

Jed W. Manwaring
EVANS, KEANE LLP
1101 W. River Street, Suite 200
P. O. Box 959
Boise, Idaho 83701-0959
Telephone: (208) 384-1800
Facsimile: (208) 345-3514

U.S. COURTS
98 JUL 21 PM 4:14
REC'D FILED
CAMERON S. BURKE
CLERK IDAHO

Attorneys for Trustee, Bernie R. Rakozy

UNITED STATES BANKRUPTCY COURT
DISTRICT OF IDAHO

In Re:

COMMUNITY HOME HEALTH, INC.,

Debtors.

Case No. 98-02141

**NOTICE OF HEARING
AND
MOTION TO REJECT
EXECUTORY CONTRACTS,
MOTION TO SURCHARGE
LEASED COLLATERAL**

NOTICE OF HEARING

PLEASE TAKE NOTICE That the undersigned will bring the above **MOTION TO REJECT EXECUTORY CONTRACTS** and **MOTION TO SURCHARGE LEASED COLLATERAL** on for hearing before this Court at 550 W. Fort Street, 5th Floor, Boise, Idaho, on the **5th day of August, 1998 at the hour of 1:30 o'clock p.m.**, or as soon thereafter as counsel can be heard.

MOTION TO REJECT EXECUTORY CONTRACTS

Pursuant to Bankruptcy Code § 365 and Bankruptcy Rule 6006, the Trustee moves the Court for an order approving the rejection of all leases referenced on the attached Schedule G, effective on the Petition date of June 25, 1998.

NOTICE OF HEARING AND MOTION TO REJECT EXECUTORY CONTRACTS, MOTION TO SURCHARGE LEASED COLLATERAL - 1

16-1
Rakozy

MOTION TO SURCHARGE LEASED COLLATERAL

Pursuant to Bankruptcy Code § 506(c), the Trustee moves the court for an order allowing the charge of up to \$100.00 per unit to be surcharged against all leased office equipment items owned by the lessors. The Trustee will have incurred substantial moving costs in order to move the leased secured collateral to a central storage facility awaiting pickup by the Lessor. The moving costs will have been incurred along with the moving of all other equipment of the Debtor. The leased equipment could not be left behind without being subject to theft, destruction, and further real property rental charges.

The charge of up to \$100.00 per office equipment item, such as a copier, fax machine, telephone system, etc. is a reasonable charge and was necessary in preserving said property for the Lessor. The Trustee seeks authorization to charge a lesser reasonable amount for smaller items at his discretion. The Trustee requests that the surcharge be paid by the lessor prior to removing the property from the storage facility. Should any lessor fail to pick up its leased property within 30 days, the Trustee reserves the right to move for additional surcharges to offset the storage and other charges.

DATED this 21 day of July, 1998.

EVANS, KEANE LLP

By Jed W. Manwaring
Jed W. Manwaring, Of the Firm
Attorneys for Trustee

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21 day of July, 1998, a true and correct copy of the foregoing document was served by first-class mail, postage prepaid, and addressed to; by fax transmission to; by overnight delivery to; or by personally delivering to or leaving with a person in charge of the office as indicated below:

Community Home Health, Inc.
1109 W. Myrtle, Suite 120
Boise, ID 83702

U.S. Mail
 FAX
 Overnight Delivery
 Hand Delivery

D. Blair Clark
Ringert Clark
455 S. 3rd
P. O. Box 2773
Boise, ID 83701-2773

U.S. Mail
 FAX
 Overnight Delivery
 Hand Delivery

Bernie R. Rakozy, Trustee
P. O. Box 1738
Boise, ID 83701

U.S. Mail
 FAX
 Overnight Delivery
 Hand Delivery

U.S. Trustee
P. O. Box 110
Boise, ID 83701

U.S. Mail
 FAX
 Overnight Delivery
 Hand Delivery

Joseph M. Meier
Cosh, Humphrey Greener & Welsh, P.A.
815 W. Washington
Boise, ID 83702-5590

U.S. Mail
 Fax
 Overnight Delivery
 Hand Delivery

Randall A. Peterman
Elam & Burke, P.A.
702 W. Idaho, 10th Floor
P. O. Box 1539
Boise, ID 83701-1539

U.S. Mail
 Fax
 Overnight Delivery
 Hand Delivery

All entities listed on attached Schedule G.

