



Opinion 553

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Opinion Title: 08/26/2011 UNPUBLISHED In re Nathan D. Harward and Katie C. Harward, 11-20649, Judge Thurman.

Body: The Court denied a motion for sanctions against Key Bank however, the Court did award sanctions against the Debtors for bringing this frivolous motion. The Debtors had alleged that the bank had violated the stay by sending a notice to them after a lift of stay order was entered. The order gave permission to the bank to take appropriate action to insure its rights to a deficiency claim. The Court noted that every notice that is sent by a creditor after a bankruptcy is filed is not a per se violation of the stay. Some degree of reasonableness is needed. Sanctions against the debtors in the amount of the attorneys fees incurred by the bank for defending against the motion were awarded to the bank.

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Judge: [Judge William T. Thurman](#) [2]

Date: Friday, August 26, 2011

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