

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MINNESOTA

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In Re:

Chapter 7 Bankruptcy  
Case No. 04-33062

DOUGLAS D. AND DARLA K.  
MAMMENGA,

Debtors.

**MEMORANDUM IN RESPONSE  
TO OBJECTION TO CLAIMED  
EXEMPTIONS**

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PROCEDURAL HISTORY

Debtors filed a petition commencing this Chapter 7 case on May 21, 2004. The Trustee has filed an objection to certain claimed exemptions of debtors. Debtors file this Memorandum and accompanying Affidavit of Douglas D. Mammenga in response and opposition to said objection.

FACTS

The Trustee has objected to all of the property that the Debtors claimed as exempt on their Schedule C pursuant to 11 U.S.C. 522(d)(5) which consists of the following:

<u>Property</u>	<u>Market Value of Property</u>	<u>Ownership</u>
Cash on Hand	\$ 200.00	Joint
Wells Federal Bank checking account	115.00	Joint
US Bank checking account	55.00	Joint
1972 Polaris snowmobile	25.00	Joint
Sears lawn mower	500.00	Joint
1986 John Deere snow blower	100.00	Joint
Accrued wages due on date of filing	698.00	Husband
2004 Federal & State income tax refunds	1,475.00	Joint
Thrivent Annuity contract #04199846	2,077.00	Wife
Accrued wages due on date of filing	700.00	Wife
Pension plan with ING	6,959.00	Wife

In addition, the Trustee objected to the following life insurance contracts which were claimed as exempt by the Debtors pursuant to 11 U.S.C. 522(d)(8):

Thrivent Financial Life Insurance, contract #2702103	\$ 5,758.00	Husband
Thrivent Financial Life insurance, contract #2387678	7,064.00	Wife

Douglas Mammenga has filed an affidavit specifying the specific exemptions being claimed

by each of the Debtors pursuant to 11 U.S.C. 522(d)(5) with updated and more accurate values on said property as follows:

<u>Husband's Exemptions:</u>	<u>Property</u>	<u>Value</u>
	Cash on Hand	\$ 200.00
	Wells Federal Bank checking account	105.35
	US Bank checking account	64.87
	1972 Polaris snowmobile	25.00
	Sears lawn mower	500.00
	1986 John Deere snow blower	100.00
	Accrued wages due on date of filing	581.25
	2004 Federal & State income tax refunds	<u>1,475.00</u>
		\$ 3,051.47

<u>Wife's exemptions:</u>	<u>Property</u>	<u>Value</u>
	Thrivent Annuity contract #04199846	\$ 2,077.00
	Accrued wages due on date of filing	804.13
	Pension plan with ING	<u>6,704.83</u>
		\$ 9,585.96

#### ARGUMENT

Pursuant to 11 U.S.C. 522(d)(5), the Debtors are each permitted to exempt the Debtor's aggregate interest in any property not to exceed \$925 plus up to \$8,725 of any unused amount of the exemption provided under 11 U.S.C. 522(d)(1). The Debtors' exemption value in their homestead totaled \$9,317, or \$4,658.50 each, leaving each of them the maximum amount of \$8,725 to be added to the \$925 exemption permitted by 11 U.S.C. 522(d)(5).

The total amount being claimed as exempt by Douglas Mammenga under 11 U.S.C. 522(d)(5) is \$3,051.47. The total amount being claimed as exempt by Darla Mammenga under 11 U.S.C. 522(d)(5) is \$9,585.96. Both figures are under the total \$9,600.50 amount permitted by 11 U.S.C. 522(d)(5), and therefore all of said property is exempt. Pursuant to 11 U.S.C. 522(d)(8), each of the Debtors is permitted up to \$9,300 in value of any unmaturing life insurance policy. Therefore, each of their respective life insurance policies are totally exempt.

The Trustee indicates in his motion that he was unable to determine the exact type of the

Thrivent Annuity contract and the ING account. As indicated in the Affidavit of Douglas Mammenga, the Thrivent Annuity contract is an individual retirement account resulting from a roll over from Darla Mammenga's pension with a former employer and the ING account is likewise a pension with a former employer of hers. The type of account is somewhat irrelevant since both are being claimed as exempt under 11 U.S.C. 522(d)(5).

