

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

IN RE:

WARREN EUGENE MILBRANDT)	99-41329-PNS3
DEBTOR)	CHAPTER 7

WARREN EUGENE MILBRANDT)	ADVERSARY PROCEEDING
SSN #xxx-xx-3295)	
PLAINTIFF)	NO. <u>00-80012</u>
vs.)	
FIRST USA BANK, N.A.)	
FCC NATIONAL BANK)	
D/B/A FIRST CARD,)	
DEFENDANTS.)	

**AGREED ORDER RESOLVING PLAINTIFF'S COMPLAINT
FOR MONETARY DAMAGES AND INJUNCTIVE RELIEF**

This matter came to be heard upon the Plaintiff's Complaint for Monetary Damages and Injunctive Relief to Remedy Willful Violations of Sections 105, 362 and 524 of the U.S. Bankruptcy Code. The Court having been advised that the parties have reached an agreement, it is therefore:

ORDERED, ADJUDGED and DECREED that this Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334 and 28 U.S.C. § 157 since it arises in and is related to the above-styled case. It is further,

ORDERED, ADJUDGED and DECREED that this proceeding is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A), (C), (D), (I) and (O). It is further,

00 APR 24 AM 9: 00

U.S. BANKRUPTCY COURT Northern District of Florida DATE ENTERED ON DOCKET <u>4-24-00</u>

FILED

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ORDERED, ADJUDGED and DECREED that, within ten (10) days of the entry of this Order, the Defendants shall pay to the law firm of Bond & Botes, P.C. a total of \$5,000.00, on behalf of the Plaintiff, in full satisfaction of any and all claims by the Plaintiff against any or all of the Defendants. Payment of said \$5,000.00 by the Defendants shall not be construed as, nor does it constitute, an admission of liability to the Plaintiff for the claims asserted in the Plaintiff's Complaint. It is further,

It is further **ORDERED, ADJUDGED and DECREED** that the Defendants and any and all of their directors, officers, employees, shareholders, partners, associates, attorneys or agents are forever enjoined from contacting or communicating in any manner with the Plaintiff, his family, his relatives, his friends, or with any individual or entity for the purpose of collecting money from the Plaintiff or jeopardizing the employment or reputation of the Plaintiff, or from taking any actions in furtherance of the collection of any prepetition indebtedness from the Plaintiff to the Defendants, including, but not limited to, assigning any such debt to a third-party collection agency or law firm for the collection of such indebtedness.

It is further **ORDERED** that, upon payment of said \$5,000.00 by the Defendants to the Plaintiff, this adversary proceeding shall be and hereby is **DISMISSED WITH PREJUDICE** with respect to each and all of the Defendants in this adversary proceeding, with each party to bear its own costs.

SO ORDERED this the 24 day of April, 2000.

Margaret A. Mahoney
HON. MARGARET A. MAHONEY
U.S. BANKRUPTCY JUDGE

PREPARED BY:

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HEREBY CERTIFY that this is a true and correct copy of the original on file in the office of the Clerk, United States Bankruptcy Court for the Northern District of Florida.
By LARRY A. PACE, Clerk, Bankruptcy Court
Deputy Clerk

AGREED TO BY:

Stacy L. Rawlins
~~ATTORNEY FOR THE DEFENDANTS~~
OFFICER OF FIRST USA
Stacy L. Rawlins

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