DOCUMENTS: Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, or evidence of security interests. If the documents are not available, explain. If the documents are voluminous, attach a summary.			
8. TIME-STAMPED COPY: To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim			
Date <b>032102</b>	Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any) <b>Neneia M. Gutierrez</b> Neneia Gutierrez		

CLERK'S OFFICE  
02 APR - 5 AM 10:50  
CLERK, IDAHO

**THIS SPACE IS FOR COURT USE ONLY**

Penalty for presenting fraudulent claim: Fine up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. 152 and 3571.

6

# ***DISCOVER***

---

**FINANCIAL SERVICES CARD**

SYDNEY GUTIERREZ  
P.O. BOX 2028  
SANDPOINT ID 83864

**ACCOUNT NUMBER 6011000519507051**

---

**STATEMENT DATE:032102**

**PREVIOUS BALANCE\$3884.89\_  
PAYMENTS AND CREDITSS\$0.00**

**PURCHASES\$0.00**

**CASH ADVANCES\$0.00**

**POST PETITION PAYMENTS  
AND CREDITSS\$0.00**

**BALANCE (as of Filing Date)\$3884.89\_**

---

**POST PETITION PURCHASESS\$0.00**

**POST PETITION CASH ADVANCES\$0.00**

**POST PETITION BALANCE\$0.00**

**STATEMENT SUMMARY**

State of Delaware )  
County of New Castle ) ss

POWER OF ATTORNEY

~~Discover Bank, a banking corporation organized and existing under the laws of the State of Delaware and having an office at 12 Reatt's Way, New Castle County, Delaware ("Principal"), constitutes and appoints the employees of the recovery center for Discover Financial Services, Inc. located in Hilliard, Ohio, its true and lawful attorney-in-fact for the following purposes:~~

To assert on its behalf any claims in bankruptcy or in probate that it may have by reason of its having loaned money to a person who becomes a debtor or a decedent, and to sign on its behalf any documents necessary for the assertion, processing and filing of those claims.

To act on its behalf in retaining legal counsel to pursue any legal claims that it may have by reason of its having loaned money to persons who have not repaid it, and to sign on its behalf any documents necessary for the assertion or pursuit of those claims.

Principal, through its executive committee, ratifies and confirms everything attorneys-in-fact may lawfully do in the mentioned matters by virtue of this instrument.

In witness whereof, principal has caused this instrument to be sealed with its corporate seal, duly attested by the signature of its President, Kathy Roberts on 13 MAR 2001.

By   
Kathy Roberts, President  
Discover Bank

(SEAL)