

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF IOWA**

IN THE MATTER OF:) **Chapter 7**
THOUSAND ADVENTURES, INC.,) **Case No. 97-03618 DJ**
Debtor.)

ERIC W. LAM, exclusively in his capacity)
as Trustee of the bankruptcy of:)
THOUSAND ADVENTURES, INC.,) **Adversary No. 00-20091**
Plaintiff,)
vs.)
CINERGY CORP.)
Defendant)

NOTICE OF MOTION TO APPROVE COMPROMISE SETTLEMENT WITH DEFENDANT,
CINERGY CORP., NOTICE OF MOTION TO APPROVE COMPENSATION FOR ATTORNEY AND
NOTICE OF BAR DATE FOR OBJECTIONS

TO ALL PARTIES IN INTEREST:

NOTICE IS HEREBY GIVEN that on the 23rd day of January, 2003, the Plaintiff filed a Motion to Approve Compromise Settlement with Defendant, Cinergy Corp., and to Approve Compensation of Attorney for the Trustee. The Motion to Compromise Settlement with Defendant, Cinergy Corp., proposes that the Trustee accept the sum of \$4,500.00 in complete and total settlement of Trustee's claims against Defendant. Trustee has identified transfers of \$14,721.57 having been made to Defendant. Of these transfers \$9,790.65 were pre-petition and \$4,960.92 were post-petition. Defendant has asserted the typical defenses in preference actions: a) contemporaneous exchange for value; b) subsequent new value; and, c) ordinary course of business. Defendant has also asserted that it did not receive all of the transfers alleged by Trustee. Trustee has determined that some of these defenses may be meritorious. Therefore, Trustee has requested that this Court approve the compromise to ensure the estate receives some settlement without the risk and expense which trial would occasion.

NOTICE IS FURTHER GIVEN that upon approval of this Motion to Compromise that Plaintiff will forever release Defendant from all claims that he might ever be able to assert against Defendant and that this Adversary Proceeding shall be dismissed with prejudice.

NOTICE IS FURTHER GIVEN that Plaintiff's motion also seeks Court approval of compensation for his attorney of one-third of the settlement in the amount of \$1,500.00, as was agreed when he was hired to pursue these actions on March 16, 1999.

NOTICE IS GIVEN that the bar date for objection to this Motion to Approve Compromise Settlement and Motion to Compensate Attorney shall be the 12th day of February, 2003. The original of all objections shall be filed with the Clerk of U.S. Bankruptcy Court, P.O. Box 9264, Des Moines, Iowa 50309-9264 with copies to James Snyder, Assistant U.S. Trustee, Room 517, 210 Walnut Street, Des

Moines, Iowa 50309-2108, Trustee, Eric W. Lam, Moyer & Bergman, P.L.C., P.O. Box 1943, Cedar Rapids, Iowa 52406-1943 and Counsel for Trustee, Joseph A. Peiffer, P.O. Box 2877, Cedar Rapids, Iowa 52406-2877.

NOTICE IS GIVEN that if objections are filed a hearing shall be set by separate notice.

NOTICE IS FURTHER GIVEN that if no objections are timely filed the Court may enter an order consistent with the relief sought in the Motion.

Dated this 23th day of January, 2003.

Eric W. Lam, Trustee

/s/ Joseph A. Peiffer
Joseph A. Peiffer IS 9999471
P.O. Box 2877
Cedar Rapids, IA 52406-2877
Telephone: (319) 365-0437
FAX: (319) 365-5866
ATTORNEY FOR CHAPTER 7 TRUSTEE

CERTIFICATE OF SERVICE

I hereby certify that a copy of the document on which this appears and all enclosures, was mailed the date indicated below, to the parties in interest listed below as required by the Bankruptcy Rules by Day Rettig Peiffer Johansen, P.C.; it was also transmitted to Dan Hopper, Chairman of the Thousand Adventures, Inc. Members Committee for posting on the National Association of Members web site. In addition, this Notice was mailed to the parties listed on attached Exhibit B, which are the same parties listed in the Motion to Limit Notice filed in Bankruptcy Case #97-03618DJ on December 1, 1999 as amended on January 12, 2000.

Dated: January 23rd, 2003.

Signed: /s/ Sandra L. Brock

United States Bankruptcy Clerk
Southern District of Iowa
300 U.S. Courthouse Annex
110 East Court Avenue
PO Box 9264
Des Moines IA 50309-9264

James Snyder
Assistant U.S. Trustee
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Dan Hopper, Chairman
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Douglas County Bank & Trust (2002 list)
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Minneapolis MN 55402

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c/o G. Mark Rice
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Des Moines IA 50309-4115

Allstate Financial Corp (2002 list)
c/o Gary A. Norton
317 Sixth Avenue, Suite 1200
Des Moines IA 50309

Heritage Finance Company dba (2002 list)
Cascade Finance
c/o Thomas L. Fiegen
PO Box 2849
Cedar Rapids IA 52406-2849

Douglas Enterprises, Inc. (2002 list)
c/o Thomas H. Burke
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Iowa Department of Revenue & Finance (2002 list)
c/o John Waters
Collection Section, 3rd Floor
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Des Moines IA 50306

900 Capital Services, Inc. (2002 list)
c/o Stela A. Havkin
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EXHIBIT B

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