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

FILED *

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U.S. DISTRICT COURT
BANKRUPTCY COURT
NORTHERN DISTRICT OF OKLA

| | | |
|----------------------|---|---------------------|
| In Re: |) | |
| |) | |
| Burkhart, Phillip D. |) | Case No. 99-02491-M |
| |) | Chapter 7 |
| Debtor. |) | |

| | | |
|-------------------|---|----------------|
| Lenore Diem, |) | |
| |) | |
| Plaintiff, |) | |
| vs. |) | Adversary Case |
| |) | |
| |) | |
| Phillip Burkhart, |) | No. 99-0262-M |
| |) | |
| Defendant. |) | |

JOURNAL ENTRY OF JUDGMENT

Now on this 23rd day of January, 2001, the Court has for consideration the Motion for Order Approving Agreed Journal Entry Judgment submitted by the Plaintiff, Lenore Diem, and the Defendant/Debtor, Phillip Burkhart, and, being fully advised in the premises, FINDS that said Motion should be granted, and good cause appearing therefore,

IT IS HEREBY ORDERED:

1. That this is a core proceeding over which this Court has jurisdiction under 28 U.S.C. Section 157(b)(2)(I), 1334.

2. That Defendant is the Debtor in this Chapter 7 case; Plaintiff is a creditor of the Defendant/Debtor; and this is an adversary proceeding to determine the dischargeability of the debt of the Defendant/Debtor to the Plaintiff.

3. That on February 21, 1995, Plaintiff commenced an action in the District Court of Tulsa County, State of Oklahoma, in Case No. CJ-95-819, styled Lenore Diem, Plaintiff, vs. Phillip Burkhart, Defendant (the "Litigation").

4. That on April 7, 1999, after trial of the issues in the Litigation, the State Court rendered judgment in favor of Plaintiff and against Defendant in the sum of \$184,030.00 (the "Judgment"); and the Judgment is a final judgment.

5. That the Plaintiff and the Defendant/Debtor have agreed to resolve the adversary proceeding in the following manner:

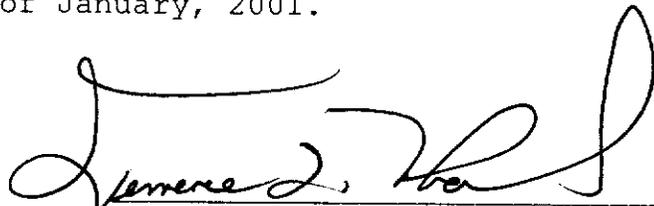
(A) That pursuant to 11 U.S.C. Section 523(a), the sum of \$180,000.00 (representing part of the principal sum, interest, attorney fees and costs due and owing under the Judgment [after crediting all offsets awarded to the Defendant]), shall not be discharged and/or affected by the Discharge of Debtor

entered in Bankruptcy Case No. 99-02491-M, on December 2, 1999; and that the remaining amount of the Judgment (over and above said sum of \$180,000.00), shall be discharged.

(B) That as a condition to such settlement, the Defendant/Debtor has agreed to dismiss the appeal of the Judgment, pending in the Supreme Court of Oklahoma, in Case No. 93,020, styled Lenore Diem, Plaintiff/Appellee, vs. Phillip Burkhardt, Defendant/Appellant; and the parties have agreed that any necessary documentation will be filed in the State Court Litigation to indicate of record the resolved/settled amount of the Judgment, in order to eliminate the need for any further hearings on the issues of attorney fees, costs and interest.

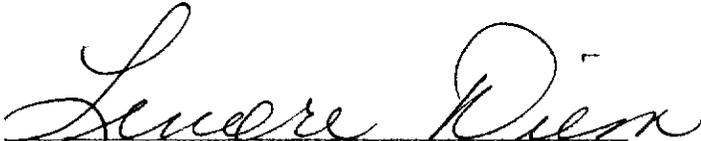
(C) That each party shall bear their own costs and attorney fees in the captioned matters.

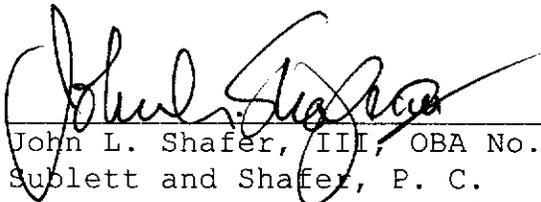
DATED this 23rd day of January, 2001.

A handwritten signature in cursive script, appearing to read "Terrence L. Michael". The signature is written in black ink and is positioned above a horizontal line.

TERRANCE L. MICHAEL,
CHIEF JUDGE, UNITED STATES
BANKRUPTCY COURT

APPROVED AS TO FORM AND CONTENT:


LENORE DIEM, PLAINTIFF


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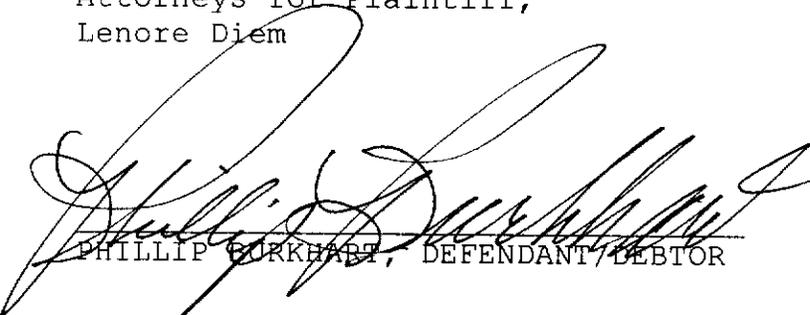
Attorneys for Defendant/Debtor,
Phillip Burkhart

APPROVED AS TO FORM AND CONTENT:

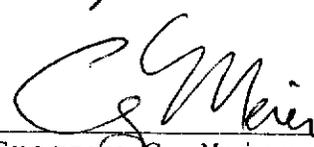
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