

SCHREIBER LAW OFFICE, LLC

6566 Cahill Avenue
P.O. Box 2273
Inver Grove Heights, MN 55076
Phone: (651) 554-0121
Fax: (651) 554-0122

Richard M. Schreiber, Attorney

October 18, 2004

Clerk of Bankruptcy Court
Room 200 U.S. Courthouse
316 N. Robert St.
St. Paul, MN 55101

Jasmine Z. Keller
310 Plymouth Building
12 South 6th Street
Minneapolis, MN 55415

United States Trustee
1015 U.S. Courthouse
300 South 4th St.
Minneapolis, MN 55415

Roger Kullmann
8235 Granada Ave. S.
Cottage Grove, MN 55016

Re: Roger D. Kullmann
Bky. No. 03-35821

To All Interested Parties:

Enclosed herewith and served upon you by United States Mail, please find a Debtor's Response to the Trustee's Motion for Dismissal or Conversion for the above referenced case.

Sincerely,

/e/ Richard M. Schreiber

Richard M. Schreiber

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re:

Roger D. Kullmann

Debtor(s)

Bankruptcy No. 03-35821

Chapter 13 Case

DEBTOR'S RESPONSE TO TRUSTEE'S MOTION TO DISMISS OR CONVERT

TO: Creditor(s), Creditor(s) Attorney, Jasmine Z. Keller, U.S. Trustee, and any other party entitled to notice, if any, under Local Rule 9013-3.

1. The Court will hold a hearing on this motion and response at 10:30 a.m. on October 28, 2004 in Courtroom 228B, United States Courthouse, 316 N. Robert Street, St. Paul, MN.
2. The Court has jurisdiction pursuant to 28 U.S.C. §§ 157 and 1334, Bankruptcy Rule 5005, and Local Rule 1070-1. This proceeding is a core proceeding. The petition commencing this Chapter 13 case was filed on August 25, 2003.
3. The Debtor(s) have failed to remain current on payments to the Trustee.
4. The Debtor(s) will make a payment of \$100.00 to the Trustee by November 1, 2004. The default amount on the plan payments will then be \$726.60. The Debtor(s) will make up these arrearages by paying an additional \$121.10 per month for six months, beginning in November 2004, unless the default is cured sooner. \$726.60 divided by six is \$121.10 Regular plan payments will continue thereafter.

WHEREFORE, the Debtor(s) respectfully request that the Court deny the Trustee's motion, and allow the Debtor(s) to continue with this plan of reorganization of debts.

Dated: October 18, 2004

Respectfully submitted

Schreiber Law Office, LLC.

By: /e/ Richard M. Schreiber
Richard M. Schreiber
Atty. ID No. 027057X
P.O. Box 2273
Inver Grove Hts., MN 55076.
(651) 554-0121

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In re:

UNSWORN DECLARATION OF
PROOF OF SERVICE

Roger D. Kullmann

Bankruptcy No. 03-35821

Debtor(s)

I, Richard M. Schreiber, licensed to practice law in this Court, with an office address of P.O. Box 2273, Inver Grove Heights, MN 55076, declare that on October 18, 2004, I served a copy of the Debtor's Response to Trustee's Motion to Dismiss or Convert, upon each of the entities named below either personally (as indicated) or by mailing to each of them a copy thereof by enclosing same in envelope with first class postage prepaid and depositing same in the post office at Inver Grove Heights, MN, addressed to each of them as follows:

Copy to Debtor

Roger Kullmann
8235 Granada Ave. S.
Cottage Grove, MN 55016

Copy to United States Trustee:

United States Trustee
1015 U.S. Courthouse
300 South 4th St.
Minneapolis, MN 55415

Copy to Trustee:

Jasmine Z. Keller
310 Plymouth Building
12 South 6th St.
Minneapolis, MN 55402

and I declare, under penalty of perjury, that the foregoing is true and correct.

Date: October 18, 2004

Signed: /e/ Richard M. Schreiber