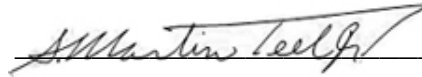


The document below is hereby signed.

Signed: May 21, 2010.




S. Martin Teel, Jr.
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLUMBIA

In re)
)
STEPHEN THOMAS YELVERTON,) Case No. 09-00414
) (Chapter 11)
Debtor.)

MEMORANDUM DECISION AND ORDER RE OBJECTION
TO THE PROOF OF CLAIM OF WADE H. ATKINSON, JR.

On May 14, 2009, the debtor commenced the above-captioned case under chapter 11 of the Bankruptcy Code. Thereafter, Wade H. Atkinson, Jr., filed a proof of claim in the amount of \$528,434.94, stemming from a promissory note dated November 1, 2007. The debtor timely objected to the proof of claim. At hearings on the objection on February 24, 2010, and March 24, 2010, I allowed the claim, as unsecured, in the principal amount of \$313,900, leaving open the issue of the amount of interest allowed on the claim and directing the debtor to submit a calculation of interest. On April 5, 2010, the debtor submitted the following calculations of interest owed on the principal of the claim:

- \$9,750 interest on \$50,000, advanced on or about

October 1, 2007, at 1% interest per month for 19 and one-half months;

- \$500 interest on \$100,000, advanced on or about November 1, 2007, at 1% interest per month for one-half a month;
- \$27,750 interest on \$150,000, advanced on or about November 1, 2007, at 1% interest per month for 18 and one-half months;
- \$16,500 interest on \$100,000, advanced on or about January 1, 2008, at 1% interest per month for 16 and one-half months; and
- \$1,877 interest on \$13,900, advanced on or about April 1, 2008, at 1% interest per month for 13 and one-half months.

Taking the sum of these amounts, the total interest due on the principal of the claim is \$56,377, an amount which Atkinson agrees is accurate. In the document on which the debtor submitted his calculations, however, the debtor instead listed the total interest due as \$28,189, stating that this number is appropriate because "the Debtor will seek a Discharge of one-half of the total interest due." While the debtor is entitled to seek to discharge half of the interest claim through his plan, he will not be entitled to a discharge until he completes the plan. § 1141(d)(5). Accordingly, decreasing the interest claim by half

