

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

In re:

KATHERINE S. BRESNAHAN,

BANKRUPTCY

CASE NO.: 8:12-bk-12353-MGW

Debtor.

CHAPTER 7

**ORDER GRANTING MOTION OF LARRY S. HYMAN, AS CHAPTER 7
TRUSTEE OF THE ESTATE OF KATHERINE S. BRESNAHAN FOR
ORDER APPROVING COMPROMISE AND SETTLEMENT OF
CONTROVERSY AS TO KATHERINE S. BRESNAHAN REGARDING BANK
OF AMERICA, N.A. ADVERSARY PROCEEDING 8:13-ap-00382-MGW**

THIS MATTER came on for consideration, without a hearing, on Larry S. Hyman (“Trustee”), as Chapter 7 Trustee of the bankruptcy estate of Katherine S. Bresnahan (“Bresnahan”), Motion for Order Approving Compromise and Settlement of Controversy (Docket No. 33) (the “Motion”) pursuant to the negative notice provisions of Local Rule 2002-4. The Court, considering the Motion, the lack of any filed objection to the relief requested in the Motion by any party in interest, the defenses available to Proposed Defendant, Bank of America, N.A., a national banking association, (“Proposed Defendant”), the uncertainty as to the probability of success at the adversary proceeding trial on the merits, the difficulties in collection, the complexities of the litigation, the expense, inconvenience and delay associated with continued litigation and only possible collection in the event of judgment, and being otherwise fully advised in the premises, finds it is in the best interests of Trustee and Proposed Defendant, and is fair and equitable, to settle this matter for the total sum of Four Thousand Four Hundred and 00/100 Dollars (\$4,400.00) with Two Thousand and 00/100 Dollars (\$2,000.00)

going to the estate and Two Thousand Four Hundred and 00/100 Dollars (\$2,400.00) for attorneys' fees and costs, and finds that the Motion should be GRANTED. Accordingly it is:

ORDERED, ADJUDGED AND DECREED that:

1. No objection was filed to the relief requested in the Motion during the duly noticed Local Rule 2002-4 objection period; and

2. The Motion for Order Approving Compromise and Settlement of Controversy and related settlement, is fair and equitable, in the creditors' best interests, should be, and is hereby GRANTED;

3. The Motion, and the related Settlement Agreement, together with all its provisions, are each hereby approved in their entirety.

DONE and ORDERED at Tampa, Florida on _____.

HONORABLE MICHAEL G. WILLIAMSON
U.S. BANKRUPTCY JUDGE

Thomas A. Lash, Esq., Lash & Wilcox, PL, is directed to serve a copy of this order on interested parties and file a proof of service within 3 days of entry of the order.