

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

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JUDG 1/4

In the Matter of:

James David Bearden

Debtor(s)

Dealer Services Corporation,

Plaintiff

James David Bearden, Jr.

Defendant

Case No. 11-02516-TOM-13

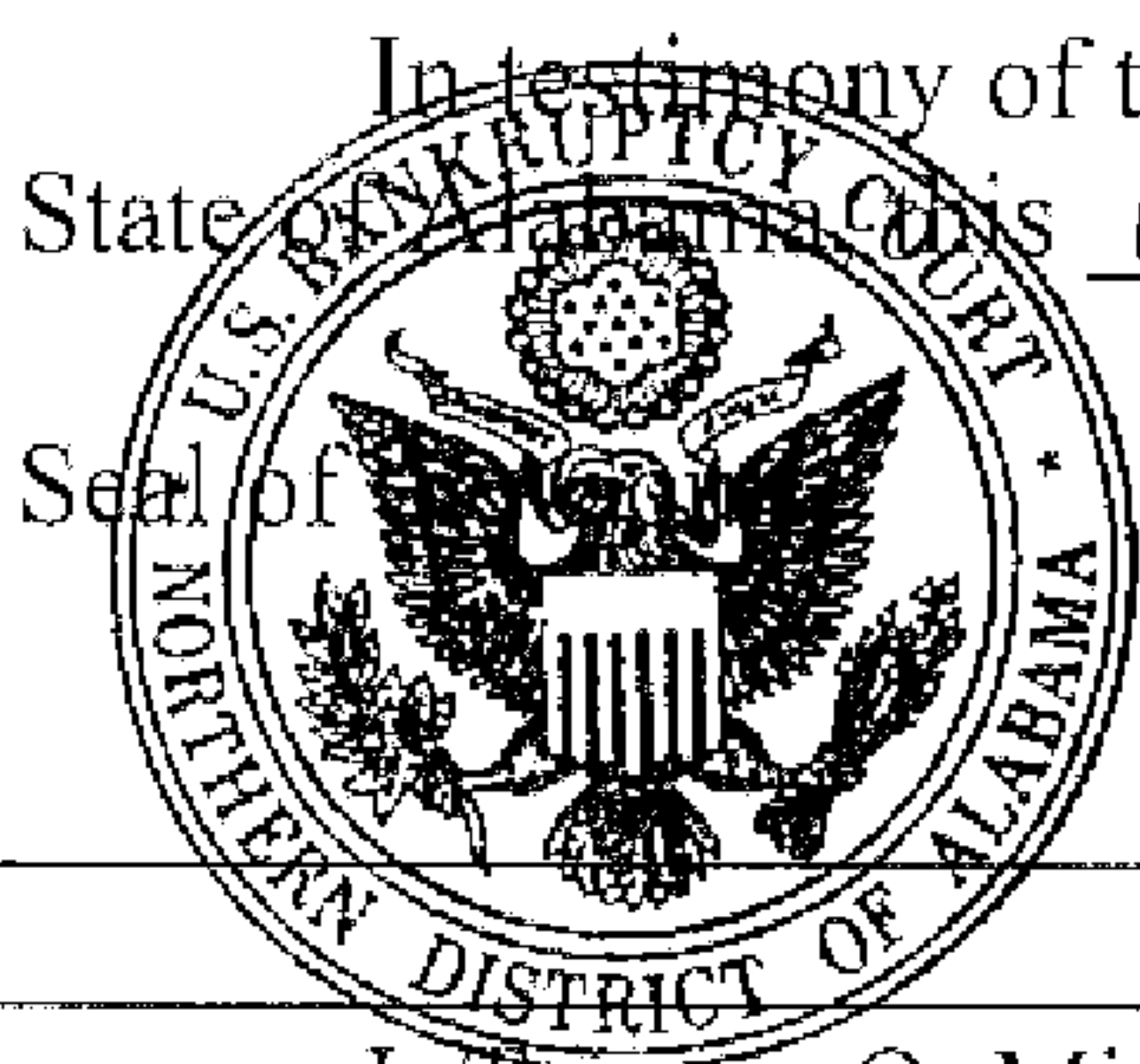
A.P. No. 11-00393

EXEMPLIFICATION CERTIFICATE

I, Joseph E. Bulgarella, Clerk of the bankruptcy court for this district and keeper of the records and seal of the court, certify that the documents attached are true copies of:

Order Approving Consent Judgment of Nondischargeability entered in favor of Plaintiff, Dealer Services Corporation, and against Defendant, James David Bearden, Jr., in the amount of Seventy-Five Thousand and no/100 Dollars (\$75,000.00), with interest accruing at the legal rate of 12% per annum now remaining among the records of the court.

