

United States Bankruptcy Court

For the NORTHERN District of IOWA

NOV 16 1987

BARBARA A. EVERLY, CLERK

IN RE:
THOMAS ROBERT NELSON, aka T. Robert
Nelson, Bankrupt
MELVIN SAVINGS BANK et al
v.
THEODORE ROBERT NELSON

Plaintiff
Defendant

Case No. B 77-4237
Complaint Nos. 1039
1040
1041
1042
1043
1044
1045
1046
1047

AMENDED JUDGMENT

This proceeding having come on for trial or hearing before the court, the Honorable Michael J. Melloy, United States Bankruptcy Judge, presiding, and the issues having been duly tried or heard and a decision having been rendered,

IT IS ORDERED AND ADJUDGED: Judgment is entered for plaintiffs and against bankrupt-defendant. Debts are non-dischargeable, interest on the principal of the judgments shall accrue as provided by the United States Code; the amounts of the judgments for the respective plaintiffs against bankrupt-defendant are as follows:

<u>Plaintiff:</u>	<u>Principal</u>	<u>Interest:</u>	<u>Total:</u>
Melvin Savings Bank	\$14,532.31	\$24,601.88	\$39,134.19
David A. Wier	7,648.66	3,516.07	11,164.73
Osceola County Co-operative Oil Co.	20,174.75	10,547.23	30,721.98
Dallas Poss	500.00	623.98	1,123.98
Dallas Poss	500.00	634.52	1,134.52
Pauline G. Wier	5,000.00	3,283.56	8,283.56
Merrill Sterler	2,500.00	2,566.44	5,066.44
James Flood	2,500.00	3,081.51	5,581.51
Leonard Dykstra	5,000.00	5,209.59	10,209.59
Edward Den Beste and Tracy Den Beste	\$2,500.00	2,678.08	5,178.08
Edward Den Beste and Tracy Den Beste	2,500.00	2,678.08	5,178.08

Copies mailed to
Richard Zito, Attorney for Complainants;
W. J. Giles, III, Attorney for
Bankruptcy-Defendant
this 11/16/87 mg

RECORDED: Vol II
Page 45



[Seal of the U.S. Bankruptcy Court]

BARBARA A. EVERLY

Clerk of Bankruptcy Court

Date of issuance: November 16, 1987

By: Miranda A. Goby

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

SFP 24 1987

BARBARA A. EVERLY, CLERK

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION

IN RE:	:	
	:	BANKRUPTCY NO.
THEODORE ROBERT NELSON,	:	B 77-4237
a/k/a T. Robert Nelson,	:	
Bankrupt.	:	
-----	:	
MELVIN SAVINGS BANK,	:	COMPLAINT NO. 1039
Plaintiff,	:	
DAVID A. WIER,	:	COMPLAINT NO. 1040
Plaintiff,	:	
OSCEOLA COUNTY CO-OPERATIVE/ ^{OIL, CO.}	:	COMPLAINT NO. 1041
Plaintiff,	:	
DALLAS POSS,	:	COMPLAINT NO. 1042
Plaintiff,	:	
PAULINE G. WIER,	:	COMPLAINT NO. 1043
Plaintiff,	:	
MERRILL STERLER,	:	COMPLAINT NO. 1044
Plaintiff,	:	
JAMES FLOOD,	:	COMPLAINT NO. 1045
Plaintiff,	:	
LEONARD SYKSTRA & EDWARD DEN BESTE,	:	COMPLAINT NO. 1046
Plaintiffs,	:	
TRACY DEN BESTE,	:	COMPLAINT NO. 1047
Plaintiff,	:	
Vs.	:	JUDGMENT
THEODORE ROBERT NELSON,	:	
Defendant (in each complaint):	:	

::::::::::::::::::::

NOW, September 23, 1987, this case comes on for trial on the adversary complaints of the plaintiffs denominated in the caption. The court is advised the parties have reached agreement,

subject to court approval, as to the form of such judgment. The court having heard the statements of counsel and being fully advised in the premises, finds as follows:

1. The court has jurisdiction of the parties and subject matter.
2. The settlement proposed is made in good faith and represents a reasonable compromise in view of all the facts and circumstances herein.
3. These adversary proceedings were commenced under the Bankruptcy Act in order to determine the respective claims of the plaintiffs to be non-dischargeable because of fraudulent acts of the bankrupt-defendant, and the court specifically finds the underlying facts to substantiate the claims of the respective plaintiffs.

