

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

IN RE:

CASE NUMBER: 90-4223-BKC-3P7

OLYMPIA HOLDING CORPORATION,  
a/k/a P\*I\*E Nationwide, Inc.

FILED  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA

MAY 16 1995

Free Pd 5/16/95  
BARBARA A. EVERLY, CLERK my

Debtor

LLOYD T. WHITAKER, as Trustee for  
Olympia Holding Corporation,  
a/k/a P\*I\*E Nationwide, Inc.

ADV. NUMBER: 92-14252

Plaintiff  
v.

MIDWEST PLASTICS, INC.,  
AN IOWA CORPORATION,

Defendant

**CERTIFICATION OF JUDGMENT FOR  
REGISTRATION IN ANOTHER DISTRICT**

I, Clerk of the Bankruptcy Court of this district do certify that the attached judgment is a true and correct copy of the original judgment entered in the above entitled proceeding on 3/24/93 as it appears of record in my office, and that:

X No notice of appeal from this judgment has been filed, and no motion of the kind set forth in Federal Rule of Civil Procedure 60, as made applicable by Federal Rule of Bankruptcy Procedure 9024, has been filed.

\_\_\_\_\_ No notice of appeal from this judgment has been filed, and any motions of the kind set forth in Federal Rule of Civil Procedure 60, as made applicable by Federal Rule of Bankruptcy Procedure 9024, have been disposed of, the latest order disposing of such a motion having been entered on \_\_\_\_\_.

\_\_\_\_\_ An appeal was taken from this judgment, and the judgment was affirmed by mandate of the \_\_\_\_\_ issued on \_\_\_\_\_.  
(Name of Court) (Date)

\_\_\_\_\_ An appeal was taken from this judgment, and the appeal was dismissed by order entered on \_\_\_\_\_.  
(Date)

CARL R. STEWART  
Clerk of the Bankruptcy Court

JUL 07 1993

(Date)

By: Michelle McCarthy  
Deputy Clerk

P.O. Box 559, Jacksonville, FL 32201

Recorded Vol II  
21

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

FILED

MAR 24 1993

In re:

CLERK, U.S. BANKRUPTCY COURT  
JACKSONVILLE DIVISION

OLYMPIA HOLDING CORPORATION,  
a/k/a P-I-E Nationwide, Inc., et al.,

Debtors.

Case Nos. 90-4195-BKC-3P7  
and 90-4223-3P7  
Jointly Administered

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LLOYD T. WHITAKER, as Trustee for  
Olympia Holding Corporation, a/k/a  
P-I-E Nationwide, Inc.,

Plaintiff,

v.

Adversary No.: 92-14252

MIDWEST PLASTICS, INC.,  
an Iowa corporation,

Defendant.

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JUDGMENT

This proceeding having come before the Court upon Plaintiff's Motion for Default Judgment, and a Default having been entered against the Defendant, it is

ORDERED

1. Plaintiff, Lloyd T. Whitaker, as Trustee for Olympia Holding Corporation, a/k/a P-I-E Nationwide, Inc., Debtor, shall have and recover from Defendant, Midwest Plastics, Inc., the principal sum of \$5682.30, together with \$2108.71 as accrued

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interest through March 8, 1993 and costs in the amount of \$120.00,  
for a total sum of \$7911.01, for all of which let execution issue.  
Post-judgment interest shall accrue at the legal rate of 3.21  
percent.

DATED: March 23, 1993, in Jacksonville, Florida.

  
\_\_\_\_\_  
GEORGE L. PROCTOR  
United States Bankruptcy Judge

Copies to:

W. Kelsea Wilber and Steven R. Browning,  
Attorneys for Plaintiff  
Midwest Plastics, Inc., Defendant

em

I certify the foregoing to be true  
and correct copy of the original  
CARL R. STEWART, CLERK  
U. S. BANKRUPTCY COURT

By Michelle M. Carthy  
Deputy Clerk

Dated: July 7, 1993

"RECORDED IN THE US BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA,  
JACKSONVILLE DIVISION

J.B. VOL. XIII, NO. 1612"

RECEIVED MAY 15 1995



FILED  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA

MAY 16 1995

May 10, 1995

BARBARA A. EVERLY, CLERK

Clerk of Court  
Northern District of Iowa  
U.S. Courthouse  
101 First Street, S.E.  
Cedar Rapids, IA 52401

Lloyd T. Whitaker v. Midwest Plastics, Inc.; Adversary  
Proceeding No. 92-14252

Dear Sir or Madam:

As part of the proceedings to execute upon this Final Judgment entered by the United States Bankruptcy Court for the Middle District of Florida, enclosed is the original Certification of Registration with attached certified copy of the Final Judgment in the captioned case.

Please register the Final Judgment and enter it into the public records. Enclosed is a check for the \$20.00 filing fee.

Under Federal Rule of Civil Procedure 64, Judgment Holder Whitaker asserts the applicability of all remedies in the collection of this Final Judgment, including but not limited to attachment, garnishment, replevin, and sequestration, as well as applicable state law remedies.

Please file stamp the extra copy of this letter and return it to me. If you have any questions, do not hesitate to call me.

