

3.

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION AT GARY

IN RE:

MARTIN F. MUNDO,

Debtor

NBD BANK, N.A. n/k/a BANK ONE, N.A.)

Plaintiff,

vs.

MARTIN F. MUNDO

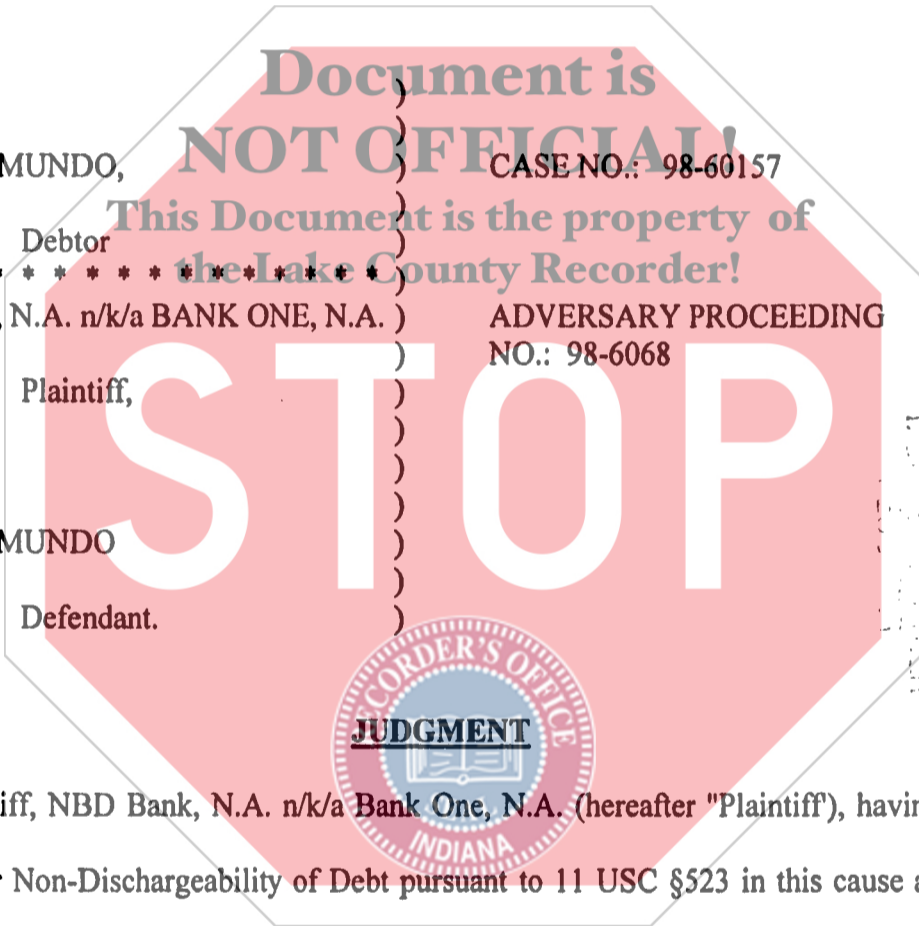
Defendant.

CASE NO.: 98-60157

ADVERSARY PROCEEDING
NO.: 98-6068

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Plaintiff, NBD Bank, N.A. n/k/a Bank One, N.A. (hereafter "Plaintiff"), having filed its Complaint or Non-Dischargeability of Debt pursuant to 11 USC §523 in this cause against the Debtor/Defendant, Martin F. Mundo, on June 8, 1998 and Plaintiff obtained certified Summons through regular first class mail, United States mail, postage prepaid, and addressed to Roger T. Moore, Esq., 6195 Central Avenue, Portage, Indiana 46368; Martin Frank Mundo, 237 West 500 North, Valparaiso, Indiana 46383; and Martin F. Mundo, 6428 Robbins Road, Portage, Indiana 46368;

It further appearing that the time for the Defendant to appear and defend this cause of action has passed, and that the Defendant herein has failed to appear or file an answer or a responsive pleading to Plaintiff's Complaint herein, and it further appearing that Plaintiff has moved for default in this cause and the Court granted the default on or about May 27, 1999.

