



2/28/2012

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7 Attorney for Cross-Complainant  
 8 Donald C. Schwartz

9 UNITED STATES BANKRUPTCY COURT,  
 10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 In Re:	]	<b>Case No. 5-09cv05831</b>
	]	
12 DONALD CHARLES SCHWARTZ,	]	Bk No. 08-55102 MM
	]	
13 Debtor.	]	<b>CHAPTER 7</b>
	]	
14 _____	]	

16 DAVID A. WASNEY, SR.,	]	<b>NOTICE OF WITHDRAWAL OF EX</b>
	]	
17 Plaintiff/Appellant,	]	
	]	
18 vs.	]	<b>PARTE APPLICATION FOR ORDER</b>
	]	
19 DONALD CHARLES SCHWARTZ,	]	
	]	
20 Defendant/Respondent.	]	<b>STAYING ACTION PENDING APPEAL</b>
	]	
21 _____	]	
22	]	

23  
 24  
 25 Please take notice that Cross-Complainant Donald C. Schwartz hereby respectfully  
 26 withdraws his Ex Parte Application to Stay this action pending appeal – which motion is under  
 27  
 28

1 submission. Cross-Complainant wishes to presently proceed in this action against Cross-  
2 Defendant David A. Wasney, Jr.  
3

4 Dated: February 25, 2012

5 S/ \_\_\_\_\_  
6 Donald Charles Schwartz  
7 Attorney for Cross-Complainant  
8 In Pro Per  
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1 **CERTIFICATE OF SERVICE**

2 I declare that I am employed in the County of Santa Cruz, California; that I am over the  
3 age of eighteen and am not a party to the foregoing action. My business address is 7960-B  
4 Soquel Drive, No. 291, Aptos, CA 95003.

5 On the date shown below, I served the following document(s):

6 **NOTICE OF WITHDRAWAL OF EX PARTE APPLICATION TO DISMISS CROSS-**  
7 **DEFENDANT DAVID A. WASNEY, JR.**

8 on each person named below by placing a copy in an envelope addressed as shown below and  
9 placing the envelope for collection and mailing on the date and at the place shown above  
10 following our ordinary business practices. I am readily familiar with this business practice for  
11 collecting and processing correspondence for mailing. On the same day that correspondence is  
12 placed for collection and mailing it is deposited in the ordinary course of business with the  
United States Mail with First Class postage fully prepaid.

13 Klaus J. Kolb  
14 Attorney  
15 400 Capitol Mall, 11th Floor  
16 Sacramento, CA 95814  
Fax: 916-492-0598

17 I declare under penalty of perjury that the foregoing is true and correct to the best of my  
18 knowledge and that this declaration was executed on February 25, 2012 in Santa Cruz County,  
19 California.

20 S/ \_\_\_\_\_  
21 Patti Klinkhammer