

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
FT. MYERS DIVISION**

In Re:

Bernard C. Mazon and Jane I. Mazon,

Debtors.

CASE NO.: 9:05-bk-04213-MGW

_____/

Robert E. Tardif, Jr., Trustee,

Adv. No.: 9:06-ap-313-MGW

Plaintiff,

vs.

Bernard C. Mazon and Jane I. Mazon,

Defendants.

**AMENDED FINAL JUDGMENT FOR PLAINTIFF ROBERT E. TARDIF, JR.,
CHAPTER 7 TRUSTEE, AND AGAINST DEFENDANTS
BERNARD C. MAZON AND JANE I. MAZON**

Based upon the Plaintiff's Motion To Correct Scrivener's Error In Final Judgment and based upon the Order on decision granting Plaintiff's Complaint for Declaratory Judgment, Turnover, and Injunctive Relief (the "Order"), it is

ORDERED and ADJUDGED that Judgment is hereby entered in favor of the Plaintiff ROBERT E. TARDIF, JR. CHAPTER 7 TRUSTEE, 1601 Jackson Street, Suite 101, Ft. Myers, Florida 33902 and against the Defendants BERNARD C. MAZON and JANE I. MAZON, 295 Grande Way, Unit #905, Naples, Florida 34110, as to Counts I, II, and III of the Trustee's Complaint for Declaratory Judgment, Turnover, and Injunctive Relief (the "Adversary Complaint"), all for which let execution issue. It is further

ORDERED and ADJUDGED that the following assets are declared property of the bankruptcy estate, owned by the Trustee and not subject to exemption:

- Hartford Life Insurance Company annuity contract Account No. 711379049 being a “Director Outlook” annuity contract between Bernard C. Mazon and Jane I Mazon and Hartford Life Insurance Company;
- American General Annuity Policy NO. VS202274 between AIG Annuity Insurance Company and Bernard C. Mazon and Jane I. Mazon;
- The deposit of \$49,200.00, currently held by Coldwell Banker Caine for the purchase of Unit 504 Terrace at Riverplace, Greenville, South Carolina. The Trustee is authorized to declare as null and void the executory provisions in the contract for purchase of said residence in his discretion;
- Frost Brokerage Services IRA standing in the name of: NFS/FMTC Rollover IRA FBO Bernard C. Mazon, Account No. FB6-002046 currently held by Frost Brokerage Services;
- Any and all outstanding legal, or beneficial interest, standing in the name of Bernard C. Mazon and/or Jane I. Mazon with the Audubon Country Club;
- All legal and beneficial right, title and interest in Cabana No. 1 and parking space L-17 as described in the attached Declaration, a copy of which is attached hereto as Exhibit “A”;
- The three “Emicole” entities, namely:
 - a. Emicole Management, LLC;
 - b. Emicole Properties, LLC; and
 - c. Emicole Investments, LLC,

together with all assets owned by said entities. The Defendants are hereby directed to turn over all documents to the Trustee relating or referring to these entities and their assets within ten (10) days of entry of the Order. It is further

ORDERED and ADJUDGED that as to all of said assets, the Court finds that said assets are property of the Estate and the Trustee is the rightful owner of all legal, beneficial, and equitable claims thereto. All third parties holding said assets are ordered to cooperate with, facilitate, and turn over to the Trustee all said assets on his demand. It is further

ORDERED and ADJUDGED that a permanent injunction is hereby entered in favor of the Trustee and against the Defendants Bernard C. Mazon and Jane I. Mazon and those in privity with them prohibiting them from selling, encumbering, transferring, canceling, or otherwise disposing of the Assets described above and the Defendants are hereby directed to immediately relinquish all control over the Assets to the Trustee. Third parties are hereby directed to acknowledge the Trustee's ownership of the Assets described above. The Trustee is authorized to serve a copy of the Order on Frost Bank, Frost Brokerage Services, American General Annuity Insurance Company, now known as AIG Annuity Insurance Company, and Hartford Life And Annuity Insurance Company who shall be bound by its terms pending further order of this Court. It is further

ORDERED and ADJUDGED that the Debtors shall, within ten (10) days of entry of the Order, execute such documents as are reasonably necessary to effectuate the transfer of legal title of the Cabana No. 1 from Debtors to the Trustee. It is further

ORDERED and ADJUDGED that the Court retains jurisdiction to handle any matters relating to the Assets described above on an emergency basis, by either telephone or video-conference as appropriate.

DONE AND ORDERED in Tampa, Florida on March 27, 2007.



Michael G. Williamson
United States Bankruptcy Judge

Copies to:

John D. Emmanuel, Esq.
Darren D. Farfante, Esq.
Fowler White Boggs Banker P.A.
P.O. Box 1438
Tampa, FL 33601

Christian B. Felden, Esq.
Counsel for Debtors
3838 Tamiami Trail N., Suite 416
Naples FL 34103

Bernard C. Mazon
Debtor
295 Grande Way, Unit #905
Naples, FL 34110

Jane I. Mazon
Debtor
295 Grande Way, Unit #905
Naples, FL 34110

U.S. Trustee
501 E. Polk Street
Suite 1200
Tampa, FL 33602

Robert E. Tardif, Trustee
1601 Jackson Street
Suite 101
Ft. Myers, FL 33902

Jim P. Mahacek, Esq.
Callahan & Blaine,
3 Hutton Centre Dr., Suite 900
Santa Ana, CA 92707

#2586137v1