

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

In RE:

GRANDBOISE, JANE MARIE,

Case No.: 04-60980

Chapter 7

Debtor.

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

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

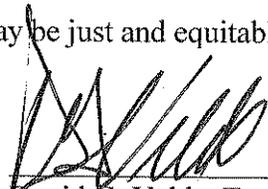
1. David G. Velde, Trustee of the bankruptcy estate of the above-named debtor moves the court for the relief requested below and gives notice of hearing.
2. The Court will hold a hearing on this motion at 11:00 a.m. on November 17, 2004, in US Bankruptcy Court, 204 US Courthouse 118 South Mill Street, Fergus Falls, Minnesota.
3. Any response to this motion must be filed and served not later than November 8, 2004, at 11:00 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 November 3, 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. 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 August 19, 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 debtor's claims for exemption.

6. Debtor has claimed as exempt the following asset which the trustee objects to as follows:  
A 1995 Ford F-150 Pickup valued in the petition at \$3,600.

7. The trustee objects to the debtor's claim of exemption on the following basis: The debtor has undervalued this vehicle. According to NADA the average retail value of the vehicle is \$6,142.00.

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.

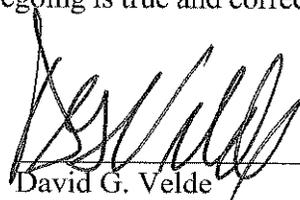
Date: 10-5-04



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: 10-5-04



David G. Velde

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In RE:

GRANDBOISE, JANE MARIE,

Case No.: 04-60980

Chapter 7

Debtor.

**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 debtor's exemption in the 1995 Ford F-150 Pickup is limited to the exemption amount of \$3,600.00. The additional value of this vehicle is property of the estate.

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Judge Dennis D. O'Brien  
US Bankruptcy Court

STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF DOUGLAS )

Colleen M. Ouimet, of the City of Alexandria, County of Douglas, in the State of Minnesota, being duly sworn, says that on the 5<sup>th</sup> day of October, 2004, she served the attached Notice of Motion and Motion Objecting to Exempt Property, 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

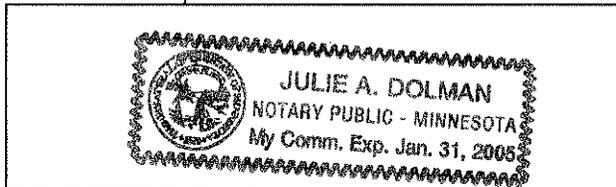
Richard Farroh  
Eslinger and Farroh  
711 N. Washington Street  
Grand Forks, ND 58203

Jane Marie Brandboise  
805 9<sup>th</sup> Avenue SE  
East Grand Forks, MN 56721

Colleen M. Ouimet  
Colleen M. Ouimet

Subscribed and sworn to before me this 5<sup>th</sup> day of October, 2004.

Notarial Stamp or Seal



Julie A. Dolman  
Notary Public