

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

In re:

Dianne M. Utset,

Bankruptcy No. 09-09472  
Chapter 7  
Judge Alexander L. Paskay

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Chase Bank USA, N.A.,

Plaintiff,

ADV. NO. 09-00444

JB Vol. 15 #2146

vs.

Dianne M. Utset,

Defendant.

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**FINAL JUDGMENT BY CONSENT**

THIS CAUSE came on for consideration, *ex parte*, for entry of a final judgment. The court, having considered the stipulation of nondischargeability and payment plan (“Stipulation”) of the parties (DKT #6), the pleadings and records herein, and being fully advised of the premises, it is hereby

ORDERED, ADJUDGED and DECREED that the sum of \$3,000.00 owed by the Defendant to Plaintiff is found to be nondischargeable and Plaintiff is granted judgment against Defendant in this amount. It is further

ORDERED, ADJUDGED and DECREED that the non-discharged sum of \$3,000.00 shall be paid as follows: the sum of \$60.00 per month, each month for 50 months, commencing 8/01/2009. Payments shall be due on the same day of each month. 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 \$3,000.00, 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 \$3,000.00, 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

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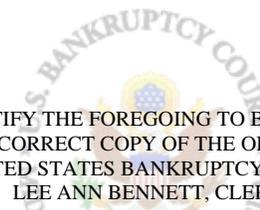
ORDERED, ADJUDGED and DECREED that the parties shall pay their own attorney fees and costs in this matter.

DONE and ORDERED at Fort Myers, Florida this 28th day of December, 2010.



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David H. Adams  
BANKRUPTCY JUDGE



I CERTIFY THE FOREGOING TO BE A TRUE  
AND CORRECT COPY OF THE ORIGINAL.  
UNITED STATES BANKRUPTCY COURT  
LEE ANN BENNETT, CLERK  
December 28, 2010  
Carla L. Fayson

Furnished copies to:

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