

IN THE UNITED STATES BANKRUPTCY COURT FOR THE
EASTERN DISTRICT OF TENNESSEE

In re

Case No. 3-88-00616

JOHN DOUGLAS MERRELL

Debtor

NOREEN RENIER

Plaintiff

v.

Adv. Proc. No. 3-88-0083

JOHN DOUGLAS MERRELL

Defendant

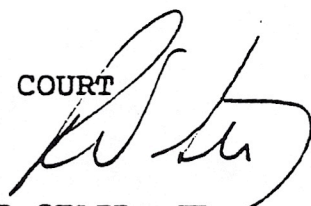
ORDER

This matter came before the court on the defendant's "Motion Of Defendant John Merrell For Relief Of Final Judgment" (Motion). The defendant, pursuant to Fed. R. Civ. P. 60(b), incorporated into Fed. R. Bankr. P. 9024, requests relief from the Judgment entered October 19, 1989, in this adversary proceeding holding a \$25,000 judgment entered in the plaintiff's favor in the Circuit Court for Jackson County, Oregon, nondischargeable under 11 U.S.C.A. § 523(a)(6) (West 1979). The defendant contends that this Judgment was based in part upon perjury, fraud, and misrepresentation by the plaintiff.

Upon consideration of the defendant's Motion and accompanying exhibits, including the affidavit of Dorothy V. Lehman, the plaintiff's response, including accompanying affidavits, and supporting briefs filed by the parties, the court concludes that its Judgment was not based in any part on perjury, fraud, misrepresentation or other misconduct of the plaintiff. It is accordingly ORDERED that the defendant's Motion is DENIED.

ENTER: February 14, 1990

BY THE COURT

A handwritten signature in black ink, appearing to read "R. Stair", written over the printed name of the judge.

RICHARD STAIR, JR.
UNITED STATES BANKRUPTCY JUDGE