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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

In re:

**SAM RAINE, JR., et al.,**

**Debtor(s),**

**SAM D. ROMANO, Individually,  
and for the benefit of the  
Estate of Joe M. Romano**

**Plaintiff,**

**vs.**

**SAM RAINE, JR.,**

**Defendant.**

**Case No.98-03693-TBB-7**

**AP No. 98-00436**

**Inst # 1999-45918**

**11/08/1999-45918  
04:27 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE**

**11.00  
002 MMS**

**ORDER**

This matter having come before the Court on September 29, 1999, on a motion for summary judgment filed by the plaintiff. Proper notice having been given, Bruce A. Burttram, counsel for the plaintiff, and Sam Raine, Jr., pro se' appeared. Based on the findings of fact and conclusions of law as set forth on the record and incorporated herein, it is therefore;

**ORDERED, ADJUDGED, AND DECREED** that judgment is **GRANTED** in favor of the plaintiff, Sam D. Romano for the benefit of the Estate of Joe M. Romano, Deceased, and against Sam Raine, Jr., in the amount of one hundred sixty-seven thousand three hundred thirteen dollars and twenty-three cents (\$167,313.23) and said judgment is excepted in accordance with 11 U.S.C.

22

section 523 from any discharge that might be afforded the debtor; and

It is further ORDERED, ADJUDGED, AND DECREED that the counter claim of Sam Raine, Jr., is dismissed; and

It is further ORDERED, ADJUDGED, AND DECREED that the Clerk of the Court close adversary proceeding 99-00436 once the appeal time set forth in Bankr. R. Fed. P. 8002 including extensions, if any, expires and further provided that a timely appeal has not been filed.

Dated: 10/4/99

State of Alabama - Jefferson County  
I certify this instrument filed on:

1999 NOV 02 A.M. 09:47  
Recorded and \$ Mitg. Tax  
and \$ Deed Tax and Fee Amt.  
\$ 7.00 Total \$ 7.00  
GEORGE R. REYNOLDS, Judge of Probate



9914/4989

/sva

TBB

THOMAS B. BENNETT

United States Bankruptcy Judge

Inst # 1999-45918

11/08/1999-45918  
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SHELBY COUNTY JUDGE OF PROBATE  
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