

United States Bankruptcy Court MAR 16 1990

IN RE: For the NORTHERN District of IOWA

WALNUT HILL LUMBER COMPANY, INC.

BARBARA A. EVERLY, CLERK

Debtor

Case No. L-87-02019C

HELLER FINANCIAL, INC.

Plaintiff

v.

BRYCO CONSTRUCTION SPECIALISTS, et al
Defendant

Adversary Proceeding No. L-88 0158C

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,

[OR]

The issues of this proceeding having been duly considered by the Honorable Michael J. Melloy, United States Bankruptcy Judge, and a decision having been reached without trial or hearing,

IT IS ORDERED AND ADJUDGED: Plaintiff, Heller Financial, Inc., have and recover judgment against Bryco Construction Specialists for the sum of \$1,140 together with interest on said amount at the rate of 10% per annum from and after June 10, 1988.

Copy to:
Atty. for Plaintiff
~~Atty. for Defendant~~
Trustee; UST
MAR 16 1990 *[Signature]*



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BARBARA A. EVERLY

Clerk of Bankruptcy Court

[Seal of the U.S. Bankruptcy Court]

Date of issuance: March 16, 1990

By: *Patricia M. Switzer*

NOV 13 1989

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA

BARBARA A. EVERLY, CLERK

IN RE:)	
WALNUT HILL LUMBER COMPANY,)	BANKRUPTCY NO. L-87-02019C
)	ADVERSARY NO. L-88-0158C
Debtor.)	
)	
HELLER FINANCIAL, INC.,)	
Substituted Plaintiff)	DEFAULT JUDGMENT
)	
Plaintiff,)	
)	
vs.)	
)	
BRYCO CONSTRUCTION)	
SPECIALISTS, et. al.)	
)	
Defendants.)	

On this 10th day of Nov., 1989, the Court has before it the plaintiff's motion for entry of default. The Court, after inspected the file and reviewing the pleadings, examining the evidence and having heard the arguments of counsel, now finds:

1. A continued Pretrial Conference was held on October 27, 1989 and the plaintiff appeared by its Counsel, John M. Titler and all named defendants failed to appear.
2. The Court further finds that the following defendants have been duly and legally served in accordance with Bankruptcy Rule 7004 with a proper Summons, Notice and Complaint to Turnover Assets. The default of the following defendants shall be entered of record for failure to appear, move or plead as required by Rule 55 F.R.Civ.P.: Bryco Construction Specialists, Grantham Woodworks, Nelson Cabinets and Construction, Woodshop, Dan's Custom Cabinets, Chuck Grimm, Labib Barhoumi Hardwoods, Reliance Industries, and Venice Furniture.

3. The Court also finds that no defense exists against the claim of plaintiff, that no material facts necessary to support plaintiff's claim are in genuine dispute and that defendants do not really claim, or cannot claim under oath, that said facts contained in plaintiff's Complaint for Turnover of Assets and supporting documents are untrue. Plaintiff is entitled to the relief demanded in said complaint. The defendants listed above in paragraph 2 requested and received from the debtor, Walnut Hill Lumber Company, goods and products, specifically wood and millwork for an agreed purchase price and said defendants have defaulted on payment of said products as specifically set forth in the Complaint for Turnover of Assets. The substituted plaintiff, Heller Financial, Inc., has a valid perfected security interest in the accounts receivable of Walnut Hill Lumber Company. The said defendants have defaulted in payment of their accounts and plaintiff is entitled to default judgments against said defendants.

WHEREFORE, it is ordered, adjudged and decreed that plaintiff, Heller Financial, Inc., have and recover judgment against the following defendants in the following amounts:

Bryco Construction Specialists for the sum of \$1,140 together with interest on said amount at the rate of 10% per annum from and after June 10, 1988.

Grantham Woodworks for the sum of \$1,004.14 together with interest on said amount at the rate of 10% per annum from and after June 10, 1988.

Nelson Cabinets and Construction for the sum of \$1,143.27 together with interest on said amount at the rate of 10% per annum from and after June 10, 1988.

Woodshop for the sum of \$416.20 together with interest on said amount at the rate of 10% per annum from and after June 10, 1988.

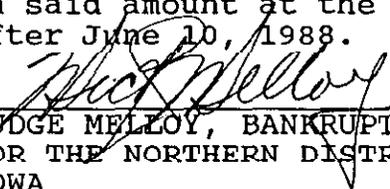
Dan's Custom Cabinets for the sum of \$1,650 together with interest on said amount at the rate of 10% per annum from and after June 10, 1988.

Chuck Grimm for the sum of \$196 together with interest on said amount at the rate of 10% per annum from and after June 10, 1988.

Labib Barhoumi Hardwoods for the sum of \$4,068.14 together with interest on said amount at the rate of 10% per annum from and after June 10, 1988.

Reliance Industries for the sum of \$162.50 together with interest on said amount at the rate of 10% per annum from and after June 10, 1988.

Venice Furniture for the sum of \$674.44 together with interest on said amount at the rate of 10% per annum from and after June 10, 1988.



JUDGE MELLOY, BANKRUPTCY JUDGE
FOR THE NORTHERN DISTRICT OF
IOWA

cc: John M. Titler
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President of General Manager
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Lori Krull
Grantham Woodworks
2100 E. Caluder Ave.
Des Moines, IA 50313

President or General Manager
Nelson Cabinets & Const.
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Cedar Rapids, IA 52402

President or General Manager
Woodshop
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Mt. Ayr, IA 50854

President or General Manager
Dan's Custom Cabinets
1501 Philadelphia
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President or General Manager
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President or General Manager
Reliance Industries
P. O. Box 129
Richland, IA 52585

President or General Manager
Venice Furniture
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this November 15, 1989

Patricia M. Suiger
Deputy Clerk
P. O. Box 74890
Cedar Rapids, IA 52407

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