John R. Rizzardi, WSBA No. 9388
Admitted Pro Hac Vice
Cairncross & Hempelmann, P.S.
524 Second Avenue, Suite 500
Seattle, WA 98104-2323
Telephone: (206) 587-0700
Facsimile: (206) 587-2308

The Honorable Terry L. Myers
Chapter 11
Hearing Date: May 27, 2003
Hearing Time: 9:00 a.m. PDT
10:00 a.m. MDT

UNITED STATES BANKRUPTCY COURT FOR THE
DISTRICT OF IDAHO

In re: FRANK L. CHAPIN and SYDNEY L. GUTIERREZ-CHAPIN, Debtors.	NO. 02-20218 MOTION TO SHORTEN TIME

Frederick A. Leaf, M.D., a plan proponent ("Leaf"), by and through his attorneys Cairncross & Hempelmann, P.S., hereby moves this Court for an order shortening the time to notice and hold a hearing on Leaf's Motion for Approval of Settlement (the "Underlying Motion"). This motion is made pursuant to Fed. R. Bankr. P. 9013, and other applicable law. A copy of the [Proposed] Order Granting Leaf's Motion to Shorten Time for consideration of the Underlying Motion is attached hereto.

1. **Title of Underlying Motion:**

Motion of Frederick A. Leaf for Approval of Settlement

ORIGINAL

Cairncross & Hempelmann, P.S.
Law Offices
524 Second Avenue, Suite 500
Seattle, Washington 98104-2323
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2. **Moving Party:**

Frederick A. Leaf, M.D.

3. **If Motion to Shorten Time is not granted, the Underlying Motion would be noted for the Court's calendar for:**

On or after June 10, 2003

4. **Date and time when Movant seeks to have Court rule on Motion to Shorten Time:**

Tuesday, May 27, 2003 at 9:00 a.m. PDT, 10:00 a.m. MDT. Any opposition to Motion to Shorten Time must be filed and served by May 23, 2003 at 4:00 p.m.

5. **Date on which Movant seeks to have Court consider merits of Underlying Motion:**

Tuesday, May 27, 2003 at 9:00 a.m. PDT, 10:00 a.m. MDT

Leaf certifies that this Motion to Shorten Time, the Underlying Motion, the Declarations of John R. Rizzardi and Frank L. Chapin and the proposed orders have been served on the U.S. Trustee, and all parties requesting special notice via first class mail as of May 16, 2003. Leaf certifies that the notice of this Motion to Shorten Time and Underlying Motion has been served on the U.S. Trustee, all creditors identified in the mailing matrix, and the special notice list via first class mail as of May 16, 2003. Exigent and exceptional circumstances exist to warrant the Court's ruling on shortened time on the Underlying Motion. (See Declaration of John R. Rizzardi.)

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WHEREFORE, Leaf requests that the Court grant its motion to shorten time and hold a hearing on the Underlying Motion on May 27, 2003, at 9:00 a.m. PDT, 10:00 a.m. MDT and to require all objections to the Underlying Motion be filed on or before 4:00 p.m., May 23, 2003, MDT.

DATED this 16th day of May, 2003.

CAIRNCROSS & HEMPELMANN, P.S.

John K. Rizzardi, WSBA No. 09388
Admitted Pro Hac Vice
Attorneys for Frederick A. Leaf, M.D.

Cairncross & Hempelmann, P.S.
Law Offices
524 Second Avenue, Suite 500
Seattle, Washington 98104-2323
Phone: 206-587-0700 • Fax: 206-587-2308

PROPOSED ORDER

John R. Rizzardi, WSBA No. 9388
Admitted Pro Hac Vice
Cairncross & Hempelmann, P.S.
524 Second Avenue, Suite 500
Seattle, WA 98104-2323
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UNITED STATES BANKRUPTCY COURT FOR THE
DISTRICT OF IDAHO

In re: FRANK L. CHAPIN and SYDNEY L. GUTIERREZ-CHAPIN, Debtors.	NO. 02-20218 ORDER GRANTING MOTION TO SHORTEN TIME

THIS MATTER came before the Court on May 27, 2003, on the motion of Frederick A. Leaf, M.D. ("Leaf"), requesting that this Court shorten the time ("Motion to Shorten Time") for holding a hearing on the Motion of Frederick A. Leaf for Approval of Settlement ("Underlying Motion"). The Court has considered the Motion to Shorten Time, the responses, the records, files, and pleadings herein, the arguments of counsel, and finding good cause therefore, it is hereby ORDERED:

1. The Motion to Shorten Time is hereby GRANTED; and

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2. The Underlying Motion shall be heard by this Court on May 27, 2003, at 9:00 a.m. PDT, 10:00 a.m. MDT. The deadline to respond to the Underlying Motion shall be May 23, 2003, 4:00 p.m. MDT.

DATED this ___ day of May, 2003.

_____
Hon. Terry L. Myers
United States Bankruptcy Court Judge

Presented by:

CAIRNCROSS & HEMPELMANN, P.S.

_____
John R. Rizzardi, WSBA No. 09388
Admitted Pro Hac Vice
Attorneys for Frederick A. Leaf, M.D.

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