

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

In re:

ARMSTRONG'S, INC.
Debtor

ARMSTRONG'S, INC.
Plaintiff

CHAPTER 11
Case No.

L-90-01908-C

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

APR 15 1993

BARBARA A. EVERLY, CLERK

v.

CITIZENS & SOUTHERN
COMMERCIAL CORP.,
Defendant

Adversary Proceeding No.
92-1206LC

JUDGMENT

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,

IT IS ORDERED AND ADJUDGED: That the settlement agreement between the Debtor and NationsBanc Commercial Corporation, formerly known as Citizens & Southern Commercial Corp. ("NationsBanc") is hereby approved and that NationsBanc is directed to pay the Debtor the sum of \$25,500.00 in cash within fifteen days of the entry of this order.

IT IS FURTHER ORDERED that NationsBanc shall not be entitled to any payment because it has waived its 11 U.S.C. Section 502(h) claim.

IT IS FURTHER ORDERED that the adversary proceeding against NationsBanc is dismissed with prejudice.

BARBARA A. EVERLY
Clerk of Bankruptcy Court

By: *Marion D. Galey*
Deputy Clerk



[Seal of the U.S. Bankruptcy Court]
Date of Issuance: April 15, 1993

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

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

APR 15 1993

BARBARA A. EVERLY, CLERK

IN RE:)	
)	
ARMSTRONG'S, INC.,)	Chapter 11
)	
Debtor.)	Bankruptcy No. L-90-01908C
_____)	
)	
ARMSTRONG'S, INC.,)	Adversary No. 92-1206LC
)	
Plaintiff,)	
)	
vs.)	
)	
CITIZENS & SOUTHERN)	
COMMERCIAL CORP.,)	
)	
Defendant.)	

**ORDER APPROVING SETTLEMENT AGREEMENT AND
DISMISSING ADVERSARY PROCEEDING WITH PREJUDICE**

The Debtor herein filed an Application for Approval of Settlement Agreement on March 10, 1993. The Debtor, upon Court Order, gave due and proper notice of said Application to all creditors and parties-in-interest listed on the short service list.

Objections to that Application were to be filed with the Clerk of the Bankruptcy Court on or before 4:30 p.m. on March 31, 1993. The Bar Date has since passed with no objections having been filed. Therefore, it appears no creditor has any objection to the Settlement Agreement between the Debtor and NationsBanc Commercial Corporation, formerly known as Citizens & Southern Commercial Corp. ("NationsBanc").

The Court, after reviewing the Application and hearing statements of counsel, finds the relief requested by the Debtor is proper and is in the best interest of the estate, and should be granted.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Settlement Agreement between the Debtor and NationsBanc is hereby approved and that NationsBanc is hereby directed to pay the Debtor the sum of \$25,500.00 in cash within fifteen (15) days of the entry of this Order.

IT IS FURTHER ORDERED that NationsBanc f/k/a Citizens & Southern Commercial Corp. shall not be entitled to any payment because it has waived its 11 U.S.C. § 502(h) claim.

IT IS FURTHER ORDERED that the adversary proceeding against NationsBanc (Adversary No. 92-1206LC) is dismissed with prejudice.

ORDERED this 13th day of April, 1993.



JUDGE EDMONDS, Chief Judge
UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

Order Prepared and Submitted By:
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w/ Judgment
4-15-93
mg