CONCLUSIONS OF LAW

The debts of the bankrupt-defendant to the respective plaintiffs are non-dischargeable and survived the discharge in bankruptcy to which he be otherwise entitled as to all other debts properly scheduled herein.

JUDGMENT AND DECREE

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that plaintiffs, and each of them, have judgment against the bankrupt-defendant on the following terms:

1. Such debts are non-dischargeable obligations within the framework of the bankruptcy petition of the bankrupt-defendant.

2. The amounts of the judgments for the respective plaintiffs against the bankrupt-defendant follow:

a. Melvin Savings Bank:
 Principal -----\$14,532.31
 Interest ----- 24,601.88
\$39,134.19

b. David A. Wier:
 Principal -----\$ 7,648.66
 Interest ----- 3,516.07
\$11,164.73

c. Osceola County Co-operative Oil, Co.
 Principal -----\$20,174.75
 Interest ----- 10,547.23
\$30,721.98

Appelby d. Dallas Poss:
~~Principal -----\$ 500.00~~ Principal ----\$ 500.00
~~Interest ----- 623.98~~ Interest ----- 634.52
~~\$ 1,123.98~~ \$1,134.52

e. Pauline G. Wier:
 Principal -----\$ 5,000.00
 Interest ----- 3,283.56
\$ 8,283.56

f. Merrill Sterler:
 Principal -----\$ 2,500.00
 Interest ----- 2,566.44
\$ 5,066.44

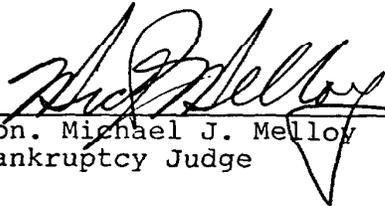
g. James Flood:
 Principal -----\$ 2,500.00
 Interest ----- 3,081.51
\$ 5,581.51

h. Leonard Dykstra:
 Principal -----\$ 5,000.00
 Interest ----- 5,209.59
\$10,209.59

i. Edward Den Beste &
 Tracy Den Beste:
 Principal -----\$ 2,500.00
 Interest ----- 2,678.08
\$ 5,178.08

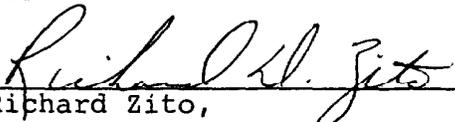
 Principal -----\$ 2,500.00
 Interest ----- 2,678.08
\$ 5,178.08

3. Further interest on the principal of the aforesaid judgments shall accrue as provided by the United States Code.

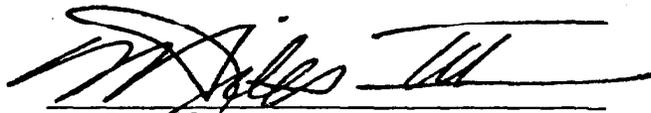


Hon. Michael J. Mello
Bankruptcy Judge

Approved as to form:



Richard Zito,
Attorney for Complainants

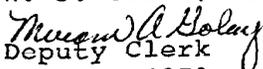


W. J. Giles, III
Attorney for Bankrupt-Defendant

Copy mailed 9/24/87

to Richard Zito and

W. J. Giles, III


Deputy Clerk

P O Box 4371

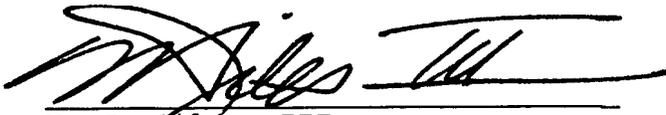
Cedar Rapids, IA 52407

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Hon. Michael J. Melloy
Bankruptcy Judge

Approved as to form:


Richard Zito,
Attorney for Complainants


W. J. Giles, III
Attorney for Bankrupt-Defendant

United States Bankruptcy Court

SEP 25 1987

For the NORTHERN District of IOWA

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RECORDED: Vol II
Page 45



[Seal of the U.S. Bankruptcy Court]

BARBARA A. EVERLY

Clerk of Bankruptcy Court

Date of issuance: September 25, 1987

By: Michael A. Polony
Deputy Clerk

Amended 11/16/87