

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:17 mc 02**

JASON L. NOHR, Receiver for MSC HOLDINGS USA, LLC, MSC HOLDINGS, INC., and MSC GA HOLDINGS, LLC,)	
)	
Plaintiffs)	
)	<u>ORDER</u>
v)	
)	
CORINNA JANG, et. al.,)	
)	
Defendants.)	

THIS MATTER is before the undersigned pursuant to Notice to Claim Exempt Property (#5) filed by Defendant/Judgment Debtor, Christine F. Perry and the Receiver's Response and Objections made by the Plaintiff/Judgment Creditor to Debtor's Notice to Claim Exempt Property (#6). It appears pursuant to N.C.G.S. § 1C-1603(e), that the undersigned must now conduct a hearing to determine whether or not the Defendant/Judgment Debtor is entitled to the exemptions requested and to determine the value of any property that may be exempt. As a result, the undersigned will schedule a hearing in regard to this matter.

At the hearing, the burden of proof in this matter will be upon the Defendant/Judgment Debtor to establish her right to exemptions. The Defendant/Judgment Debtor should be prepared to present testimony, either through

herself or through such witnesses, that she may wish to call. The Defendant/Judgment Debtor should be prepared to present as evidence, either original or certified copies of deeds, vehicle title, and such other documentation, as will support her claim for exemptions in this matter. Defendant/Judgment Debtor should also be prepared to present evidence, including testimony, either through herself or other witnesses, concerning the value of the property that she claims to be exempt. Further, the Defendant/Judgment Debtor should be prepared to present evidence of her actual place of residence.

On the other hand, the Plaintiff/Judgment Creditor should be prepared to present evidence through witnesses and other testimony that would establish and support the Plaintiff/Judgment Creditor's objections to the Defendant/Judgment Debtor's claim to property as exempt, including originals or certified copies of deeds and testimony concerning the value of the property claimed as exemptions to which the Plaintiff/Judgment Creditor objects.

ORDER

IT IS, THEREFORE, ORDERED that the undersigned shall conduct a hearing as provided by N.C.G.S. § 1C-1603(e) to determine any exemptions claimed by the Defendant/Judgment Debtor and to determine the value of such exemptions. The hearing shall take place in Courtroom #2 of the United States Courthouse in

Asheville, NC on **June 6, 2017 at 11:00 a.m.** Both the attorney for the Plaintiff/Judgment Creditor is given notice of his opportunity to appear at the hearing and the Defendant/Judgment Debtor is hereby given notice of her opportunity to appear at this hearing. Failure to appear could result in a decision in favor of the adverse party.

Signed: May 16, 2017

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

