

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA
THIRD DIVISION**

Case No. BKY 04-333~~68~~ GFK

Charles M. Schrandt and

**RESPONSE TO OBJECTION TO PLAN
AND MOTION TO DISMISS**

Beverly A. Schrandt,
Debtors

TO: All parties entitled to notice pursuant to LOCAL RULE 9013-3..

1. The Debtors moves the court for the relief requested below and gives notice of hearing.

2. The Debtors have modified their expenses to provide for all of the projected disposable income to payments under the plan, and have filed a Modified Chapter 13 plan.

3. The Debtors therefore request a confirmation of the Modified Chapter 13 plan and dismissal of the Trustees objection to plan and motion to dismiss.

4. A hearing on the motion will be held before the Honorable Gregory F. Kishel, Courtroom 228B, U. S. Courthouse, 316 North Robert Street, St. Paul, Minnesota, at 10:30 a.m. on **August 26, 2004**, or as soon thereafter as counsel may be heard.

5. Any response to this motion must be filed and delivered not later than August 23, 2004, which is three days before the time set for the hearing (excluding Saturdays, Sundays, and holidays, or filed and served by mail not later than August 17, 2004 which is seven days before the time set for the hearing excluding (Saturdays, Sundays and holidays). **UNLESS A RESPONSE OPPOSING THE MOTION IS TIMELY FILED, THE COURT MAY GRANT THE MOTION WITHOUT A HEARING.**

6. This Court has jurisdiction over this motion pursuant to 28 U. S. C. Sec. 157 and 1334, FED. R. BANKR. P. 5005 and LOCAL RULE 1070-1. This proceeding is a core proceeding. The petition commencing this chapter 13 case was filed on June 3, 2004. The case is now pending in this court.

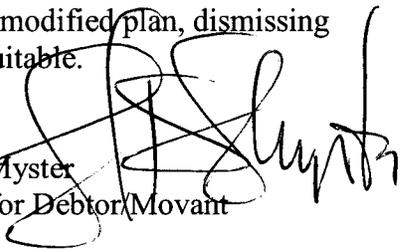
7. This motion arises under 11 U.S.C Sec.1322 and 1325 and FED BANKR. P. 3015 and LOCAL RULES 3015-1. Movant requests relief with respect to granting of

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confirmation of Modified Chapter 13 plan, and dismissal of the Trustees Motion for Dismissal.

Wherefore, Debtor moves the court for an order approving the modified plan, dismissing Trustees Objection and such other relief as may be just and equitable.

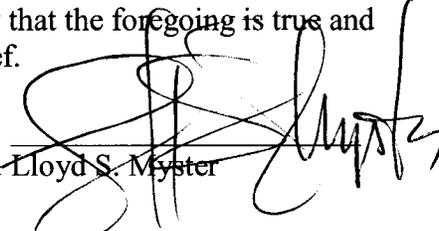
Dated: August 13, 2004

Signed: 
Lloyd S. Myster
Attorney for Debtor/Movant
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VERIFICATION

I, Lloyd S. Myster, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: August 13, 2004


Lloyd S. Myster