

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

In re:

RICHARD RAGUSO

CASE NO. 8:06-bk-00773-CPM

Debtor.

CHAPTER 7

V. JOHN BROOK, JR.,
CHAPTER 7 TRUSTEE,

JB Vol 14 #1704

Plaintiff,

vs.

ADV. PROC. NO. 8:06-ap-00389-ALP

LYNNE DUMONT, RICHARD RAGUSO,
GULFCOAST CHIROPRACTIC CLINIC,
INC., 1201 N. HIGHLAND LAND TRUST
UTD 11/15/05, EQUITY NATIONAL
TITLE, LLC, THE TRUSTEE COMPANY;
as Trustee of the 1201 N. Highland Land
Trust UTD 11/15/05, MICHAEL HEINEY,
as Trustee of the 1201 N. Highland Land
Trust UTD 11/15/05, KINGDOM LAND
TRUST and ROBERT C. WILLIAMS, JR.,
as Trustee of the Kingdom Land Trust,

Defendants.

**DEFAULT FINAL JUDGMENT AS TO COUNTS I, III, IV, V, VI, VII, VIII, IX, AND X
OF THE THIRD AMENDED COMPLAINT**

This case came on for hearing on January 30, 2008 upon the Motion for Summary Judgment, or in the Alternative, Default Judgment, as to Counts I, III, IV, V, VI, VII, VII, IX and X of the Third Amended Complaint (Doc. 153), filed by the plaintiff, V. John Brook, Jr., Chapter 7 Trustee (the "Plaintiff"), against defendants Lynne Dumont, Robert C. Williams, Jr., as Trustee of the Kingdom Land Trust and the Kingdom Land Trust. Pursuant to the order

granting the motion as to default judgment entered in this case, it is

ORDERED, ADJUDGED and DECREED that the Promissory Note dated November 15, 2005 in the amount of \$335,000 due to Gulfcoast Chiropractic Clinic, Inc. from The Trustee Company and the Mortgage securing the note recorded in the Public Records of Pinellas County, Florida at O.R. Book 14760, Pages 72-75 together with the Modification Agreement executed February 21, 2006 and recorded in the Public Records of Pinellas County, Florida at O.R. Book 15081, Pages 17-19 as well as any proceeds paid thereon to a party other than the Plaintiff are hereby declared to be property of the bankruptcy estate of Richard Raguso, Case No. 8:06-bk-00773-CPM, Middle District of Florida, Tampa Division, and subject to administration by the Plaintiff, as trustee of the estate. The Mortgage and Modification Agreement are secured by real property located at 1201 N. Highland Ave., Clearwater, Pinellas County, Florida, and more particularly described as:

Begin at the SW Corner of the SE ¼ of the NW ¼ of Section 11, Township 29 South, Range 15 East and Run Thence N 00° 13' 09" E, 665.51 Feet Along the 40 Acre Line to the East and West 10 Acre Line for P.O.B.; Thence Continue N 00° 13' 09" E, 332.76 Feet to the East and West Fractional Section Line; Thence 89° 21' 59" E, 142.50 Feet Along Said Fractional Section Line to the Westerly Line of the S.C.L. R.R. Right of Way; Thence S 14° 51' 08" W 343.27 Feet Along Said Westerly Right of Way Line to Said East and West 10 Acre Line; Thence N 89° 21' 49" N, 55.74 Feet Along Said 10 Acre Line to the P.O.B., Lying and Being in Pinellas County, Florida, (Parcel No. 11/29/15/00000/240/1100)

and

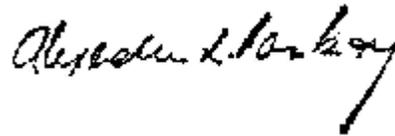
The South Most 50 Feet of that Part of the N ½ of the NW ¼ of the SE ¼ of the NW ¼ Lying East of Right of Way of Highland Avenue and Lying West of the Seaboard Coast Line Rail Road, in Section 11, Township 29 South, Range 15 East, Pinellas County, Florida, (Parcel No. 11/29/15/00000/240/1000). It is further

ORDERED, ADJUDGED and DECREED that the Assignment of Mortgage by Gulfcoast Chiropractic Clinic, Inc. to Robert C. Williams, Jr., as Trustee of the Kingdom Land Trust and/or Kingdom Land Trust by Assignment of Mortgage dated January 31, 2006 and recorded in the Public Records of Pinellas County, Florida at O.R. 15063, Page 403 is hereby avoided pursuant to 11 U.S.C. § 548(a)(1)(B) and declared null and void. It is further

ORDERED, ADJUDGED and DECREED that any transfer of shares of stock of Gulfcoast Chiropractic Clinic, Inc. held by Richard Raguso and transferred to Lynne Dumont subsequent to January 27, 2000 is hereby avoided pursuant to 11 U.S.C. § 547(b)(4), 11 U.S.C. § 548(a)(1)(B) and/or §726.105(1)(b)(2). It is further

ORDERED, ADJUDGED and DECREED that plaintiff, V. John Brook, Jr., Chapter 7 Trustee, recover from the defendants, Lynne Dumont, Robert C. Williams, Jr., as Trustee of the Kingdom Land Trust and the Kingdom Land Trust, jointly and severally, the sum of \$99,337.30, plus interest at the statutory rate from the date of this judgment, for which let execution issue.

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



ALEXANDER L. PASKAY
United States Bankruptcy Judge

Copies furnished to:

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