

U.S. COURTS

2003 OCT 22 AM 10 57

RECORDED & INDEXED  
CLERK OF COURT  
CLEBAN, IDAHO

The Honorable Terry L. Myers  
Chapter 7

1 John R. Rizzardi, WSBA No. 9388  
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8 UNITED STATES BANKRUPTCY COURT FOR THE  
9 DISTRICT OF IDAHO

10 In re:

11 FRANK L. CHAPIN and  
12 SYDNEY L. GUTIERREZ-CHAPIN,  
13 Debtors.

NO. 02-20218

**NOTICE OF HEARING ON MOTION FOR  
ORDER CLARIFYING INAPPLICABILITY  
OF AUTOMATIC STAY**

**RESPONSES DUE: October 20, 2003**

14  
15 TO: DEBTORS; DEBTORS' ATTORNEYS; CHAPTER 7 TRUSTEE; US TRUSTEE; and  
16 ALL PARTIES IN INTEREST

17 PLEASE TAKE NOTICE that Dr. Frederick Leaf, by and through his attorneys of record,  
18 has moved this court for entry of an order clarifying the inapplicability of the automatic stay  
19 pursuant to 11 U.S.C. § 105 and § 362(a) and other applicable statutes. The motion seeks an  
20 order stating that the automatic stay in the Debtors' bankruptcy case does not apply to prevent  
21 the collection of debts or recovery of assets owned by, or litigation against, non-bankrupt  
22 corporations, partnerships, limited liability companies, or trusts, because such assets do not  
23 constitute property of their bankruptcy estate.

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NOTICE OF HEARING ON MOTION FOR  
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AUTOMATIC STAY - 1

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Seattle, Washington 98104-2323  
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ORIGINAL

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1 The Motion IS SET FOR HEARING as follows:

2 JUDGE: Terry L. Myers TIME: 9:30 a.m.  
3 PLACE: United States Courthouse DATE: October 29, 2003  
4 Northern Div. - Coeur d'Alene Office  
5 205 N 4th St - Rm 202  
6 Cocur d'Alene, ID 83814

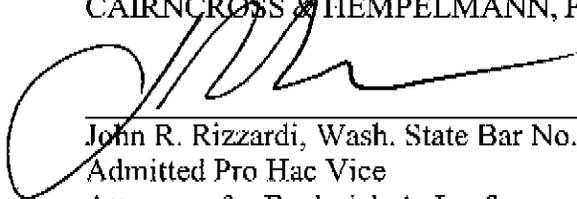
7 IF YOU OPPOSE entry of a final order on the above-identified Motion, you must file  
8 your written response with the court clerk and deliver copies on the undersigned NOT LATER  
9 THAN the RESPONSE DATE, which is October 20, 2003.

10 IF NO RESPONSE IS TIMELY FILED AND SERVED, the Court may, in its discretion,  
11 GRANT THE MOTION WITHOUT FURTHER NOTICE.

12 Copies of the Motion and related filings are on file with the Clerk of the United States  
13 Bankruptcy Court and may be viewed during normal business hours, or retrieved from the  
14 Court's website, [www.id.uscourts.gov](http://www.id.uscourts.gov). In addition, copies of the Motion and related documents  
15 may be obtained by written request to John R. Rizzardi at Cairncross & Hempelmann, P.S., 524  
16 Second Avenue, Suite 500, Seattle, Washington 98104-2323, phone number (206) 587-0700, fax  
17 number (206) 587-2308.

18 Dated this 20th day of October, 2003.

19 CAIRNCROSS & HEMPELMANN, P.S.

20   
21 John R. Rizzardi, Wash. State Bar No. 09388  
22 Admitted Pro Hac Vice  
23 Attorneys for Frederick A. Leaf

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NOTICE OF HEARING ON MOTION FOR  
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AUTOMATIC STAY - 2

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