IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MINNESOTA

IN RE:	)	CASE NO. 03-38472
	)	CHAPTER 13
Mary Jo Johnsen	)	
Douglas Johnsen	)	
	)	
Debtors	)	

MEMORANDUM OF DEBTORS IN OPPOSITION TO MOTION FOR RELIEF FROM AUTOMATIC STAY

INTRODUCTION

The Debtors have made the following payments to Movant:

1. June 4, 2004 Check No. 6660 in the amount of $600.00 payable to Burnett Home Loans;
2. July 1, 2004 Check No. 6672 in the amount of $500.00 payable to Burnett Home Loans;
3. July 20, 2004 Check No. 6696 in the amount of $600.00 payable to Burnett Home Loans; and
4. August 24, 2004 Check No. 6711 in the amount of $1,138.86 payable to Burnett Home Loans.

These checks total the sum of $2,838.86.

Movant claim a total delinquency of $4,555.44 from June 1, 2004 to present

On September 22, 2004 Debtors paid $1,716.58 in certified funds. (See Debtors Affidavit)

CONCLUSIONS

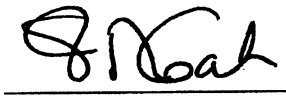
1. Accordingly, the deficiency claimed by the creditor has been paid in full. Motion to lift stay should be denied.

2. For such other and further relief may be just and authorized.

Dated: September 22, 2004

Respectfully submitted,

STUART E. GALE LAW OFFICES



Steven M. Gale
Attorney for Debtors
Elder-Jones Bldg. Suite 101
9301 Bryant Avenue South
Bloomington, MN 55420
(612) 888-5920
Registration No. 223645

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

IN RE:

BKY Case No.03-38472
Chapter 13 case

Mary Jo Johnsen
Douglas Johnsen

Debtor

AFFIDAVIT OF MARY JO JOHNSEN

STATE OF MINNESOTA)
)ss.
COUNTY OF HENNEPIN)

Mary Jo Johnsen, being first duly sworn upon oath, deposes and states:

I paid the following amounts regarding my mortgage:

1. June 4, 2004 Check No. 6660 in the amount of $600.00 payable to Burnett Home Loans;
2. July 1, 2004 Check No. 6672 in the amount of $500.00 payable to Burnett Home Loans;
3. July 20, 2004 Check No. 6696 in the amount of $600.00 payable to Burnett Home Loans; and
4. August 24, 2004 Check No. 6711 in the amount of $1,138.86 payable to Burnett Home Loans.
5. September 22, 2004 $1,716.58 in certified funds to Usset and Weingarden.

_____
Mary Jo Johnsen

Subscribed and sworn to before me
this 22nd day of September 2004

_____
Notary Public

MARY JO JOHNSEN
DOUGLAS G. JOHNSEN
PH. 651-674-0707
38696 BRANCH AVE.
NORTH BRANCH, MN 55056

17-1-910

6660

DATE 6-4-04

PAY TO THE ORDER OF Burnett Home Loans $ 600.00

Six Hundred & no/100 DOLLARS

WELLS FARGO BANK MINNESOTA, N.A.
Minneapolis, MN 55479
www.wellsfargo.com

FOR 0016387110

Mary J Johnsen

⑆091000019⑆6355459055⑈ 06660 ⑈0000060000⑈

15708-15SEP04/P-MN-MG/ASYN/14-JUN-04/170001/002654508367/600.00/USD/6660/2
15-SEP-04/300/000000006355459055/WF 20040915HG04429/

Wells Fargo

Enclosed is the photocopy you requested. If we can be of any further service please feel free to contact us at 1-800-TO-WELLS.

