

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

---

In Re:

PATRICK H. NIKOLAY and  
PATRICIA A. NIKOLAY

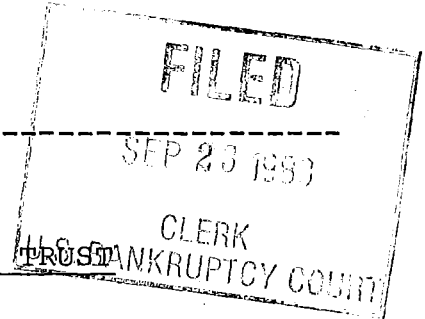
Debtors.

In Bankruptcy

No. WF11-82-02093

---

ORDER LIFTING STAY  
AS TO CITIZENS NATIONAL BANK AND TRUST



The Citizens National Bank and Trust having filed an application for relief from stay to permit legal action relative to the items named in the application; and said matter having come on for hearing before the Court from time to time, the last hearing being held on September 21, 1983, at Wausau, Wisconsin; and the debtors having appeared in person and by William C. Gamoke, their attorney; and the applicant having appeared by John H. Stauber and Dennis A. Juncer, its attorneys; and the Court having heard the arguments of counsel and the statements made; and debtors' attorney having advised the Court that a plan cannot be prepared and filed without a determination of the litigation involved in the action for wrongful taking of the cattle; and the Court being fully advised in the premises, FINDS:

1. That said application to lift the stay was properly made before the Court.

2. That it does not appear that the debtors are in any position to file a viable plan of reorganization or formulate such plan.

3. That the outcome of a certain state court damage action as being necessary to formulate and make viable the plan is highly speculative, and debtors concede that it is necessary to have a successful conclusion of the damage suit in order to formulate a viable and workable plan.

4. That the debtors are unable to furnish any additional security or in any way furnish adequate protection to said applicant.

5. That the debtors have no equity in said property.

CONCLUSIONS OF LAW

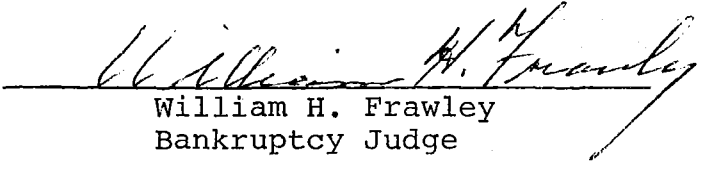
That the Court enter an order lifting the stay as described in the application herein.

O R D E R

NOW, THEREFORE, IT IS ORDERED: That the automatic stay be lifted as prayed for in the application of said Citizens State Bank and Trust in the items described in said application.

Dated: September 26, 1983.

BY THE COURT:

  
William H. Frawley  
Bankruptcy Judge

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

-----  
In Re:

PATRICK H. NIKOLAY and  
PATRICIA A. NIKOLAY

In Bankruptcy

No. WF11-82-02093

Debtors.  
-----

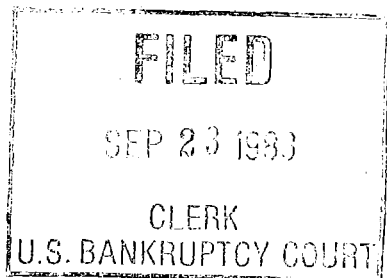
ORDER APPROVING DISCLOSURE STATEMENT

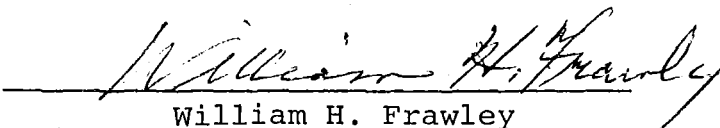
An adjourned hearing on the amended disclosure statement in the above matter having come on for hearing before the Court on the 21st day of September, 1983; and the Court having taken under advisement the arguments of counsel as to approval and objection to said disclosure statement; and the Court having fully considered the matter;

IT IS ORDERED: That the said amended disclosure statement be and the same is hereby approved.

Dated: September 26, 1983.

BY THE COURT:



  
William H. Frawley  
Bankruptcy Judge