

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

IN RE:

CHAPTER 13

PETER J. GIORDANO and
LAUREN E. GIORDANO,

CASE NUMBER 8:09-bk-14944-KRM

**ORDER GRANTING TRUSTEE'S MOTION
FOR TURNOVER OF PROPERTY OF THE ESTATE
AND TO DETERMINE DISBURSEMENT OF PROCEEDS**

THIS MATTER came on for a hearing on July 31, 2013 upon the Debtor's Motion for Turnover of Property of the Estate and to Determine Disbursement of Proceeds, and the Court having heard argument of counsel and being otherwise duly advised in the premises, it is

ORDERED as follows:

1. The Debtor's Motion for Turnover of Property of the Estate and to Determine Disbursement of Proceeds is hereby GRANTED to the extent provided herein.
2. The personal injury attorney for the Debtor, Michael P. Maddux, P.A. Attorneys at Law, is authorized and directed to pay over to Terry E. Smith, Chapter 13 Trustee, one half of the net proceeds being held by said attorney for the benefit of the Debtors, Peter J. Giordano and Lauren E. Giordano (hereinafter, the Debtors) in the amount of \$3,235.50 (three thousand, two hundred and thirty-five dollars and fifty cents) for the benefit of the Debtors' bankruptcy estate and the allowed general unsecured claims. The remaining amount of the proceeds so held may be remitted to the Debtors.
3. Michael P. Maddux, P.A. is also authorized to pursue any further claims on behalf of the Debtors in regards to the accident in question, including, but not limited under insured/uninsured motorist claims.
4. In the event Michael P. Maddux, P.A. is able to obtain further recovery in regards to the subject accident, Michael P. Maddux, P.A. is authorized to charge and receive a reasonable contingency attorney's fee, as stated in the Rules Regulating the Florida Bar. Any further net proceeds shall be divided into equal shares, with one half of any such net proceeds being paid over to Terry E. Smith, Chapter 13 Trustee, for the benefit of the allowed general unsecured claims in the Debtors' instant bankruptcy case, and the remainder of the net proceeds may be remitted over to the Debtors.

5. Upon any further recovery of proceeds as described above, Michael P. Maddux shall provide to Terry E. Smith, Chapter 13 Trustee, before the distribution of any of the proceeds, whether for attorney's fees, for payment to the Trustee or for payment to the Debtors, a closing statement and other documentation regarding the settlement showing the proposed distribution of any such recovery.

DONE AND ORDERED at Tampa, Florida on _____.

K. RODNEY MAY
UNITED STATES BANKRUPTCY JUDGE

Trustee Terry E. Smith, is directed to serve a copy of this Order on interested parties and file a proof of service within three (3) days of entry of the Order.

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