

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNION REXAM, L.L.C., assignee and  
successor in interest to Bank of America, N.A.  
successor in interest to NationsBank of D.C.,  
N.A.

Plaintiff,

v.

MICHAEL J. MICHNICK

Defendants.

Civil Action No. 92-0414  
Judge Flannery

**FILED**

SEP 25 2001

NANCY MAYER WHITTINGTON, CLERK  
U.S. DISTRICT COURT

**CHARGING ORDER**

The Court has before it the application of Judgment Creditor Union Rexam, L.L.C., successor-in-interest to NationsBank, N.A. and successor in interest to NationsBank of D.C., N.A. ("Rexam") for a Charging Order to be issued pursuant to D.C. Code Ann. Section 41-475. The Court notes that NationsBank obtained a judgment against Michael J. Michnick in the United States District Court for the District of Columbia on October 2, 1992 for \$271,533.04, plus post judgment interest at the per diem rate of \$48.61. The Court further notes that the judgment was thereafter assigned to Union Rexam, L.L.C., which now holds the judgment. The Court further notes that the judgment has not been satisfied, and that Michael Michnick appears to own an interest in a District of Columbia Joint Venture known as 1120 Vermont Avenue Associates (the "Partnership").

In accordance with D.C. Code Ann. Section 41-475, it is therefore

ORDERED that the interest of Michael J. Michnick as a partner in the Partnership is subjected to an encumbrance and charging order in favor of and for the benefit of Union Rexam, L.L.C.; and it is further

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and it is further

ORDERED that the partners of the Partnership are directed not to distribute to Michael J. Michnick any funds or assets whatsoever by virtue of Michael J. Michnick's interest as partner in or owner of the Partnership, but instead said partner shall pay over to Rexam all funds and assets whatsoever which, by virtue of Michael J. Michnick's interest as partner in or owner of the Partnership, would have been distributed to Michael J. Michnick. Said sum when received by Rexam shall be applied toward satisfying the above-described judgment.

This Charging Order shall remain in effect until such time as the above-mentioned judgment (including post judgment interest) has been satisfied, unless modified by Order of Court after notice to all parties or by joint written agreement of the parties.

Upon entry, the Judgment Creditor shall cause a copy of this Order to be served on S.C. Herman Corporation, the managing general partner of the Partnership, at 1120 Vermont Avenue, N.W., Washington, D.C. 20005.

ENTERED this 25<sup>th</sup> day of September, 2001.

  
United States District Court Judge