

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

In RE:

HANSON, VERNON,  
HANSON, LANETTE  
Debtors.

Case No.: 04-60542  
Chapter 7

**NOTICE OF MOTION AND MOTION OBJECTING TO EXEMPT PROPERTY**

TO: The United States Bankruptcy Court, the United States Trustee, the Debtors, the Debtors' attorney, and all parties who requested notice under Bankruptcy Rule 2002.

1. David G. Velde, Trustee of the bankruptcy estate of the above-named debtors moves the court for the relief requested below and gives notice of hearing.

2. The Court will hold a hearing on this motion at 9:30 a.m. on August 25, 2004, in US Bankruptcy Court, 204 US Courthouse 118 South Mill Street, Fergus Falls, Minnesota.

3. Any response to this motion must be filed and served not later than August 16, 2004, at 9:30 a.m., which is seven days before the time set for the hearing (excluding Saturdays, Sundays, and legal holidays), or filed and served by mail not later than August 11, 2004, which is ten days before the time set for the hearing (excluding Saturdays, Sundays, and legal holidays). **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. This proceeding is a core proceeding. The petition commencing this Chapter 7 case was filed on May 4, 2004. The case is now pending in this Court.

5. This motion arises under 11 U.S.C. § 522, and Bankruptcy Rule 4003 and Local Rule 4003-1(a). This motion is filed under Bankruptcy Rule 9014 and Local Rule 9013-1. Movant requests relief with respect to debtors' claims for exemption.

6. Debtors have claimed as exempt the following assets which the trustee objects to as follows: American General Life Insurance policy valued at \$1,786.90 and five State Farm life insurance policies valued at \$5,300.46 claimed exempt under 11 USC § 522(d)(8), and American Funds IRA valued at \$1,368.40, Employee's 401(k) valued at \$6,281.32, Raymond James IRA valued at \$4,198.08, and The Hartford - Money Market IRA valued at \$5,465.34 all claimed exempt under 11 USC § 522(d)(10)(E).

7. The trustee objects to the debtors' claim of exemption on the following basis: Each debtor is entitled to exempt only one life insurance policy under the cited statute. The debtors have not provided the trustee with verification that the IRAs and 401(k) plan meet the necessary requirements to be claimed exempt under the cited statute.

WHEREFORE, the Applicant moves the court for an order sustaining trustee's objection to claimed exempt property and such other relief as may be just and equitable.

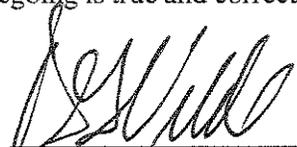
Date: 7/13/04



David G. Velde, Trustee  
1118 Broadway  
Alexandria, MN 56308  
(320) 763-6561

**Verification.** I, David G. Velde, the moving party 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.

Date: 7/13/04



David G. Velde

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**ORDER**

At Fergus Falls, Minnesota, \_\_\_\_\_, \_\_\_\_\_.

Upon the Objection to Claimed Exempt Property filed by the Trustee and upon all the files and records of the proceedings herein,

IT IS ORDERED:

1. The debtors' American General Life Insurance policy valued at \$1,786.90 and five State Farm life insurance policies valued at \$5,300.46 claimed exempt under 11 USC § 522(d)(8) are not exempt to the extent the debtors have exceeded the number of policies available to them to exempt.

2. The debtors' American Funds IRA valued at \$1,368.40, Employee's 401(k) valued at \$6,281.32, Raymond James IRA valued at \$4,198.08, and The Hartford - Money Market IRA valued at \$5,465.34 all claimed exempt under 11 USC § 522(d)(10)(E) are not exempt under the cited statute.

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Judge Dennis D. O'Brien  
US Bankruptcy Court