In testimony of this statement, I sign my name, and affix the seal of this court at Birmingham, in the State of Alabama, this 18th day of August, 2022.



Joseph E. Bulgarella
Joseph E. Bulgarella
Clerk of the Bankruptcy Court

I, Tamara O. Mitchell, Bankruptcy Judge for this district, certify that v, is and was at the date of the above certificate, Clerk of the bankruptcy court for this district, duly appointed and sworn, and keeper of the records and seal of the court, and that the above certificate of the clerk and the clerk's attestation are in due form of law.

Date: August 18th, 2022

Tamara O. Mitchell
/s/ Tamara O. Mitchell
United States Bankruptcy Judge

I, Joseph E. Bulgarella, Clerk, Clerk of the bankruptcy court for this district and keeper of the seal of the court, certify that the Honorable Tamara O. Mitchell, is and was on the date of the above certificate a judge of this court, duly appointed and sworn; and that I am well acquainted with this handwriting and official signature and know and certify the signature written above to be that of the judge.

In testimony of this statement, I sign my name, and affix the seal of the court at Birmingham, the State of Alabama, this 18th day of August, 2022.

Seal of the Court

Joseph E. Bulgarella
Joseph E. Bulgarella
Clerk of the Bankruptcy Court

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

IN RE:)	
)	
JAMES DAVID BEARDEN JR.,)	CASE NO. 11-02516-TOM13
)	
Debtor)	
)	
<hr/>		
DEALER SERVICES CORPORATION,)	
)	
Plaintiff)	
v.)	
)	AP CASE NO. 11-0393-TOM
JAMES DAVID BEARDEN JR.,)	
)	
Defendant)	
)	

**ORDER APPROVING CONSENT TO JUDGMENT OF
NONDISCHARGEABILITY**

Plaintiff, DEALER SERVICES CORPORATION ("DSC"), and Defendant, JAMES DAVID BEARDEN, JR. ("Defendant"), collectively referred to as the "Parties," report to the Court that they jointly approve and consent to the entry of this Order Approving Consent to Judgment of Nondischargeability (the "Consent Judgment"). In support of this Consent Order, the following facts are stated:

1. DSC filed its Complaint to Determine Dischargeability of a Debt (the "Complaint") on September 21, 2011
2. Defendant filed his Answer to Complaint on October 19, 2011.
3. The Parties agree to compromise all allegations of the Complaint. Specifically, the Parties agree that the sum of Seventy-Five Thousand and no/100 Dollars (\$75,000.00) (the "Nondischargeable Amount") shall be deemed nondischargeable pursuant to 11 U.S.C. §§ 523(a)(2)(A) and 523(a)(4).
4. The Parties agree that no interest shall accrue on the Nondischargeable Amount, and that DSC shall be required to forbear from executing on this Consent Judgment so long as Defendant complies with the terms of a certain Settlement Agreement and Mutual Releases executed by the Parties contemporaneously with this Consent Judgment.

5. The Parties agree that a judgment of nondischargeability shall issue in this case, without further delay, in the Nondischargeable Amount.

WHEREFORE, based on the consent of the Parties it is therefore ORDERED, ADJUDGED, AND DECREED as follows:

1. The sum of Seventy-Five Thousand and no/100 Dollars (\$75,000.00) (the "Nondischargeable Amount") is owed by James David Bearden, Jr. to Dealer Services Corporation and this Nondischargeable Amount is hereby excepted from discharge pursuant to 11 U.S.C. §§ 523(a)(2)(A) and 523(a)(4); and,
2. No interest shall accrue on the Nondischargeable Amount and DSC is required to forear from executing on this Consent Judgment so long as Defendant complies with the terms of the Settlement Agreement and Mutual Releases executed by the Parties contemporaneously with this Consent Judgment.

DONE AND ORDERED this the 22nd day of December, 20110

/s/ Tamara O. Mitchell
TAMARA O. MITCHELL
United States Bankruptcy Judge

The parties, by and through their respective attorneys, consent to the terms of the foregoing order.

/s/ Heath S. Holden
Mr. Heath S. Holden
Attorney for Dealer Services Corporation

Newell & Holden, LLC
2117 Jack Warner Parkway, Suite 5
Tuscaloosa, Alabama 35401
Telephone (205) 343-0340
Facsimile (205) 343-2060

/s/ Robert D. Reese
Mr. Robert D. Reese, Esq.
Attorney for James David Bearden, Jr.

Robert D. Reese, Esq.
Bond, Botes, Reese & Shinn, P.C.
600 University Park Place
Suite 510
Birmingham, AL 35209

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/s/ D. Sims Crawford

Mr. D. Sims Crawford
Chapter 13 Trustee

D. Sims Crawford
Chapter 13 Standing Trustee
PO Box 10848
Birmingham, AL 35202



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
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