

MANZ V. PALOMINO (In re Palomino)
ADV. NO. 06-01061-BKC-LMI

There is no requirement under 11 U.S.C. §523(a)(5), pre-BAPCPA, that a debt arise under a judgment or order before a nondischargeability determination can be made. Debts arising from a settlement agreement may be equally nondischargeable.

Motion for Summary Judgment denied where Plaintiff alleged sufficient material facts, that, if proven, would indicate that the attorney fees arose either directly in connection with a dispute over child support, or, are so difficult to distinguish that the fees could, under applicable law, be found to be integrally intertwined with support and maintenance issues, or may have been designed to separately provide payment in the nature of support due to the disparate financial position of the parties.