

Compared

FILED NO. 750  
BOOK 38 PAGE 87

1987 OCT 27 PH 12:34

MARY E. WELTY  
RECORDER  
MADISON COUNTY, IOWA Fee \$5.00

**FILED**  
OCT 18 1985  
MARGUERITE F. LARY  
Clerk, U.S. Bankruptcy Court  
Des Moines, Iowa

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF IOWA

IN THE MATTER OF:  
  
JOHN F. KELLEHER and  
CARITA A. KELLEHER,  
  
Debtors.  

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JOHN F. KELLEHER and  
CARITA A. KELEHER,  
  
Plaintiffs,  
  
v.  
  
SMALL BUSINESS ADMINISTRATION,  
  
Defendant.

Bankruptcy No. 85-389-C  
Chapter 11

Adversary No. 85-0295

ANSWER TO COMPLAINT TO  
DISALLOW SECURED CLAIM  
AND VOID LIEN

COMES NOW the United States of America on behalf of the  
Small Business Administration and, in answer to the complaint  
filed September 16, 1985, states:

1. The government does not resist the relief sought in paragraphs 1 and 2 of the plaintiffs' prayer.
2. That the Small Business Administration has not made a claim for secured status in this proceeding as evidenced by the proof of (unsecured) claim filed April 19, 1985 by the agency and by the fact that the agency did not attempt to take a 11 U.S.C. §1111(b) election at the time of the disclosure statement hearing.
3. That a prehearing and trial in this matter are unnecessary.

Respectfully submitted,  
United States of America  
Richard C. Turner  
United States Attorney

PROOF OF SERVICE  
The undersigned certifies that the foregoing instrument was served upon all parties to the above cause by depositing a copy thereof in the U.S. Mail, postage prepaid, in envelopes addressed to each of the attorneys of record herein at their respective addresses disclosed on the pleadings, on Oct. 18, 1985  
R. Brandenburg

Lee M. Jackwig  
Lee M. Jackwig  
Assistant U. S. Attorney  
115 U. S. Courthouse  
Des Moines, Iowa 50309  
Tel: (515) 284-6257

cc: Mr. Michael P. Mallaney