The Trustee also had a question on the value and ownership of the life insurance policies. Douglas Mammenga's Affidavit further establishes the respective ownerships and values of these policies, and that they are within the limits permitted by 11 U.S.C. 522(d)(8).

#### CONCLUSION

The exemptions claimed by the Debtors are within the limits provided by 11 U.S.C. 522(d)(5) and 11 U.S.C. 522(d)(8). The Trustee's motion objecting to the claimed exemptions should be denied.

**DEBTORS RESERVE THE RIGHT TO CALL DOUGLAS MAMMENGA 630 WEST CIRO STREET, TRUMAN, MINNESOTA 56088, TO TESTIFY AS TO THE VALUE OF DEBTORS' PROPERTY.**

VIESSELMAN & BARKE, P.A.

Dated: August 26, 2004.

By /s/ Terry W. Viesselman  
Terry W. Viesselman (#0112835)  
Attorneys for Debtors  
123 Downtown Plaza  
Fairmont, Minnesota 56031  
Telephone: (507) 238-4377

#### VERIFICATION

I, Terry W. Viesselman, attorneys for the Debtors in the above-entitled matter, declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information and belief.

/s/ Terry W. Viesselman  
Terry W. Viesselman

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MINNESOTA

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In Re:

Chapter 7 Bankruptcy  
Case No. 04-33062

DOUGLAS D. AND DARLA K.  
MAMMENGA,

Debtors.

**AFFIDAVIT OF  
DOUGLAS D. MAMMENGA**

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STATE OF MINNESOTA        )  
  ) ss.  
COUNTY OF MARTIN        )

I, Douglas D. Mammenga, being first duly sworn on oath, depose and state from personal knowledge as follows:

1. I am married to Darla K. Mammenga, and we are the debtors in the above-entitled matter.
2. I make this Affidavit in response to the Trustee's objection to claimed exemptions.
3. The petition in this matter was filed on May 21, 2004.
4. My wife and I had a checking account in joint tenancy at US Bank, Fairmont, Minnesota, and on the date of filing we had a balance in said account of \$64.87. We also have a checking account in joint tenancy at Wells Federal Bank, Fairmont, Minnesota, and on the date of filing we had a balance in said account of \$105.35. Attached as Exhibits "A" and "B" are statements from said accounts.
5. On the date of filing my wife and I had cash on hand which we owned in joint tenancy in the amount of \$200.
6. My wife and I own a 1986 John Deere snow blower which we believe has a fair market value of \$100, and a 1972 Polaris snowmobile which we believe only has a value of \$25 (I

paid \$50 for the snowmobile seven years ago). We also own a Sears lawnmower which we believe has a fair market value of \$500. We own these items jointly.

7. My wife was formerly employed at the Fairmont Community Hospital in Fairmont, Minnesota. When she left her employment there she rolled her pension into a Thrivent Financial Annuity contract, contract no. 04199846. She is the owner of the account, and attached as Exhibit "C" is the last statement showing the total cash value of the account.

8. My wife was also formerly employed at the Madelia Community Hospital, Madelia, Minnesota. At said hospital she had a pension managed by ING Life Insurance and Annuity Company. The value in that pension as of May 25, 2004, was \$6,704.83. Attached as Exhibit "D" is a statement from ING setting forth that value. Since my wife is no longer employed at Madelia Community Hospital she is permitted to make withdrawals from said pension, subject to tax and penalty.

9. I have a whole life insurance policy with Thrivent Financial. Attached as Exhibit "E" is my most recent statement showing a cash surrender value of said policy of \$5,757.84 as of April 1, 2004. Thrivent Financial is unable to give me a value of said policy as of May 21, 2004, but its current value is \$5,765. My wife has a adjustable life insurance policy with Thrivent Financial which had a cash value of \$7,064.41 as of April 25, 2004, according to the most recent statement, a copy of which is attached and incorporated hereto as Exhibit "F". Thrivent Financial is unable to provide a value as of the date of filing, but the current value is \$7,295.

