

United States Bankruptcy Court

For the NORTHERN District of IOWA

JUN 07 1990

BARBARA A. EVERLY, CLERK

IN RE: JAMES M. MADDEN, Debtor.

Case No. X89-01879S

JAMES M. MADDEN,

Plaintiff

v.

HIGHER EDUCATION ASSISTANCE
FOUNDATION and IOWA COLLEGE
AID COMMISSION,

Defendant s

Adversary Proceeding No. X90-0037S

JUDGMENT

This proceeding having come on for trial or hearing before the court, the Honorable William L. Edmonds, 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 William L. Edmonds, United States Bankruptcy Judge, and a decision having been reached without trial or hearing, by agreement,

IT IS ORDERED AND ADJUDGED:

that the complaint of James M. Madden is dismissed;

that Higher Education Assistance Foundation recover from James M. Madden the sum of \$3,697.67, plus interest at 9% per annum from March 23, 1990, plus Defendant HEAF's attorney fees and expenses in the amount of \$165.05;

that Iowa College Aid Commission recover from James M. Madden the sum of \$8,202.04 plus interest at 9% per annum from March 12, 1990.



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Vol. II
Page 209

BARBARA A. EVERLY

Clerk of Bankruptcy Court

[Seal of the U.S. Bankruptcy Court]

Date of issuance: 6-7-90

By: *Lavinia McElhenny*

FILED
U.S. BANKRUPTCY COURT S.C.
NORTHERN DISTRICT OF IOWA

JUN 07 1990

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA

BARBARA A. EVERLY, CLERK

IN RE:)	
)	Bankruptcy No. X89-01879S
JAMES M. MADDEN)	
)	
Debtor.)	
)	
JAMES M. MADDEN,)	Adversary No. X90-0037S
)	
Plaintiff,)	
)	
vs.)	ORDER ALLOWING DISMISSAL OF
)	COMPLAINT AND GRANTING
HIGHER EDUCATION ASSISTANCE)	COUNTERCLAIM JUDGMENTS
FOUNDATION and IOWA COLLEGE)	
AID COMMISSION,)	
)	
Defendants.)	

This matter came on for hearing on May 9, 1990. Appearing on behalf of Plaintiff James M. Madden was attorney William L. Miller. Appearing on behalf of Defendant Higher Education Assistance Foundation (HEAF) was attorney Carroll J. Reasoner. Appearing on behalf of Iowa College Aid Commission was attorney Noel C. Hindt.

Counsel for Plaintiff advised the Court that the Plaintiff requests permission to dismiss Plaintiff's Complaint. Counsel for Defendants have no objection to the Dismissal.

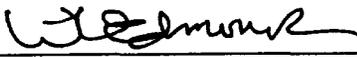
IT IS THEREFORE ORDERED that the Complaint herein of James M. Madden is dismissed.

IT IS FURTHER ORDERED that judgment in favor of Higher Education Assistance Foundation be entered against James M. Madden in the sum of \$3,697.67, plus interest at 9% per annum from March

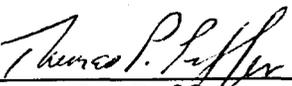
23, 1990, plus Defendant HEAF's attorney's fees and expenses in the amount of \$165.05.

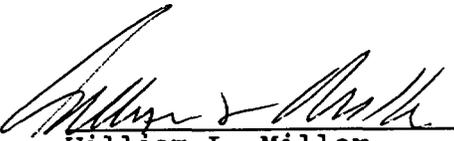
IT IS FURTHER ORDERED that judgment in favor of Iowa College Aid Commission be entered against James M. Madden in the sum of \$ 8,202.04 , plus interest at 9 % per annum from March 12 , 19 90 , ~~plus Defendant Iowa College Aid Commission's attorney's fees and expenses in the amount of \$XXXXXXXXXXXXXXXXXX~~

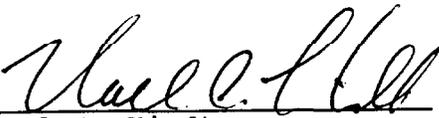
ORDERED: ~~May~~ ^{June} 7, 1990.


William L. Edmonds, Bankruptcy Judge

Approved as to form and content:


Thomas P. Peffer
500 MNB Building
P.O. Box 2107
Cedar Rapids, IA 52406
ATTORNEY FOR HEAF


William L. Miller
509 Ninth Street
P.O. Box 3107
Sioux City, IA 51102
ATTORNEY FOR JAMES MADDEN


Noel C. Hindt
201 Jewett Building
9th & Grand Avenue
Des Moines, IA 50309
ATTORNEY FOR IOWA COLLEGE
AID COMMISSION

cc: Thomas Peffer
William L. Miller
Noel Hindt
HST
6-7-90
Jm