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FILED  
ON JUN 29 AM 8:12  
CLERK  
IDAHO

Attorney for Debtors

IN THE UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF IDAHO

In re: )  
 ) Case No. 04-01969  
GENT WELSH, )  
SANDRA KAY WELSH, ) Chapter 7  
 )  
Debtors. ) **CERTIFICATE OF SERVICE**  
 )  
 )

STATE OF IDAHO )  
 ) ss.  
COUNTY OF ADA )

The undersigned, a resident of the State of Idaho, does hereby depose and state that a copy of the §341(a), Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines was mailed on the 28<sup>th</sup> day of June, 2004, to the following creditor:

William R. Rackstraw  
Successor Trustee  
6578 Kelvin Avenue  
Winnetka, CA 91306

Attached hereto and incorporated herein as Exhibit "A" is a copy

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of the Notice.

Debtors request that the above creditor be added to the Master Mailing list.

Dated this 28<sup>th</sup> day of June, 2004.

SCHROEDER & LEZAMIZ LAW  
OFFICES LLP

By *John T. Schroeder*  
JOHN T. SCHROEDER

SUBSCRIBED AND SWORN to before me this 28<sup>th</sup> day of June, 2004.



*Elaine E. Anderson*  
NOTARY PUBLIC FOR IDAHO  
Residing at: Boise, Idaho  
Commission Expires: 12/20/2009

CERTIFICATE OF MAILING

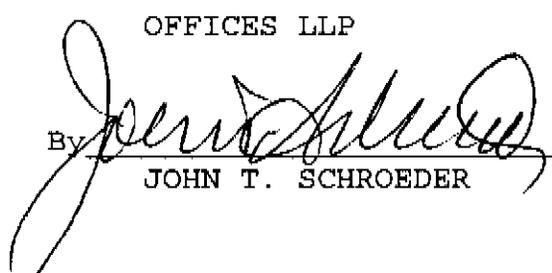
I hereby certify that on the 28<sup>th</sup> day of June, 2004, a true and correct copy of the foregoing document was served by United States First Class Mail, postage prepaid, to:

Richard E. Crawforth  
Chapter 7 Trustee  
410 S Orchard Street, Suite 172  
Boise, Idaho 83705

U.S. Trustee's Office  
304 N 8<sup>th</sup> Street, Suite 347  
Boise, Idaho 83702

SCHROEDER & LEZAMIZ LAW  
OFFICES LLP

By

  
JOHN T. SCHROEDER

## UNITED STATES BANKRUPTCY COURT

District of Idaho (Boise)

## Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, &amp; Deadlines

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 6/2/04.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See Reverse Side For Important Explanations.

## Debtor(s) (name(s) and address):

Gent Welsh  
Western Auto/Sandy's Appliances  
POB 3010  
McCall, ID 83638

Sandra Kay Welsh

POB 3010  
McCall, ID 83638-  
USA

Case Number:  
04 01969

Social Security/Taxpayer ID Nos.:  
571-62-4326  
571-64-7968

## Attorney for Debtor(s) (name and address):

John T Schroeder  
POB 267  
Boise, ID 83701  
Telephone number: (208) 384-1627

## Bankruptcy Trustee (name and address):

Richard E Crawford  
410 S Orchard St #172  
Boise, ID 83705  
Telephone number: (208) 424-8188

## Meeting of Creditors:

Date: 07/15/04 Time: 3:00 pm

Location: 8th & Bannock/Office of US Trustee, Old Post Office Bldg, 3rd Fl Room 333, Boise, ID 83702

## Deadlines:

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

## Deadline to File a Proof of Claim:

For all creditors (except a governmental unit): 10/13/04

For a governmental unit: 12/18/04

**Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts:**  
09/13/04

## Deadline to Object to Exemptions:

Thirty (30) days after the *conclusion* of the meeting of creditors.

## Creditors May Not Take Certain Actions:

The filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized.

## Address of the Bankruptcy Clerk's Office:

US Bankruptcy Court  
550 West Fort MSC 042  
Boise, ID 83724

Telephone number: Computerized Case information: (208)  
334-9386/Web Site: [www.id.uscourts.gov](http://www.id.uscourts.gov)

## For the Court:

Clerk of the Bankruptcy Court:  
Cameron Burke

## Hours Open:

8:00 a.m. to 5:00 p.m.

## Date:

06/21/04

## APPOINTMENT OF INTERIM TRUSTEE AND TRUSTEE AND DESIGNATION OF REQUIRED BOND

The trustee named above is hereby appointed Interim Trustee in this case. Unless a trustee is elected at the meeting of creditors to be called pursuant to § 341 of Title 11, U.S.C., in this case, the Interim Trustee shall serve as Trustee. This case is covered by the blanket bond for Chapter 7 case Trustees, a copy which is on file with the court.

