

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

JUN 08 1995

BARBARA A. EVERLY, CLERK

In re:

EVERETT WILLARD SUNT,

Chapter 7

Debtor.

Bankruptcy No. 94-51085XS

DONALD H. MOLSTAD, Trustee,

Plaintiff,

vs.

Adversary No. 95-5054XS

ROCKY FEY,

Defendant.

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 trustee's motion for default judgment is granted. Plaintiff Donald H. Molstad shall recover from Rocky Fey the sum of \$5,000.00. Costs shall be taxed to Fey.

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[Seal of the U.S. Bankruptcy Court]
Date of Issuance: June 8, 1995

BARBARA A. EVERLY
Clerk of Bankruptcy Court

By: *Laris Seyle*
Deputy Clerk

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

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

JUN 08 1995

BARBARA A. EVERLY, CLERK

IN RE:

EVERETT WILLARD SUNT,
Debtor.

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Chapter 7

Bankruptcy No. 94-51085XS

DONALD H. MOLSTAD, Trustee,
Plaintiff,

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vs.

Adversary No. 95-5054XS

ROCKY FEY,
Defendant.

)
)
)

ORDER RE: MOTION FOR DEFAULT JUDGMENT

On March 20, 1995, the trustee filed a complaint against Rocky Fey. The trustee alleged that prior to the filing of the bankruptcy petition, Fey converted property owned by the debtor valued at \$5,000.00. The trustee has certified that copies of the summons and complaint were served on Fey on March 24, 1995. Fey has failed to plead or otherwise defend the complaint, and the time for doing so has expired. The trustee now moves for entry of default judgment. The court concludes that judgment should enter against defendant Fey.

IT IS ORDERED that the trustee's motion for default judgment is granted. Plaintiff Donald H. Molstad shall recover from Rocky Fey the sum of \$5,000.00. Costs shall be taxed to Fey. Judgment shall enter accordingly.

SO ORDERED THIS 8th DAY OF JUNE 1995.

William L. Edmonds
William L. Edmonds, Chief Bankruptcy Judge

I certify that on 6-8-95 I mailed a copy of this order and a judgment by U.S. mail to: Don Molstad, Rocky Fey, and U.S. Trustee. *B*

JAN 30 1996

BARBARA L. CRYSTAL, CLERK

IA-17

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

IN RE:

CHAPTER 7

CASE NO. 94-51085XS

EVERETT SUNT

Debtor (s)

REPORT OF AND MOTION FOR
COMPROMISE OR SETTLEMENT
OF CONTROVERSY

The undersigned Trustee has entered into a compromise or settlement of controversy and moves the court to approve the following:

TRUSTEE WISHED TO SETTLE ADVERSARY NO. 95-5054XS BY MR. ROCKY FEY PAYING THE TRUSTEE THE SUM OF \$ 1500.00. MR. MOLSTAD WILL SET ASIDE HIS JUDGEMENT AS SOON AS HE HAS RECEIVED THE FULL \$ 1500.00

Objections to this report must be filed with the Clerk of Bankruptcy Court within twenty days pursuant to Local Bankruptcy Rule 19 (B). If no timely objections are filed a separate order will enter.

I hereby certify that on this date a copy of this report was served on U.S. Trustee, debtor(s), debtors(s) counsel, and all creditors or other party-in-interest who have filed a request for notice pursuant to Bankruptcy Rule 2002.

DATED: JANUARY 30, 1996



TRUSTEE
DONALD H. MOLSTAD 3755
224 DAVIDSON BLDG.
SIOUX CITY, IOWA 51101

NOTE: Service List Must Be Attached

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CERTIFICATE OF SERVICE

THE UNDERSIGNED HEREBY CERTIFIES UNDER PENALTY OF PERJURY THAT TRUE COPIES OF THE FOREGOING DOCUMENT WERE SERVED UPON ALL PARTIES AS REQUIRED BY LOCAL 19, BANKRUPTCY RULES OF PROCEDURE 9014 AND 7004, BY ENCLOSING THE SAME IN AN ENVELOPE ADDRESSED TO EACH PERSON AT HIS RESPECTIVE ADDRESS AS DISCLOSED BY THE PLEADINGS OF RECORD HEREIN, WITH FIRST CLASS POSTAGE FULLY PAID AND BY DEPOSITING SAID ENVELOPE IN THE UNITED STATES POST OFFICE DEPOSITORY IN SIOUX CITY, IOWA.

ALL THOSE RECEIVING THE FOREGOING SERVICE ARE LISTED HEREINAFTER WITH THE ADDRESS AT WHICH HE OR THEY WERE SERVED AND SUCH SERVICE WAS MADE ON THE 30TH DAY OF JANUARY 1996.



DONALD H. MOLSTAD 3755

OFFICE OF UNITED STATES TRUSTEE
LAW BLDG. SUITE 400
225 2ND STREET S.E.
CEDAR RAPIDS, IOWA 52401

WIL L. FORKER
232 DAVIDSON BLDG.
SIOUX CITY, IOWA 51101

EVERETT WILLARD SUNT
PO BOX 65
AKRON, IOWA 51001

UNITED STATES BANKRUPTCY COURT -- NORTHERN DISTRICT OF IOWA
PROCEEDING MEMO AND ORDER

Date: February 6, 1996

Chapter 7

Bankr. No. 94-51085XS

U.S. BANKRUPTCY COURT X
NORTHERN DISTRICT OF IOWA

IN RE:
EVERETT WILLARD SUNT

Contested No.

FEB 06 1996

BARBARA A. EVERLY, CLERK

APPEARANCES: For Debtor: _____

For Parties-in-Interest: _____

U.S Trustee: _____

Case Trustee: Don Molstad

NATURE OF PROCEEDING: In Court Telephonic

Motion for Compromise or Settlement of Controversy
 Motion to Avoid Lien(s) Objection to Exemptions
 Plan Confirmation Other: _____

OUTCOME OF PROCEEDING:

- The matter having been submitted,
- Having been informed that the matter is settled,
- And findings of fact and conclusions of law having been orally stated,

IT IS ORDERED THAT:

The matter is taken under advisement. Briefs are due _____

Settlement documents are to be submitted within 30 days or the matter will be dismissed pursuant to Local Rule 13(D).

JUDGMENT is entered as follows pursuant to Fed.R.Bankr.P. 9021. JB []
 (Other)

*motion to compromise adv. # 95-5054 xj
for \$1,500.00 (Sunt's request)
is granted.*

copies to: Debtor, Wil Forker,
Don Molstad, Jerry McCoy,
Craig Lane, USTrustee
on 2/6/96, ls

SO ORDERED:

Don Molstad
U. S. Bankruptcy Judge

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