

UNITED STATES BANKRUPTCY COURT
For the Northern District of Alabama
Southern Division

RE:

Christopher Anthony Montalbano
Debtor

Financial Pacific Leasing, LLC
Plaintiff

vs.

Christopher Anthony Montalbano
7113 Old Overton Club Drive
Vestavia Hills, AL 35242
Defendant

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CASE NO. 20-03696-TOM-7

AP NO. 21-00023

CERTIFICATE OF JUDGMENT

I, Joseph E. Bulgarella, Clerk of the United States Bankruptcy Court for the Northern District of Alabama, do hereby certify that on July 9, 2021, a Judgment was rendered in the United State Bankruptcy Court for the Northern District of Alabama, Southern Division in the above-style case wherein it was **ORDERED** by the Court that:

Financial Pacific Leasing, LLC obtained a Judgment against Christopher Anthony Montalbano for the sum of One Hundred Thirteen Thousand Nine Hundred Twenty and 71/100 Dollars (\$113,920.71).

Paul K. Lavelle is the Attorney of Record for Financial Pacific Leasing, LLC and Christopher Anthony Montalbano was not represented by an attorney in said case.

In testimony whereof I have hereunto set my hand at Birmingham, Alabama in said District, this the Northern District of Alabama, Southern Division.



Joseph E. Bulgarella, Clerk
United States Bankruptcy Court

By: /s/ Leigh Tumlin
Deputy Clerk

Date of issuance: September 9, 2021

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

In re:)
)
)
 CHRISTOPHER ANTHONY) **Case No. 20-03696-TOM7**
 MONTALBANO,)
)
) **Chapter 7**
 Debtor.)

FINANCIAL PACIFIC LEASING,)
INC.,)
)
Plaintiff,)
)
v.) Adv. Pro. No. 21-00023-TOM
)
)
CHRISTOPHER ANTHONY)
MONTALBANO,)
)
Defendant.)

CONSENT JUDGMENT

Plaintiff Financial Pacific Leasing, Inc., (“Plaintiff”) and Defendant Christopher A. Montalbano (“Defendant”) have agreed to settle the matters in controversy in this adversary proceeding and agree to entry of this Consent Judgment in accordance with the terms herein:

A. This action was initiated by Plaintiff pursuant to section 523(a)(2) of the Bankruptcy Code, 11 U.S.C. § 523(a)(2) to establish the non-dischargeability of a debt.

B. Defendant is the subject of a bankruptcy proceeding in the United States Bankruptcy Court for the Northern District of Alabama under Chapter 7 of the Bankruptcy Code, Case No. 20-03696-TOM7, filed on December 15, 2020.

C. Jurisdiction over this matter and over Montalbano is proper in this Court pursuant to 28 U.S.C. § 1334, and Bankruptcy Code §§ 523 and 727.

D. This adversary proceeding constitutes a core proceeding pursuant to 28 U.S.C. § 157(b)(1) and (b)(2).

E. The parties have announced that they have agreed to resolve all matters in controversy between them in this matter, the Defendant does not want a trial, and the parties consent to entry of this Consent Judgment by the Court in accord with the below.

Upon due consideration of the pleadings, the representations of counsel, and the parties' business judgment, the Court has determined that this compromise and request for entry of Consent Judgment should be approved.

Therefore, it is hereby ORDERED, ADJUDGED and DECREED that:

1. The Defendant's obligations to Plaintiff in the amount of One Hundred Thirteen Thousand Nine Hundred Twenty and 71/100 Dollars (\$113,920.71), are non-dischargeable pursuant to 11 U.S.C. § 523(a)(2).

2. Defendant expressly waives, releases, and forever discharges any and all claims that he may have against the Plaintiff, or any of its agents, attorneys, employees, or representatives, relating to, arising out of, or in connection with this adversary proceeding.

3. The Court shall retain jurisdiction over the parties and subject matter of this action for the purpose of enforcing and/or interpreting this Consent Judgment.

4. The Court finds that there is no just reason to delay entry of this Consent Judgment and expressly directs entry thereof as a final judgment pursuant to Fed. R. Civ. P. 58(a), made applicable to this adversary proceeding pursuant to Fed. R. Bankr. P. 7058.

SO ORDERED this 9th day of July, 2021

/s/ Tamara O. Mitchell
UNITED STATES BANKRUPTCY JUDGE

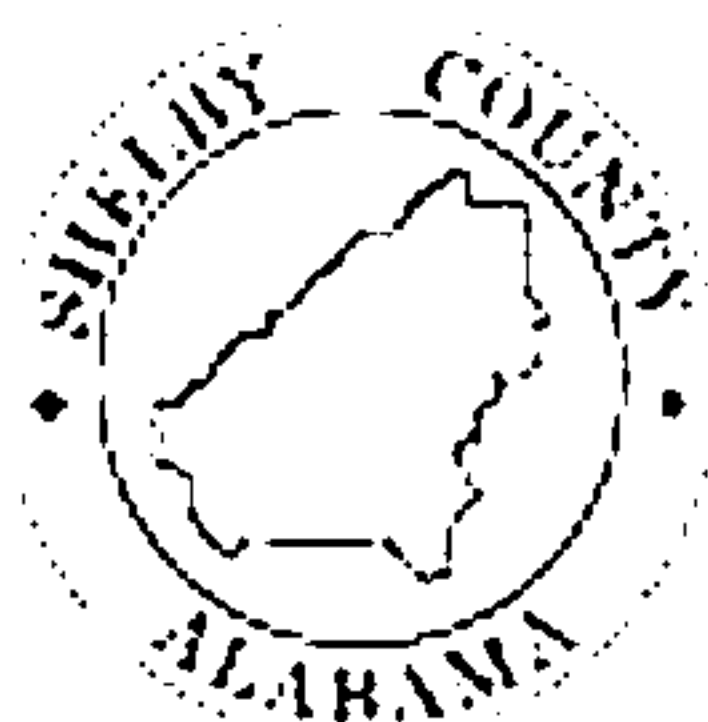
Consented and agreed to by:

/s/Paul K. Lavelle
Paul K Lavelle
Attorney for Financial Pacific Leasing, Inc.

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/s/Bill D. Bensinger
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Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
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