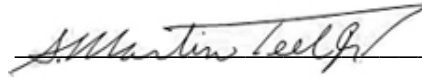


The decision below is signed as a decision of  
the court.

Signed: January 20, 2008.



  
S. Martin Teel, Jr.  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF COLUMBIA

In re	)	Case No. 07-00235
	)	(Chapter 13)
FRANCES E. HAYLOCK,	)	
	)	<b>Not for Publication in</b>
Debtor.	)	<b>West's Bankruptcy Reporter</b>

FINAL MEMORANDUM DECISION

The court held a hearing on January 15, 2008 to fix the amount of fees and expenses to which the George Basilika Trust is entitled as a result of the court's June 20, 2007 decision that the Trust may recover from the debtor's counsel as sanctions under Fed. R. Bankr. P. 9011(b) reasonable fees and expenses incurred as a result of the improper filing of this case. Pursuant to an agreement by the parties, the court fixes the amount of reasonable fees and expenses to be paid by debtor's counsel to the Trust at \$2,000.

The court also clarifies its Interim Memorandum Decision (Docket Entry No. 43, filed November 5, 2007) regarding sanctions imposed on the debtor's counsel. The imposition of sanctions

should not be taken to mean that the debtor's counsel filed the case in bad faith. He proceeded in good faith (looking to decisions holding that § 109(h) is not jurisdictional) in an attempt to employ the bankruptcy laws to assist a debtor facing an imminent foreclosure sale, and it was a courageous act to thus assist the debtor (given his potential exposure to Rule 9011 sanctions should the petition be dismissed based on the § 109(h) defect, and a party were to seek such sanctions). But his good faith and his courage in the face of what he views as a harsh eligibility requirement does not alter the correctness of the conclusion in the Interim Memorandum Decision that the petition was not well-founded as a matter of law because of the debtor's ineligibility under § 109(h) and that the creditor was thus entitled to Rule 9011 sanctions.

An order follows.

[Signed and dated above.]

Copies to: Debtor; Debtor's attorney; Chapter 13  
Trustee; Jeffrey Sherman, Esq.; Office of U.S. Trustee