

8/27/80

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE  
WESTERN DISTRICT OF WISCONSIN

In Re

IN BANKRUPTCY

LARRY L. FREEHLING and  
ROSEMARY FREEHLING,

No. 79-01400

Debtors

Adversary No. 80-0009

CONSUMERS CO-OP CREDIT UNION,  
Plaintiff

-vs-

LARRY L. FREEHLING and  
ROSEMARY FREEHLING

Defendants

FINDINGS OF FACT,  
CONCLUSIONS OF LAW  
and ORDER

The debtors in the above entitled action having duly filed a straight bankruptcy proceedings, and thereafter having filed a request for transfer to Chapter 13, which was granted and the plan approved and confirmed; and the plaintiff in the above entitled action having duly filed a complaint and objection to discharge of debts prior to the Chapter 13 conversion; and the plaintiff having moved for summary judgment in the proceedings; and the Court having considered the brief of counsel for the plaintiff as to summary judgment and the brief of counsel for the debtors relative to an indefinite adjournment of the adversary proceedings because of the confirmation of the Chapter 13 plan, which includes all creditors, including the plaintiff herein; and the Court having heard the positions of counsel, and having considered all of the record, and being fully advised in the premises, FINDS:

1. That debtors filed a Chapter 7 proceedings on November 15, 1979, and thereafter, on March 19, 1980, filed a petition for relief under Chapter 13 of the Bankruptcy Code.

2. That as stated above, the plaintiff herein filed a complaint and motion for summary judgment for denial of discharge.

3. That the plan of the debtors under Chapter 13 was confirmed and approved as to all creditors, including the plaintiff herein.

4. That the ruling as to disposition of the adversary proceedings be held in abeyance until such time as the plan is completed or converted back to a Chapter 7 if the debtors should fail to work out said plan.

CONCLUSIONS OF LAW

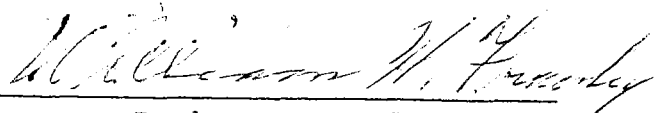
That an order be entered indefinitely adjourning said motion for summary judgment until such time as said plan is completed or further action taken relative to the same.

O R D E R

NOW, THEREFORE, IT IS ORDERED: That the motion for summary judgment be indefinitely adjourned for determination until such time as said Chapter 13 plan is completed or further action for non-compliance is taken by the Court.

Dated: August 27, 1980.

BY THE COURT:



Bankruptcy Judge