- - - - INTEROFFICE MAIL - - - -
MAC: N9119-011
TO: MOLLY STARK AU: 09559

Group: G15SEP04-0978

MARY JO JOHNSEN
DOUGLAS G. JOHNSEN
PH. 651-674-0707
38696 BRANCH AVE.
NORTH BRANCH, MN 55056

17-1-910

6672

DATE 7-1-04

PAY TO THE ORDER OF Burnet Home Loans $ 500.00

Five Hundred and no/100 DOLLARS

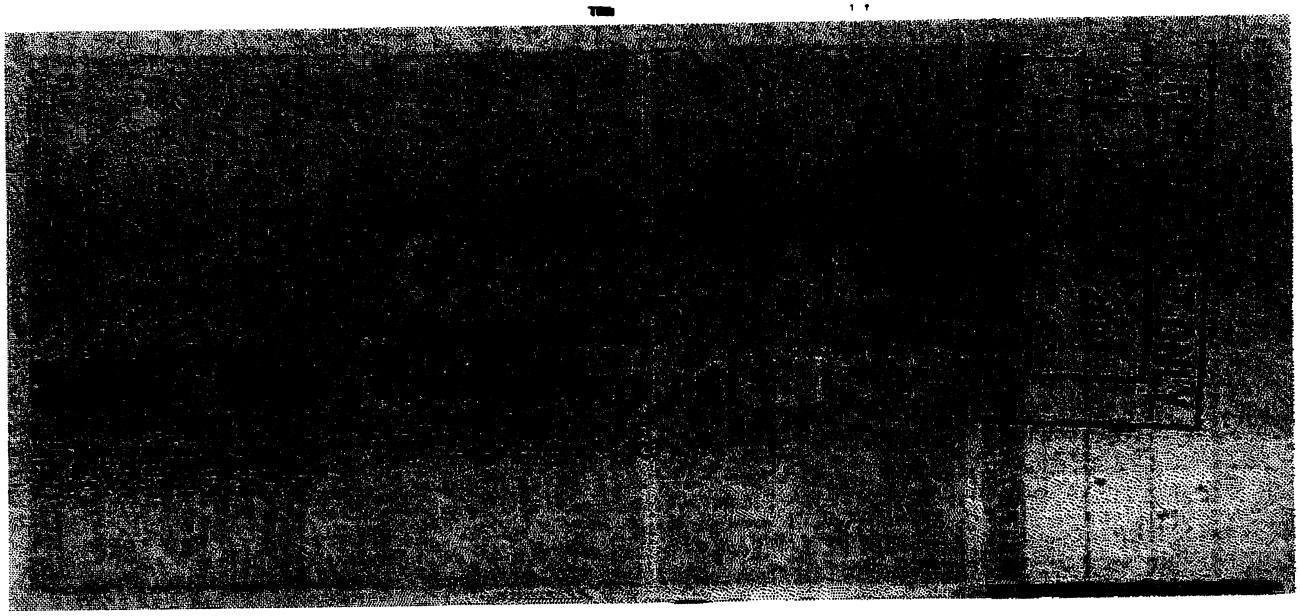
WELLS FARGO BANK MINNESOTA, N.A.
Minneapolis, MN 55479
www.wellsfargo.com

FOR # 16387110

Mary J. Johnsen

⑆091000019⑆6355459055⑈ 06672 ⑈000000[illegible]⑈

[redacted]



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- - - - INTEROFFICE MAIL - - - -
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TO: MOLLY STARK AU: 09559

