

In re Ernest W. Willis

Deborah C. Menotte,
Plaintiff

v.

Ernest W. Willis,
Defendant

CASE NO: 07-11010
ADV. PRO.: 08-01383

The Trustee filed a complaint seeking entry of a permanent injunction enjoining, inter alia, the Debtor from disposing of non-exempt IRA funds under § 105, and turnover and accounting of non-exempt IRA funds under § 542. In the main bankruptcy case, the Court entered an order sustaining in part the Trustee and Creditor's objections to the Debtor's claimed exemptions in three IRAs. The Court concluded that the Trustee satisfied the four-factor test to obtain a permanent injunction. The Court further found that the Debtor was required to turnover and account for non-exempt funds withdrawn from the IRAs.