

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WISCONSIN

In the Matter of

IN BANKRUPTCY

STANLEY PACOCHA, JR.  
AND PEGGY PACOCHA  
f/d/b/a Ken-Mar Construction  
and Ken-Mar Standard,

No. 79-01368 Vol.

Debtor

STEVEN L. THOMPSON

Plaintiff

vs.

STANLEY PACOCHA, JR  
AND PEGGY PACOCHA,

Defendants

and

GILLEN & WIZA MASONRY

Plaintiff

vs.

STANLEY PACOCHA, JR.  
AND PEGGY PACOCHA,

Defendants

and

JOHN SKIBBA, d/b/a  
Skibba Truss and Building Supply

Plaintiff

vs.

STANLEY PACOCHA, JR.  
AND PEGGY PACOCHA,

Defendants

and

WM. ADAMS TRUCKING &  
EXCAVATING, LTD.,

Plaintiff

vs.

STANLEY PACOCHA, JR.  
AND PEGGY PACOCHA

Defendants

FRED'S PAINT STORE, INC.

Plaintiff

vs.

STANLEY PACOCHA, JR.  
AND PEGGY PACOCHA,

Defendants

and

WOLOHAN LUMBER CO., INC.

Plaintiff

vs.

STANLEY PACOCHA, JR.  
AND PEGGY PACOCHA,

Defendants

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ORDER DENYING MOTION TO DISMISS

At Eau Claire, in said district, this 6th day of June, 1980.

The plaintiff in each of the above entitled actions having duly filed a complaint and summons having been issued objecting to discharge of specific debts due to the said plaintiffs; and the debtors-defendants having duly answered in said actions; and having filed a motion to dismiss the plaintiffs' complaints in that the same failed to state a claim upon which relief may be granted; and the Court having duly noticed a conference and pre-trial relative to said matters; and having heard the motion of the debtors and the position of the plaintiffs relative to the same; and the counsel having filed briefs; and upon all the record and the Court being fully advised in the premises, the Court FINDS:

1. That the status of the record in each of said actions is such that the court cannot rule on the motion to dismiss the complaints upon the merits.

2. That each of said counsel have filed very clear, concise and informative briefs herein.

3. That said matters should be noticed for pre-trial and trial thereafter.

4. That the Court enter an order denying the motion of the debtors to dismiss at this time, and as

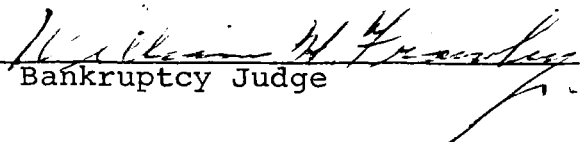
CONCLUSIONS OF LAW

1. That the Court enter the order denying the motion of the debtors herein for dismissal of complaints.

NOW, THEREFORE, IT IS ORDERED that the motion for dismissal of complaints in each of said matters be, and the same hereby are, denied without costs.

IT IS FURTHER ORDERED that all matters be set for pre-trial with trial to follow.

BY THE COURT:

  
Bankruptcy Judge