

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF )  
 )  
JOHN KILE JEFFRES, ) CASE NO. BK79-L-267  
 )  
BANKRUPT )  
 )  
LINCOLN COATING, INC., )  
 )  
Plaintiff )  
 )  
vs. )  
 )  
JOHN KILE JEFFRES, )  
 )  
Defendant )

MEMORANDUM OPINION

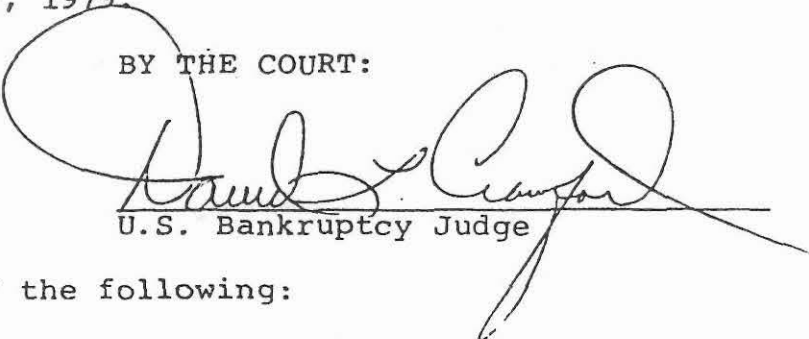
The above-captioned adversary proceeding was scheduled for trial on December 10, 1979. Immediately before the trial commenced, counsel met with the Court. At that meeting, the attorney for the plaintiff orally moved that the defendant's answer be stricken for failure to answer interrogatories and for a default judgment. At a previously held pretrial conference, the attorney for the plaintiff advised the Court that the defendant had failed to answer interrogatories. The attorney for the defendant advised the Court that his communications to his client went unanswered. This Court entered an order directing that the defendant file answers to interrogatories on or before December 7, 1979. The Court also advised the parties at the pretrial that it would entertain an oral motion to strike the answer and to hold the defendant in default if answers to interrogatories were not filed by the date specified.

The Court did take sufficient evidence to conclude that the balance due the plaintiff from the defendant is \$2,611.00.

A separate judgment is entered in accordance with the foregoing.

DATED: December 17, 1979.

BY THE COURT:

  
U.S. Bankruptcy Judge

Copies mailed to each of the following:

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