

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re:

Chapter 7
Bky. Case No. 03-45299

Dassel Sports and Marine, Inc.,

Debtor.

NOTICE OF HEARING AND MOTION
FOR TURNOVER OF PROPERTY TO
THE ESTATE

TO: THE COURT, UNITED STATES TRUSTEE, GAYLON ODLAND, THE DEBTOR
AND ITS ATTORNEY:

1. Dorraine A. Larison, Trustee of the bankruptcy estate of the above-named debtor, moves the court for the relief requested below and gives notice of hearing.

2. The Court will hold a hearing on this motion at 10:30 a.m. on November 3, 2004, in Courtroom No. 7 West, at the United States Courthouse, at 300 South Fourth Street, in Minneapolis, Minnesota.

3. Any response to this motion must be filed and delivered not later than October 27, 2004 which is seven (7) days before the time set for the hearing, or filed and served by mail not later than October 22, 2004, which is ten (10) days before the time set for the hearing. **UNLESS A RESPONSE OPPOSING THE MOTION IS TIMELY FILED, THE COURT MAY GRANT THE MOTION WITHOUT A HEARING.**

4. This Court has jurisdiction over this motion pursuant to 28 U.S.C. §§ 157 and 1334, Bankruptcy Rule 5005 and Local Rule 1070-1. This proceeding is a core proceeding. The petition commencing this Chapter 7 case was filed on July 28, 2003. The case is now pending in this Court.

5. This motion arises under 11 U.S.C. § 542(a), and Bankruptcy Rule 9013 and Local Rule 6072-1. This motion is filed under Bankruptcy Rule 9014 and Local Rules 9001-1 to

9001-6 and 9013-1 to 9013-5. Movant requests relief with respect to turnover of information relating to property of the estate.

6. Despite numerous written requests to the debtor's attorney to provide information, the debtor has failed to surrender and continues to withhold the following described property of the estate:

- a.) Copies of all documents relating to the purchases of corporate assets by Gaylon Odland, president of Dassel Sports and Marine, Inc.

7. The provisions of 11 U.S.C. § 542 require any entity in possession of property of the estate to turn such property over to the trustee.

WHEREFORE, Applicant moves the court for an order directing debtor to surrender forthwith the information described above to the undersigned trustee.

Dated this 1st day of October, 2004.

/e/ Dorraine A. Larison
Dorraine A. Larison
I.D. No. 203609
GRAY, PLANT, MOOTY,
MOOTY & BENNETT, P.A.
1010 West St. Germain
Suite 600
St. Cloud, MN 56301
(320) 252-4414
Attorneys for Trustee

VERIFICATION. I, Dorraine A. Larison, the movant named in the foregoing notice of hearing and motion, declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information and belief.

Dated: October 1, 2004

/e/ Dorraine A. Larison
Dorraine A. Larison, Trustee

GP:1630439 v1

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re:

Chapter 7
Bky. Case No. 03-45299

Dassel Sports and Marine, Inc.,

UNSWORN CERTIFICATE OF SERVICE

Debtor.

I, Jean Eisenschenk, declare under penalty of perjury that on October 1, 2004, I mailed the following documents:

NOTICE OF HEARING AND MOTION FOR TURNOVER OF PROPERTY AND PROPOSED ORDER

by first class mail postage prepaid to each entity named below at the address stated below for each entity:

UNITED STATES TRUSTEE
1015 US COURTHOUSE
300 SOUTH FOURTH STREET
MINNEAPOLIS MN 55415

GAYLON ODLAND
10450 CO RD 5 NW
SPICER MN 56288

DASSEL SPORTS AND MARINE INC
800 PARKER AVENUE WEST
DASSEL MN 55324

ROBERT L KALENDA
ATTORNEY AT LAW
919 W ST GERMAIN ST STE 2000
ST CLOUD MN 56301

Executed on: October 1, 2004

/e/ Jean Eisenschenk
Jean Eisenschenk
GRAY, PLANT, MOOTY,
MOOTY & BENNETT, P.A.
Suite 600
1010 West St. Germain Street
St. Cloud, MN 56301

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re:

Chapter 7
Bky. Case No. 03-45299

Dassel Sports and Marine, Inc.,

ORDER

Debtor.

At Minneapolis, Minnesota, _____, _____.

Upon the motion of the Trustee in this case,

IT IS ORDERED: That Gaylon Odland shall turn over to the Trustee within ten (10) days from the date of this Order, the property described as follows:

- a) Copies of all documents relating to the purchases of corporate assets by Gaylon Odland, president of Dassel Sports and Marine, Inc., within ten (10) days of this order.

Nancy C. Dreher
UNITED STATES BANKRUPTCY
JUDGE