Jeffrey G. Howe, Assistant U.S. Trustee

EXHIBIT "A"

Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
Creditors May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code §362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Claims	A Proof of Claim is a signed statement describing a creditor's claim. If a Proof of Claim form is not included with this notice, you can obtain one at any bankruptcy clerk's office. If you do not file a Proof of Claim by the "Deadline to File a Proof of Claim" listed on the front side, you might not be paid any money on your claim against the debtor in the bankruptcy case. To be paid you must file a Proof of Claim even if your claim is listed in the schedules filed by the debtor.
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code §727(a) or that a debt owed to you is not dischargeable under Bankruptcy Code §523(a)(2), (4), (6), or (15), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and the required filing fee by that Deadline.
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.
Liquidation of the Debtor's Property and Payment of Creditors' Claims	The bankruptcy trustee listed on the front of this notice will collect and sell the debtor's property that is not exempt. If the trustee can collect enough money, creditors may be paid some or all of the debts owed to them, in the order specified by the Bankruptcy Code. To make sure you receive any share of that money, you must file a Proof of Claim, as described above.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of property claimed as exempt, at the bankruptcy clerk's office.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.

**--Refer to Other Side For Important Deadlines and Notices--**

**NOTICE RE: DISMISSAL**

If the debtor fails to file required schedules, statements, lists or other required documents within 20 days from the date of this notice and no extension of time is granted, the U.S. TRUSTEE will apply for an EX PARTE ORDER OF DISMISSAL after the deadline passes. If the debtor or joint debtor fails to appear at the MEETING OF CREDITORS, and no continuance is granted, the U.S. TRUSTEE will apply for an EX PARTE ORDER OF DISMISSAL 10 days after the date of the scheduled meeting of creditors or the date of any rescheduled or continued meeting.

**THIS IS THE ONLY NOTICE YOU WILL RECEIVE OF THE U.S. TRUSTEE'S MOTION TO DISMISS CASE.**

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF IDAHO (BOISE)**

**PROOF OF CLAIM**

Name of Debtor  
Gent Welsh  
Sandra Kay Welsh

Case Number  
04-01969

**NOTE:** This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A "request" for payment of an administrative expense may be filed pursuant to 11 U.S.C. §503.



Name of Creditor (The person or other entity to whom the debtor owes money or property):  
John T Schroeder

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.

Name and Address where notices should be sent:  
  
John T Schroeder  
POB 267  
Boise, ID 83701-0267

Check box if you have never received any notices from the bankruptcy court in this case.  
 Check box if the address differs from the address on the envelope sent to you by the court.

THIS SPACE IS FOR COURT USE ONLY

Telephone Number:

Check here if  replaces this claim  amends a previously filed claim, dated: \_\_\_\_\_

- 1. Basis for Claim**
- Goods sold
  - Services performed
  - Money loaned
  - Personal injury/wrongful death
  - Taxes
  - Other \_\_\_\_\_

- Retiree benefits as defined in 11 U.S.C. §1114(a)
- Wages, salaries, and compensation (fill out below)  
Last four digits of SS #: \_\_\_\_\_  
Unpaid compensation for services performed from \_\_\_\_\_ to \_\_\_\_\_  
(date) (date)

**2. Date debt was incurred:**

**3. If court judgment, date obtained:**

**4. Total Amount of Claim at Time Case Filed:** \$ \_\_\_\_\_  
(unsecured) (secured) (priority) (total)

If all or part of your claim is secured or entitled to priority, also complete Item 5 or 7 below.  
 Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges.

**5. Secured Claim.**  
 Check this box if your claim is secured by collateral (including a right of setoff).  
  
Brief Description of Collateral:  
 Real Estate  Motor Vehicle  
 Other \_\_\_\_\_  
  
Value of Collateral: \$ \_\_\_\_\_  
  
Amount of arrearage and other charges at time case filed included in secured claim, if any: \$ \_\_\_\_\_

**7. Unsecured Priority Claim.**  
 Check this box if you have an unsecured priority claim  
  
Amount entitled to priority \$ \_\_\_\_\_  
Specify the priority of the claim:  
 Wages, salaries, or commissions (up to \$4,925)\* earned within 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).  
 Contributions to an employee benefit plan - 11 U.S.C. §507(a)(4).  
 Up to \$ 2,225\* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(6).  
 Alimony, maintenance, or support owed to a spouse, former spouse, or child - 11 U.S.C. § 507(a)(7).  
 Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8).  
 Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(\_\_\_\_).  
*\*Amounts are subject to adjustment on 4/1/07 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.*

**6. Unsecured Nonpriority Claim \$ \_\_\_\_\_**  
 Check this box if: a) there is no collateral or lien securing your claim, or b) your claim exceeds the value of the property securing it, or if c) none or only part of your claim is entitled to priority.

