

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
At Rockville

IN RE:

AUDREY M. HAMILTON
Debtor,

Case No. 91-40478-PM
Chapter 13

AUDREY M. HAMILTON,
Plaintiff,

Adversary No. 92A-0210-PM

vs.

J. ALFRED PRUFROCK & COMPANY,
a District of Columbia
corporation
2625 3rd Street, N.E.
Washington, D.C. 20002

SERVE: Gary D. Wright
Registered Agent
729 Fifteenth St., N.W.
Suite 800
Washington, D.C. 20005

and

GAGE B.A. HASKINS,
individually and as
Director/Trustee of J. Alfred
Prufrock & Company
2625 3rd Street, N.E.
Washington, D.C. 20002

Defendants.

FILED

FEB 5 1993

CLERK'S OFFICE
U.S. BANKRUPTCY COURT
DISTRICT OF MARYLAND
ROCKVILLE

ORDER OF JUDGMENT AND CONTEMPT AGAINST DEFENDANTS

AT ROCKVILLE, MARYLAND THIS 1st DAY OF February, 1993:

UPON CONSIDERATION of the Amended Complaint for Conversion and Injunctive Relief filed in the above-captioned Adversary Proceeding, the default of the Defendants thereto, this Court's Order of October 7, 1992, granting injunctive relief to the Plaintiff, the Motion for Contempt filed in the above-captioned

Chapter 13 proceeding, the default of the Defendants thereto, and after notice and an evidentiary hearing on Monday, December 21, 1992, the Court hereby makes the following findings of fact:

1. That the Defendants wilfully, intentionally and with malicious intent deducted and converted the wages of the Debtor which were to be forwarded to the Chapter 13 Trustee in the Chapter 13 proceeding pursuant to Order of the Court;

2. That, as a result of the improper conduct of the Defendants, the Chapter 13 proceeding of the Plaintiff was dismissed for a material default under the Chapter 13 Plan for failure to make the subject plan payments, which were converted by the Defendants; and

3. That despite the efforts of the Plaintiff and the Chapter 13 Trustee, the Defendants have failed to return the converted funds to the Plaintiff or the Chapter 13 Trustee. Based upon these findings, it is

ORDERED, that the Defendants J. Alfred Prufrock & Company (a District of Columbia corporation) and Gage B.A. Haskins are hereby found to be in CONTEMPT of the Court's Employer Wage Order of May 20, 1991, for failure to forward the debtor's wages to the Chapter 13 Trustee, and it is further

ORDERED, that the Defendants J. Alfred Prufrock & Company and Gage B.A. Haskins are hereby found to be in CONTEMPT of the Court's Order of October 7, 1992, and it is further

ORDERED, that pursuant to the default judgment entered against the Defendants in the above-captioned adversary proceeding on November 25, 1992, that judgment is hereby entered in favor of the

Plaintiff against the Defendants J. Alfred Prufrock & Company and Gage B.A. Haskins, jointly and severally, for damages as follows: to the Plaintiff in the amount of \$2,720.00 for converted wages of the Debtor; to Plaintiff's attorneys in the amount of \$850.00 incurred in connection with the Motion for Injunctive Relief and contempt action in the above-captioned Chapter 13 proceeding; to Plaintiff's attorneys in the amount of \$3,500.00 incurred in connection with the above-captioned adversary proceeding; and to the Debtor for punitive damages in the amount of \$10,000.00, and post-judgment interest on the foregoing amounts shall accrue at the legal rate of 10% from the date of judgment.

ENTERED: 2-5-93

Paul Mannes

PAUL MANNES, Chief Judge
United States Bankruptcy Court for
the District of Maryland

cc: James M. Hoffman, Esquire
Michael V. Nakamura, Esquire
Shulman, Rogers, Gandal,
Pordy & Ecker, P.A.
11921 Rockville Pike, # 300
Rockville, Maryland 20852

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