10. On the date of filing I was employed by Countryside Cashway, Fairmont, Minnesota, and had wages due me of \$581.25. On the date of filing my wife was employed at Aerospace Systems, Fairmont, Minnesota, and had wages due her of \$804.13.

11. I have estimated that the value of our 2004 federal and income tax refunds which we will receive in 2005 pro rated to the date of filing would be approximately \$1,475. We will be filing a joint tax return.

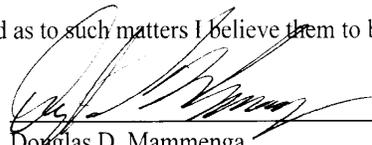
12. I am claiming the following property as my exempt property in this action:

<u>Property</u>	<u>Law Providing Exemption</u>	<u>Value</u>
Cash on Hand	11 U.S.C. 522(d)(5)	\$ 200.00
Wells Federal Bank checking account	11 U.S.C. 522(d)(5)	105.35
US Bank checking account	11 U.S.C. 522(d)(5)	64.87
1972 Polaris snowmobile	11 U.S.C. 522(d)(5)	25.00
Sears lawn mower	11 U.S.C. 522(d)(5)	500.00
1986 John Deere snow blower	11 U.S.C. 522(d)(5)	100.00
Accrued wages due on date of filing	11 U.S.C. 522(d)(5)	581.25
2004 Federal & State income tax refunds	11 U.S.C. 522(d)(5)	<u>1,475.00</u>
		\$ 3,051.47
Life Insurance contract #2702103	11 U.S.C. 522(d)(8)	\$ 5,765.00

My wife is claiming the following property as her exempt property in this action:

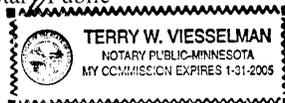
<u>Property</u>	<u>Law Providing Exemption</u>	<u>Value</u>
Thrivent Annuity contract #04199846	11 U.S.C. 522(d)(5)	\$ 2,077.00
Accrued wages due on date of filing	11 U.S.C. 522(d)(5)	804.13
Pension plan with ING	11 U.S.C. 522(d)(5)	<u>6,704.83</u>
		\$ 9,585.96
Life insurance contract #2387678	11 U.S.C. 522(d)(8)	\$ 7,295.00

FURTHER YOUR AFFIANT SAITH NOT, save and except that I declare under penalty of perjury that the foregoing is true and correct to the best of my personal knowledge, except as to matters therein stated on information and belief, and as to such matters I believe them to be true.

  
 \_\_\_\_\_  
 Douglas D. Mammenga

Subscribed and sworn to before me  
 this 26<sup>th</sup> day of August, 2004.

  
 \_\_\_\_\_  
 Notary Public





P.O. Box 1800  
 Saint Paul, Minnesota 55101-0800  
 00449 TRC 31201SRXP X ST01

**Uni-Statement**

Account Number:  
 1 449 2920 2881  
 Statement Period:  
 May 13, 2004  
 through  
 Jun. 10, 2004

Page 1 of 2



DOUGLAS MAMMENGA  
 DARLA K MAMMENGA  
 630 W CIRO ST # 89  
 TRUMAN MN 56088-1209

**To Contact U.S. Bank**

**By Phone:** 1-800-US BANKS  
 (1-800-872-2657)  
**Minneapolis/St. Paul  
 Metro Area:** 612-US BANKS  
 (612 872-2657)  
**TDD:** 1-800-685-5065  
**Internet:** www.usbank.com

**NEWS FOR YOU**

Coming after August 17, 2004, U.S. Bank is introducing a new enhanced account statement with check images. We now offer you the option to receive a formatted page of the front of your cleared check images in your statement for \$1 each statement cycle. With this statement option, you may request up to two check copies each statement cycle at *no charge*. Copies of the front and back of your cancelled checks are available from 24-Hour Banking or at your local branch beginning July 12, 2004. Check copies will also be available to view, save and print on U.S. Bank Internet Banking, a free service, beginning in September. If you would like to begin receiving a statement with check images, please call the number listed in the upper right corner of your statement and make your selection by **July 15, 2004**. Press options 1, 1, 5, 4, and then follow the prompts on the automated voice response system. The change will become effective **August 17, 2004**, and your cancelled checks and other documents will no longer be returned.