U.S. Mail
 Fax
 Overnight Delivery
 Hand Delivery



Jed W. Manwaring

Schedule G - Executory Contracts and Unexpired Leases

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, OF OTHER PARTIES TO LEASE OR CONTRACT	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST, STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT
Advanta Business Services Corp. P.O. Box 15110 Wilmington, DE 19886	Lease #001-09183107-001 for Solomon Software. DEBTOR REJECTS LEASE.
AT&T Capital Corporation P.O. Box 85047 Louisville, KY 40285-5047	Lease #484024 for 11 computers. Lease #529888 for HP Netserver, 3 NEC 2000 D Notebook computers Lease #573271 for 4 HP Laserjet 5si Printers Lease #602374 for Mettler Sonicator HP Netserver DEBTOR REJECTS LEASES
Borgholthaus Family Investment, LLC 855 West Sixth South Mountain Home, ID 83647	Lease of real property at 160 N. 3rd East, Mountain Home, Idaho. DEBTOR REJECTS LEASE.
Bruce Collier/Robert Korb 128 Saddle Rd., Suite 109 Ketchum, ID 83340	Lease of real property at 301 1st Avenue South, Hailey, Idaho. DEBTOR REJECTS LEASE.
Canon Financial Services P.O. Box 42937 Philadelphia, PA 19101-2937	Lease #4761501 for CanonFile. DEBTOR REJECTS LEASE.
Citicorp Leasing P.O. Box 7247-7878 Philadelphia, PA 19170-7878	Lease #010-0613626-002 of 9 HP Netserves, E40, plus hardwar & software, 9 15" monitors, 9 HP Laserjet 5N printers, 7 Router/DSU/CSUs, 2 Router/DSU/CSUs, 9 cabinet/enclosures, Computerland Software Support, HP 5SINX Laserjet Printer, 5 Scanners, 11 X 2 file cabinets, 3 Micron Transport Notebooks, US West Router, and Acceleport. DEBTOR REJECTS LEASE
Citicorp Leasing P.O. Box 7247-7878 Philadelphia, PA 19170-7878	Lease #010-0613626-004 for telephone system, security system, MTR shelving, burster and folder. DEBTOR REJECTS LEASE.
Colonial Pacific Leasing P.O. Box 29090 Portland, OR 97208-2090	Lease #302871001 for 4 Micron Transport Notebooks, Solomon Software, and 4 Monitors/Keyboards. DEBTOR REJECTS LEASE.
Don Mosher P.O. Box 823 Salmon, ID 83467	Lease of real property at 600 Van Dreff Salmon, Idaho. DEBTOR REJECTS LEASE.
Felco AutoLease P.O. Box 4415 Boise, ID 83711-4415	Lease #4-4237 of 1996 Chevrolet Blazer, Lease #4-4239 of 1996 Chevrolet Blazer, Lease #4-4240 of 1996 Chevrolet Blazer, Lease #4-4251 of 1996 Chevrolet Pick-Up, Lease #4-4951 of 1996 Chevrolet Suburban and Lease #4-4950 of 1996 Chevrolet Suburban. DEBTOR REJECTS LEASES.
G.E. Capital P.O. Box 31001-0270 Pasadena, CA 31001-0270	Lease #6456496-023 for Telephone system (Meridian Northstar 6 x 16). DEBTOR REJECTS LEASE.

