

**SO ORDERED**



**E. STEPHEN DERBY**  
**U. S. BANKRUPTCY JUDGE**

**IN THE UNITED STATES BANKRUPTCY COURT**  
**FOR THE DISTRICT OF MARYLAND**

IN RE

Herman J. Lang, Jr.,

Debtor.

Case No.: 04-30682-SD  
Chapter 13

W. Clarkson McDow, Jr.  
United States Trustee  
for Region Four,

Plaintiff,

Adversary No.: 05-01216

v.

Platinum Agency, Inc. et al.

Defendants.

**STIPULATION AND CONSENT ORDER SETTLING COMPLAINT OF THE UNITED STATES TRUSTEE**  
**FOR FINES, DISGORGEMENT OF COMPENSATION AND AN INJUNCTION**

**WHEREAS**, W. Clarkson McDow, Jr. is the United States Trustee (“U.S. Trustee”) for Region Four, which includes the District of Maryland, and is charged with the duties set forth in 28 U.S.C. § 586; and

**WHEREAS**, on February 28, 2005, the U.S. Trustee filed a complaint against Platinum

Agency, Inc. (“Platinum”), Kasim Nasir (“Nasir”), Harry Scrader and Steven Black seeking Fines, Disgorgement of Compensation and An Injunction (the “Complaint”) for, among other things, various violations of the provisions of 11 U.S.C. § 110; and

**WHEREAS**, this Court has jurisdiction over this matter pursuant to, *inter alia*, 28 U.S.C. §§ 157, 1334 and 11 U.S.C. § 110. This is a core proceeding under 28 U.S.C. § 157(b)(2). Venue is proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409. The U.S. Trustee has standing to bring this action pursuant to 28 U.S.C. § 586, 11 U.S.C. § 307 and § 110. Platinum and Nasir were each properly served with the U.S. Trustee’s Complaint; and

**WHEREAS**, Nasir is the president and sole stockholder of Platinum; and

**WHEREAS**, Nasir is not licensed to practice law, nor was he employed, at the times relevant to the U.S. Trustee’s Complaint, by a licensed attorney; and

**WHEREAS**, the U.S. Trustee alleges the following: that for a fee, defendants Nasir and Platinum directed and assisted the debtor in this bankruptcy case; that the defendants Nasir and Platinum failed to disclose their preparation services by signing and printing names and printing addresses and identifying numbers on all of the bankruptcy documents filed for the debtor in this bankruptcy case; that the defendants Nasir and Platinum violated 11 U.S.C. § 110(g) by collecting and receiving from the debtor in this bankruptcy case court fees in connection with the filing of the petition in this bankruptcy case; and that the defendants Nasir and Platinum engaged in a variety of negligent, fraudulent, unfair and deceptive conducts relating to their preparation of the bankruptcy documents filed for the debtor in this bankruptcy case which caused harm to the debtor including the dismissal of this bankruptcy case; and

**WHEREAS**, Nasir and Platinum deny each and every allegation made by the U.S. Trustee;

and

**WHEREAS**, The U.S. Trustee, Nasir and Platinum desire to resolve the requests for relief prayed for in the U.S. Trustee's Complaint by the terms of this Stipulation and Consent Order Settling Complaint of The United States Trustee for Fines, Disgorgement of Compensation and An Injunction (the "Stipulation and Consent Order:).

**NOW THEREFORE**, the U.S. Trustee, Nasir and Platinum do agree, stipulate and consent as follows:

1. The foregoing recitals are true and correct summaries of the parties' positions and are deemed an essential part of this Stipulation and Consent Order.

2. Within ten (10) days after the entry of this Stipulation and Consent Order, Nasir and Platinum, jointly and severally, agree to pay by certified or third-party check (the "Refund Check") in the amount of Five Hundred Dollars (\$500.00) to Herman J. Lang, Jr. as a partial refund of the fee paid by Mr. Lang to Platinum. Nasir and Platinum will effectuate this refund by mailing the Refund Check to the U.S. Trustee, Attn: Mark A. Neal, 300 West Pratt St., Suite 350, Baltimore, MD 21201 for receipt by the U.S. Trustee on or before the tenth (10<sup>th</sup>) day after the entry of this Stipulation and Consent Order.