If you choose to receive your actual cancelled checks back in your statement, the fee beginning **August 17, 2004**, will be \$5 each statement cycle. If you choose to receive check images in your statement, the fee beginning **August 17, 2004**, will be \$1 each statement cycle. Again, call the phone number listed in the upper right hand corner of this statement and press options 1, 1, 5, 4, and follow the prompts to make your check return selection.

If you have already made your check preference selection via the automated voice response system, you do not need to take any action at this time.

**SUMMARY OF YOUR U.S. BANK RELATIONSHIP**

This section reflects the total balances for all accounts on this statement.

<b>Deposit Accounts</b>	<b>Account Number</b>	<b>Balance</b>	<b>Page</b>
Value Checking	1-449-2920-2881	\$ 56.87	1
Standard Savings	2-047-8014-5437	222.55	2
Standard Savings	2-449-5155-6848	412.57	2
<b>Total Deposit Balances</b>		<b>\$ 691.99</b>	

**VALUE CHECKING**

**Member FDIC**

Account Number 1-449-2920-2881  
 U.S. Bank National Association

**Account Summary**

Beginning Balance on May 13	\$ 34.50
Deposits - Credits	200.00
Other Withdrawals	177.63
<b>Ending Balance on Jun. 10, 2004</b>	<b>\$ 56.87</b>

**Deposits / Credits**

<b>Date</b>	<b>Description of Transaction</b>	<b>Ref Number</b>	<b>Amount</b>
May 14	Automatic Advance	Reserve Line 1400005569	\$ 200.00
<b>Total Deposits / Credits</b>			<b>\$ 200.00</b>

**EXHIBIT "A"**



DOUGLAS MAMMENGA  
 DARLA K MAMMENGA  
 630 W CIRO ST # 89  
 TRUMAN MN 56088-1209

**Uni-Statement**  
 Account Number:  
 1 449 2920 2881  
 Statement Period:  
 May 13, 2004  
 through  
 Jun. 10, 2004

Page 2 of 2



**VALUE CHECKING (CONTINUED)**  
 Account Number 1-449-2920-2881

**Other Withdrawals**

Date	Description of Transaction	Ref Number	Amount
May 13	Automatic Payment Reserve Line	1300005885	\$ 146.66-
May 19	Electronic Withdrawal From THRIVENT MCA		22.97-
	REF=20041390829848 N WITHDRAWAL3000003333		
Jun. 10	Maintenance Fee	1000004149	8.00-
<b>Total Other Withdrawals</b>			<b>\$ 177.63-</b>

**Balance Summary**

Date	Ending Balance	Date	Ending Balance
May 13	112.16-	May 19	64.87
May 14	87.84	Jun. 10	56.87

Balances only appear for days reflecting change.

Check out the latest changes at U.S. Bank Internet Banking! Enroll to receive account alerts, set up future-dated and repeating transfers between deposit accounts and view your U.S. Bancorp Investment balances -- All for Free! Learn more at [usbank.com/ib6](http://usbank.com/ib6).

**STANDARD SAVINGS Member FDIC**  
 Account Number 2-047-8014-5437

U.S. Bank National Association

**Account Summary**

Beginning Balance on May 13	\$ 222.55	Annual Percentage Yield Earned	0.05%
Ending Balance on Jun. 10, 2004	\$ 222.55	Interest Earned this Period	\$ 0.01
		Interest Paid this Year	\$ 0.02
		Number of Days in Statement Period	29

**STANDARD SAVINGS Member FDIC**  
 Account Number 2-449-5155-6848

U.S. Bank National Association

**Account Summary**

Beginning Balance on May 13	\$ 412.57	Annual Percentage Yield Earned	0.03%
Ending Balance on Jun. 10, 2004	\$ 412.57	Interest Earned this Period	\$ 0.01
		Interest Paid this Year	\$ 0.05
		Number of Days in Statement Period	29



