

CSD 1001A [11/15/04]

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UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA

325 West "F" Street, San Diego, California 92101-6991

In Re

William R. Clevenger and Susana C. Clevenger

Debtor.

BANKRUPTCY NO. 06-02058

Date of Hearing: 10/30/2008

Time of Hearing: 10:30 AM

Name of Judge: Meyers

**ORDER ON DEBTORS' APPLICATION FOR ORDER TO SHOW CAUSE FOR CONTEMPT OF
 BANKRUPTCY DISCHARGE UNDER 11 USC § 524 AND 11 USC § 105; REQUEST FOR
 ATTORNEYS FEES AND COSTS; POINTS AND AUTHORITIES IN SUPPORT THEREOF**

IT IS ORDERED THAT the relief sought as set forth on the continuation pages attached and numbered two (2) through 2 with exhibits, if any, for a total of 2 pages, is granted. Motion/Application Docket Entry No. 20

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DATED: October 30, 2008

Signature by the attorney constitutes a certification under Fed. R. of Bankr. P. 9011 that the relief in the order is the relief granted by the court.

Submitted by:

Doan Law Firm, LLP
 (Firm name)

By: Shawn A. Doan

Attorney for Movant Respondent



 Judge, United States Bankruptcy Court

HAVING HEARD DEBTORS' Ex-Parte Application for Order to Show Cause Regarding Contempt of Bankruptcy Discharge Under 11 USC §105 on April 4, 2008 at 10:30 AM in Dept. 1, Room 218, with both parties having notice and the Evidentiary Hearing on October 30, 2008 at 10:30 AM in Dept. 1, Room 218, with both parties having notice, the court hereby grants Debtors' application and orders the following:

1. The Court finds that Countrywide Home Loan's ("CHL") pattern, practice, employment of process, and actions were an attempt to collect on a discharged debt;
2. CHL must immediately cease phone calls, bills, and must report the debt as discharged, with a \$0.00 balance, no longer past due, and not "Charged Off" to Experian, Equifax, TransUnion, and any other credit reporting agency CHL reports to;
3. CHL is ordered to pay Civil Compensatory Contempt Damages in the form of sanctions pursuant to 11 USC §524 and 11 USC §105 sufficient to compensate the Debtors for actual damages in the amount of \$2,195.00 for debt repair services, \$300.00 for costs related to transportation to and from Doan Law Offices, phone bills, faxes and mail costs, and \$46,000.00 for 46 violations of 11 USC §524 and 11 USC §105 at \$1,000.00 each for a grand total of \$48,495.00, payable to Debtors' Counsel, Doan Law Firm, LLP within 90 days of the entry of this Order;
4. CHL is ordered to pay Attorney's fees and costs pursuant to 11 USC §524 and 11 USC §105 in prosecution of this case in the amount of \$6,725.00 payable to Doan Law Firm, LLP, within 90 days of the entry of this Order;
5. The Court determined a "coercive fine" payable to the Court for every month that CHL fails to comply with this Order in the amount of \$500.00 every month after the first 90 days.
6. All other relief Debtors are entitled to pursuant to FRBP §7054 and FRCP §54(c);
7. Such other and further relief as the Court may deem just and proper.