**8. Credits:** The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim.  
**9. Supporting Documents:** Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary.  
**10. Date-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.

THIS SPACE IS FOR COURT USE ONLY

Date

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):

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

# INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In particular types of cases or circumstances, such as bankruptcy cases that are not filed voluntarily by a debtor, there may be exceptions to these general rules.

## --- DEFINITIONS ---

<p><b>Debtor</b></p> <p>The person, corporation, or other entity that has filed a bankruptcy case is called the debtor.</p>	<p><b>Secured Claim</b></p> <p>A claim is a secured claim to the extent that the creditor has a lien on property of the debtor (collateral) that gives the creditor the right to be paid from that property before creditors who do not have liens on the property.</p> <p>Examples of liens are a mortgage on real estate and a security interest in a car, truck, boat, television set, or other item of property. A lien may have been obtained through a court proceeding before the bankruptcy case began; in some states a court judgment is a lien. In addition, to the extent a creditor also owes money to the debtor (has a right of setoff), the creditor's claim may be a secured claim. (See also <i>Unsecured Claim</i>.)</p>	<p><b>Unsecured Claim</b></p> <p>If a claim is not a secured claim it is an unsecured claim. A claim may be partly secured and partly unsecured if the property on which a creditor has a lien is not worth enough to pay the creditor in full.</p>
<p><b>Creditor</b></p> <p>A creditor is any person, corporation, or other entity to whom the debtor owed a debt on the date that the bankruptcy case was filed.</p>	<p><b>Unsecured Priority Claim</b></p> <p>Certain types of unsecured claims are given priority, so they are to be paid in bankruptcy cases before most other unsecured claims (if there is sufficient money or property available to pay these claims). The most common types of priority claims are listed on the proof of claim form. Unsecured claims that are not specifically given priority status by the bankruptcy laws are classified as <i>Unsecured Nonpriority Claims</i>.</p>	
<p><b>Proof of Claim</b></p> <p>A form telling the bankruptcy court how much the debtor owed a creditor at the time the bankruptcy case was filed (the amount of the creditor's claim). This form must be filed with the clerk of the bankruptcy court where the bankruptcy case was filed.</p>		

## Items to be completed in Proof of Claim form (if not already filled in)

### Court, Name of Debtor, and Case Number:

Fill in the name of the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the name of the debtor in the bankruptcy case, and the bankruptcy case number. If you received a notice of the case from the court, all of this information is near the top of the notice.

### Information about Creditor:

Complete the section giving the name, address, and telephone number of the creditor to whom the debtor owes money or property, and the debtor's account number, if any. If anyone else has already filed a proof of claim relating to this debt, if you never received notices from the bankruptcy court about this case, if your address differs from that to which the court sent notice, or if this proof of claim replaces or changes a proof of claim that was already filed, check the appropriate box on the form.

### 1. Basis for Claim:

Check the type of debt for which the proof of claim is being filed. If the type of debt is not listed, check "Other" and briefly describe the type of debt. If you were an employee of the debtor, fill in the last four digits of your social security number and the dates of work for which you were not paid.

### 2. Date Debt Incurred:

Fill in the date when the debt first was owed by the debtor.

### 3. Court Judgments:

If you have a court judgment for this debt, state the date the court entered the judgment.

### 4. Total Amount of Claim at Time Case Filed:

Fill in the applicable amounts, including the total amount of the entire claim. If interest or other charges in addition to the principal amount of the claim are included, check the appropriate place on the form and attach an itemization of the interest and charges.

### 5. Secured Claim:

Check the appropriate place if the claim is a secured claim. You must state the type and value of property that is collateral for the claim, attach copies of the documentation of your lien, and state the amount past due on the claim as of the date the bankruptcy case was filed. A claim may be partly secured and partly unsecured. (See DEFINITIONS, above).

### 6. Unsecured Nonpriority Claim:

Check the appropriate place if you have an unsecured nonpriority claim, sometimes referred to as a "general unsecured claim". (See DEFINITIONS, above). If your claim is partly secured and partly unsecured, state here the amount that is unsecured. If part of your claim is entitled to priority, state here the amount not entitled to priority.

### 7. Unsecured Priority Claim:

Check the appropriate place if you have an unsecured priority claim, and state the amount entitled to priority. (See DEFINITIONS, above). A claim may be partly priority and partly nonpriority if, for example, the claim is for more than the amount given priority by the law. Check the appropriate place to specify the type of priority claim.

### 8. Credits:

By signing this proof of claim, you are stating under oath that in calculating the amount of your claim you have given the debtor credit for all payments received from the debtor.

### 9. Supporting Documents:

You must attach to this proof of claim form copies of documents that show the debtor owes the debt claimed or, if the documents are too lengthy, a summary of those documents. If documents are not available, you must attach an explanation of why they are not available.