BK 14
(Rev. 10/79)

Dm241

# United States Bankruptcy Court

For the SOUTHERN District of IOWA

I, Marguerite F. Lary Clerk of Bankruptcy Court

in and for said District, do hereby certify that the attached copy of Complaint to Void Judgment Liens; Summons and Notice of Trial; Affidavit of Mailing;

in the case of Donald Franklin Henry & Donna M. Henry

debtor, No. 79-647-C has been compared with the original thereof and that it is a complete and correct copy of such original as it appears of record and on file in my office.

In testimony whereof I have hereunto set my hand at Des Moines, Iowa

in said District, this 18th day of October, 19 85

[Seal of the U.S. Bankruptcy Court]

Marguerite F. Lary
*Clerk of Bankruptcy Court*

Madalyn Wright
*Deputy Clerk*

Date of issuance: October 18, 1985

Compared

FILED NO. 901
BOOK 35 PAGE 633
1985 OCT 31 PM 2:14
MARY E. KELLY
RECORDER
MADISON COUNTY, IOWA
Fee $30.00

IND
REC.
PAGE

FILED
FEB 25 1980
MARGUERITE F. LARY
Clerk, U.S. Bankruptcy Court
Des Moines, Iowa

IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION

* * *

| | |
|---|---|
| In re: | |
| DONALD FRANKLIN HENRY<br>DONNA M. HENRY | CASE NO. 79-647-C |
| Debtors | |
| DONALD FRANKLIN HENRY<br>and DONNA M. HENRY | |
| Plaintiffs | ADVERSARY PROCEEDING<br>NO. 79-0006 |
| -v- | |
| GLEE GUESS, et al | AFFIDAVIT OF MAILING |
| Defendants | |

STATE OF IOWA )
( ss.
COUNTY OF POLK )

The undersigned, first being duly sworn, states that on the 22nd day of February, 1980, he personally mailed to the following named persons and companies a Summons and Notice of Trial and Complaint to Void Judgment Liens, by ordinary mail, each such document being mailed in a sealed envelope with proper postage thereon, addressed to the said persons and companies, at their last known Post Office address, by depositing the same on said date in a United States Post Office receptacle in said County, to-wit:

Donald Franklin Henry and Donna M. Henry, 220 West Green, Winterset, Iowa 50273

Robert D. Taha, 400 Plymouth Building, Des Moines, Iowa 50309

Glee Guess, 208 Ellis, Van Meter, Iowa

United Builders, 125 West 5th, Winona, Minnesota 55987

Brothers International Corp., 680 Fifth Ave., New York, New York 10019

John D. Brush & Co., Inc., 900 Linden Ave., Rochester, New York 14625

Denon Nippon Columbin Corp. of America, 6 East 43rd St., New York, New York 10017

Distinguished Brands, 25 Newton Rd., Plainview, New York 11803

Facit Odhner Inc., 501 Winsor Drive, Secauces, New Jersey 07094

Midwest Wholesale Inc., 23 E. State St., Mason City, Iowa 50401

Olivetti Corp. of America, Post Office Box 310, Murray Hill Station, New York, New York 10016

Remington Rand, Post Office Box 54059, Los Angeles, California 90054

Speed O Print, 1801 West Larchmont Ave., Chicago, Illinois 60613

Unicom Systems, Inc., 10670 N. Tantan Ave., Cupertino, California 95014

Dexter Lumber & Hardware, Dexter, Iowa 50070

Paul Plumbing & Heating, 221 S. 5th Ave., Winterset, Iowa 50273

Iowa Methodist Medical Center, 1200 Pleasant, Des Moines, Iowa 50309.

Donald F. Neiman

DONALD F. NEIMAN

Subscribed and sworn to before me by the said Donald F. Neiman this 22nd day of February, 1980.

Lu Ann Gilbert

NOTARY PUBLIC in and for the State of Iowa



UNITED STATES BANKRUPTCY COURT

For the SOUTHERN District of IOWA

In re
DONALD FRANKLIN HENRY and
DONNA M. HENRY,
Debtor

DONALD FRANKLIN HENRY and
DONNA M. HENRY,

*Plaintiff*

v.

Glee Guess, United Builders, Brothers International Corp., John D. Brush & Co., Inc., Dennon Nippon Columbia Corp. of America, Distinguished Brands, Facit Odhner, Inc., Midwest Wholesale Inc., Olivetti Corp. of America, Remington Rand, Speed O Print, Unicom Systems, Inc., Dexter Lumber & Hardware, Paul Plumbing & Heating, and Iowa Methodist Medical Center,
*Defendants*.

