

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
JONESBORO DIVISION

IN RE: SHAWN MICHAEL HUMES  
and SHIRLEY JEAN HUMES,

Debtors,

SHAWN MICHAEL HUMES,

Plaintiff,

vs.

No. 3:13-cv-00179-SWW  
(No. 3:10-bk-12140 E)  
(No. 3-11-ap-01016)

LVNV FUNDING, L.L.C. and  
HOSTO, BUCHAN, PRATER &  
LAWRENCE, P.L.L.C.,

Defendants.

JUDGMENT

Pursuant to the Order that was entered in this matter on this date, it is Considered,  
Ordered, and Adjudged as follows with respect to Shawn Michael Humes’s non-core  
claims:

(i) Hosto, Buchan, Prater & Lawrence, P.L.L.C. (Hosto) violated 15 U.S.C. § 1692e or, alternatively, 15 U.S.C. § 1692f of the Fair Debt Collection Practices Act and is liable for \$10,000 in actual damages, \$1,000 in statutory damages, costs, and attorney’s fees.

(ii) LVNV Funding, L.L.C., through Hosto, its agent, breached a modified contract with Humes. Hosto committed the torts of fraud and misrepresentation. However, Humes is not entitled to additional damages based on these claims.

(iii) Humes’s remaining non-core claims fail as a matter of law or are not supported by the evidence.

It is further Considered, Ordered, and Adjudged that Humes's counsel will have fourteen (14) days from the date of entry of this Judgment in which to submit an application to the Bankruptcy Court, itemizing Humes's costs and attorney's fees. The Bankruptcy Court will then review the application and submit its review as a proposal to this Court to be added to the final Judgment, if accepted.

IT IS SO ORDERED this 7<sup>th</sup> day of August 2013.

/s/Susan Webber Wright  
UNITED STATES DISTRICT JUDGE