

11/30/79

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE
WESTERN DISTRICT OF WISCONSIN

In the Matter of

IN BANKRUPTCY

HAROLD MARION MUNSON and
DONNAJEAN ROSE HURSH MUNSON

No. 79-00120 Vol.
79-00121 Vol.

Bankrupts

NATIONAL BANK OF COMMERCE

Plaintiff

vs.

HAROLD MARION MUNSON and
DONNAJEAN ROSE HURSH MUNSON

Defendants

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND JUDGMENT

At Eau Claire, in said district, this 30th day of
November, 1979.

The plaintiff, National Bank of Commerce, having duly
filed its Complaint in the above entitled matter, praying that
the debt due said plaintiff by defendants is non-dischargeable
in these proceedings and objecting to the discharge of the
above named bankrupts; and an Answer having been duly filed;
and a trial having been held, and witnesses sworn, and the
Court having heard the arguments of counsel and having con-
sidered the briefs filed herein, and being fully advised in the
premises, FINDS:

1. That the judgment of the Circuit Court of Douglas
County obtained by the plaintiff on November 2, 1978, is not
res adjudicata.
2. That from a careful consideration of all of the
evidence presented by the plaintiff and the defendants, said
evidence is insufficient to establish the plaintiff's Complaint
as required by law.
3. That said debt is dischargeable.

CONCLUSIONS OF LAW

That Judgment should be entered dismissing plaintiff's Complaint and granting a discharge to defendants herein without costs to either party.

J U D G M E N T

NOW, THEREFORE, IT IS ORDERED AND ADJUDGED:

1. That the plaintiff's Complaint be and the same is hereby dismissed upon the merits and without costs to either party.

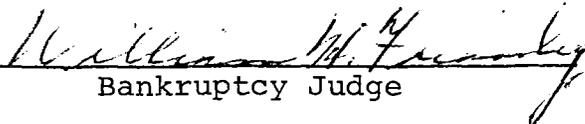
2. That any indebtedness claimed by said plaintiff be and the same is hereby subject to discharge and release in accordance with the provisions of the Bankruptcy Act.

3. That the aforesaid indebtedness, if any, so claimed of the bankrupts to the plaintiff be and the same is hereby discharged and released.

4. Any judgment heretofore or hereafter obtained in any Court other than this Court in respect of the aforesaid indebtedness is null and void as a determination of the personal liability of the bankrupt in connection with the said indebtedness.

5. National Bank of Commerce be and it hereby is enjoined from instituting or commencing any action or employing any process to collect the aforesaid indebtedness as a personal liability of the above named bankrupts.

BY THE COURT:


Bankruptcy Judge