

September 30, 2004

Patrick G. DeWayne  
Clerk of Bankruptcy Court  
United States Bankruptcy Court  
416 US Courthouse  
515 West First Street  
Duluth, MN 55802

Re: Jerry Reno, Debtor, Bky No. 02-50651  
Seaver v. Michelizzi, Adv. No. 04-5008

Dear Mr. DeWayne:

Since the trustee, Mr. Seaver has filed a notice of settlement dismissing Ms. Michelizzi as a defendant in this case, and the court has entered an order approving that settlement, Ms. Michelizzi's motion for summary judgment has become moot.

I am therefore withdrawing the motion for summary judgment. I understand that the hearing scheduled for October 6th has been removed from the calendar.

Thank you for your assistance.

Sincerely,

Gwen Updegraff  
Attorney at Law

cc Randall Seaver, Trustee