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THE COURT FINDS that this debt is non-dischargeable pursuant to Section 523(a)(2) of the United States Bankruptcy Code.

THE COURT FURTHER FINDS that the Defendant, Martin F. Mundo, is in default in the amount of Forty-nine thousand eight hundred thirty-four dollars and sixteen cents (\$49,834.16) as of June 8, 1998, plus Eight thousand two hundred ninety-two dollars and forty cents (\$8,292.40) which includes interest at a rate of eight (8%) percent from June 8, 1998 to July 1, 2000, for a total of Fifty-eight thousand one hundred twenty-six dollars and fifty-six cents (\$58,126.56).

THE COURT FURTHER FINDS that post judgment interest will continue to accrue pursuant to statute.

THE COURT FURTHER FINDS that the Plaintiff has expended One thousand dollars (\$1,000.00) for reasonable attorney fees.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Debtor/Defendant, Martin Frank Mundo, is in default and he should be and is hereby found to be in default.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the amount of Fifty-nine thousand one hundred twenty-six dollars and fifty-six cents (\$59,126.56) is a non-dischargeable debt pursuant to Section 523 of the United States Bankruptcy Code against the Defendant, Martin Frank Mundo.

So Ordered this 26th day of July, 2000.

Frank Lindquist
C12

Judge, United States Bankruptcy Court

Distribution:

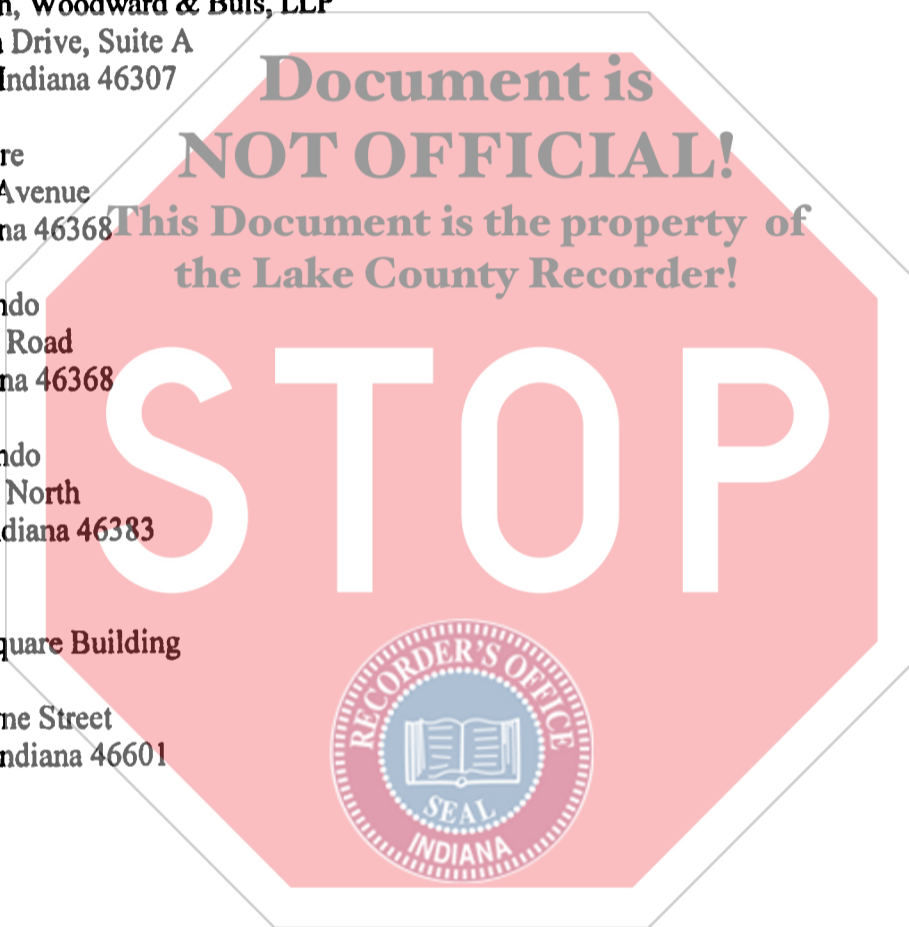
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