

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

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In re:

Chapter 7  
Case No. 04-30053

BARBARA JEAN JACOBSON,

Debtor,

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**RESPONSE TO NOTICE OF MOTION AND MOTION BY TRUSTEE  
FOR TURNOVER OF PROPERTY**

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1. Debtor, Barbara Jean Jacobson, through her attorney, moves the Court for the relief requested below, and gives notice of hearing herewith.

2. The Court will hold a hearing on this motion at 1:45 p.m. on the 1<sup>st</sup> day of September, 2004, Courtroom 228A, United States Bankruptcy Court, United States Courthouse, 316 North Robert Street, St. Paul, Minnesota, or as soon thereafter as counsel may be heard.

3. The Court has jurisdiction over this motion under Sections 157 and 1334 of Title 28 of the United States Code. This matter is a core proceeding. This motion is brought pursuant to Section 542 of the Bankruptcy Code and Local Bankruptcy Rules 6072 and 9013.

4. That as to the 1997 Ford F250 pickup, the vehicle was transferred to Norman Jacobson pursuant to the divorce decree dissolving the marriage between Norman Jacobson and Barbara Jacobson. The Trustee has been made aware of this. The Debtor has amended her Petition to reflect the correct status of the F250. The Bankruptcy was filed after the Judgment and Decree of Dissolution was entered.

5. As to the banking account records, the Trustee asked for checking and savings account records covering the period of January 7, 2004. That was provided. The Trustee has now specially asked for records for three week periods surrounding January 7, 2004. He was provided with statements for the period of January 7, 2004 to February 9, 2004, and from December 9, 2003 to January 7, 2004. The balance in the check account on January 7, 2004, the date of filing, was \$15.84. The balance in savings was \$1.80.

6. That the undersigned is not aware of the existence of a tax return nor of the receipt of any tax refund.

**WHEREFORE**, Debtor respectfully moves the Court for an Order overruling Trustee's motion for turnover of property; and for such other relief as may be just and equitable.

**ALBRECHT & ASSOCIATES, LTD.**

Dated: August 23, 2004

/s/ Alan J. Albrecht  
Alan J. Albrecht, Esq. #191826  
7066 Brooklyn Boulevard  
Brooklyn Center, MN 55429  
(763) 537-6251  
Attorney for Debtor



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ALBRECHT & ASSOCIATE

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### VERIFICATION

I, Barbara Jean Jacobson, the Debtor and movant named in the foregoing motion, declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information and belief.

Dated:

8/17/2004

Barbara Jean Jacobson

Barbara J Jacobson

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re:

Chapter 7  
Case No. 04-30053 (DDO)

BARBARA JEAN JACOBSON.

Debtor,

**AFFIDAVIT OF SERVICE**

STATE OF MINNESOTA    )  
  )ss.  
COUNTY OF HENNEPIN    )

Amy J. Berthiaume, being duly sworn, deposes and states:

That at the City of Brooklyn Center, State of Minnesota, on the 23<sup>rd</sup> day of August, 2004, she served the attached **RESPONSE TO NOTICE OF MOTION AND MOTION BY TRUSTEE FOR TURNOVER OF PROPERTY** upon all interested parties by facsimile transmission and by personally depositing in the United States Mail at said City, a true and correct copy thereof, in a properly addressed envelope, with first class prepaid postage, and addressed to:

**John A. Hedback**  
**Bankruptcy Trustee**  
**2855 Anthony Lane South**  
**Suite 201**  
**St. Anthony, MN 555418**

  
\_\_\_\_\_  
Amy J. Berthiaume

Subscribed and sworn to before me  
this 23<sup>rd</sup> day of August, 2004.



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Notary Public

