

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

J.B. Vol. 14
1703

In re:

PETER M. NASCARELLA

Case No. 8:06-bk-04182-CPM
Chapter 11

Debtor.

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In re:

KELLY L. NASCARELLA

Case No. 8:06-bk-04183-CPM
Chapter 11

Debtor.

_____ /

(Jointly Administered)

JOAN L. FITTERLING, as Trustee of the
Joan L. Fitterling Revocable Trust dated
August 15, 1995, and JOAN L.
FITTERLING, individually,

Plaintiffs,

v.

Adv. Pro. No. 8:07-ap-00264-CPM

PETER M. NASCARELLA and
KELLY L. NASCARELLA,

Defendants.

_____ /

JUDGMENT

This Adversary Proceeding came on for consideration for the entry of a Judgment in accordance with the parties' settlement agreement as announced in open court on October 4, 2007, as well as the parties' Joint Motion for Entry of Judgment in accordance with Settlement Agreement.

It is thereupon **ORDERED AND ADJUDGED** as follows:

1. That Plaintiffs, JOAN L. FITTERLING, as Trustee of the Joan L. Fitterling

Revocable Trust dated August 15, 1995, and JOAN L. FITTERLING, individually, shall have a claim that is nondischargeable under the Bankruptcy Code against Defendants, PETER M. NASCARELLA and KELLY L. NASCARELLA, in the principal amount of \$225,000.00. To the extent Defendants receive a discharge in connection with the main bankruptcy case, this sum shall be excepted under the Bankruptcy Code from the effect of such discharge.

2. That Plaintiffs, JOAN L. FITTERLING, as Trustee of the Joan L. Fitterling Revocable Trust dated August 15, 1995, and JOAN L. FITTERLING, individually, whose address is 358 Bahia Vista, Indian Rocks Beach, Florida 33785, shall recover of and from Defendants, PETER M. NASCARELLA and KELLY L. NASCARELLA, jointly and severally, whose address is 886 Harbor Island, Clearwater, Florida 33767, the sum of \$225,000.00, with interest thereon from January 2, 2008 at the applicable federal rate provided for by law, for all of which sum let execution issue.

3. The Court reserves jurisdiction to enter an Amended Judgment, but only in accordance with and to the extent provided for in the Order Confirming Plan of Reorganization entered in the main case on January 15, 2008.

DONE AND ORDERED at Tampa, Florida on February 28, 2008.

Catherine McEwen

CATHERINE PEEK McEWEN
United States Bankruptcy Judge

Copies furnished to:

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886 Harbor Island, Clearwater, FL 33767

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