

United States Bankruptcy Court

DEC 1 1989

For the NORTHERN District of IOWA

IN RE:

DAVID P. McNULTY
SUSAN L. McNULTY

SUSAN L. McNULTY
v.

HIGHER EDUCATION ASSISTANCE
FOUNDATION

Plaintiff

Defendant

BARBARA A. EVERLY, CLERK

Case No. L-89-00475C

Adversary Proceeding No. L-89-0117C

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 judgment in favor of Higher Education Assistance Foundation be entered against Susan L. McNulty in the sum of \$2,487.73, plus interest at 8% per annum from July 15, 1989, plus Defendant HEAF's attorneys fees and expenses in the amount of \$375.00.

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[Seal of the U.S. Bankruptcy Court]

Date of issuance: December 1, 1989

BARBARA A. EVERLY

Clerk of Bankruptcy Court

By: Patricia M. Switzer
Deputy Clerk

NOV 30 1989

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA

MARIONA A. EVERLY, CLERK

IN RE:)	
)	
DAVID P. McNULTY and)	No. L-89-00475C
SUSAN L. McNULTY,)	Chapter 7
)	
Debtors.)	
_____)	
SUSAN L. McNULTY,)	Adversary No. L-89-0117C
)	
Plaintiff,)	
)	
vs.)	ORDER ALLOWING DISMISSAL
)	OF COMPLAINT AND GRANTING
HIGHER EDUCATION ASSISTANCE)	COUNTERCLAIM JUDGMENT AND
FOUNDATION,)	SETTING PAYMENT SCHEDULE
)	
Defendant.)	

This matter was set for hearing on Tuesday, November 7, 1989. Prior to hearing, attorney Leslie E. Stokke, on behalf of Plaintiff Susan L. McNulty, and attorney Thomas P. Peffer, appearing on behalf of Defendant Higher Education Assistance Foundation (HEAF), advised the Court that the parties had agreed to a settlement of this matter.

The Court, being advised as to the terms of settlement, finds that the same should be approved and incorporated by the Court in this Order.

IT IS THEREFORE ORDERED that the Complaint herein of Susan L. McNulty is dismissed.

IT IS FURTHER ORDERED that judgment in favor of Higher Education Assistance Foundation be entered against Susan L. McNulty

in the sum of \$2,487.73, plus interest at 8% per annum from July 15, 1989, plus Defendant HEAF's attorneys fees and expenses in the amount of \$375.00.

IT IS FURTHER ORDERED that Susan L. McNulty be allowed to make payment on the judgment at the rate of \$20.00 per month, beginning November 15, 1989, and continuing on the 15th of every month thereafter. Said payments should be made directly to

Higher Education Assistance Foundation
c/o Nancy Tschida
Suite 500, 85 East Seventh Place
St. Paul, MN 55101-2173

HEAF is to take no further steps towards enforcing the above judgment as long as the monthly payments are made in a timely manner. In the event Debtor fails to make the payments referred to above, HEAF is free to pursue its remedies to enforce the judgment.

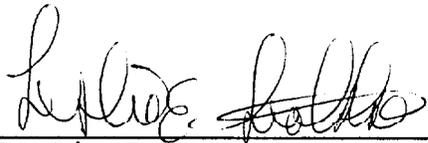
After 12 such payments, the parties are to review Debtor's financial situation to determine whether Debtor is able to increase the amount of such monthly payments.

ORDERED: November 30, 1989.

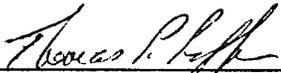

MICHAEL J. MELLOY
Bankruptcy Judge

Approved as to form and content:


Susan L. McNulty



Leslie E. Stokke
Attorney for Debtor/Plaintiff



Thomas P. Peffer
Attorney for Defendant HEAF

Copy to: w/Judgment
Leslie E. Stokke;
Thomas P. Peffer; *UST*;
Laurie Paulsen Huusko;
this December 1, 1989


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