

DAVID E. RAYBORN
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U.S. COURTS
03 NOV -5 AM 10:41
CLERK OF COURT
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Attorney for Debtor

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF IDAHO

In re:)
)
JOHN L. MERZLOCK,)
)
Debtor.) Case No. 03-41775-13
EX-PARTE MOTION TO SHORTEN
TIME

COMES NOW the debtor, by and through his attorney of record, David E. Rayborn, pursuant to bankruptcy rule 9006(c) and (d), and moves the court to shorten the time for hearing on its motion to remove automatic stay filed herewith, which motion is brought to allow creditor Citizens Community Bank to present its defense to the debtor's Motion to Set Aside Default and Judgment in a state court action namely, *Citizens Community Bank vs. Roger K. McAtee, et al.*, Bannock County, Idaho docket number CV-2003-1198B.

The grounds for this motion are that hearing on the debtor's Motion to Set Aside Default and Judgment in the above state court action is set to occur on November 10, 2003, and Craig W. Christensen, counsel for the plaintiff in the state court action has represented to the undersigned that he is unavailable for hearing on the debtor's motion for relief from automatic stay at anytime between the date of filing of this motion and the date set for hearing in the state court action.

DR:af

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 5th day of November, 2003, I served a true and correct copy of this document upon the following, by the method indicated:

L. D. Fitzgerald, Trustee
P. O. Box 6199
Pocatello, ID 83205-6199

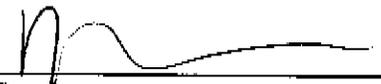
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U. S. Trustee
304 North Eighth Street, Room 347
Boise, ID 83702

- U. S. Mail
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- Courthouse Mail Box

Craig W. Christensen
414 South Garfield Avenue
P. O. Box 130
Pocatello, ID 83204-0130

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DAVID E. RAYBORN
Attorney for Debtor