

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

AMY MARIE LEMANSKI,

Debtor(s).

CHAPTER 7
BKY CASE NO. 04-43218NCD

ORDER FOR
EVIDENTIARY HEARING
RE: MOTION TO DISMISS

At Minneapolis, Minnesota, November 4, 2004.

IT IS ORDERED:

1. This matter is set for evidentiary hearing in Courtroom No. 7 West, United States Courthouse, 300 South Fourth Street, Minneapolis, Minnesota, on December 9, 2004 at 10:30 a.m.

2. No later than ten (10) days prior to the hearing, all parties are expected to confer and enter into a stipulation as to the following:

a) Waiver of objections to the admissibility of exhibits on the grounds of lack of identification or foundation where the identification or foundation is not to be contested;

b) Waiver of objections to the admissibility of depositions proposed to be offered in evidence, if any.

c) Facts which are not disputed. This stipulation shall be reduced to writing in a form which can be adopted by the Court as Findings

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of Fact.

At this conference, counsel shall provide copies of each exhibit for inspection by opposing counsel and for waiver or noting of objection.

3. No later than five (5) days prior to the hearing, counsel shall prepare, serve and file the following:

a) A brief containing a complete statement of points and authority for issues of law;

b) A list of all exhibits to be used at the hearing and the proposed sequence in which they will be offered (three copies). This list shall include a brief description of the exhibit, its identification number or letter, and those agreed to be admissible and the grounds of objection for any not agreed upon. Only exhibits so listed shall be offered as evidence at the hearing;

c) A list of all prospective witnesses in the sequence they will be called (three copies). This schedule shall include a brief statement of the substance of the testimony of each witness. Only witnesses so listed shall be permitted to testify at the hearing;

d) A list of depositions proposed to be offered in evidence, if any, and a statement of any objections to the receipt and evidence of portions of any such depositions, identifying the objecting party and the grounds (three copies). Only depositions so listed shall

be offered in evidence at the hearing except for good cause shown.

4. Failure to abide by the provisions of this Order may result in imposition of sanctions upon counsel or a party.

5. Counsel shall understand that dates fixed hereby are mandatory. Deadlines shall not be extended except for good cause. No motion shall be heard unless filed prior to the expiration of the deadline set. The Court reserves the right to act upon such motions without a hearing, if circumstances so mandate.

[/e/ Nancy C. Dreher](#)

Nancy C. Dreher
United States Bankruptcy Judge

STATE OF MINNESOTA

ss.

COUNTY OF HENNEPIN

I, Kristin Neff, hereby certify: I am a Deputy Clerk of the United States Bankruptcy Court for the District of Minnesota; on November 4, 2004, I placed copies of the attached

Order 04-43218

in envelopes addressed to each of the following persons, corporations, and firms at their last known addresses, and had them metered through the court's mailing equipment:

MICHAEL FADLOVICH
OFFICE OF THE US. TRUSTEE
1015 U.S. COURTHOUSE
300 SOUTH FOURTH STREET
MINNEAPOLIS, MN 55415

RANDALL L. SEAVER
12400 PORTLAND AVE S #132
BURNSVILLE MN 55337

JOHN HEDBACK
2855 ANTHONY LANE S
SUITE 201
ST ANTHONY, MN 55418

I sealed and placed the envelopes in the United States Mail at Minneapolis, Minnesota.

/e/ Kristin Neff
Kristin Neff