

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

In re:

Michelle A. Kis,

Bankruptcy No. 09-12155  
Chapter 7  
Judge Catherine Peek McEwen

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Chase Bank USA, N.A.,

Plaintiff,

ADV. NO. 09-00563

JB Vol 15 #1969

vs.

Michelle A. Kis,

Defendant.

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**FINAL JUDGMENT BY CONSENT**

THIS CAUSE came on for consideration, without a hearing, for entry of a final judgment. The court, having considered the stipulation of nondischargeability and payment plan (“Stipulation”) of the parties (DKT #4), the pleadings and records herein, and being fully advised of the premises, it is hereby

ORDERED, ADJUDGED and DECREED that the sum of \$4,500.00 owed by the Defendant to Plaintiff is found to be nondischargeable pursuant to 11 U.S.C. §§ 523(a)(2)(A) – 523(a)(2)(C), and Plaintiff is granted judgment against Defendant in this amount. It is further

ORDERED, ADJUDGED and DECREED that the non-discharged sum of \$4,500.00 shall be paid by Defendant to Plaintiff as follows: the sum of \$200.00 per month, each month for 22 months, commencing October 1, 2009, and thereafter a final payment of \$100.00. The remaining payments shall be due on the same day of each month thereafter. While not in default, such principal shall not bear interest. It is further

ORDERED, ADJUDGED and DECREED that in the event Defendant defaults in payments, Plaintiff shall be entitled to declare the sum of \$4,500.00, less any payments made, plus any interest, immediately due and payable, together with Plaintiff's reasonable attorneys' fees and costs incurred. It is further

ORDERED, ADJUDGED and DECREED that if Defendant fails to make any payment as agreed, the remaining \$4,500.00, less any payments made, shall bear interest at twelve percent (12%) per annum until paid or otherwise satisfied. However, no interest will accrue so long as payments are kept current. It is further

ORDERED, ADJUDGED and DECREED that Plaintiff will refrain from pursuing its rights under this agreement so long as Defendant continues to make payment on a regular, timely basis. If Defendant defaults, however, Plaintiff shall have the right to pursue any legally available remedy, including (but not limited to) garnishment of wages or bank accounts, and the filing of liens, without further notice. It is further

ORDERED, ADJUDGED and DECREED that the parties shall pay their own attorney fees and costs in this matter.

DONE and ORDERED at Tampa, Florida this December 10, 2009.



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Catherine Peek McEwen  
UNITED STATES BANKRUPTCY JUDGE

Furnished copies to:

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