Schedule G - Executory Contracts and Unexpired Leases

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, OF OTHER PARTIES TO LEASE OR CONTRACT	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST, STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT
Garden Valley Rentals Leslie Bourne P.O. Box 55 Garden Valley, ID 83622	Lease of real property located in Garden Valley, Idaho. DEBTOR REJECTS LEASE.
Gary L. Kaiser 2739 Starcrest Drive Boise, ID 83712	Lease of real property at 130 4th Avenue West, Gooding, Idaho. DEBTOR REJECTS LEASE.
Gary L. Kaiser 2739 Starcrest Drive Boise, ID 83712	Lease of real property at 219 Hewitt, McCall, Idaho. DEBTOR REJECTS LEASE.
Gary L. Kaiser 2739 Starcrest Drive Boise, ID 83712	Lease of real property at 36 East Idaho, Weiser, Idaho. DEBTOR REJECTS LEASE.
Gary L. Morgan P.O. Box 309 Caldwell, ID 83605	Lease of real property located at 416 S. Kimball, Caldwell, Idaho. DEBTOR REJECTS LEASE.
GE Capital P.O. Box 31001-0270 Pasadena, CA 91110-0270	Lease #6723624-001 for various computer equipment and software. DEBTOR REJECTS LEASE.
Heritage Credit Services, Inc. P.O. Box 20000 Houston, TX 77216-0956	Lease #40264-25 for 11 computers. DEBTOR REJECTS LEASE.
Imperial Business Credit, Inc. 1515 Arapahoe Street, Suite 520 Denver, CO 80202	Lease #126921 for Soloman Software, 9 Coaguchek Sytem and Electronic Q Control. DEBTOR REJECTS LEASE
Mita Financial Services P.O. Box 31001 Pasadena, CA 91110-0273	Lease #6456496-032 for 4 paper shredders. Lease #6456596-046 for 2 Mita copiers DC-8095, Mita copier DC-8090, Mita Copier DC-5590, Mita Copier DC-4090, 9 Mita Copier DC-3060, 2 Mita FAX AF-1200, 3 Mita Fax LDC780, 7 Panafax UF-880, 1 Panafax UF-880, 1 Panafax UF-880, and Panafax UF-550. DEBTOR REJECTS LEASES
NTFC Capital Corporation P.O. Box 31001-0278 Pasadena, CA 31001-0278	Lease #6589725-001, Lease #6456597-007, Lease #6456597-008, Lease #6547964-001, and Lease #6567596-021, all for telephone systems (Meridian Northstar 6 x 16). DEBTOR REJECTS LEASES.
Pitney Bowes Credit Corporation P.O. Box 5151 Shelton, CT 06484-5151	Lease #2697374-002, Lease #8603623-007, Lease #2356438-001, Lease #8603623-005, Lease #9501834-001, Lease #8619793-001, Lease #1025833-001, Lease #1381897-001, Lease #9493230-001, Lease #1554-8302-86-6, and Lease #1540-9900-88-1, all for mailing scales and meters. DEBTOR REJECTS LEASES.

Schedule G - Executory Contracts and Unexpired Leases

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, OF OTHER PARTIES TO LEASE OR CONTRACT	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST, STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT
<p>The Hosac Company, Inc. 4102 N. Hackberry Way Boise, ID 83702</p> <p>c/o Thornton Oliver Commercial Real Estate 7941 W. Rifleman Street, #150 Boise, ID 83704</p>	<p>Lease of property located 1109 W. Myrtle Street, Boise, Idaho. DEBTOR REJECTS LEASE.</p>
<p>The Kaiser Group, Inc. P.O. Box 8242 Boise, ID 83707</p>	<p>Lease of real property at 515 South Vista Ave., Boise, Idaho. DEBTOR REJECTS LEASE.</p>
<p>Tokai Financial Services P.O. Box 105819 Atlanta, GA 30348-5819</p>	<p>Lease #JT1803 for telephone system (Meridian Northstar 6 x 16). DEBTOR REJECTS.</p>
<p>US Bancorp Leasing & Fin. Svc. P.O. Box 31001-0098 Pasadena, CA 91110-0098</p>	<p>Lease #0011106-101 for Workstations, chairs, conference table, desk/credenz, library shelving, classroom table, folding tables (28), break room tables, supply room tables and work tables. DEBTOR REJECTS LEASE.</p>

6	<p>Commerce Security Bank P O Box 25523 Sacramento, CA 65864-5523 Lease #: S7760</p>	<p>20 Computers 2 Toshiba Notebook computers</p>	July-95		36 month (expires June 1998)	1,505.00
				37,178.00		
				5,948.00		
				43,126.00		