

Laird J. Heal

United States Bankruptcy Court
Western District of Massachusetts

Debtor Case No. 07-43128

_____) Chapter 7
In re Gailon Arthur Joy)
_____)
_____)

DEBTORS' MOTION TO RECONSIDER OR AMEND CONTEMPT ORDER

Comes now Laird J. Heal, Esq., pursuant to Fed.R.Civ.P. Rule 59(a)(2) and requests this Court reconsider its decision on the Motion [#54] for Sanctions and finding that the debtor was in contempt of an Order of this Court, giving as the reasons therefore:

1. The debtor did not disobey any Order of this Court;
2. The debtor submits a Response to the request of the Trustee in a form he would have used if it were an explicit order to do so, and this Response indicates that the absence of a formal response was not in the least prejudicial to the Trustee, particularly since this was arranged as a private sale and the assets purchased do not, as far as the debtor is concerned, have any ascertainable value;
3. The debtor continues to feel that the purchase was of items which either had no value to him, represented liabilities, did not therefore constitute assets of the estate, and about which, after an exhaustive search and consideration of Massachusetts law, he had no notice of; and his conclusion does not constitute contempt of court;
4. The debtor does not have the present ability to pay the amount ordered, and suggests that a lesser amount or payment terms would work an equal penalty;
5. The Finding of the Court was issued upon representation of counsel and the debtor submits his Affidavit to indicate that the sanctions were unwarranted, or at least unduly harsh, and requests a hearing be set should the Court wish to examine him;

WHEREFORE, the Debtor, Gailon Arthur Joy respectfully requests that the Court reconsider its decision and finding of Contempt, and for any other relief which the Court should be so inclined to allow.

/s/ Laird J. Heal
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Date: February 8, 2008

2/11/2008 ALLOWED AS FOLLOWS: THE DEBTOR IS TO PAY THE \$1,000 IN INSTALLMENTS OF \$250 A MONTH FOR THE NEXT FOUR MONTHS.