

IN THE DISTRICT COURT OF THE UNITED STATES

FILED

FOR THE DISTRICT OF SOUTH CAROLINA

APR 16 1999

COLUMBIA DIVISION

Entered: 4-19-99 LARRY W. PROPPES, CLERK
COLUMBIA, S. C.

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 RASHID A. BUTTAR)
)
 Defendant.)

CIVIL ACTION NO. 3:97-510-10

CONSENT JUDGMENT

It is hereby stipulated and agreed by the parties hereto:

GENERAL PROVISIONS:

1. The Plaintiff, the United States of America, on behalf of the Department of Health & Human Services, has filed a Complaint in the above-styled matter seeking judgment against the defendant Rashid A. Buttar in the amount of \$113,783.59, as of April 30, 1994, with interest thereon from April 30, 1994 to date of judgment at a variable rate adjusted quarterly, and interest from the date of judgment as provided by law.

2. This Consent Judgment shall constitute a full and final settlement of all civil claims that are or might have been alleged in or arising from the Complaint.

3. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391.

4. That the amount of damages demanded from the defendant is \$162,142.71 as of September 10, 1998, with post judgment interest accruing at a rate of 5.271% per annum until paid.

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5. That the defendant, Rashid A. Buttar, consents to judgment in the amount of \$162,142.71 as of September 10, 1998, with post judgment interest continuing to accrue at the rate of 5.271% per annum until paid.

MONETARY SETTLEMENT

6. That the parties do hereby agree to settle and compromise the above-described judgment, upon the following terms indicated below:

(a) The Defendant shall pay to the United States Department of Justice the sum of One Hundred Fifteen Thousand Five Hundred dollars (\$115,500.00) under the following terms and payment schedule:

<u>Payment</u>	<u>Due Date</u>	<u>Total Payments</u>
\$19,250.00	The First (1st) day of April, 1999;	\$19,250.00
\$19,250.00	The First (1st) day of July, 1999;	\$38,500.00
\$19,250.00	The First (1st) day of October, 1999;	\$57,750.00
\$19,250.00	The First (1st) day of January, 2000;	\$77,000.00
\$19,250.00	The First (1st) day of April, 2000;	\$96,250.00
\$19,250.00	The First (1st) day of July, 2000;	\$115,500.00
		<u>\$115,500.00</u>

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(b) If Defendant:

(1) files a voluntary petition in bankruptcy under the Bankruptcy Code of the United States, or is adjudicated bankruptcy under such Code; or

(2) is the subject of a petition filed in Federal or State Court for the appointment of a trustee or receiver in bankruptcy or insolvency; or

(3) makes a general assignment for benefit of creditors; then, upon the occurrence of any of the events or conditions described paragraph 6 (b) above, defendant shall give immediate notice to the Financial Litigation Unit, United States Attorneys Office, District of South Carolina, and at the option of the United States, all outstanding indebtedness on the full \$162,142.71 judgment amount set forth in paragraph 5 above, less any amount paid, shall become immediately due and payable.

7. The payments shall be made payable to the U. S. Department of Justice and mailed to the United States Attorneys Office, Financial Litigation Unit, 1441 Main Street, Suite 500, Columbia, South Carolina 29201, to arrive not later than the dates indicated in paragraph 6 (a) above. Should any payment remain unpaid for a period of forty-five (45) days beyond the due date, all outstanding indebtedness on the full \$162,142.71 judgment set out in paragraph 5 above, less any amount paid, shall become immediately due and payable without demand or notice and the plaintiff shall have the right to execute on said

judgment; however, so long as the payments are paid as set forth in paragraph 6 (a) above, the plaintiff agrees not to execute on said judgment against defendant and upon full payment of \$115,500.00 according to the schedule set forth in paragraph 6 (a) above, to file with the Clerk of the above Court a satisfaction of judgment. Prepayment may be made without interest or penalty.

8. That plaintiff, upon entry of judgment, may take whatever action is necessary to perfect the lien of said judgment under federal and state law.

NOTICE

9. All notices and submissions to the United States required by this Consent shall be in writing and shall be sent to:

Henry D. Knight, Jr., Assistant U.S. Attorney
U.S. Attorney's Office - Financial Litigation Unit
1441 Main Street, Suite 500
Columbia, South Carolina 29201

Additionally, all notices and submissions to Defendant required by this Consent shall be in writing and shall be sent to:

Eddy L. Lane, Esquire
LAW OFFICE OF EDDYE L. LANE
2026 Assembly Street, # 201
Columbia, South Carolina 29201

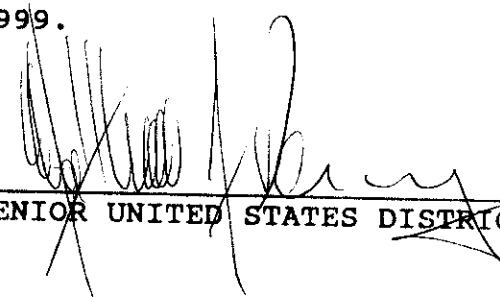
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the defendant, Rashid A. Buttar, is indebted to the United States of America in the amount of \$162,142.71 as of September 10, 1998,

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and post judgment interest as set out in paragraph 5 above, and the Clerk of Court is directed to enter judgment against defendant, Rashid A. Buttar, for said amount.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the aforesaid debt is to be paid as set out in paragraphs 6 and 7 above. However, defendant's failure to pay said sums according to the terms of paragraphs 6 and 7 above shall entitle the United States to commence immediate execution on all outstanding indebtedness on the full \$162,142.71 judgment set out in paragraph 5 above, less any amount paid, as calculated in accordance with paragraph 5 above.

DONE and ORDERED at Columbia, South Carolina, this 16
day of April, 1999.



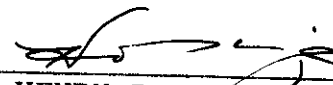
SENIOR UNITED STATES DISTRICT JUDGE

Defendant acknowledges receipt of a copy of this Consent Judgment, acknowledges that he is familiar with its terms, and waives service of process for this document. The signatory for Defendant certifies that she is authorized to represent Defendant in this action.

We hereby consent to the entry of the foregoing "Consent Judgment" without further notice.

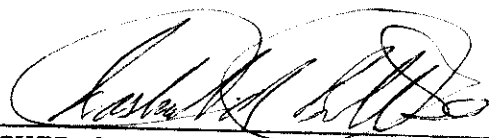
J. RENÉ JOSEY
UNITED STATES ATTORNEY

April 14, 1999
Date

BY: 
HENRY D. KNIGHT, JR. (#2373)
Assistant United States Attorney
1441 Main Street, Suite 500
Columbia, South Carolina 29201
(803) 929-3000

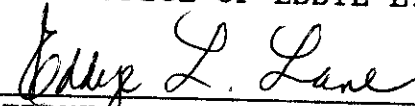
ATTORNEYS FOR THE PLAINTIFF

April 15, 1999
Date


RASHID A. BUTTAR,
DEFENDANT

LAW OFFICE OF EDDYE L. LANE

April 15, 1999
Date

BY: 
EDDYE L. LANE #4967
2026 Assembly Street, # 201
Columbia, South Carolina 29201
Telephone: (803) 779-2258

ATTORNEYS FOR THE DEFENDANT