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The Honorable Terry L. Myers
Chapter 11
Hearing Date: July 8, 2003
Hearing Time: 9:30 a.m. PDT
10:30 a.m. MDT
Responses Due: June 27, 2003

UNITED STATES BANKRUPTCY COURT FOR THE
DISTRICT OF IDAHO

In re:

FRANK L. CHAPIN and
SYDNEY L. GUTIERREZ-CHAPIN,

Debtors.

NO. 02-20218

DECLARATION OF JOHN RIZZARDI IN
SUPPORT OF MOTION FOR CONVERSION

John Rizzardi, declares as follows:

1. I submit this Declaration in connection with the Motion of Frederick A. Leaf, M.D. in this bankruptcy case for an order converting this case to chapter 7. My firm is counsel to Dr. Leaf.
2. Unless otherwise stated in this declaration, I have personal knowledge of the facts set forth herein and in the Motion.
3. The Debtors' counsel, on behalf of the Debtors, provided various constituents, including Dr. Leaf, with the following information and Debtors' commitments:

ORIGINAL

1 a. That the Debtors would file their delinquent tax returns and accounting for the
2 Van Schravendyk client funds on May 31, 2003, and again on June 6, 2003. No tax returns or
3 accounting has been filed or received by Debtors' counsel as of June 8, 2003.

4 b. That the Debtors sold estate assets, their cattle, for about \$50,000 without a court
5 order or accounting for same.

6 c. That the Debtors did not intend to participate in events leading up to or at the June
7 9, 2003 confirmation hearing because they decided to go out of town.

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9 4. The court record in this case discloses:

10 a. The Debtors have not filed financial reports since February of 2003 and are now
11 three months delinquent in their reporting.

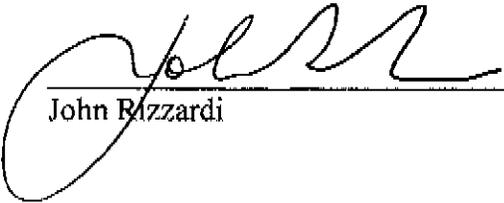
12 b. Depending upon the date of the sale of the cattle, earlier financial reports may be
13 materially misleading.

14 c. Based upon the judicial foreclosure sales of real property assets belonging to one
15 of the Debtors' entities, the value of their interest in such entity may have been materially
16 affected, and such events have not been disclosed.

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18 5. The pre-petition conduct of the Debtors indicates a continuing pattern of
19 disobedience of court orders and failure to account.
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1 I declare under the penalty of perjury under the laws of the United States of America that
2 the foregoing is true and correct.

3 Executed this 9th day of June, 2003 at Seattle, Washington.
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6 _____
7 John Rizzardi
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