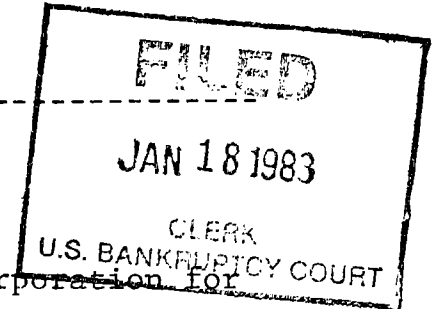


IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE  
WESTERN DISTRICT OF WISCONSIN

In the Matter of  
RUSSELL CONSTRUCTION COMPANY  
Debtor.

In Bankruptcy  
No. EF11-82-01109

ORDER MODIFYING STAY



The application of Mack Financial Corporation for lifting of the stay to permit said corporation to foreclose its security interest in certain vehicles specifically described in its application coming on for hearing before the court at different times; Peter F. Herrell appearing for and on behalf of the debtor, and Thomas J. Graham, Jr., appearing for and on behalf of Mack Financial Corporation; and appraisals having been made; and the court having heard the testimony of the witnesses, the arguments of counsel, and having considered the briefs herein submitted, and being fully advised in the premises, THE COURT FINDS:

1. That the above named debtor filed a petition for Chapter 11 relief.
2. That the application of Mack Financial Corporation to lift the stay was duly made and filed herein.
3. That the amount due Mack Financial Corporation as of November 15, 1982, was in excess of \$220,484.40 as of November 15, 1982.
4. That debtor claims the value of the trucks listed in said application to be approximately \$64,250.00.
5. That the proposed payment of \$2,158.00 per month over a three year period with interest at the rate of 12% is insufficient.
6. That the business of the debtor is over-the-road trucking to various cities and towns.

7. That Mack Financial Corporation does not have, and has not been offered, adequate protection for its interest in the vehicles described in said application.

8. That the debtor has no equity in the vehicles nor has it reasonable prospect for reorganization.

CONCLUSIONS OF LAW

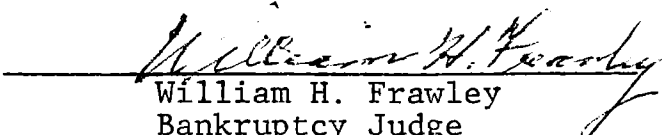
That the court enter an order lifting the stay for the purpose of foreclosing the retail installment contract described in the application on the trucks listed as security therefor.

O R D E R

NOW, THEREFORE, IT IS ORDERED: That the automatic stay in this matter be and the same is hereby modified to permit the said Mack Financial Corporation to foreclose its security interest in the vehicles listed in the application and more specifically described as five used 1977 Mack trucks, Serial Nos. TB676-6R3500, TB676-6R5396, TB676-6R3273, TB676-6R2835, and TB676-6R3274.

Dated: January 18, 1983.

BY THE COURT:

  
\_\_\_\_\_  
William H. Frawley  
Bankruptcy Judge