

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re: Marta Rinaldi Carlson,	)	
Debtor	)	
	)	Case No. 18-CH7-XXXX
	)	
	)	Chapter 7
	)	

MOTION FOR ORDER OF CONTEMPT FOR VIOLATION OF AUTOMATIC STAY  
AND FOR DAMAGES

Debtor, Marta Rinaldi Carlson, by and through counsel and pursuant to 11 U.S.C. §362, moves the court to find creditor Pine Ridge Nursing Home (the Nursing Home) in contempt of the automatic stay of §362 and to award debtor her actual damages including her attorney fees and costs of this motion pursuant and punitive damages for the willful violation of the automatic stay pursuant to §362(k).

In support of this motion debtor would show that on May 21, 2018 the Nursing Home filed suit against her in the Circuit Court of Ramsey County, Minnesota being civil action CV-65111 to collect on a guaranty agreement between debtor and the nursing home. That lawsuit was pending when debtor filed her petition in this case on June 6, 2018. The Nursing Home was provided prompt notice of the filing of the petition. Thereafter, on June 20, 2018 the Nursing Home caused a motion for summary judgment to be filed in the civil action in willful violation of the stay.

Wherefore, debtor prays that the court declare the Nursing Home in contempt of the automatic stay and award her actual damages to be shown to the court at hearing on this matter and punitive damages for willful violation in an amount to be decided by the court.

/s/ Carolyn A. Thomas  
Carolyn A. Thomas,  
Attorney at Law  
9211 Court Street, Suite A  
Roseville, MN 55113  
Bar No. XX-1234

CERTIFICATE OF SERVICE

I certify that the foregoing Motion for Order of Contempt for Violation of Automatic Stay and for Damages was served upon [names and addresses of each person or entity served omitted from illustration] by first class United States mail, hand-delivery, or electronic mail on June 27, 2018.

/s/ Carolyn A. Thomas  
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