Sincerely yours,

A handwritten signature in cursive script that reads "Robert Wilcox".

Robert D. Wilcox  
Special Counsel to Trustee  
Lloyd T. Whitaker

cc: James Lamont

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

FILED  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA

SEP 08 1999

GEORGE D. PRENTICE, II, CLERK

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In re:

OLYMPIA HOLDING CORPORATION  
a/k/a P.I.E. NATIONWIDE, INC.,

Case No.: 90-4223-BKC-3P7

Chapter 7

Debtors,

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LLOYD T. WHITAKER, as Chapter 7  
Bankruptcy Trustee for Olympia Holding  
Corporation, a/k/a P.I.E. Nationwide, Inc.,

Plaintiff,

v.

Adv. Pr. No.: 92-14252

MIDWEST PLASTICS, INC.,

Defendant(s).

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**PLAINTIFF'S ACKNOWLEDGEMENT AND RELEASE OF JUDGMENT**

Plaintiff, Lloyd T. Whitaker, Trustee of the Estate of Olympia Holding Corp. a/k/a P\*I\*E Nationwide, Inc., hereby acknowledges that the judgment entered in this action in his favor is void and releases any rights he may have in such judgment and states:

1. Plaintiff obtained a judgment in the above-captioned adversary proceeding on 03/23/93 in the amount of \$7,911.01.
2. On December 16, 1998, the United States Court of Appeals for the Eleventh Circuit held, in an appeal from a separate adversary proceeding brought by

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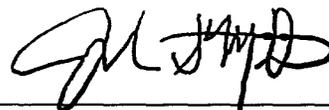
Plaintiff, that Plaintiff lacked standing to bring the same kind of claim as the one involved in the above-captioned proceeding and that the default judgment entered in that case was therefore void. See Whitaker v. Columns, Inc. (In re Olympia Holding Corp.), No. 98-2702 (11<sup>th</sup> Cir. 1998) (unpublished opinion) (hereinafter, Columns).

3. Plaintiff acknowledges that the default judgment obtained in the above-captioned adversary proceeding is void in light of Columns.

4. Plaintiff further releases any rights he might have against Defendant(s) pursuant to the default judgment entered in the above-captioned adversary proceeding.

5. Should Defendant(s) at any time file a motion in the above-captioned adversary proceeding to set aside the judgment and to dismiss the proceeding with prejudice, with each side to bear its own costs, or if Defendant has already filed such motion(s), Defendant(s) is (are) hereby authorized to submit this Acknowledgement and Release to demonstrate Plaintiff's consent and stipulation to such motion(s), and Plaintiff hereby waives his right to appear or object to such motion(s).

FOLEY & LARDNER



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Gardner F. Davis  
Florida Bar No. 471712  
John S. Mills  
Florida Bar No. 0107719  
200 Laura Street  
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Jacksonville, Florida 32201-0240  
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# FOLEY & LARDNER

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WRITER'S DIRECT LINE  
(904) 359-2000 ext. 7219

FILED  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF IOWA

SEP 08 1999

SACRAMENTO  
SAN DIEGO  
SAN FRANCISCO  
TALLAHASSEE  
TAMPA  
WASHINGTON, D.C.  
WEST PALM BEACH

CLERK

EMAIL ADDRESS  
jsmills@foleylaw.com

CLIENT/MATTER NUMBER  
065582-0102

September 1, 1999

Northern District of Iowa  
U. S. Courthouse  
101 First St.  
Cedar Rapids. IA 52401

Re: Judgment Registered in Your Court  
In re: Olympia Holding Corp. a/k/a P\*I\*E Nationwide Inc., No. 90-4223-BKC-3P7  
(Bankr. M.D. Fla.)  
Whitaker v. Midwest Plastics, Inc., Adversary Proceeding No. 92-14252

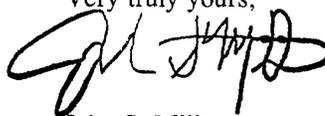
Dear Mister/Madame Clerk:

Predecessor counsel for Lloyd T. Whitaker, Trustee of the Estate of Olympia Holding Corp. a/k/a P\*I\*E Nationwide, Inc., previously mailed a certified copy of the judgment entered in the above captioned adversary proceeding to be registered in your court.

As explained in the enclosed Acknowledgement and Release, the Trustee acknowledges that this judgment has been rendered void by a subsequent decision of the United States Court of Appeals for the Eleventh Circuit and wishes to ensure that the judgment has no adverse impact on the defendant.

Accordingly, please cancel the judgment, file/record the enclosed Acknowledgement and Release, or take whatever other steps are appropriate in your jurisdiction to ensure that the judgment is not shown in the court's records as a valid judgment.

Very truly yours,



John S. Mills

JSM/tld  
Enclosure(s)  
cc:  
Midwest Plastics, Inc.  
Attn: James Lamont  
517 First St. NW  
Mason City, IA 50401  
(last known address)

ESTABLISHED 1842

A MEMBER OF GLOBALEX WITH MEMBER OFFICES IN BERLIN, BRUSSELS, DRESDEN, FRANKFURT, LONDON, SINGAPORE, STOCKHOLM AND STUTTGART