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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

In Re:

LLS AMERICA, LLC,

Debtor,

BRUCE P. KRIEGMAN, solely in his
capacity as court-appointed Chapter 11
Trustee for LLS America, LLC,

Plaintiff,

v.

MARK BIGELOW, et al.,

Defendants.

NO: CV-11-357-RMP

Bankr. Case No. 09-06194-PCW11
(Consolidated Case)

Adv. Proc. No. 11-80299-PCW11

DEFAULT JUDGMENT AGAINST
DEFENDANTS DAVID MARSHALL
WOOD AND AMANDA WOOD

JUDGMENT SUMMARY

Judgment Creditor: Bruce P. Kriegman, solely in his capacity as the
Liquidating Trustee under the Confirmed Plan of
the Debtor

1 Attorneys for
Judgment Creditor: Witherspoon Kelley
2
Judgment Debtors: David Marshall Wood and Amanda Wood
3
Principal Amount of
Judgment: \$93,834.68 CAD
\$ 250.00 US
4
5
Interest on Judgment: Weekly Average of One-Year Constant Maturity
6 (nominal) treasury yield as published by the
Federal Reserve System (28 U.S.C. § 1961)
7

8 The Court, having previously entered an Order Adopting the Bankruptcy
Court's Report and Recommendation and Order of Default against Defendants
9 David Marshall Wood and Amanda Wood, ECF No. 95, and being fully advised in
10 the premises,

11 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that
12 Plaintiff, Bruce P. Kriegman, solely in his capacity as court-appointed Chapter 11
13 Trustee for LLS America, LLC, shall have a judgment against Defendants David
14 Marshall Wood and Amanda Wood, as follows:

- 15 1. Monetary Judgment in the amount of CAD \$93,834.86, pursuant to 11
16 U.S.C. § 550 and RCW 19.40.071;
17
18 2. Transfers in the amount of CAD \$93,834.86 made to the Defendants
19 within four years prior to the Petition Filing Date are hereby avoided and Plaintiff
20 may take all necessary action to preserve the same, pursuant to 11 U.S.C. §§ 544,
550, 551, and 548(a) and (b) and RCW 19.40.041(1) and (2) and RCW 19.40.071;

1 3. All said transfers to Defendants David Marshall Wood and Amanda
2 Wood are hereby set aside and Plaintiff shall be entitled to recover the same, or the
3 value thereof, from Defendants David Marshall Wood and Amanda Wood for the
4 benefit of the estate of LLS America, pursuant to 11 U.S.C. §§ 544, 550, and 551;

5 4. All proofs of claim of Defendants which have been filed or brought or
6 which may hereafter be filed or brought by, on behalf of, or for the benefit of
7 Defendants David Marshall Wood and Amanda Wood or their affiliated entities,
8 against the Debtor's estate, in this bankruptcy or related bankruptcy proceedings,
9 are hereby disallowed and subordinated to the monetary judgment granted herein
10 and Defendants David Marshall Wood and Amanda Wood shall not be entitled to
11 collect on their proof of claim (Claim No. 654-1) until the monetary judgment is
12 satisfied by Defendants David Marshall Wood and Amanda Wood in full, pursuant
13 to 11 U.S.C. §§ 502(d), 510(c)(1), and 105(a);

14 5. A constructive trust is hereby established over the proceeds of all
15 transfers in favor of the Trustee for the benefit of the estate of LLS America; and

16 6. Plaintiff is hereby awarded costs (i.e. filing fee) in the amount of \$250.00
17 USD, for a total judgment of CAD \$93,834.86, plus \$250.00 USD, which shall
18 bear interest equal to the weekly average of one-year constant maturity (nominal)

19 / / /

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1 treasury yield as published by the Federal Reserve System.

2 The District Court Clerk is directed to enter this Judgment and provide
3 copies to counsel, Defendants, and Judge Patricia C. Williams.

4 **IT IS SO ORDERED.**

5 **DATED** this 16th day of September 2013.

6
7 *s/ Rosanna Malouf Peterson*

8

ROSANNA MALOUF PETERSON
9 Chief United States District Court Judge