

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In RE:

BENSON, TERESA MARIE,

Debtor.

Chapter 7

Case No.: 02-60329

Adv No.: 04-6001

David G. Velde, Trustee,
Plaintiff,

Andy Peterson
and
Teresa Benson,

Defendants.

NOTICE OF MOTION AND MOTION TO COMPEL DISCOVERY

To: Defendant Teresa Benson and her attorney, Richard Sather, P.O. Box 381, Thief River Falls, MN 56701.

Please take notice that Plaintiff David G. Velde will move the court for an order compelling Teresa Benson to answer all outstanding discovery pursuant to Rule 37.01 of the Minnesota Rules of Civil Procedure. Specifically, Plaintiff will move for an order:

1. Compelling Teresa Benson to answer immediately Plaintiff's interrogatories dated Request of Admissions and Production of Documents dated May 25, 2004; and
2. Awarding Plaintiff the sum of \$150.00 as attorneys fees and costs associated with bringing this motion.

The motion is scheduled to be heard before the Honorable Dennis D. O'Brien on September 29, 2004, at 10:00 a.m., US Bankruptcy Court, 204 U.S. Courthouse, 118 South Mill Street, Fergus Falls, Minnesota, or as soon thereafter as counsel can be heard. and is based on the arguments of counsel at hearing, and on all other files, records and proceedings in this matter.

8/11/04

Velde Law Firm, Ltd.



Logan Moore
1118 Broadway
Alexandria, MN 56308
(320) 763-6561
Attorney I.D. #312083

STATE OF MINNESOTA)
) ss.
COUNTY OF DOUGLAS)

Julie A. Dolman, of the City of Alexandria, County of Douglas, in the State of Minnesota, being duly sworn, says that on the 11th day of August, 2004, she served the attached Notice of Motion and Motion to Compel Discovery, by electronically filing with:

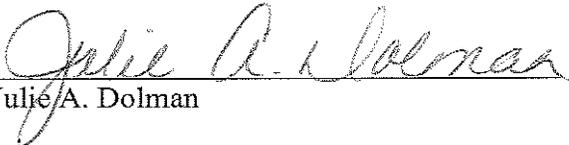
US Bankruptcy Court
204 PO Building
118 S. Mill Street
Fergus Falls MN 56537

and mailing to a copy thereof, enclosed in an envelope, postage prepaid, and by depositing same in the post office at Alexandria, Minnesota, directed to said at:

Habbo G. Fokkena
US Trustee
1015 US Courthouse
300 South Fourth Street
Minneapolis, MN 55415

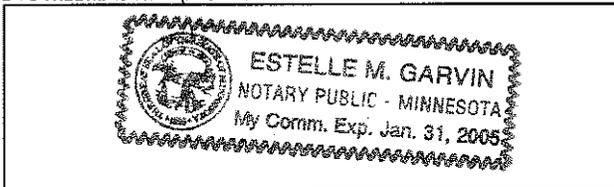
Richard Sather
Attorney at Law
P.O. Box 381
Thief River Falls, MN 56701

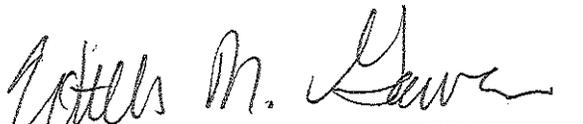
Teresa Benson
P.O. Box 13
Gully, MN 56646


Julie A. Dolman

Subscribed and sworn to before me this 11th day of August, 2004.

Notarial Stamp or Seal




Notary Public