

FILED

APR 26 2002

PRESENT: HONORABLE TERRENCE L. MICHAEL
UNITED STATES BANKRUPTCY JUDGE

MICHAEL L. WILLIAMS, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OKLAHOMA

IN RE: TONY G. HODGE and
ELIZABETH A. HODGE,

Case No. 01-04489-M

Chapter 7

Debtors.

FIRST NATIONAL BANK OF OMAHA,
P.O. Box 3437
Omaha, Nebraska 68103

A.P. No. 02-0003-M

Plaintiff,

v.

TONY G. HODGE and
ELIZABETH A. HODGE,
2000 S. 630 Road
Quapaw, OK 74363

Defendants.

CONSENT JUDGMENT EXCEPTING DEBT FROM DISCHARGE

First National Bank of Omaha, by its attorney, Robert S. Cooper, Esq., having filed an Adversary Proceeding seeking an Order pursuant to 11 U.S.C. §523(a)(2)(A), determining that the Defendants' indebtedness to the Plaintiff is an exception to discharge, with interest from October 4, 2001, plus Plaintiff's costs and disbursements incurred for the collection of this debt and of this action, and for such other and further relief as to the Court seems just and proper, and the Defendants, having appeared by their attorney Kathryn Ross Speers, Esq., and the above-mentioned parties

having subsequently entered into negotiations resulting in the agreement set forth herein, and the Defendants, the Defendants' attorney, and the Plaintiff's attorney, having consented to the entry of this Judgment, and upon all papers and proceedings had herein, and after due deliberation, it is hereby

ORDERED, DECREED, AND ADJUDGED as follows:

1. Judgment be entered in favor of the Plaintiff and against the Defendants in the sum of \$17,140.27, plus interest at the annual rate of 9% from October 4, 2001, plus the costs and disbursements of this action in the amount of \$150.00,

2. The Judgment, including the principal amount and interest, shall be nondischargeable pursuant to 11 U.S.C. §523(a)(2)(A), and will survive any Order of discharge in this case,

3. Execution of said Judgment shall be stayed unless and until the Defendants fail to pay to the Plaintiff the sum of \$10,500.00, payable at \$150.00 a month, with the first payment being due on May 1, 2002, and each subsequent payment being due by the first day of each and every month thereafter until the entire amount set forth in this paragraph has been paid in full; Although the due date for each monthly payment is the first day of each month, the Defendants shall have until the fifteenth day of each month to make the monthly payment; The Defendants shall have the right to prepay at any time, without penalty, the unpaid balance of the settlement amount set forth in this paragraph,

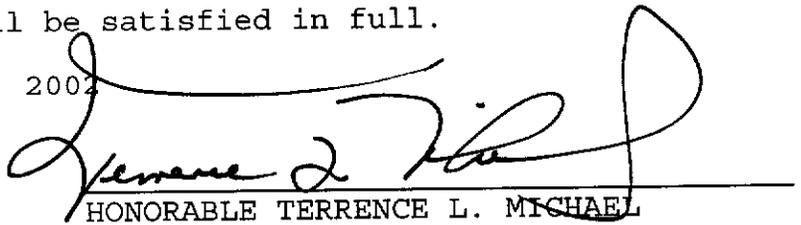
4. Payment of the sums specified in paragraph 3 above, shall

be made payable to "Robert S. Cooper, Esq., as Attorney for First National Bank of Omaha", with the account numbers "4811-4091-5750-0340 and 4418-0290-0200-5681" written on each check, and payments shall be sent to: Robert S. Cooper, Esq., 1425 Jefferson Road, Rochester, New York 14623,

5. If the Defendants fail to make any of the payments within fifteen days of the dates specified in paragraph 3 above, the Stay of Execution shall be immediately dissolved, and the Plaintiff may forthwith seek to execute upon the total amount of the Judgment, less any payments actually made, using all lawful processes, and

6. If the Defendants make all payments specified in paragraph 3 above, the Judgment will be satisfied in full.

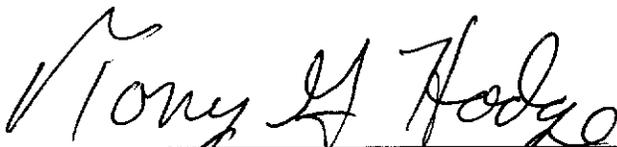
DATED: April 26, 2002


HONORABLE TERRENCE L. MICHAEL
UNITED STATES BANKRUPTCY JUDGE
NORTHERN DISTRICT OF OKLAHOMA

ENTER:


This Consent Judgment prepared by:
Robert S. Cooper, Esq., RC0986
Attorney for Plaintiff
1425 Jefferson Road
Rochester, New York 14623
Telephone: (716) 292-1920
Facsimile: (716) 292-1925

The parties having reviewed the above-mentioned Judgment, consent to this Court entering this Judgment as settlement of this Adversary Proceeding.

 4-18-02

TONY G. HODGE DATE
DEFENDANT

 4/18/02

ELIZABETH A. HODGE DATE
DEFENDANT

 _____
KATHRYN ROSS SPEERS, ESQ. DATE
ATTORNEY FOR DEFENDANTS

 4/18/02

ROBERT S. COOPER, ESQ., RC0986 DATE
ATTORNEY FOR FIRST NATIONAL BANK OF OMAHA