The document below is hereby signed.

Signed: August 30, 2010.



S. Martin Teel, Jr. United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF COLUMBIA

In re)
BAHEEJ ILYAS MAJEED,) Case No. 10-00293
) (Chapter 13)
Debtor.) Not for Publication in
	West's Bankruptcy Reporter

MEMORANDUM DECISION RE MOTION FOR SANCTIONS

Green Mountain Finance Fund, LLC has sought sanctions for the bad faith filing of this bankruptcy case. The motion is unopposed. The court deferred ruling on the motion until after Green Mountain concluded its foreclosure sale of the debtor's real property. The proceeds of that sale were insufficient to pay the outstanding principal and interest on the mortgage debt, and thus Green Mountain has been damaged by the filing of the bankruptcy case.

Green Mountain incurred \$2,236.50 in additional foreclosure costs by reason of the filing of the bankruptcy case. Prior to the entry of the court's order deferring ruling on Green Mountain's motion for sanctions, Green Mountain also incurred \$1,681.00 in attorney's fees by reason of the filing of the

bankruptcy case. After the entry of that order, Green Mountain incurred an additional \$472.00 in attorney's fees. Accordingly, the court will impose a monetary sanctions award of \$4,389.50.

Green Mountain requests "an Order directing the debtor to pay an appropriate sum to Green Mountain by a date or dates certain, upon pain of contempt." The sanctions award, however, is a damage award under Fed. R. Bankr. P. 9011(c) for which a monetary judgment shall issue, and it is generally inappropriate to use the court's contempt powers to enforce a monetary judgment. This Rule 9011(c) sanctions award does not fit within any of the exceptions to that general rule. See In re Smith, 2007 WL 2429450 (Bankr. D.D.C. Aug. 23, 2007) (sanctions award for failure to comply with discovery was not enforceable via the court's contempt powers).

A judgment follows awarding \$4,389.50 to Green Mountain.

[Signed and dated above.]

Copies to: Debtor; Jeffrey C. Tuckfelt, Esq.; Chapter 13 Trustee.