

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

FILED
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
02 APR 10 PM 12:49

SOUTHERN DISTRICT
OF INDIANA
LAURA A. BRIGGS
CLERK

JAMES A. KNAUER as the Court Appointed)
Receiver for HEARTLAND)
FINANCIAL SERVICES, INC., and JMS)
INVESTMENT GROUP, LLC,)

Plaintiff,)

v.)

Case Number: IP 00-1862-C-T/K

VALERIE CORK, RICHARD M. PAYNE,)
DANIEL G. DANKER, KENNETH R. PAYNE)
A/K/A DORIS PAYNE, WAYNE GAINEZ)
BENJAMIN STEINBERG, GARY MAY,)
BRADLEY BYTHEWAY,)
JOHN DOE # 1, JANE DOE # 1,)
JOHN DOE # 2, JANE DOE # 2,)
JOHN DOE # 3, and JANE DOE # 3,)

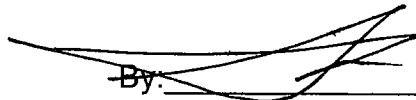
Defendants.)

PLAINTIFF'S MOTION TO DISMISS

Plaintiff, James A. Knauer, by counsel, hereby moves to dismiss Defendant, Valerie
Cork, with prejudice, and the remaining Defendants without prejudice.

Respectfully submitted,

Kroger, Gardis & Regas, L.L.P.



By: _____
Samuel Hodson, 10842-41
Attorney for James A. Knauer, Receiver

24

CERTIFICATE OF SERVICE

I hereby certify that I have this 9 day of April, 2002, served a copy of the foregoing upon the following by depositing a copy of same in the United States Mail, first class, postage prepaid.

Paul A. Montoya
Kara M. Washington
Jeannette L. Lewis
United States Securities and
Exchange Commission
175 West Jackson Boulevard
Suite 900
Chicago, Illinois 60604

Fred D. Scott
Attorney at Law
55 Monument Circle
Suite 814
Indianapolis, Indiana 46204

Dexter B. Johnson
Mallon & Johnson, P.C.
19 S. LaSalle Street
Suite 1202
Chicago, Illinois 60603

Dennis Zahn
Symmes, Voyles, Zahn, Paul & Hogan
700 Jefferson Plaza
One Virginia Avenue
Indianapolis, Indiana 46204

Linda M. Wagoner
Attorney at Law
156 East Market Street, Suite 900
Indianapolis, Indiana 46204



Samuel Hodson

Kroger, Gardis & Regas, L.L.P.
111 Monument Circle, Suite 900
Indianapolis, Indiana 46204-5125
317/692-9000