

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

**IN RE:**

**CASE NO.: 03-507-PMG**

**EUGENE ROY NIBBELINK  
and LUISE T. NIBBELINK,**

**Debtors.**

**EUGENE ROY NIBBELINK  
and LUISE T. NIBBELINK,**

**Plaintiffs,**

**v.**

**Adversary No.: 07-207**

**WELLS FARGO BANK, N.A.  
successor by merger to WELLS FARGO  
HOME MORTGAGE, INC.,**

**Defendant.**

Order after which let execution issue forthwith.

4. Wells Fargo Bank, N.A. shall pay \$21,527.50 (representing \$21,177.50 for attorney's fees and \$350 for an expert witness fee) to the Law Firm of Lansing J. Roy within thirty days of the date of this Order after which let execution issue forthwith.

5. Wells Fargo Bank, N.A. shall, within thirty days of the date of this Judgment, notify and instruct Experian, TransUnion, and Equifax to correct the improper entries on Plaintiffs' credit bureau reports to reflect no late payments to Wells Fargo Bank N.A. If Wells Fargo Bank N.A.'s fails to comply with this paragraph, the Court may impose further sanctions.

**DATED** February 11, 2009 in Jacksonville, Florida.

/s/Jerry A. Funk

Jerry A. Funk

United States Bankruptcy Judge

**JUDGMENT**

This proceeding came before the Court for a trial on damages for violation of the discharge injunction. Upon Findings of Fact and Conclusions of Law separately entered, it is

**ADJUDGED:**

1. Judgment is entered in favor of Plaintiffs, Eugene Roy Nibbelink and Luise T. Nibbelink, and against Defendant, Wells Fargo Bank, N.A., for violation of the discharge injunction.

2. The Court imposes sanctions against Wells Fargo Bank, N.A. in the amount of \$40,402.94 for which let execution issue forthwith.

3. Wells Fargo Bank, N.A. shall pay \$18,875.44 (representing \$15,000 for punitive damages, \$3,383.44 for overpayment at closing, and \$492.00 for costs to attend the hearing) to Plaintiffs within thirty days of the date of this

**Copies to:**

Lansing J. Roy, Attorney for Plaintiffs  
Peggy Ballweg, Attorney for Defendant