

ORIGINAL

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Idaho State Bar No. 1654

U.S. COURTS

04 OCT -8 PM 12:41

REC'D FILED  
CAMERON S. BURKE  
CLERK IDAHO

Attorney for Plaintiff

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF IDAHO

IN THE MATTER OF:	)	
	)	CASE NO. 02-20218
Frank Chapin & Sydney Gutierrez Chapin,	)	
	)	MOTION TO WITHDRAW CLAIMS
Debtors.	)	AND NOTICE OF HEARING
_____	)	

STEPHEN B. McCREA, attorney for the following creditors: American Lutheran Church, Jerilyn Klungvedt, John C. Wagner, Daniel C. Wagner, Lynette J. Brekke, Donald Wagner, Linda Wagner, Jerilyn Bierema, The Foundation for Deaconess and Valley Healthcare, hereby moves to withdraw certain claims filed by aforementioned creditors.

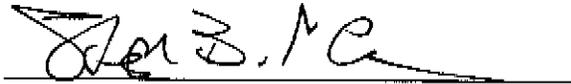
The grounds for this motion are that claims are contained within the amended claims of the Estate of Christina Leaf and Dr. Frederick Leaf. The undersigned attorney further withdraws the original claims of: Dr. Frederick Leaf designated as Claim No. 13, as that claim as been substituted by Claim No. 55 which the undersigned attorney does not withdraw and which has not been objected to; and the claim of The Estate of Christina Leaf, Claim No. 45, which has been amended and substituted by Claim No. 53.

The grounds for this motion are that the claims of the Estate of Christina Leaf and the claims of Dr. Frederick Leaf fairly encompass all of the claims which are being withdrawn.

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YOU ARE HEREBY NOTIFIED that a hearing on the debtor's motion to withdraw claims will be heard on the 26th day of October, 2004, at 9:30 o'clock a.m. at the U.S. Courthouse, 205 N. 4th, Room 214, Coeur d'Alene, Idaho.

DATED this 26<sup>th</sup> day of October, 2004.



STEPHEN B. McCREA  
Attorney for 9 Beneficiaries of the Estate of  
Christina Leaf; Estate of Christina Leaf; and  
Dr. Frederick Leaf

CERTIFICATE OF TRANSMITTAL:

I hereby certify that on this 26<sup>th</sup> day of October, 2004, a true and correct copy of the foregoing document was mailed by first class mail, postage prepaid, to:

Frank L. Chapin  
Sydney Gutierrez Chapin  
PO Box 781  
Sandpoint ID 83864

C. Barry Zimmerman  
Chapter 13 Trustee  
PO Box 1240  
Cocur d'Alene ID 83816-1240

H. James Magnuson  
Attorney at Law  
PO Box 2288  
Cocur d'Alene ID 83816-2288

U.S. Trustee  
MK Central Plaza  
720 Park Blvd, Suite 220  
Boise ID 83712



STEPHEN B. McCREA