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U.S. BANKRUPTCY COURT
DISTRICT OF OREGON
FILED

OCT 20 1997

TERENCE H. DUNN, CLERK

BY fr DEPUTY

1 Michael L. Spencer, OSB #83090
 2 Spencer, Runnels, MacArthur & Porras
 3 419 Main Street
 4 Klamath Falls, Oregon 97601
 5 (541) 883-7139
 6
 7 Attorneys for Trustee

IN THE UNITED STATES BANKRUPTCY COURT
 FOR THE DISTRICT OF OREGON

9 In re the Administratively Consolidated Cases of:
 10 THENA, INC., DIVERSIFIED FIBER PRODUCTS,
 11 INC., OREGON RACING PRODUCTS, INC.,
 12 T&D PROPERTIES, INC., and RESORT
 13 VENTURES, INC.,

Case No. 695-61353-aer7
 Case No. 695-61354-aer7
 Case No. 695-61355-aer7
 Case No. 695-61356-aer7
 Case No. 695-61357-aer7

Debtors.

BOYD C. YADEN, Trustee,

Adv. Pro. No. 96-6254aer

Plaintiff,

vs.

STIPULATED JUDGMENT
AND DECREE

WALTER A. GIAVIA and CINDY L. GIAVIA,

Defendants.

19 THIS MATTER, having come before the Court upon the Complaint of the Plaintiff
 20 seeking to avoid a certain transfer as a preference, the parties having stipulated to entry of this
 21 Judgment, notice of that agreement having been given and no objections having been filed;
 22 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED
 23 that:

24 1. The Deed of Reconveyance which was recorded on December 16, 1994 in volume
 25 M94, page 37875, Microfilm Records of Klamath County, Oregon is hereby avoided as a
 26 preferential transfer pursuant to 11 U. S. C. §547.

STIPULATED JUDGMENT - Page 1

Certified to be a true and correct
 copy of original filed in my office.

Dated 10-22-97

Terence H. Dunn, Clerk, U.S. Bankruptcy Court

By fr Deputy

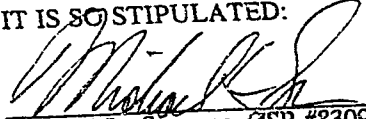
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- 1 2. Plaintiffs second, third and fourth causes of action are dismissed with prejudice.
2 3. No costs are awarded to either party.
3 4. This matter is a "core" proceeding pursuant to 28 U.S.C. §157.
4

5 
6 Albert E. Radcliffe, Bankruptcy Judge

7 IT IS SO STIPULATED:

8 
9 Michael L. Spencer, OSB #83090
10 Attorney for Trustee

11 
12 Penny L. Austin, OSB #81145
13 Attorney for Defendants
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PARTIES TO BE SERVED WITH A COPY OF THIS ORDER

Michael L. Spencer
419 Main Street
Klamath Falls, OR 97601

Eoyd C. Yaden
PO Box 606
Klamath Falls, OR 97601

Paul J. Garrick NO ENVELOPE PER US TRUSTEE
211 East Seventh Ave., Room 285
Eugene, Oregon 97401

Austin, Penny L.
Attorney at Law
1237 N. Riverside, Suite 27
Medford, OR 97501

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Michael L. Spencer
of October A.D., 19 97 at 11:37 o'clock A. M., and duly recorded in Vol. M97
of Mortgages on Page 35260

FEE \$20.00

By Bernetha G. Letsch, County Clerk
Kathleen Ross