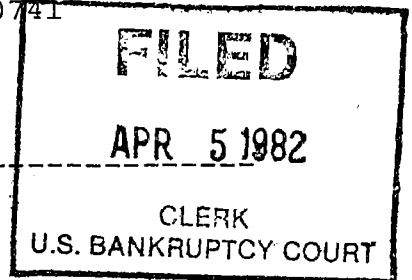


IN THE UNITED STATES BANKRUPTCY COURT
FOR THE
WESTERN DISTRICT OF WISCONSIN

In the Matter of
RON BROWN AMC-JEEP, INC.
Debtor.

Bankruptcy No.
WF11-81-00741



FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER

The debtor having filed an application to assume an executory contract with Mercedes-Benz of North America, Inc. and to assign said contract to Fred Mueller Buick-Pontiac, Inc.; and the matter having been noticed for hearing; and the debtor having appeared by Konrad T. Tuchscherer, Terrence J. Byrne and Arthur L. Eberlein; Mercedes-Benz having appeared by Jon P. Christiansen of the firm of Foley & Lardner, and having filed an objection to the assumption and assignment of the contract on the grounds that said contract is no longer executory; that the dealer agreement with Mercedes-Benz is a personal services contract within the exceptions of §365(c), and that there can be no adequate assurance of future performance and that there is no valid contract of assignment; and the court having heard the oral arguments of counsel, and having considered the extensive briefs filed by them and the affidavits supporting the respective positions of the parties, and having concluded to review the legal arguments prior to a trial on said application in the event of legal defenses to said application; and after carefully considering the entire record, the affidavits, briefs and arguments of counsel, FINDS:

1. That the issues raised by the respective briefs of counsel show that said matter cannot be determined from the affidavits and briefs filed herein.

2. That it is necessary to set the application for trial.

CONCLUSIONS OF LAW

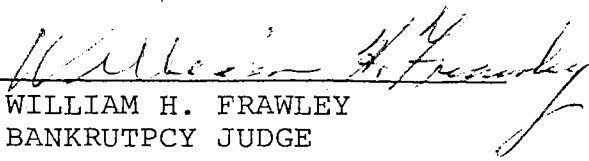
That an order be entered directing the deputy clerk of court to set a time and place as soon as possible for a trial of the issues raised in said application and the objection thereto.

O R D E R

NOW, THEREFORE, IT IS ORDERED: That the deputy clerk of this court forthwith set the matter for trial at a convenient time for the parties and the court.

Dated: April 5, 1982.

BY THE COURT:



WILLIAM H. FRAWLEY
BANKRUPTCY JUDGE