P.O. Box 310  
Wells, MN 56097  
(507) 553-3151

620 04 01  
WELLS FEDERAL BANK  
440 SOUTH STATE STREET  
FAIRMONT, MN 56031  
PHONE: 507-238-4479

DOUGLAS D MAMMENGA  
DARLA K MAMMENGA  
630 W CIRO ST  
TRUMAN MN 56088-1209

ULTIMATE ONE  
<T> ACCOUNT: 470058355

05/08/04 THRU 06/09/04  
DOCUMENT COUNT: 0  
PAGE 1

FDIC  
Insured

=====

ULTIMATE ONE ACCOUNT 470058355

=====

AVG AVAILABLE BALANCE	220.25	LAST STATEMENT 05/07/04	114.86
AVERAGE BALANCE	220.25	6 CREDITS	960.05
		9 DEBITS	895.60
		THIS STATEMENT 06/09/04	179.31

----- DEPOSITS -----

REF #	TRACE #	DATE	AMOUNT	REF #	TRACE #	DATE	AMOUNT
	4003410045	05/12	50.00		4003430057	06/02	400.00
	4003410093	05/14	220.00		4003410064	06/07	190.00
	4003430089	05/25	100.00				

----- OTHER CREDITS -----

DESCRIPTION	DATE	AMOUNT
INTEREST	06/09	.05

----- CHECKS -----

CHECK #	TRACE #	DATE	AMOUNT	CHECK #	TRACE #	DATE	AMOUNT
1010	0690932951	05/17	29.51	1015	0694309508	06/07	162.18
1011	0691516275	05/19	23.60	1016	0694304296	06/07	95.00
1012	0690529739	05/13	12.35	1017*	0694309483	06/07	67.78
1013*	0690940268	05/17	214.05	1020	0694616162	06/08	198.90

(\* ) INDICATES A GAP IN CHECK NUMBER SEQUENCE

----- OTHER DEBITS -----

DESCRIPTION	DATE	AMOUNT
THRIVENT FINANCL WITHDRAWAL 01000564534-125	05/28	92.23

----- I N T E R E S T -----

AVERAGE LEDGER BALANCE:	220.25	INTEREST EARNED:	.05
AVERAGE AVAILABLE BALANCE:	220.25	DAYS IN PERIOD:	33
INTEREST PAID THIS PERIOD:	.05	ANNUAL PERCENTAGE YIELD EARNED:	.25%
INTEREST PAID 2004:	.37		

----- DAILY BALANCE -----

DATE	BALANCE	DATE	BALANCE	DATE	BALANCE
05/12	164.86	05/13	152.51	05/14	372.51

\* \* \* C O N T I N U E D \* \* \*

EXHIBIT "B"



P.O. Box 310  
Wells, MN 56097  
(507) 553-3151

620 04 01  
WELLS FEDERAL BANK  
440 SOUTH STATE STREET  
FAIRMONT, MN 56031  
PHONE: 507-238-4479

DOUGLAS D MAMMENGA  
DARLA K MAMMENGA  
630 W CIRO ST  
TRUMAN MN 56088-1209

ULTIMATE ONE  
<T> ACCOUNT: 470058355

05/08/04 THRU 06/09/04  
DOCUMENT COUNT: 0  
PAGE 2

FDIC  
Insured

=====

ULTIMATE ONE ACCOUNT 470058355

=====

DAILY BALANCE					
DATE	BALANCE	DATE	BALANCE	DATE	BALANCE
05/17	128.95	05/28	113.12	06/08	179.26
05/19	105.35	06/02	513.12	06/09	179.31
05/25	205.35	06/07	378.16		

- END OF STATEMENT -



**Thrivent Financial Flexible Premium  
Deferred Variable Annuity\*  
Benefit Report**

4321 N. Ballard Road, Appleton, WI 54919-0001  
www.thrivent.com • e-mail: mail@thrivent.com • 800-THRIVENT (800-841-4836)

