

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In Re:

DAVID C. ENGBARD

Debtor.

RESPONSE TO MOTION
FOR RELIEF

BKY 02-90849

TO: Green Tree Servicing and its attorney and other parties in interest.

David C. Engbard, Debtor, opposes the motion for relief of Green Tree Servicing, scheduled for hearing on October 13, 2004. Debtor was current on all postpetition mortgage payments at the time of the motion filing. Movant has failed to show lack of adequate protection. If necessary, Debtor will testify at the hearing as to payments to Movant, valuation of Movant's collateral, and adequate protection of Movant's interest.

Debtor's attorney is scheduled for Chapter 13 hearings in Minneapolis and St. Cloud on the morning of October 13, 2004 and is unable to appear at for Movant's Stay Relief Hearing scheduled for 9:30 a.m. in St. Paul. Debtor respectfully requests the Court to continue this hearing to the next stay relief calendar on October 20, 2004 in order for Debtor's attorney to appear in his behalf.

WHEREFORE, Debtor requests that the motion be denied and the stay relief hearing continues for on week and for such other relief as is just and equitable.

/e/ Ian Traquair Ball

Ian Traquair Ball #4285
Attorney for Debtor
12 South 6th Street, Ste. 326
Minneapolis, MN 55402
Tel: (612) 338-1313

Dated: October 6, 2004

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In re:

**CERTIFICATE OF
SERVICE**

DAVID C. ENGBARD,

BKY 02-90849

Debtor(s).

I, Brenda Greenhalgh, declare under penalty of perjury that on October 6, 2004, I faxed and mailed copies of the foregoing Response to Motion for Relief to each entity named below at the stated addresses.

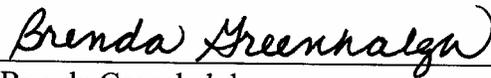
Jasmine Z. Keller
Chapter 13 Trustee
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Ricardo Figueroa, Esq.
Murnane, Conlin, White & Brandt
444 Cedar Street, Ste. 1800
St. Paul, MN 55101

United States Trustee
1015 US Courthouse
300 South 4th Street
Minneapolis MN 55415

David W. Engbard
503 W. Central Avenue
Medford, MN 55049

Dated: October 6, 2004



Brenda Greenhalgh