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ISB# 1662

U.S. COURTS  
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CLERK  
CAMELTON S. BURKE  
IDAHO

Attorney for *Claimants*

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF IDAHO

IN RE: ) Chapter 13  
) Case No: 99-01784  
DALE BLUSH and LEONA BLUSH, )  
husband and wife, )  
)  
Debtors. ) NOTICE OF MOTION TO  
) REMOVE AUTOMATIC STAY  
)

TO: DEBTOR(S) AND ALL AFFECTED PARTIES IN INTEREST:

PLEASE TAKE NOTICE THAT Claimants, Aaron Devault and Tara Devault have filed a Motion to Remove Automatic Stay with the Court pursuant to *11 U.S.C. 362(d) and Rule 4001* of the *Bankruptcy Rules*, requesting the Court to remove the automatic stay of *11 U.S.C. 362* as against Claimant, a copy of which is attached herewith and served upon you.

YOU ARE FURTHER ADVISED that pursuant to *11 U.S.C. 362(e)* the automatic stay of *11 U.S.C. 362* shall be vacated as against Claimant thirty (30) days from the date of the request for relief from the stay unless a preliminary hearing is requested by a party in interest before said time has elapsed and the Court orders such stay continued in effect at said preliminary hearing.

Objections: Any party in interest may oppose the motion by filing and serving on the moving party a written objection thereto at least five (5) days prior to the preliminary

hearing. The objection shall reasonably identify those matters contained in the motion which are to be at issue, and any other basis for opposition of the motion. Absent the filing of a timely response, the Court may grant the relief sought without a hearing. The written objection need not be filed if the moving party sets the preliminary hearing for less than twenty (20) days after the filing of the motion, however, the opposing party must be prepared to present the information required by this rule at the preliminary hearing.

DATED this 14<sup>th</sup> day of August, 2002.

  
BRADLEY B. POOLE

#### CERTIFICATE OF MAILING

I hereby certify that on the 14<sup>th</sup> day of August, 2002, I served a true and correct copy of the within and foregoing document upon the attorney(s)/individual(s) named below in the manner noted:

Harold Q. Noack, Jr.  
Attorney at Law  
P.O. Box 875  
Boise, Idaho 83701

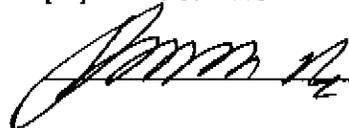
U.S. Mail, postage prepaid  
 Hand Delivered  
 Overnight Mail  
 Facsimile

U. S. Trustee's Office  
P.O. Box 110  
Boise, Idaho 83701

U.S. Mail, postage prepaid  
 Hand Delivered  
 Overnight Mail  
 Facsimile

Bernie Rakozy  
P.O. Box 1738  
Boise, Idaho 83701

U.S. Mail, postage prepaid  
 Hand Delivered  
 Overnight Mail  
 Facsimile

  
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