

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

In re:

Brennan D Mccarthy and Eugenia Paige Mccarthy

Bankruptcy No. 10-15862-MGW
Chapter 7
Judge Michael G. Williamson

FIA Card Services, N.A. (f.k.a. MBNA America
Bank, N.A.),

Plaintiff,

vs.

Brennan D Mccarthy and Eugenia Paige Mccarthy

Defendant.

ADV. NO. 10-01127-MGW

NONDISCHARGEABLE JUDGMENT

Based upon the Stipulation of the Parties, referenced as document #9, IT IS HEREBY ADJUDGED
AND DECREED:

1. The sum of \$9,000.00 owed by the Defendants to Plaintiff is found to be nondischargeable and Plaintiff is granted judgment against Defendants in this amount.
2. The non-discharged sum of \$9,000.00 shall be paid as follows: the sum of \$175.00 per month for 51 consecutive months, commencing on 01/15/2011, and a final payment of \$75.00. The remaining payments shall be due on the same day of each month thereafter.

While not in default, such principal shall not bear interest.

3. Payments are to be made to:

Accounts Receivable
Attn: FIA Card Services, N.A. (f.k.a. MBNA America Bank, N.A.)
WEINSTEIN & RILEY, P.S.
P.O. Box 3978
Seattle, WA 98124
INCLUDE ACCOUNT NUMBER ON PAYMENTS

Plaintiff or its agents may send monthly bills and invoices as a courtesy reminder to Defendants.

4. In the event Defendants default in payments, Plaintiff shall be entitled to declare the sum of \$9,000.00, plus any interest, immediately due and payable, together with Plaintiff's reasonable attorneys' fees and costs incurred.
5. Defendants acknowledges and stipulates that if Defendants fails to make any payment as agreed, the remaining \$9,000.00, 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.
6. Plaintiff will refrain from pursuing its rights under this agreement so long as Defendants continues to make payment on a regular, timely basis. If Defendants 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.

The parties shall pay their own attorney fees and costs in this matter.

Dated: November 22, 2010



Michael G. Williamson
BANKRUPTCY JUDGE

Furnished copies to:

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