

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:)	Chapter 11
)	
Conseco Finance Corp.,)	Case No. 02-49675
)	Honorable Carol A. Doyle
Debtor.)	
)	Hearing Date: August 3, 2005 at 11:00 a.m.
)	Response Deadline: July 27, 2005 at 4:30 p.m.

NOTICE OF HEARING

PLEASE TAKE NOTICE that on March 15, 2005, the CFC Estate filed its **Fifty-Second Omnibus Objection to Claims (Substantive)** (the "**Fifty-Second Objection**") (Docket #2728), a copy of which has been previously served upon you.

PLEASE TAKE FURTHER NOTICE that on July 18, 2005, the CFC Estate filed a **Supplemental Objection in Support of Fifty-Second Omnibus Objection Seeking Disallowance of Claim of Rayette Garage LLC** (the "**Supplemental Objection**") (Docket #3150), a copy of which is attached hereto and hereby serve upon you.

PLEASE TAKE FURTHER NOTICE that a hearing on the Supplemental Objection will take place on **August 3, 2005 at 11:00 a.m. (Prevailing Central Time)**, before the Honorable Judge Carol A. Doyle, Courtroom 742, at the Dirksen Federal Building, 219 South Dearborn Street, Chicago, Illinois, 60604.

Dated: July 18, 2005

**THE PLAN ADMINISTRATOR, ON BEHALF OF
THE CFC POST-CONSUMMATION ESTATE**

By: /s/ Robert W. Lannan
Nancy A. Peterman (ARDC No. 6208120)
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CERTIFICATE OF SERVICE

I, Robert W. Lannan, an attorney, hereby certify that on January 19, 2005, I caused a complete and accurate copy of the **SUPPLEMENTAL OBJECTION IN SUPPORT OF FIFTY-SECOND OMNIBUS OBJECTION SEEKING DISALLOWANCE OF CLAIM OF RAYETTE GARAGE LLC**, to be served via overnight delivery as follows:

Rayette Garage LLC
c/o Sherman Associates
Attention: Larry B. Ricke
1525 S. 4th Street, Suite 201
Minneapolis, MN 55454

/s/ Robert W. Lannan

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**SUPPLEMENTAL OBJECTION IN SUPPORT OF FIFTY-SECOND OMNIBUS
OBJECTION SEEKING DISALLOWANCE OF
CLAIM OF RAYETTE GARAGE LLC**

The Plan Administrator, on behalf of the Post-Consummation Estate for the Finance Company Debtors (the “**CFC Estate**”)¹, by and through its attorneys, presents this supplemental objection (the “**Supplemental Objection**”) to its Fifty-Second Omnibus Objection to Claims Asserted Against the Finance Company Debtors (Substantive) (the “**Objection**”), which seeks disallowance of a claim filed by Rayette Garage LLC (“**Rayette**”). In support of this Supplemental Objection, the CFC Estate respectfully states as follows:

BACKGROUND

1. On July 24, 2003, Rayette filed a proof of claim against Conseco Finance Corp. in the total amount of \$103,806.00, asserting an administrative priority for \$11,556.00 of this claim and asserting the balance as a general unsecured claim. This claim is designated on the claims register as Claim No. 49675-003656 (the “**Claim**”). A copy of the Claim is attached hereto as **Exhibit A.**

¹ The post-consummation estate for Conseco Finance Corp. (the “**CFC Estate**”) is the liquidating trust that holds in trust for distribution to creditors certain assets of the entities referred to as the “Finance Company Debtors” in the Finance Company Debtors’ Sixth Amended Joint Liquidating Plan of Reorganization Pursuant to Chapter 11 of the United States Bankruptcy Code (the “**Plan**”). Capitalized terms not otherwise defined herein shall have the meaning ascribed in the Plan.

2. On January 16, 2004, the CFC Estate filed its Sixteenth Omnibus Objection to Claims Asserted Against the Finance Company Debtors (the “**Sixteenth Omnibus Objection**”), contesting the amount of Rayette’s Claim. On February 18, 2004, the Court entered the First Order Granting Relief Sought in the CFC Estate’s Sixteenth Omnibus Objection to Claims Asserted Against the Finance Company Debtors. This Order reduced the Claim to an administrative claim of \$11,556.00 and a general unsecured claim of \$92,250.00. The CFC Estate expressly reserved the right to file additional objections to the Claim.

3. On March 15, 2005, the CFC Estate timely filed the its Fifty-Second Omnibus Objection to Claims Asserted Against the Finance Company Debtors (Substantive). Pursuant to this Objection, the CFC Estate objects to the Claim in its entirety, on grounds that it has no liability for the Claim. See Objection to Liability ¶ 8 and Exhibit B.

4. The CFC Estate has no objection to the dollar amount of the Claim or its allowance as an administrative claim in the amount of \$11,556.00 and a general unsecured claim in the amount of \$92,250.00. The sole remaining dispute is the proper entity entitled to payment on account of the Claim.

5. The Claim arises from a lease for parking spaces in which Consec Finance Corporation was the tenant. The Claim attaches a copy of a lease between “GMT Corporation” and Consec Finance Corporation. It also attaches a copy of an invoice issued by “Loop Parking Corp.” to Greentree Servicing Corp. Rayette has indicated to the CFC Estate that it is the assignee of GMT Corporation. The CFC Estate has requested, for some time, proof that Rayette is the assignee of GMT Corporation. The CFC Estate wants to ensure that it is paying the appropriate claimant and will not be subject to exposure at a later date if another entity claims the right to payment on account of the Claim.

6. Rayette has produced no evidence to prove that it is the assignee of GMT Corporation. Unless and until it can prove such evidence, it cannot claim any right to unpaid rents under a lease executed by Consec Finance Corporation and "GMT Corporation."

WHEREFORE, the CFC Estate respectfully requests that the Court enter an order, substantially in the form of order attached hereto, (i) disallowing the Claim; and (ii) granting such granting such other relief as the Court deems just and appropriate.

Dated: July 18, 2005

THE CFC ESTATE

By: /s/ Robert W. Lannan
One of Its Attorneys

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