

**McGUIRE and MELLBY**

ATTORNEYS-AT-LAW  
Montgomery, Minnesota 55069

MICHAEL E. McGUIRE  
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TELEPHONE 364-7327

January 17, 1969

Mr. Lloyd Lipke  
Clerk of District Court  
Courthouse  
Glencoe, Minnesota

In re: First National Bank of Montgomery  
-vs- Jerome E. Daly

Dear Mr. Lipke:

Enclosed herein please find Order to Show Cause, Application for an Order, Affidavit, and Affidavit of Personal Service. In addition, I am enclosing an Affidavit of Personal Service which should be attached to the Notice of Appeal which is in the District Court file.

Also enclosed please find photo-static copies of letters which I mailed to Jerome Daly and Justice Martin V. Mahoney. In view of the fact that Judge Flynn's Order transferring the file does not set this matter on for hearing before Judge <sup>Hopkins</sup> Flynn at 10 o'clock A.M., Friday, January 24, 1969, at Glencoe, I would suggest that written notice be mailed to both Jerome Daly and Martin V. Mahoney.

The written notice to Justice Martin V. Mahoney should indicate that the hearing originally scheduled for 10 o'clock A.M., Friday, January 17, 1969, at the Special Term of Court to be held in the Courthouse in the City of Shakopee, County of Scott, State of Minnesota, has been continued till 10 o'clock A.M., Friday, January 24, 1969, at the Special Term of District Court to be held at the Courthouse in the City of Glencoe, County of McLeod, State of Minnesota, or as soon thereafter as counsel can be heard.

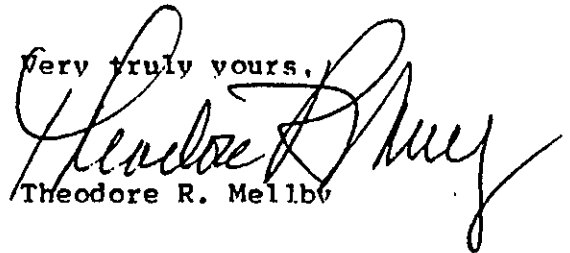
The written notice to Jerome Daly should similarly indicate that the hearing on the Motion originally scheduled for 10 o'clock A.M., January 17, 1969, before the District Court in the City of Shakopee, County of Scott, State of Minnesota, has been continued to 10 o'clock A.M., January 24, 1969, at

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the District Courthouse in the City of Glencoe, County of  
McLeod, State of Minnesota, or as soon thereafter as counsel  
can be heard.

If you have any questions concerning this matter, please  
feel free to contact my office.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'Theodore R. Mellby', written over the typed name.

Theodore R. Mellby

TRM:wvf  
Enclosures