

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In Re:

**Case No Bky: 03-37857
Adv Pro: 04-3068**

**Alan and Debra Sheldon
306 8th Avenue SW
Pipestone MN 56164**

CHAPTER 7

Bank One Delaware NA,

Plaintiffs,

Vs.

Debra Ann Sheldon,

Defendant.

ANSWER

Debra Ann Sheldon, by and through her attorney, Christopher M. Kennedy hereby represents as follows as to the Answer of the Complaint filed on Friday February 27, 2004, by counsel for MBNA :

1. Admits the allegations listed in paragraphs one and two of the Complaint.
2. Denies the allegations contained in paragraphs 3, 4, 5, 6, 7, 8, and 9 of the Complaint and puts the Plaintiff to it's strict proof thereof.

AS FOR THE DEFENDANT'S FIRST DEFENSE

3. The plaintiff in this matter sent to the defendant convenience checks that were used by the defendant to pay off other credit card bills.
4. The Plaintiff forwarded to the defendant said convenience checks unsolicited and encouraged her to transfer other balances to these cards as the plaintiff alleged that the terms were more favorable.
5. The defendant relied on the representations of the plaintiff and transferred balances to this account.
6. The debt was not incurred in retail charges as alleged by the plaintiff.
7. At the time the debt was incurred the defendant intended to re-pay the full amount of the debt.

WHEREFORE, Plaintiff prays that this Court:

- a. Deny the claims of the Plaintiff;
- b. For such other relief as is just and proper.

Respectfully submitted,

Dated: March 15, 2004

Signed: /e/ Christopher M. Kennedy

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