



**IT IS ORDERED** as set forth below:

**Date: November 20, 2007**

*James E. Massey*

**James E. Massey  
U.S. Bankruptcy Court Judge**

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

<b>IN RE:</b>	)	<b>CASE NO. 05-85627-JEM</b>
	)	
<b>RELIABLE AIR, INC. d/b/a</b>	)	<b>Chapter 11</b>
<b>RELIABLE HEATING AND AIR,</b>	)	
	)	
<b>Debtor.</b>	)	
_____	)	
	)	
<b>DANIEL L. JAPE,</b>	)	<b>CONTESTED MATTER</b>
	)	
<b>Movant,</b>	)	
	)	
<b>v.</b>	)	
	)	
<b>RELIABLE AIR, INC., d/b/a</b>	)	
<b>RELIABLE HEATING AND AIR,</b>	)	
	)	
<b>Respondent.</b>	)	
_____	)	

**ORDER ON MOTION FOR RELIEF FROM STAY**

Daniel L. Jape’s (“Movant”) Motion for Relief from the Automatic Stay and Supplemental Motion for Relief from Stay came before this Court on Monday, November 5,

2007. The Court reviewed the pleadings, heard the arguments and testimony and Debtor's counsel indicated no opposition as to certain matters, it is hereby

**ORDERED**, that Movant's Motion for Relief from the Automatic Stay is GRANTED as to the seven (7) vehicles listed below and to which the Debtor's counsel has indicated no opposition to the relief from stay:

Description of Vehicle	VIN (last six digits)
2000 Chevrolet Silverado	241108
2000 Chevrolet Express Van	116061
2000 Chevrolet Express Van	115234
2000 Chevrolet Express Van	152748
2001 Chevrolet G3500	101868
2001 Chevrolet G3500	102107
2001 Chevrolet G3500	113158

It is **FURTHER ORDERED** that relief from stay is DENIED without prejudice as to the remaining four (4) vehicles in the Debtor's possession listed as follows:

Description of Vehicle	VIN (last six digits)
2001 Chevrolet Express Van	110417
2001 Chevrolet Express Van	140938
2001 Chevrolet Express Van	121441
2001 Chevrolet Express Van	113275

It is **FURTHER ORDERED**, as to the Supplemental Motion, that the automatic stay does not apply to the divorce action pending in the Superior Court of Cherokee County between Movant and the Debtor's principal, Barbara Wagon Jape. It is

**FURTHER ORDERED** that this order shall be effective and enforceable immediately upon entry.

**[END OF DOCUMENT]**

Prepared and presented by:

HOWICK, WESTFALL, McBRYAN  
& KAPLAN, LLP

/s/

Louis G. McBryan, Georgia Bar No. 480993

Virginia B. Bogue, Georgia Bar No. 069695

Suite 600, One Tower Creek

3101 Tower Creek Parkway

Atlanta, Georgia 30339

Telephone: 678-384-7000

Facsimile: 678-384-7034

[lmcbryan@hwmklaw.com](mailto:lmcbryan@hwmklaw.com)

[vbogue@hwmklaw.com](mailto:vbogue@hwmklaw.com)

*Counsel for Movant*

**DISTRIBUTION LIST**

Louis G. McBryan, Esq.  
Virginia B. Bogue, Esq.  
Howick, Westfall, McBryan & Kaplan, LLP  
Suite 600, One Tower Creek  
3101 Tower Creek Parkway  
Atlanta, GA 30339

J. Robert Williamson, Esq.  
Ashley Reynolds Ray, Esq.  
Scroggins & Williamson, LLP  
1500 Candler Building  
127 Peachtree Street, NE  
Atlanta, GA 30303

Mr. Dan Jape  
13897 Highway 92  
Woodstock, Georgia 30188

Reliable Air, Inc.  
110 Londonderry Court  
Woodstock, Georgia 30188

Office of the U.S. Trustee  
Suite 362  
75 Spring Street, SW  
Atlanta, Georgia 30303

Bankruptcy Noticing Center  
2525 Network Place, 3rd Floor  
Herndon, Virginia 20171-3514

# CERTIFICATE OF SERVICE

District/off: 113E-9  
Case: 05-85627

User: hyattj  
Form ID: pdf404

Page 1 of 1  
Total Served: 7

Date Rcvd: Nov 20, 2007

The following entities were served by first class mail on Nov 22, 2007.

db	+Reliable Air, Inc.,	15021 Highway 92,	Woodstock, GA 30188-7114
aty	+J. Robert Williamson,	Scroggins and Williamson,	1500 Candler Building,
		127 Peachtree Street, N.E.,	Atlanta, GA 30303-1810
aty	+Louis G. McBryan,	Howick, Westfall, McBryan & Kaplan, LLP,	Suite 600 - One Tower Creek,
		3101 Tower Creek Parkway,	Atlanta, GA 30339-3256
aty	+Virginia B. Bogue,	Howick, Westfall, McBryan & Kaplan, LLP,	Suite 600 - One Tower Creek,
		3101 Tower Creek Parkway,	Atlanta, GA 30339-3256
ust	+Office of the US Trustee,	Suite 362,	75 Spring Street, SW, Atlanta, GA 30303-3330
cr	+Daniel L. Jape,	110 Wiley Bridge Court,	Woodstock, GA 30188-4750
	Mr. Dan Jape,	13897 Highway 92,	Woodstock, GA 30188

The following entities were served by electronic transmission.

NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Service and that it is true and correct to the best of my information and belief.

First Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 22, 2007

Signature:

