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U.S. COURTS
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CANTERBURY S. BURKE
CLEAR IDAHO

Attorneys for Trustee, John H. Krommenhoek

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF IDAHO

IN RE: PAUL REES HARWARD AND
JANET LOUISE HARWARD,

Debtors.

JOHN H. KROMMENHOEK, Trustee,

Plaintiff,

vs.

THE CORPORATION OF THE
PRESIDENT OF THE CHURCH OF JESUS
CHRIST OF LATTER-DAY SAINTS, a
Utah corporation,

Defendant.

CASE NO. 9702754

ADVERSARY CASE NO. 98-6009

FIRST AMENDED COMPLAINT

Plaintiff John H. Krommenhoek alleges as follows:

1. Jurisdiction in this court arises pursuant to 28 U.S.C. § 1334 and 28 U.S.C. § 157. This proceeding is a core proceeding pursuant to 28 U.S.C. § 157(2).

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2. John H. Krommenhoek is the duly appointed trustee for the above Debtors.
3. Defendant is a corporation operating in Ada County Idaho having its principal place of business at Salt Lake City, Utah.
4. On or about September 9, 1997, Debtors filed a voluntary petition for bankruptcy pursuant to Chapter 7 of the Bankruptcy Code.
5. Within one year of the petition, the Debtors transferred to Defendant charitable donations in the approximate amount of \$5,000 - \$6,000.
6. Debtors' payments described above to Defendant were transfers of an interest of the Debtors in property:
 - a. within one year before the date of filing of the petition;
 - b. for which the Debtors received less than a reasonably equivalent value in exchange for such transfers; and
 - c. made while the Debtors were insolvent.
7. Debtors' payments to Defendant constitute avoidable transfers as pursuant to 11 U.S.C. § 548(a)(2) and said transfers should be set aside and returned to the bankruptcy estate.

WHEREFORE, Plaintiff prays that the transfer to defendant be avoided, that judgment be entered against defendant in the amounts that will be specified and proven at trial and for such other and further relief as is just.

Dated this 29th day of January, 1998.

EVANS, KEANE

By 
Thomas B. Humphrey Of the Firm
Attorneys for Trustee