

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

IN RE:

Bankruptcy No. 03-46098-NCD
Chapter 7 Case

Deborah Anne Weber

Debtor.

CHAPTER 7 TRUSTEE'S RESPONSE IN SUPPORT OF MOTION TO DISMISS

TO: Debtor; United States Trustee; and All Other Parties in Interest.

1. The §341 meeting was held on December 1, 2003 and at which time Debtor testified under oath.
2. On December 3, 2003, Trustee advised the Clerk that the §341 meeting had not been concluded. The §341 meeting had been originally scheduled for October 6, 2003, but was continued to December 1, 2003 at Debtor's request.
3. Debtor testified that in the operation of her law practice, she had accrued no accounts receivable.
4. Debtor testified that she had received retainers ranging from \$1,000 to \$5,000.
5. Debtor plead the Fifth Amendment when asked whether or not Debtor had maintained separate client funds bank accounts for retainers and refused to answer questions relating to that issue.
6. Debtor testified that she threw out all of her bank statements in August of 2003.

This case was filed on August 27, 2003.

7. Debtor was directed by Trustee to obtain and turn over banking records for business operations of her law practice over the past year. Debtor has failed to do so. Trustee is unable to complete performance of his duties.

Dated: February 12, 2004

Respectfully submitted,

MACKALL, CROUNSE & MOORE, PLC

By /e/Timothy D. Moratzka
Timothy D. Moratzka (#75036)
Attorneys for Trustee
1400 AT&T Tower
901 Marquette Avenue
Minneapolis, Minnesota 55402
(612) 305-1400

VERIFICATION

Timothy D. Moratzka declares under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information and belief.

Executed on: February 12, 2004

Signed: /e/Timothy D. Moratzka
Timothy D. Moratzka

U.S. BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

Bky No. 03-46098-NCD

Deborah A. Weber

UNSWORN DECLARATION
FOR PROOF OF SERVICE

Debtor(s)

Cheryl DeBettignies, employed by Mackall, Crouse & Moore, attorney(s) licensed to practice law in this court, with office address of 1400 AT&T Tower, 901 Marquette Avenue, Minneapolis, MN 55402-2859, declares that on the date set forth below, I served the annexed **Trustee's Response in Support of Motion to Dismiss** upon the entity named below by mailing a copy via U.S. mail thereof as follows:

Deborah A. Weber
13305 Loveland Circle
Minnetonka, MN 55305

Martin A. Cole
Lawyers Board of Professional Responsibility
1500 Landmark Towers
345 St. Peter Street
St. Paul, MN 55102-1218

Office of the United States Trustee
1015 U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

And I declare, under penalty of perjury, that the foregoing is true and correct.

Dated: 2/12/04
CLD/cld#682357v1

By /e/ Cheryl DeBettignies