

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

IN RE:)
)
YOLANDA WOODS,) CASE NO. 08-21766 JPK
) Chapter 13
Debtor.)

ORDER IMPOSING SANCTIONS

On September 25, 2008, the court entered an Order for Telephonic Hearing to Show Cause Regarding Sanctions, directed to Attorney Robert M. Holland III. This order required Attorney Holland to show cause as to why sanctions should not be imposed upon him for his failure to comply with an order of the court which required his attendance at a confirmation hearing held on September 15, 2008. Attorney Holland could not be located for the telephonic conference, and thus he has failed to show cause as required by the September 25, 2008 order. Fed.R.Civ.P. 16(f) applied to the confirmation hearing which Attorney Holland failed to attend, pursuant to N.D.Ind.L.B.R. B-9014-2(b), and sanctions authorized by Fed.R.Civ.P. 16(f) include those provided by Fed.R.Civ.P. 37(b)(2). Among those sanctions is requiring the party who failed to obey the court's order "to pay the reasonable expenses, including attorney's fees, caused by the failure of that attorney to comply". The court finds that the imposition of this sanction is appropriate in this case. The court further determines that reasonable attorney's fees with respect to counsel for Wells Fargo Bank, N.A. is \$200.00, and reasonable fees for the attendance of the attorney for the Chapter 13 Trustee is \$100.00.

IT IS ORDERED that Robert M. Holland III shall pay the amount of \$200.00 to Attorney Susan E. Trent, and the amount of \$100.00 to Chapter 13 Trustee Paul R. Chael, within 30 days of the date of entry of this order, and file a statement of record on the docket of this case which affirmatively evidences those payments.

Dated at Hammond, Indiana on November 4, 2008.

/s/ J. Philip Klingeberger
J. Philip Klingeberger, Judge
United States Bankruptcy Court

Distribution:
Debtor, Attorney for Debtor, Trustee, US Trustee, Susan E. Trent