

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF KANSAS**

<b>IN RE:</b>	)	<b>No. 98-5010</b>
	)	
<b>PRIMELINE SECURITIES CORPORATION</b>	)	<b>Chapter 7</b>
	)	
<b>Debtor.</b>	)	
_____	)	

**ORDER GRANTING MOTION FOR SUMMARY JUDGMENT IN FAVOR OF  
PRIMELINE AND AGAINST BERTHA ADRIAN**

The Motion for Summary Judgment of Primeline Securities Corporation is presented for decision (Doc. No. 576). The Motion was filed April 4, 2003, and therefore, pursuant to D. Kan. Rule 6.1, a response was due April 24, 2003. When no response was received, the Court sent a letter dated August 1, 2003 to Claimant, Bertha Adrian, advising her of the requirement to file a response, and explaining that if no response was received within ten days, the Motion would be deemed uncontested, and ruled on, pursuant to D. Kan. Rule 7.4.

No response has been received. Accordingly, the Court accepts as true the Statement of Facts contained in the Memorandum in Support of Summary Judgment (Doc. No. 577). The Court thus finds that under the facts and circumstances of this case, summary judgment dismissing Ms. Adrian's claim (Customer Claim dated April 22, 1998, attached as Exhibit B to Memorandum), with prejudice, is appropriate.

**IT IS, THEREFORE, BY THE COURT, ORDERED, ADJUDGED AND DECREED** that the claim of Bertha Adrian is hereby dismissed with prejudice to bringing any further action or claim based on the facts and things alleged in her Customer Claim dated April 22, 1998.

**IT IS FURTHER ORDERED** that the foregoing constitutes Findings of Fact and Conclusions of Law under Rule 7052 of the Federal Rules of Bankruptcy Procedure and Rule 52(a) of the Federal Rules of Civil Procedure. A judgment based on this ruling will be entered on a separate document as required by Fed. R. Bankr. P. 9021 and Fed. R. Civ. P. 58.

IT IS SO ORDERED this \_\_\_\_ day of September, 2003.

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JANICE MILLER KARLIN, Bankruptcy Judge  
United States Bankruptcy Court  
District of Kansas

#### **CERTIFICATE OF MAILING**

The undersigned certified that copies of the Order Granting Motion for Summary Judgment in Favor of Primeline and Against Bertha Adrian was deposited in the United States mail, prepaid on this \_\_\_\_\_ day of September, 2003, to the following:

Linda S. Parks  
200 W. Douglas, Suite 600  
Wichita, Kansas 67202

Bertha Adrian  
1501 Old Main, Apt. 902  
Newton, Kansas 67114

U.S. Trustee  
501 N. Main, Suite 500  
Wichita, Kansas 67202

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Debra C. Goodrich  
Judicial Assistant to:  
The Honorable Janice Miller Karlin  
Bankruptcy Judge