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JUL 02 1997

DOROTHY A. EVANS, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF OKLAHOMA

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

In Re:)	
)	
DONALD W. MYERS,)	
SS# 540-58-0336)	Case No. 96-05102-W
)	(Chapter 7)
Debtor.)	
)	
JOSHUA B. KIRK, as Personal)	
Representative of the Estate)	
of Kenneth Bruce Myers,)	
)	
Plaintiff,)	
)	
-vs-)	Adv. No. 97-0087-W
)	
DONALD W. MYERS,)	
)	
Defendant.)	

AGREED JOURNAL ENTRY OF JUDGMENT

consideration

NOW, on this *2nd* day of *July*, 1997, this matter comes on for hearing on the Complaint filed by the Plaintiff, JOSHUA B. KIRK, as Personal Representative of the Estate of Kenneth Bruce Myers ("KIRK"), a creditor in the above-referenced bankruptcy proceeding, KIRK appearing by and through his attorney, Tommy R. Dyer, Jr., and the Defendant, DONALD W. MYERS ("MYERS"), appearing through his attorney, T. Logan Brown. THE COURT, having reviewed the file, having considered the statements of counsel and being fully advised in the premises, FINDS:

1. This Court has jurisdiction of the parties and subject matter of this action.

2. On January 31, 1992, in a case styled State of Oregon v. Donald Wayne Myers, in the Circuit Court of the State of Oregon, for the County of Columbia, Case No. 91-1050, MYERS was convicted of criminally negligent homicide and sentenced to imprisonment for 34 months. The conviction arose from an automobile accident in which MYERS was the driver and was under the influence of alcohol and which resulted in the death of Kenneth Bruce Myers. A copy of the Judgment and Sentencing Order is attached to the Complaint as Exhibit "A".

DOCKETED *7-2-97*
Clerk, U.S. Bankruptcy Court
Northern District of Oklahoma

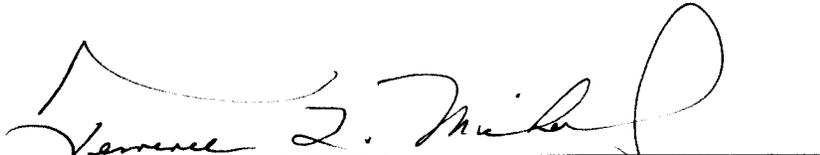
3. On October 27, 1994, JOSHUA B. KIRK, as Personal Representative of the Estate of Kenneth Bruce Myers, deceased, obtained a judgment against MYERS in Case No. 9401-00699, in the Circuit Court of the State of Oregon, for Multnomah County, in the amount of \$652,298.00, plus interest in the amount of 9% per annum until satisfied. A copy of the Judgment and the Petition for Registration of Foreign Judgment in Oklahoma is attached to the Complaint as Exhibit "B".

4. That KIRK's judgment and claim against Debtor MYERS described in the preceding paragraph is for damages resulting from the wrongful death of Kenneth Bruce Myers and arose out of Debtor MYERS' unlawful operation of a motor vehicle while under the influence of alcohol.

5. KIRK's claim against Debtor MYERS is non-dischargeable pursuant to 11 U.S.C. § 523(a)(9).

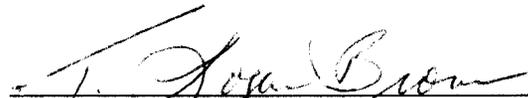
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Judgment entered on October 27, 1994, in favor of JOSHUA B. KIRK, as Personal Representative of the Estate of Kenneth Bruce Myers, deceased, against DONALD W. MYERS in the Circuit Court of the State of Oregon, for Multnomah County, in the amount of \$652,298.00, plus interest in the amount of 9% per annum until satisfied is a nondischargeable debt pursuant to 11 U.S.C. § 523(a)(9) for the reason that the damages resulted from the wrongful death of Kenneth Bruce Myers and arose out of Debtor DONALD W. MYERS' unlawful operation of a motor vehicle while under the influence of alcohol.

DATED this 2nd day of July, 1997.


UNITED STATES BANKRUPTCY JUDGE

APPROVED BY:


Tommy R. Dyer, Jr., OBA #13594
Attorney for Plaintiff


T. Logan Brown, OBA # 1236
Attorney for Defendant