

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

---

In re:

Case No. **BKY 03-5049 GFK**

**ADV No. 03-5049**

Chapter 7 Case

**Katherine L. Tackelson,**

**ANSWER**

Debtor.

**Robert R. Kanuit, Trustee**

Plaintiff,

vs.

**Brenda L. Tackelson,**

Defendant.

---

**Defendant**, for her Answer to the Complaint of Plaintiff states and alleges as follows:

- I. Admits the allegations contained in Paragraphs 1, 2, 4, 5, 6, 7, and 10, of the Complaint on information and belief.
- II. Denies the allegations contained in Paragraphs 3, 8, 9, 11,12,13 of the Complaint.

**AFFIRMATIVE DEFENSES**

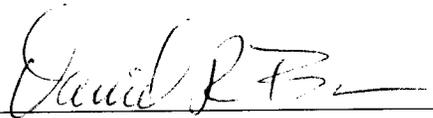
- A. Failure to state a claim upon which relief may be granted.
- B. Trustee waived right to contest legitimacy of exemption claimed under MSA §§ 510.01, 510.02, by failing to object to property claimed as exempt by Debtor within prescribed time deadlines.
- C. Trustee lacks jurisdiction over the defendant Brenda L. Tackelson

D. The property to which the Trustee is attempting to exercise jurisdiction has been exempted from the Bankruptcy estate by virtue of MSA §§ 510.01, 510.02.

**Wherefore, Defendant Brenda L. Tackelson prays for:**

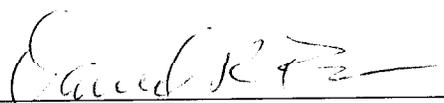
1. An order dismissing Plaintiff's Complaint with prejudice.
2. Awarding Defendant's costs, disbursements and reasonable attorney's fees.
3. For such further relief as the Court deems just and equitable.

Dated: November 14, 2003

  
Daniel R. Bina, #200621  
Attorney for Debtor  
1639 Main Street North, Suite #1  
Pine City, Minnesota 55063  
(320) 629-7708

**ACKNOWLEDGMENT**

The undersigned hereby acknowledges that pursuant to Minn. Stat. 549.211, Subd. 2. and Subd. 5, the Court may impose an appropriate sanction if the Court should find that the undersigned acted for any improper purpose, asserted legal contentions not warranted by existing law or by a frivolous argument, asserted factual contentions without evidentiary support, or, if specifically so identified, without the likelihood to have evidentiary support after reasonable opportunity for further investigation/discovery, or denied factual contentions not warranted on the evidence.

  
Daniel R. Bina

United States Bankruptcy Court  
District of Minnesota

IN RE:

Case No. \_\_\_\_\_

**KATHERINE L TACKELSON**

Chapter **7**

Debtor(s)

**CERTIFICATE OF MAILING**

The undersigned hereby certifies that a true copy of the following document(s):

**ANSWER**

was(were) mailed to all persons in interest at the addresses set forth in the exhibit which is attached hereto, by first class mail, postage prepaid, on this 14th day of November, 2003.

*/s/ Daniel R. Bina*

Daniel R. Bina #200621

Daniel R. Bina  
1639 Main Street North, Suite 1  
Pine City, MN 55063

(320) 629-7708

OFFICE OF THE UNITED STATES TRUSTEE  
1015 U.S. COURTHOUSE  
300 SOUTH 4TH ST  
MINNEAPOLIS, MN 55415

ROBERT R KANUIT  
CHAPTER 7 TRUSTEE  
4815 W ARROWHEAD RD #203  
HERMANTOWN, MN 55811