

# United States Bankruptcy Court

JAN 2 1990

For the NORTHERN District of IOWA

IN RE:

MELVIN L. BRUSTKERN  
THEODORA BRUSTKERN

CALVIN W. HESSE

v.

MELVIN L. BRUSTKERN  
THEODORA BRUSTKERN

Plaintiff

Defendants

Case No. L-88-01877W  
BARBARA A. EVERLY, CLERK

Adversary Proceeding No. L-89-0042W

## 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: that Calvin W. Hesse be awarded judgment against Melvin L. Brustkern and Theodora Brustkern in the sum of \$1,000.00 which debt is declared to be nondischargeable pursuant to § 523(a)(4) of the Bankruptcy Code.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants shall pay within 7 days of the entry of the Order the sum of \$200.00 to apply on the judgment and \$60.00 court costs.



BARBARA A. EVERLY

Clerk of Bankruptcy Court

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[Seal of the U.S. Bankruptcy Court]

Date of issuance: January 2, 1990

By: Patricia M. Suiger  
Deputy Clerk

JAN - 2 1990

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA

BARBARA A. EVERLY, CLERK

IN RE:

MELVIN L. BRUSTKERN  
THEODORA BRUSTKERN,  
Debtors.

)  
)  
) Bankruptcy No. L88-01877W  
)  
)

\_\_\_\_\_  
CALVIN W. HESSE,  
Plaintiff,

)  
)  
) Adversary No. L89-0042W  
)  
)

vs.

MELVIN L. BRUSTKERN  
THEODORA BRUSTKERN,  
Defendants.

ORDER

This matter came to the attention of the Court on this the 2 day of Jan, 1990, and the Court finds that hearing in the above-entitled cause was scheduled for November 14, 1989, at 10:00 a.m. However, the parties represented to the Court that this matter was settled, and pursuant to the terms of settlement, \$1,000.00 of the debt to Calvin W. Hesse will be declared to be nondischargeable pursuant to Section 523(a)(4) of the Bankruptcy Code and judgment will be entered for the sum of \$1,000.00 in favor of Calvin W. Hesse against the Defendants Melvin and Theodora Brustkern, plus \$60.00 of court costs accrued herein. In addition, the terms of settlement provide that no execution shall issue on the judgment on the condition that the Defendants pay \$200.00 on the judgment and \$60.00 court costs within 7 days of entry of this order and \$100.00 each and every month for a period of eight months commencing December 15, 1989, and payable on the 15th of each and every month thereafter.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Calvin W. Hesse be awarded judgment against Melvin L. Brustkern and Theodora Brustkern in the sum of \$1,000.00 which debt is declared to be nondischargeable pursuant to Section 523(a)(4) of the Bankruptcy Code.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants shall pay within 7 days of the entry of this Order the sum of \$200.00 to apply on the judgment and \$60.00 court costs.

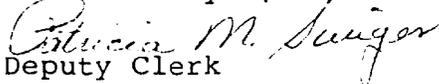
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Defendants shall pay the sum of \$100.00 on the 15th day of December, 1989, and a like amount on the 15th day of each and

every month thereafter until the judgment of \$1,000.00 is paid in full. If Defendants default on any of the payment terms as set forth herein, execution may issue on the aforesaid judgment.

IT IS FURTHER ORDERED that the costs of this matter will be assessed equally against the Defendants and the Plaintiff.

  
\_\_\_\_\_  
Judge, Bankruptcy Court

Copy to: (with Judgment)  
Gaylen V. Hassman;  
Gary D. Iversen;  
U. S. Trustee;  
this January 5, 1990

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



