

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re:

JEFFERY L. SMITH
STACEY L. SMITH

Debtor(s).

AMENDED
RESPONSE TO MOTION
TO DISMISS

BKY 03-36186

TO: The United States Trustee, Jasmine Z. Keller, Chapter 13 Trustee, and other parties in interest.

Jeffery L. and Stacey L. Smith, through their attorney, Ian Traquair Ball, responds to the motion of the Chapter 13 trustee, which is scheduled for hearing at 10:30 a.m. on September 23, 2004, as follows:

Debtors will resume regular payments of \$1,000 in September, 2004 and pay an additional \$666.67 per month for six (6) months commencing in September, 2004 to cure the existing plan arrears.

WHEREFORE, debtors request the Court to deny the trustee's motion, approve the proposed payment schedule, and for such other relief as is just and equitable.

/e/ Ian Traquair Ball

Ian Traquair Ball, #4285
Attorney for Debtor(s)
12 So. 6th St., #326
Minneapolis, MN 55402
(612) 338-1313

Dated: August 26, 2004

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

JEFFERY L. SMITH
STACEY L. SMITH,

Debtor(s).

CERTIFICATE OF SERVICE

BKY 03-36186

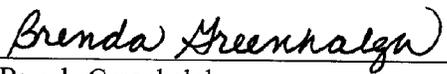
I, Brenda Greenhalgh, declare under penalty of perjury that on August 26, 2004 I mailed copies of the foregoing Response to Motion to Dismiss to each entity named below at the stated addresses.

Jasmine Z. Keller
Chapter 13 Trustee
310 Plymouth Building
12 South 6th Street
Minneapolis MN 55402

United States Trustee
1015 US Courthouse
300 South 4th Street
Minneapolis MN 55415

Jeffery L. Smith
Stacey L. Smith
13258 Glenhaven Avenue
Apple Valley, MN 55124

Dated: August 26, 2004



Brenda Greenhalgh