0375-03464-00

If you have any questions or need information, please contact:

**Gary F Oliver CFP FICF FIC**

**PO Box 189  
Truman MN 56088-0189  
Tel: (800)459-8798**



Darla K Mammenga  
630 W. Ciro St # 553  
Truman MN 56088-1209

**YOUR ANNUITY AT A GLANCE Reporting Period 01/01/2004 through 03/31/2004**

<b>Contract</b> 04199846	<b>Controller/Owner</b> Darla K Mammenga	<b>Additional Options</b> None
<b>Issue Date / Issue Age</b> 09/28/2000      38	<b>Name of Annuitant</b> Darla K Mammenga	
<b>Pension Type</b> Individual Retirement Annuity		<b>Statement Date</b> 03/31/2004

\*This contract is distributed through Thrivent Investment Management Inc., 625 Fourth Ave. S., Minneapolis, MN 55415-1665, a registered broker-dealer. Member NASD.

**YOUR CONTRACT VALUES**

	As of 12/31/2003	As of 03/31/2004
<b>Total Cash Value</b>	\$ 1,996.79	\$ 2,076.67

The surrender value on 03/31/2004 is \$ 2,001.91, which reflects the deduction of any withdrawal charges that may apply. For charges and other fees, see the prospectus.

Since the contract issue date, 09/28/2000, payments of \$ 1,970.33 have been received and \$ 0.00 has been withdrawn.

The total cash value of your contract is not guaranteed and may increase or decrease with the performance of each subaccount.

The death benefit on 03/31/2004 is \$ 2,076.67. This amount is available to your beneficiary in the event of your death.

**ACCOUNT BALANCES AS OF 03/31/2004**

Subaccount Name	Premium Allocation	Accumulation Units	Unit Value	Cash Value	Cash Value Allocation
Large Cap Index	50%	38.1535	21.113941	\$ 805.57	38.79%
Small Cap Index	50%	52.3435	24.283756	\$ 1,271.10	61.21%

**EXHIBIT "C"**



# Life Insurance

## Statement of Contract Values

If you have any questions about this statement, call our Customer Interaction Department at (800) 847-4836.

**Your Financial Associate:**  
 Gary F Oliver CFP FICF FIC  
 PO Box 189  
 Truman MN 56088  
 (800) 459-8798

### Client Information

Contract Number: 2702103

Issue Date: 4/1/1992

### This Statement Prepared For

Douglas D Mammenga  
 Client ID: 0012936142  
 Social Security #: On File

630 W Ciro St # 553  
 Truman MN 56088-1209

### Contract Information

#### Product

Whole Life

#### Premiums

Premiums are currently paid to 4/1/2004.

Premiums on this contract are currently paid monthly by Pre-Authorized Collection in the amount of \$42.23

The current annual premium is \$485.26

#### Coverage

Base Plan	\$47,000.00
Additional Protection Target	\$53,000.00

#### Additional Benefits

Waiver of Premium Benefit	
Future Child Option	\$5,000.00
Accelerated Benefit	

### Contract Values

#### Death Benefit 04/01/2004

Base Coverage	\$47,000.00
Dividend Term Insurance	52,361.17
Paid-Up Additional Insurance	638.83

**Death Benefit \$100,000.00**

#### Cash Surrender Value 04/01/2004

Guaranteed Cash Value	\$5,546.00
Cash Value of	
Paid-Up Additional Insurance	211.84

**Cash Surrender Value \$5,757.84**

During the past year, the Guaranteed Cash Value increased by **\$611.00**.

**EXHIBIT "E"**

# Universal Life

## Statement of Contract Values

If you have any questions about this statement, call our Customer Interaction Department at (800) 847-4836.

