

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

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In re:

GARY L. STEWART  
DARLA J. STEWART,

Debtor.

BKY Case No. 02-32136-GJK

Chapter 7

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FIDELITY & DEPOSIT COMPANY  
OF MARYLAND,

Plaintiff,

vs.

GARY L. STEWART  
DARLA J. STEWART,

Defendants.

Adv. Proc. No. 03-3125 GJK

**PLAINTIFF'S  
WITNESS LIST**

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TO: The Honorable Gregory F. Kishel, Chief United States Bankruptcy Judge, and Defendants Gary L. Stewart and Darla J. Stewart and their attorney, Joel A. Montpetit, Esq., 222 Grand Avenue West, Suite 100, South St. Paul, MN 55075-1139

Pursuant to the Court's October 21, 2003, Order for Trial, Plaintiff Fidelity and Deposit Company of Maryland hereby designates the following individuals as witnesses whom it may call as part of its case-in-chief at the trial of this matter:

1. Gary Stewart  
7997 Jocelyn Avenue South  
Cottage Grove, MN 55016
2. Darla Stewart  
7997 Jocelyn Avenue South  
Cottage Grove, MN 55016
3. Todd Dragt  
9835 82nd Street South  
Cottage Grove, MN

4. Greg Sainsburry  
First Federal Bank  
201 Main Street South  
Hutchinson, MN 55350
  
5. Gayle Sprinkle  
Fidelity and Deposit Company of Maryland  
Recovery Center  
PO Box 66944  
Chicago, IL 60666-0944
  
6. Kevin Pedelty  
Vermillion State Bank  
107 East Main Street  
Vermillion, MN 55085

DATED: December 31, 2003

**FABYANSKE, WESTRA & HART, P.A.**

By: /e/ Michael A. Rosow  
Paul L. Ratelle (#127632)  
Michael A. Rosow (#317998)  
800 LaSalle Avenue, Suite 1900  
Minneapolis, MN 55402  
(612) 338-0115  
**ATTORNEYS FOR PLAINTIFF**

UNITED STATES BANKRUPTCY COURT  
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Defendants.

**UNSWORN PROOF OF SERVICE**

Susanne M. Hoffman of Fabyanske, Westra & Hart, P.A., attorneys licensed to practice law in this court, with their office address at 800 LaSalle Avenue, Suite 1900, Minneapolis, Minnesota, declares under penalty of perjury that on the 31st day of December, 2003, I served the Plaintiff's Witness List in this Adversary Proceeding on the following person, by placing a true and correct copy thereof in a sealed envelope, postage prepaid and depositing the same in the U.S. Mail in Minneapolis, Minnesota addressed as follows:

Joel A. Montpetit  
Montpetit, Freiling & Kranz  
222 Grand Ave. West, Suite 100  
South St. Paul, MN 55075-1139

And I declare, under penalty of perjury, that the foregoing is true and correct. Dated this 31<sup>st</sup> day of December, 2003.

/e/ Susanne M. Hoffman

Susanne M. Hoffman