FILED
FEB 21 1980
MARGUERITE F. LARY
Clerk, U.S. Bankruptcy Court
Des Moines, Iowa

No. 79-647-C

Adversary Proceeding No. 79-0006

# SUMMONS AND NOTICE OF TRIAL

To the above-named defendant:

You are hereby summoned and required to serve upon

Donald F. Neiman , plaintiff's attorney, whose

address is 1119 High Street, Des Moines, Iowa 50308 ,

a motion or an answer * to the complaint which is herewith served upon you, on or before

March 28, 1980 , and to

file the motion or answer with this court not later than the second business day thereafter. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

You are hereby notified that trial of the proceeding commenced by this complaint has been set

for April 7, 1980 , at 1:30 o'clock

P .m., in U.S. Bankruptcy Court Room, 314 U. S. Court House, East First and Walnut Streets, Des Moines, Iowa.

MARGUERITE F. LARY
Clerk, U. S. Bankruptcy Court

By: Madalyn Wright
Deputy Clerk

Address: 318 U. S. Court House,
East 1st & Walnut
Des Moines, Iowa 50309

Date of issuance: Feb. 21, 1980.

* *If you make a motion, as you may in accordance with Bankruptcy Rule 712, that rule governs the time within which your answer must be served.*

NEIMAN NEIMAN STONE & SPELLMAN PC ATTORNEYS AT LAW
1119 HIGH STREET DES MOINES, IOWA 50308

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IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION

* * *

| | |
|---|---|
| In re:<br><br>DONALD FRANKLIN HENRY<br>DONNA M. HENRY<br><br>Debtors | CASE NO. 79-647-C<br><br>ADVERSARY PROCEEDING NO. 79-0006 |

FILED
NOV 30 1979
MARGUERITE F. LARY
Clerk, U.S. Bankruptcy Court
Des Moines, Iowa

DONALD FRANKLIN HENRY
and DONNA M. HENRY

Debtors

-v-

GLEE GUESS,
UNITED BUILDERS,
BROTHERS INTERNATIONAL CORP.,
JOHN D. BRUSH & CO. INC.,
DENON NIPPON COLUMBIN CORP.
OF AMERICA,
DISTINGUISHED BRANDS,
FACIT ODHNER INC.,
MIDWEST WHOLESALE INC.,
OLIVETTI CORP. OF AMERICA,
REMINGTON RAND,
SPEED O PRINT,
UNICOM SYSTEMS, INC.,
DEXTER LUMBER & HARDWARE,
PAUL PLUMBING & HEATING, and
IOWA METHODIST MEDICAL CENTER

Defendants

ALL DOCUMENTS REGARDING THIS MATTER MUST BE IDENTIFIED BY BOTH ADVERSARY AND BANKRUPTCY CASE NUMBERS.

## COMPLAINT TO VOID JUDGMENT LIENS

TO: The Honorable Richard Stageman, Bankruptcy Judge:

1. This is a complaint filed to void judgment liens against exempt property of the above debtors pursuant to the provisions of 11 U.S.C. §522(c) and 11 U.S.C. §524(a)(1).

2. That the above debtors filed their voluntary petition for relief on October 19, 1979, and have claimed as exempt property set forth in Schedule B-4 of their petition, which included, inter alia, the debtors' homestead being the real estate locally known as 220 West Green, Winterset, Iowa 50273, and legally described as:

Lot 4, Block 9, of the Original Town of Winterset, Madison County, Iowa.

3. That said real estate has been allowed as exempt by Robert D. Taha, duly appointed trustee of the estate of the debtors.

4. That all of the defendants are holders of judgment liens against the debtors and that pursuant to provisions of the revised Bankruptcy Act, the debtors request the Court to determine that the judgments obtained by the above defendants are void as against the exempt homestead of the debtors and that the judgments are not within the exceptions as set forth in 11 U.S.C. §522(c)(1) and (2).

WHEREFORE, your debtors pray that this matter be set down for trial and such hearing as the Court determines, and that upon said hearing, the Court void the judgment lien interest of each of the defendants herein.

Donald F. Neiman

DONALD F. NEIMAN
Attorney for Debtors
1119 High Street
Des Moines, Iowa 50308

1-515-282-9247

NEIMAN NEIMAN STONE & SPELLMAN PC ATTORNEYS AT LAW 1119 HIGH STREET DES MOINES, IOWA 50308