

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

OCT - 4 2000

Geraldine Troutelaar Crockett,
Clerk
/smr

IN RE: DANIEL WINTER,	§	
Debtor.	§	CASE NO.: 99-10678-GRH
_____	§	
STANLEY N. TENEN and CYNTHIA TENEN,	§	JUDGEMENT ENTERED ON OCT - 4 2000
and MERU FOUNDATION,	§	
Plaintiff,	§	ADVERSARY PROCEEDING
vs.	§	NO: 99-1037
DANIEL WINTER,	§	<u>JUDGMENT</u>
Defendant.	§	
_____	§	

THIS CAUSE coming on to be heard before the undersigned United States Bankruptcy Court Judge presiding, and counsel for the Plaintiff and counsel for the Defendant in the above referenced Adversary being present and it appearing to the Court as follows.

1. That the Plaintiff served discovery requests, including interrogatories and requests for production of documents, on or about March 6, 2000, and the Defendant has failed to respond to such discovery requests.
2. That the Debtor was ordered, by a previous Order of this Court, to respond on or before September 8, 2000 or face sanctions.
3. That the Debtor has failed and neglected to respond to the discovery and has not been in communication with his attorney concerning this matter.
4. That the Debtor has not been cooperative in this Adversary proceeding and has violated direct orders of this Court.
5. That based on the Debtor's willful failure to cooperate and violation of previous Orders of this Court, the Court determines that sanctions are warranted, and should be imposed, resulting in the denial of the Debtor's discharge in this proceeding.

14

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED as follows:

1. That the Defendant/Debtor, Daniel Winter, is denied a discharge in this proceeding.
2. That this is a final Judgment ordered in this proceeding, concluding the Adversary proceeding, and the base case may now be closed.
3. That the Plaintiffs shall have and recover their costs, in this Adversary proceeding, from the Defendant.

George R. Hodger
Dated as of date entered

United States Bankruptcy Court Judge Presiding