

U.S. COURTS
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Attorney for Land View Fertilizer, Inc.

IN THE UNITED STATES BANKRUPTCY COURT
 FOR THE DISTRICT OF IDAHO

In re:)	CASE NO. 96-02095
)	
HIPWELL, TERRY)	LAND VIEW FERTILIZER'S
)	MOTION FOR RELIEF FROM
Debtor.)	AUTOMATIC STAY
_____)	

COMES NOW Land View Fertilizer, Inc. ("Land View"), a secured creditor of the above-named debtor, by and through its counsel of record, the law firm of White, Peterson, Pruss, Morrow & Gigray, P.A., and hereby moves this Court for relief from the stay to allow parties-in-interest to proceed with the action now pending in the Third Judicial District of the State of Idaho, In and For the County of Canyon, as Case No. 98-

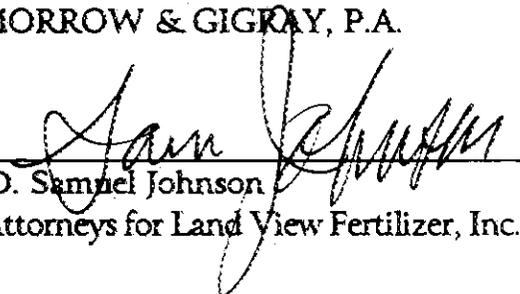
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02828, and styled as *Land View Fertilizer, Inc., Plaintiff, v. The Amalgamated Sugar Company, LLC, Defendant*. This motion is made pursuant to 11 USC § 362(d)(1)(2), FRBP 4001, 9013 and 9014 and LBR 309. This motion is based upon the grounds that the state court action referenced above has been placed on judicial stay until such time as the bankruptcy court lifts the automatic stay to permit the state court to proceed. This motion is further supported by the Affidavit of D. Samuel Johnson filed contemporaneously herewith.

ORAL ARGUMENT IS REQUESTED.

DATED this 13 day of November, 1998.

WHITE, PETERSON, PRUSS,
MORROW & GIGRAY, P.A.

By 
D. Samuel Johnson
Attorneys for Land View Fertilizer, Inc.

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that a true and correct copy of the foregoing LAND VIEW FERTILIZER'S MOTION FOR RELIEF FROM AUTOMATIC STAY was served upon the following:

Office of the U.S. Trustee
Post Office Box 110
Boise, ID 83701

Mailed
 Faxed
 Hand delivered

Howard R. Foley
FOLEY & FREEMAN
Post Office Box 10
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Ronald D. Schoen
Standing Chapter 12 Trustee
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Richard C. Boardman
PENLAND MUNTHNER BOARDMAN
Post Office Box 199
Boise, ID 83701

Mailed
 Faxed
 Hand delivered

this 13 day of November, 1998.


D. Samuel Johnson

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