

IT IS HEREBY ADJUDGED
and DECREED this is SO
ORDERED.

The party obtaining this order is responsible for
noticing it pursuant to Local Rule 9022-1.



Dated: May 27, 2010

Roger W. Strassburg, Jr. (AZ Bar No. 16314)
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RANDOLPH J. HAINES
U.S. Bankruptcy Judge

**Attorney for Creditors David and
Jeanne Luna**

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA**

In re:

In Proceedings Under Chapter 7

MICHELE R. PINO,

Case No. 02:07-bk-05715-RJH

Debtor.

**STIPULATED ORDER REGARDING
COVENANT TO MAINTAIN
FINDINGS OF FACT AND
CONCLUSIONS OF LAW UNDER
SEAL**

DAVID LUNA and JEANNE LUNA,
husband and wife,

Plaintiffs,

v.

**MICHELE R. PINO and ALBERT D.
PINO,** husband and wife, and
**CAPITAL MORTGAGEBANC,
INC.,** an Arizona corporation,

Defendants.

ROGER STRASSBURG, ESQ., P.L.L.C.
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1 This matter has been come before the Court in conjunction with the Stipulated Judgment,
2 Plaintiffs and Defendants, the "Parties", having agreed to place the Stipulated Findings of Fact and
3 Conclusions of Law under seal of this Court, and good cause appearing:

4 **THE COURT FINDS AS FOLLOWS:**

5 1. The Parties have executed a Stipulated Judgment and Stipulated Findings of Fact and
6 Conclusions of Law that have been filed with this Court.

7 2. Due to the sensitive nature of the Stipulated Findings of Fact and Conclusions of Law
8 leading to the Judgment, the Parties agree that the Stipulated Findings of Fact and Conclusions of
9 Law be held under seal of this Court pursuant to the terms of this Order.

10 **THEREFORE IT IS HEREBY ORDERED AS FOLLOWS:**

11 1. It is hereby covenanted by the Parties that the Stipulated Findings of Fact and
12 Conclusions of Law entered in this matter shall remain under seal subject to the terms and
13 conditions of a Forbearance Agreement entered into between the Plaintiffs and Defendants.

14 2. It is hereby stipulated that the Parties, their representatives, heirs or assigns, shall be
15 precluded from referencing or using the Stipulated Findings of Fact and Conclusions of Law in any
16 manner relative to any civil proceeding and any communication, written, electronic or verbal,
17 unless disclosure is permitted under the terms of the Forbearance Agreement or otherwise
18 necessary to enforce the Stipulated Judgment.

19 3. In the event any of the Parties, their representatives, heirs or assigns, violate this
20 Covenant, the non-violating party shall be entitled to seek any and all civil remedies including, but
21 not limited to, recovery of damages and attorneys' fees against the breaching party or parties.

22 4. Nothing contained herein shall be intended to preclude the Plaintiffs from renewing the
23 Stipulated Judgment.
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Dated:

Hon. Randolph J. Haines
US Bankruptcy Court Judge

Order approved as to
Form and content (this
May be signed in counter-part):

/s/Roger Strassburg
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/s/David Luna by counsel
David Luna, Plaintiff

/s/Jeanne Luna by counsel
Jeanne Luna, Plaintiff

/s/Allan D. NewDelman
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1 Counsel for Pino Defendants

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3 /s/Alberto D. Pino by counsel
4 Alberto D. Pino, Defendant

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6 /s/Michele Pino by counsel
7 Michele Pino, Defendant

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