

In Re Stuart Friedman
Case No. 05-30880-BKC-SHF
Deborah C. Menotte, Trustee
vs.
Stuart Friedman
Adversary Proc. No. 02-3244
Order entered on June 13, 2006

The debtor filed for bankruptcy after the entry of a judgment against him in the amount of \$546,489.45. Shortly thereafter, the debtor closed bank accounts that were held jointly with his wife and his wife contemporaneously opened new accounts solely in her name and money was transferred between accounts. \$55,000 in cash advances were taken against the debtor's credit cards and placed into the accounts created solely in the name of the debtor's wife. The debtor also failed to list his equity membership in Mizner Country Club.

Held: The Court held that the debtor's transfer of funds from his First Union checking account, and the debtor's extensions of funds against his MBNA America credit card account, constitute transfers of property interests made with intent to hinder, delay, or defraud creditors under 11 U.S.C. § 727(a)(2). The Court further found that the omission of the Mizner Country Club Membership from the debtor's schedules and Statement of Financial Affairs were made knowingly and fraudulently, so as to preclude the issuance of a Discharge of Debtor.