Group: G15SEP04-0978

MARY JO JOHNSEN
DOUGLAS G. JOHNSEN
PH. 651-674-0707
38696 BRANCH AVE.
NORTH BRANCH, MN 55056

17-1-910

6696

DATE 7-29-04

PAY TO THE ORDER OF Burnet Home Loans $ 600.00

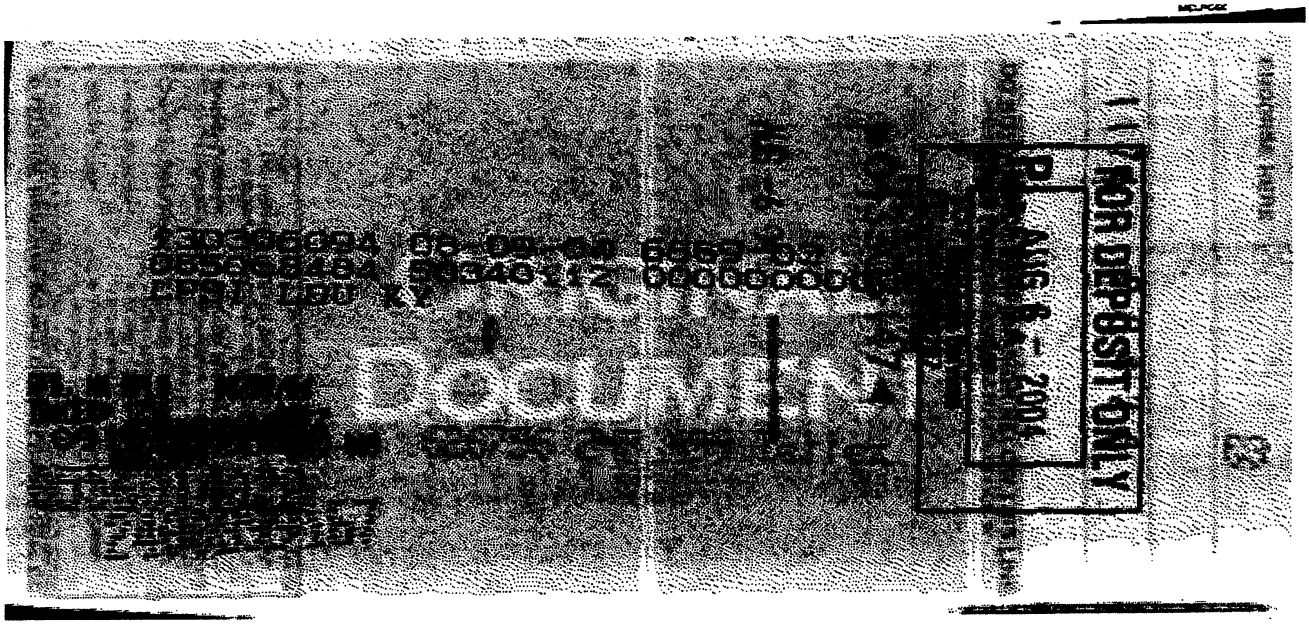
Six Hundred & no/100 DOLLARS

WELLS FARGO BANK MINNESOTA, N.A.
Minneapolis, MN 55479
www.wellsfargo.com

FOR # 16387110

Mary J. Johnsen

⑆091000019⑆6355459055⑈ 06696 ⑈0000060000⑈



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Wells Fargo

Enclosed is the photocopy you requested. If we can be of any further service please feel free to contact us at 1-800-TO-WELLS.

- - - - INTEROFFICE MAIL - - - -
MAC: N9119-011
TO: MOLLY STARK AU: 09559

Group: G15SEP04-0978

Received Event (Event Succeeded)

Date:	9/17/2004	**Time:**	:37 AM
Pages:	2	**Duration:**	9 min 30 sec
Sender:	651 633 8251	**Company:**	
Fax Number:		**Subject:**	

SEP-17-2004 10:14 ROBERTS BUSINESS FORMS 651 633 8251 P.02/02

MARY JO JOHNSEN
DOUGLAS G. JOHNSEN
PH. 651-674-0707
38696 BRANCH AVE.
NORTH BRANCH, MN 55056

17-1-910 6711

DATE 8-24-04

PAY TO THE ORDER OF Burnet Home Loans $ 1138.86

One Thousand One Hundred Thirty-Eight 86/100 DOLLARS

WELLS FARGO BANK MINNESOTA, N.A.
Minneapolis, MN 55479
www.wellsfargo.com

FOR 0016387110 Mary J Johnsen

⑆091000019⑆6355459055⑈ 06711 ⑈0000113886⑈

31008-16SEP04/P-MN-MG/ASYN/07-SEP-04/170001/001458760037/1,138.86/U/6711/1
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Wells Fargo

Enclosed is the photocopy you requested. If we can be of any further service please feel free to contact us at 1-800-TO-WELLS.

- - - - INTEROFFICE MAIL - - - -
MAC: N9119-011
TO: AARON BAUER AU: 09559

TOTAL P.02

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re:

MARY JO JOHNSEN AND
DOUGLAS JOHNSEN

Bankruptcy Case No. 03-38472

Debtors.

UNSWORN DECLARATION FOR PROOF OF SERVICE

Steven M. Gale, attorney for debtor, with office address at 9301 Bryant Avenue South, Suite 101, Bloomington, MN 55420, declares that on September 22, 2004, a Memorandum of Debtors in Opposition to Motion for Relief from Automatic Stay and Affidavit of Mary Jo Johnsen by personal service to each of them, at their last known address, copies thereof, enclosing the same in an envelope with first class mail postage and depositing the same in the post office at Bloomington, Minnesota, addressed to them as follows:

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

United States Trustee
U. S. Courthouse
Suite 1015
300 South Fourth Street
Minneapolis, MN 55415

Usset & Weingarden, P.L.L.P.
c/o Paul A. Weingarden, Brian H. Liebo
4500 Park Glen Road, Suite 120
Minneapolis, MN 55416

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

Executed: September 22, 2004

Signed: _____
Steven M. Gale