**Your Financial Associate:**

Gary F Oliver CFP FICF FIC  
 PO Box 189  
 Truman MN 56088  
 (507) 776-7677

**Client Information**
**Contract Number:** 2387678

**Issue Date:** 4/25/1988

**This Statement Prepared For**
**Darla K Mammenga**

Client ID: 0014078588

Social Security #: On File

630 W Ciro St # 553

Truman MN 56088-1209

**Contract Information**
**Product**

Flexible Premium Adjustable Life Insurance

*(Review your available contract options. The tax status of your contract should be reviewed each year.)*
**Coverage**

Face Amount

\$100,000.00

Death Benefit Option: A

**Additional Benefits**

Waiver of Monthly Deduction

**Premiums**

Premiums on this contract are currently paid monthly by Pre-Authorized Collection in the amount of:

\$50.00

Planned annual premium

\$600.00

*(Subject to Internal Revenue Guidelines)*
**Contract Values**
**Beginning of Period (4/25/2003)**

Cash Value	\$	6,376.78
Loan Balance	\$	0.00
Cash Surrender Value	\$	6,376.78
Death Benefit	\$	106,376.78

**End of Period (4/25/2004)**

Cash Value	\$	7,064.41
Loan Balance	\$	0.00
Cash Surrender Value	\$	7,064.41
Death Benefit	\$	107,064.41

**Activity During Period**

Effective Date	Premiums Received <sup>A</sup>	Expense Charges <sup>B</sup>	Insurance Deductions <sup>C</sup>	Surrenders <sup>D</sup>	Decrease or Increase Charge	Interest Credited <sup>E</sup>	End of Month Cash Value <sup>F</sup>
04/27/2003	\$50.00	-\$3.00					
05/25/2003		-\$2.25	-\$10.94			\$25.08	\$6,435.67
05/28/2003	\$50.00	-\$3.00					
06/25/2003		-\$2.25	-\$10.94			\$25.31	\$6,541.79

**EXHIBIT "F"**

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MINNESOTA

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In Re:

Chapter 7 Bankruptcy  
Case No. 04-33062

DOUGLAS D. AND DARLA K.  
MAMMENGA,

**ORDER DENYING TRUSTEE'S OBJECTION  
TO DEBTORS' CLAIM OF EXEMPTION**

Debtors.

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This Chapter 7 case came on before the Court on September 7, 2004, for a hearing on the Trustee's objection to the Debtor's claimed exemption of the following property:

Cash on Hand, Wells Federal Bank Checking Account #470058355, US Bank Checking Account #1-449-2920-2881, 19072 Polaris snowmobile, Sears Lawn mower, John Deere snow blower, Thrivent Financial Annuity, contract #04199846, 100% of Husband's Accrued Wages, 100% of Wife's Accrued Wages, 2004 Federal and State Income Tax Refunds, Pension Plan with ING, Thrivent Financial Life Insurance, contract #2702103, and Thrivent Financial Life Insurance, contract #2387678.

Appearances, if any, were noted on the record.

Upon the documents on file herein, and the arguments of counsel,

IT IS HEREBY ORDERED AND DETERMINED:

11. The Trustee's objection to Debtors' claimed exemptions is denied.

BY THE COURT:

Dated: \_\_\_\_\_, 2004.

\_\_\_\_\_  
Gregory F. Kishel  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MINNESOTA

---

In Re:

Chapter 7 Bankruptcy  
Case No. 04-33062

DOUGLAS D. AND DARLA K.  
MAMMENGA,

Debtors.

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**UNSWORN CERTIFICATE OF SERVICE**

I, Karen Koehler, declare under penalty of perjury that on August 26, 2004, I mailed copies of the attached Affidavit of Douglas D. Mammenga and Memorandum in Response to Objection to Claimed Exemptions by first class mail postage prepaid to each entity named below at the address stated below for each entity:

OFFICE OF THE US TRUSTEE  
1015 UNITED STATES COURTHOUSE  
300 S FOURTH ST  
MINNEAPOLIS MN 55415

MICHAEL S DIETZ  
BANKRUPTCY TRUSTEE  
206 S BROADWAY STE 505  
PO BOX 549  
ROCHESTER MN 55903-0549

Dated: August 26, 2004.

  
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Karen Koehler, Legal Assistant  
Viesselman & Barke, P.A.  
123 Downtown Plaza  
Fairmont, MN 56031-1726