3. The entry of this Stipulation and Consent Order shall constitute the entry of a permanent injunction, permanently enjoining Nasir and Platinum from:

A. Violating any portion of 11 U.S.C. § 110 (b) and (c), specifically, Nasir and Platinum will assure that any filing in which Nasir or Platinum participate in the preparation, in any manner or amount, shall bear the signature, printed name and social security number of the individual preparer as well as the information for any company by which that individual is employed; and

B. Acting in any jurisdiction of the United States as a Bankruptcy Petition Preparer as defined by 11 U.S.C. § 110 in relation to or in connection with any Chapter 13, Chapter 12 or Chapter 11 filing; and

C. Engaging in the unauthorized practice of law.

4. The Baltimore Office of the United States Trustee (the “Office”) represents (and shall so advise all members of the Office) that the entry of this Stipulation and Consent Order will serve to close all investigations currently open in the Office relating to Nasir and Platinum and it agrees that it will not take any steps to certify any facts to the District Court stemming from currently open investigations nor will the Office file any complaints, or cause any other government agency to file any complaints against Nasir or Platinum stemming from currently open investigations. The Office further represents that it shall not file any complaints against Nasir or Platinum for violations of 11 U.S.C. §110 (b)(c)(g) or (h) which violations relate to bankruptcy cases filed prior to the date of this Stipulation and Consent Order. However, the U.S. Trustee reserves the right to litigate in any manner it deems appropriate actions taken by Nasir or Platinum prior to the date of this Stipulation and Consent Order beyond the administrative violations noted in this paragraph.

5. Within five (5) days of the entry of this Stipulation and Consent Order, Nasir shall furnish all information he has on the social security numbers, addresses and/or whereabouts of Defendants Harry Schrader and Steven Black.

6. The entry of this Stipulation and Consent Order does not constitute a finding or admission of any liability or wrongdoing on the part of Nasir and/or Platinum of the allegations made by the U.S. Trustee.

7. Kasim Nasir, at the address noted below, is hereby appointed by defendants Nasir and

Platinum as their authorized agent to receive any and all notices, or other service and/or process, in connection with the implementation and enforcement of the terms and provisions of this Stipulation and Consent Order.

8. If Defendants Nasir and/or Platinum violate the terms of the injunction entered herein, any violating party shall be sanctioned Two Thousand Five Hundred Dollars (\$2,500.00) for each bankruptcy case in which they violated the terms of the injunction created by this Stipulation and Consent Order. This sanction shall be in addition to, and not in lieu of, any civil or criminal sanctions or other damages for which Nasir and/or Platinum may be liable pursuant to the terms of 11 U.S.C. § 110 or any other applicable law.

9. Upon the entry of this Stipulation and Consent Order, the U.S. Trustee's Complaint shall be dismissed, with prejudice, against defendants Nasir and Platinum only without the need for further Order of this Court. The entry of this Stipulation and Consent shall have no effect whatsoever on the U.S. Trustee's Complaint against defendants Harry Schrader and Steven Black. Additionally, the terms, conditions and obligations created by the entry of the Stipulation and Consent Order shall survive the dismissal of the adversary proceeding against Nasir and Platinum, and the dismissal, closure or other termination of this bankruptcy case.

Having reviewed the terms and conditions of this Stipulation and Consent Order and finding

the terms and conditions contained herein to be reasonable, it is by the United States Bankruptcy Court for the District of Maryland, **SO ORDERED**.

Seen and Consented to:

/s/ Joseph Strimber  
Joseph Strimber, Esquire  
2715 Smith Avenue  
Baltimore, MD 21209  
(410) 653-6537

Attorney for the Defendants, Kasim Nasir and Platinum Agency, Inc.

/s/ Kasim Nasir  
Kasim Nasir, Individually  
3708 Burmont Avenue  
Randallstown, MD 21133

Platinum Agency, Inc.

By: /s/ Kasim Nasir  
Kasim Nasir, President  
8138 Liberty Road  
Baltimore, MD 21244

/s/ Katherine A. Levin  
Katherine A. Levin  
Trial Attorney  
Office of the U.S. Trustee  
300 W. Pratt Street, Suite 350  
Baltimore, MD 21201  
(410) 962-3910

**I HEREBY CERTIFY** that the terms of this copy of the consent order submitted to the

Court are identical to those set forth in the original consent order; and that signatures represented by the /s/\_\_\_\_\_ on this copy reference the signatures of consenting parties on the original consent order.

/s/ Katherine A. Levin  
Katherine A. Levin  
Office of the U.S. Trustee

cc:

Mark A, Neal  
Assistant U.S. Trustee  
Office of the U.S. Trustee  
300 W. Pratt Street, Suite 350  
Baltimore, MD 21201

Joseph Strimber, Esquire  
2715 Smith Avenue  
Baltimore, MD 21209

Kasim Nasir, Individually  
8138 Liberty Road  
Baltimore, MD 21244

Platinum Agency, Inc.  
c/o Kasim Nasir, President  
8138 Liberty Road  
Baltimore, MD 21244

**END OF ORDER**