

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

In re:

JOSEPH PAUL MARCHESSAULT,

Case No. 6:08-bk-02174-ABB
Chapter 7

Debtor.

_____ /

JACK DURIE, JR.,

Plaintiff,

Adv. Pro. No. 6:08-ap-00124-ABB

vs.

JOSEPH PAUL MARCHESSAULT,

Defendant.

_____ /

JUDGMENT

This matter came before the Court on the First Amended Objection to Debtor's Bankruptcy Based on False Pretenses, False Representations, and Actual Fraud (Doc. No. 45) filed by the Plaintiff Jack Durie, Jr. against the Defendant/Debtor Joseph Paul Marchessault. Evidentiary hearings were held on May 21, 2009 and July 16, 2009. After reviewing the pleadings and evidence, hearing live testimony and argument, and in conformity with and pursuant to the **Memorandum Opinion** entered contemporaneously herewith, it is

ORDERED, ADJUDGED and DECREED that **JUDGMENT** is hereby entered in favor of the Defendant/Debtor Joseph Paul Marchessault and against the Plaintiff Jack Durie, Jr. regarding the indebtedness owed by the Defendant/Debtor to the Plaintiff from the December 2006 \$100,000.00 loan and such indebtedness is **DISCHARGEABLE** pursuant to 11 U.S.C. Section 523(a)(2)(A) and is hereby **DISCHARGED** pursuant to 11 U.S.C. Section 727; and it is further

ORDERED, ADJUDGED and DECREED that the indebtedness of \$15,000.00 arising from the March 2007 \$55,000.00 loan is **NONDISCHARGEABLE** pursuant to 11 U.S.C. Section 523(a)(2)(A) and **JUDGMENT** is hereby entered in favor of the Plaintiff Jack Durie, Jr. and against the Defendant/Debtor Joseph Paul Marchessault in the amount of \$15,000.00 plus interest at the applicable federal judgment rate until paid; and it is further

ORDERED, ADJUDGED and DECREED that **JUDGMENT** is hereby entered in favor of the Defendant/Debtor Joseph Paul Marchessault and against the Plaintiff Jack Durie, Jr. regarding all remaining indebtedness relating to the March 2007 loan and such indebtedness is **DISCHARGEABLE** pursuant to 11 U.S.C. Section 523(a)(2)(A) and is hereby **DISCHARGED** pursuant to 11 U.S.C. Section 727; and it is further

ORDERED, ADJUDGED and DECREED that for the foregoing sum let execution issue.

Dated this 11th day of September, 2009.

/s/ Arthur B. Briskman
ARTHUR B. BRISKMAN
United States Bankruptcy Judge