

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

In re:

RAJINDER KAUR MITCHELL

Case No.: 6:10-bk-13729-KSJ

Debtor(s).

\_\_\_\_\_ /

RAJINDER KAUR MITCHELL

Plaintiff,

v.

Adv. Pro. No.: :11-ap-00046-KSJ

ANTHONY MARINI and  
KELLY MARINI

Defendants.

\_\_\_\_\_ /

CONSENT JUDGMENT

Plaintiff Rajinder Kaur Mitchell ("Plaintiff") filed an Adversary Proceeding Complaint (Docket Entry No. 1) seeking an order pursuant to 11 U.S.C. §§ 524 and 105 finding that Defendants Anthony Marini and Kelly Marini ("Defendants") violated the discharge injunction and awarding sanctions, costs and attorneys fees against Defendants. A discharge order was entered in Plaintiff's chapter 7 bankruptcy case on November 24, 2010 (Main Case Document No. 20). An emergency hearing on Plaintiff's Motion for an Order to Show Cause (Docket Entry No. 4) was scheduled for April 5, 2011 (Docket Entry No. 7). Plaintiff and Defendants, through their respective counsel, have entered into negotiations resulting in the agreement set forth herein, and have consented to the entry of this Judgment. Therefore it is hereby

J.B. VOLK 11/4/11

**ORDERED, DECREED, AND ADJUDGED** as follows:

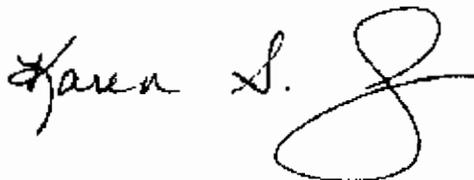
1. Defendants violated the discharge injunction by attempting to collect on a debt that was discharged pursuant to the November 24, 2010 Discharge of Debtor Order. In particular, Defendants violated the injunction by demanding repayment via email correspondence on March 11, 2011, March 14, 2011 and March 17, 2011. Copies of these emails are attached to Plaintiff's Complaint (Docket Entry No. 1) and are incorporated by reference into this Judgment. Defendants also violated the injunction by demanding repayment in personal meetings with Plaintiff on December 28, 2010 and March 3, 2011.

2. Defendants shall pay \$4,000.00 to Plaintiff as reimbursement for attorneys' fees incurred by Plaintiff in bringing and prosecuting this action.

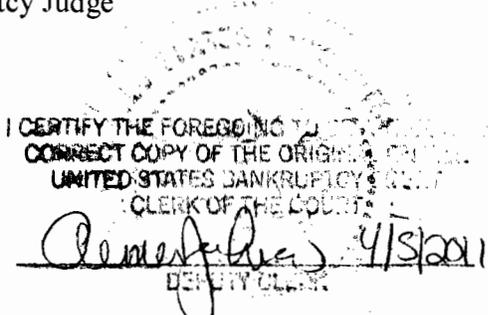
3. The emergency hearing on Plaintiff's Motion for Order to Show Cause scheduled for April 5, 2011 is cancelled.

4. The main bankruptcy case (Case No. 6:10-bk-13729-KSJ) shall remain open for a period of six (6) months from the date of this Consent Judgment for the sole purpose of providing the Plaintiff with a means of obtaining swift relief in the event Defendants commit a further violation(s) of the discharge injunction.

DONE and ORDERED on April 5, 2011.



KAREN S. JENNEMANN  
United States Bankruptcy Judge

I CERTIFY THE FOREGOING TO BE A  
CORRECT COPY OF THE ORIGINAL  
UNITED STATES BANKRUPTCY COURT  
CLERK OF THE COURT  
  
4/5/2011  
DENNY CLERK

The parties, through their counsel, having reviewed the above Judgment and consent to this Court entering this Judgment as settlement of this Adversary Proceeding

/s/ Roman V. Hammes  
Kenneth D. (Chip) Herron, Jr.  
Florida Bar No. 699403  
Roman V. Hammes  
Florida Bar No. 87250  
Wolff, Hill, McFarlin & Herron, P.A.  
1851 W. Colonial Dr.  
Orlando, FL 32804  
Fax: (407) 648-0681  
Email: [rhammes@whmh.com](mailto:rhammes@whmh.com)

Attorneys for Rajinder Kaur Mitchell

/s/ Kevin E. Mangum  
Kevin E. Mangum  
Florida Bar No. 904260  
Mangum & Associates PA  
101 Sunnyside Rd., Ste 300  
Casselberry, FL 32707-3862  
Telephone: (407) 478-1555  
Fax: (407) 478-1552  
Telephone: (407) 648-0058  
Email: [kevin@mangum-law.com](mailto:kevin@mangum-law.com)

Attorneys for Anthony Marini  
and Kelly Marini