

United States Bankruptcy Court
District of Minnesota

RECEIVED

04 AUG -9 AM 9:39

U.S. BANKRUPTCY COURT
ST. PAUL, MN

In re:

Bky: No. 03-35458(DDO)

Astrocom Corporation
Debtor

Chapter 11

Motion requesting Court decision on Claim Number 48 based on information submitted and to cancel Hearing scheduled September 21, 2004

I am Gunther Karger residing at 14950 S.W. 86th Avenue, Village of Palmetto Bay, Florida 33158 and Certify that I am Claimant Number 48 in the matter before this Court.

First, I continue to reject the statements made in Astrocom's objection and supporting statement by Mr. Thomas on the basis that they are baseless and incorrect and respectfully ask the Court to allow Claim Number 48.

Second, this matter does not justify the escalating legal proceedings initiated by Debtor and I respectfully submit that Astrocom is wasting the Court's time and its own limited resources which instead should be used to improve its business. To contest my claim asking the Court to hold hearings, engage in pretrial discovery, meetings, stipulations on such a **minor** matter is **clearly not a process of substance**. Rather, it is a tactic employed by debtor and his counsel to do whatever is possible to discourage claimant from proceeding thus hoping that he loses by default. It simply makes no economic or common sense for the claimant to travel from Florida to Minneapolis and engage in expensive and time consuming legal depositions from people living in various parts of the United States thus incurring expenses far in excess than the value of the submitted claim nor more than the Company incurring expenses in continuing to fight this minor claim. **Indeed, the Court should disallow such legal maneuvers and expenses** on the basis that the Company could better use its management time and very critical remaining financial resources to rebuild the business.

Third, whereas the **hearing** on the Disclosure and Chapter 11 Plan is scheduled **September 8** and the hearing on Claim Number 48 is scheduled **subsequently** on **September 21**, the legal proceedings for this single minor claim may delay the execution of Debtor's plan and therefore impair its business. This further increases the risk to creditors, negatively impacts the business of the company and is **contrary to sound business practice**. **Nothing should stand in the way of the approving the company's business plan and especially not by harassing a 71 year old retired person in Florida with just minor claim.**

46

Now therefore, I, Gunther Karger rest my case on the basis that sufficient information has been submitted to the Court in this and prior briefs by both parties. **I further beg the Court to render its decision without further hearings, delays or legal processes which usurp the Court's time and resources and only add to legal costs by debtor and claimant and the Court.**

I also respectfully ask the Court to cancel the scheduled hearing for September 21 as that is no more than part of the process of harassing a claimant using the Court as the means.

Dated August 4, 2004



Gunther Karger
Claimant

I certify that copies of this "response" and attachment have been mailed via First Class Mail or fax to the following:

Office of the United States Trustee
1015 United States Courthouse
300 South Fourth Street
Minneapolis, MN 55415

Thomas F. Miller
Attorney For Debtor
130 Lake Street West
Wayzata, MN 55491

Astrocom Corporation
3500 Holly Lane Ste. 600
Plymouth, MN 55447-1284

United States Bankruptcy Court
District of Minnesota

In re:

Bky: No. 03-35458(DDO)

Astrocom Corporation
Debtor

Chapter 11

**Order to Cancel Hearing on September 21, 2004,
Dismiss Motion by Debtor to Object to Claim Number 48 and
allow Claim Number 48 by Gunther Karger**

At St. Paul, Minnesota this _____ day of August, 2004.

Upon consideration of the motions and information presented the Court concerning Claim Number 48,

IT IS HEREBY ORDERED:

That Claim Number 48 filed in this matter by Gunther Karger will be honored in its entirety and shall be included in the creditors allocation of equity or other such consideration specified by Debtor's Chapter 11 Reorganization Plan or any revision thereto as the Court may order and that the Hearing on this matter scheduled on September 21, 2004 is cancelled..

BY THE COURT:

Dennis D. O'Brien
United States Bankruptcy Judge