

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

InRe:

CHAPTER 13 CASE

David M. Zachary & Susan M. Zachary
SSN XXX-XX-9614, &XXX-XX-2575

CASE NO. 03-36473 DDO

Debtor.

NOTICE OF WITHDRAWAL OF MOTION FOR RELIEF FROM STAY

TO: Debtor and other entities specified in Local Rule 90 13-3(a).

Each of you are hereby notified that whereas First Farmers and Merchants National Bank, as a Secured Creditor, has filed a motion in the above entitled matter for Relief from Stay, which motion was scheduled to be heard on August 22, 2004 at 9:30 AM before the Honorable Dennis D. O'Brien in courtroom to 228A of the above entitled court located at U.S. courthouse, 316 North Robert Street, St. Paul, Minnesota, and continued on August 18, 2004 for hearing on September, 22 2004; and

The Debtors have fully performed the payment procedure to reinstate the mortgage;

You are each hereby notified that the above motion to lift stay is, at the request of the Movant, hereby withdrawn

Dated September 21, 2004



Stuart E. Gale, (#33054)

Attorney for Movant
9301 Bryant Avenue South, #101
Bloomington, Minnesota 55420
952-888-5920

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**UNSWORN DECLARATION
FOR PROOF OF SERVICE**

Stuart E. Gale declares that on the 21st day of September, 2004, I served the annexed Notice of Withdrawal of Motion for Relief from Stay to each person referenced below a copy thereof, by enclosing the same in an envelope with first-class postage prepaid and depositing the same in the post office at Bloomington, Minnesota, addressed to each of them as follows:

David M. Zachary and Susan M. Zachary
104 Evergreen Drive E.
Cannon Falls, MN 55009-1206

Jasmine Z. Keller
12 South 6th Street, Suite 310
Minneapolis, MN 55402

Richard Pearson, Esq.
Prescott & Pearson, P.A.
443 Highway 8
New Brighton, MN 55112

U.S. Trustee
1015 U.S. Courthouse
300 South 4th Street
Minneapolis, MN 55415

Nancy Nordmeyer, Esq.
Shapiro & Nordmeyer
7300 Metro Boulevard
Edina, MN 55439

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

Dated this 21st day of September, 2004


Stuart E. Gale