

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In Re:

SENDMYGIFT.COM, Inc.,

BKY No. 00-35021 (GFK)
Chapter 11

Debtor

SENDMYGIFT.COM, Inc.,

Plaintiff,

v.

ADV 04-3035

**AMENDED NOTICE
OF MOTION AND MOTION FOR
PARTIAL SUMMARY JUDGMENT**

Daryl A. Shiber, Kimberly G. Shiber,
DHS Corporation, and K.G.S., LLC,

Defendants.

TO: SENDMYGIFT.COM and its attorney David Jon Hoiland, 120 South
6th Street, Suite 1100, Minneapolis, MN 55402.

AMENDED NOTICE OF MOTION

PLEASE TAKE NOTICE that defendant Daryl Shiber will call up for
hearing and disposition of his Motion for partial summary judgment in the above-
captioned cause at **10:30 a.m. on September 28, 2004** and before the Honorable
Judge Gregory F. Kishel.

MOTION FOR PARTIAL SUMMARY JUDGMENT

Defendant Daryl Shiber hereby moves the court for an order granting summary judgment and dismissing plaintiff's libel *per se* claim with prejudice and on the merits. As a matter of law, plaintiff failed to prove that defendant Daryl Shiber is subject to liability for plaintiff's libel *per se* claim.

This motion is based upon the pleadings, depositions and admissions on file, together with the affidavits, memorandum of law, exhibits, all files and records herein and arguments of counsel.

Dates: September 15, 2004

-e- John F. Cameron .
John F. Cameron (#218613)
Cameron Law Office
4100 Multifoods Tower
33 South Sixth Street
Minneapolis, MN 55402
(612) 341-0394

ATTORNEY FOR DEFENDANTS