

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

In Re:

DAVID G. GODDARD and
BOBBIE C. GODDARD

and

LAKE TOMAHAWK RECREATION
SALES, INC.

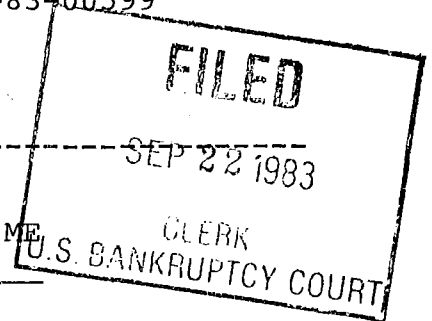
Debtors.

In Bankruptcy

No. WF7-83-00592

No. WF7-83-00599

ORDER DENYING EXTENSION OF TIME
TO FILE OBJECTIONS



Graymont State Bank and Thomas K. Viemont having filed a motion for extension of time to file objections to discharge in the above corporate and individual bankruptcy proceedings; and the debtors having filed a motion objecting to the extension of said time and requesting a denial of the motion of said creditors; and a telephone conference having been held on July 26, 1983; and counsel having stated their positions relative to said motion, and having filed briefs herein; and the court having considered the record and file, the arguments of counsel and the briefs on file herein, and being fully advised in the premises, FINDS:

1. That the court set the last day for filing objections to discharge in each of said matters as July 11, 1983.

2. That said creditors did not file their objections to discharge on or before July 11, 1983.

3. That said creditors on the 11th day of July, 1983, mailed a notice of the motion to extend said time.

4. That no/^{other} motion was made to extend the time prior to the expiration of said date of July 11, 1983.

5. That the applicants contend that under the Federal Rules of Civil Procedure, being 6(b), their motion is timely.

6. That debtors contend said rule is not applicable and that the creditors should have had their motion for an extension of time on file on July 11, 1983.

7. That from an examination of the Federal Rules of Civil Procedure and the Bankruptcy Code it is the conclusion of the court that said mailing of the motion does not constitute compliance with the Bankruptcy Code or the order of the court limiting the time for filing said objections.

CONCLUSIONS OF LAW

That an order be entered dismissing the motion of said Graymond State Bank and Thomas K. Viemont to extend the time to file said objections.

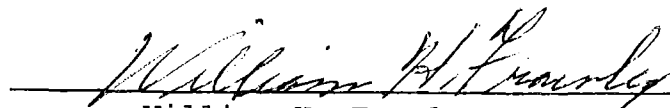
O R D E R

NOW, THEREFORE, IT IS ORDERED: That the motion of Graymont State Bank and Thomas K. Viemont for an extention of

time to file objections to discharge in the corporate and individual bankruptcy proceedings herein be and the same is hereby denied without costs to any of the parties.

Dated: September 22, 1983.

BY THE COURT:


William H. Frawley
Bankruptcy Judge