

IN THE UNITED STATES BANKRUPTCY
COURT FOR THE DISTRICT OF MARYLAND

In re:

Lawrence Edward Slavin
Debtor

Case No.: 89-5-3057 SD
(Chapter 7)

* * * * *

TABS ASSOCIATES, INC.
T/O/U and T/U/O THE
HARTFORD ACCIDENT AND
INDEMNITY COMPANY.

Adversary No.:
A89-0388SD

Plaintiffs

v.

LAWRENCE EDWARD SLAVIN

Defendant.

* * * * *

FILED

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U.S. BANKRUPTCY COURT
BALTIMORE MD

ORDER GRANTING PLAINTIFFS'
MOTION FOR SUMMARY JUDGMENT
IN PART AND DIRECTING ENTRY OF FINAL JUDGMENT

Upon the Motion for Summary Judgment submitted by the Plaintiffs, it appearing to the court that no response to the Motion has been filed by the Defendant and a hearing having been held on the Motion on November 1, 1990, for reasons stated on the records, the court makes the following findings of fact, conclusions of law and rulings:

1. The affidavits submitted by the Plaintiffs demonstrate that the Defendant has converted negotiable instruments of a total value of \$170,199.39 that came into his possession in the course of his employment with the Plaintiff Tabs Associates, Inc., which negotiable instruments were the property of Tabs

Associates, Inc. Based upon the facts set forth in the affidavits, the court find that the Defendant acted with a fraudulent intent to appropriate these negotiable instruments to his own use.

2. The \$170,199.39 of indebtedness that Plaintiffs have established to be owed by the Defendant arises from acts of embezzlement by the Defendant and is nondischargeable pursuant to 11 U.S.C. §523(a)(4). The Court is unable to render any decision with respect to the amount or dischargeability of any other liability that the Defendant may have to the Plaintiffs on the present record.

3. No just reason exists to delay entry of a final judgment as to the amount of indebtedness that the Plaintiffs have established to be owing and nondischargeable.

NOW, THEREFORE, it this 11 day of ~~November 1990~~ ^{January, 1991,}

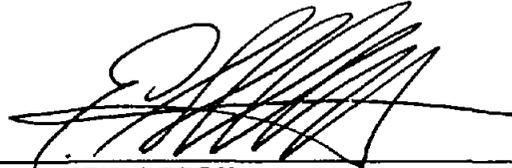
ORDERED by the United States Bankruptcy Court for the District of Maryland that Plaintiffs be granted partial summary judgment as follows:

1. Indebtedness owed by the Defendant to the Plaintiffs in the principal amount of \$170,199.39 is nondischargeable.

2. A judgment is hereby entered against the Defendant in favor or the Plaintiffs in the amount of \$170,199.39, plus prejudgment interest through November 1, 1990, in the amount of \$31,229.34, additional prejudgment interest at a rate per diem of

\$27.98 from November 2, 1990, through the date of this order and costs of these proceedings.

3. Pursuant to Bankruptcy Rule 7054(a) and Federal Rule of Civil Procedure 54(b) the Clerk is hereby directed to enter a final judgment against the Defendant for the relief granted by this Order.



E. STEPHEN DERBY,
UNITED STATES BANKRUPTCY JUDGE

ENTERED JAN 15 1991

cc: Sandon L. Cohen, Esq.
Cohan & Francomano, P.C.
Sun Life Bldg., Third Floor
20 South Charles Street
Baltimore, Maryland 21201

Mark S. Devan, Esq.
614 Bosley Avenue
Towson, Maryland 21204

Lawrence Edward Slavin
10 Hickory Nut Court
Baltimore, Maryland 21236

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