

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re:)
)
SHULYN X. ZHANG,) Case No. 15-48026-659
) Hon. Kathy A. Surratt-States
 Debtor.) Chapter 7
)
FREDRICH J. CRUSE, Chapter 7 Trustee,) **Adversary No. 15-4234-659**
)
 Plaintiff,) **PUBLISHED**
vs.)
)
JACOB BURCH, and)
STEPHANIE BURCH,)
)
 Defendants.)

AMENDED AND RESTATED ORDER¹

Upon consideration of the record as a whole and consistent with the Findings of Fact and Conclusions of Law entered separately in this matter,

IT IS ORDERED THAT the relief requested in Trustee's Complaint is **DENIED**; and

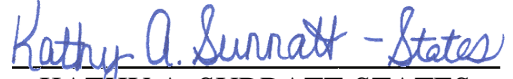
IT IS FURTHER ORDERED THAT the relief requested in Defendants' Counterclaim is **GRANTED** and judgment is entered in favor of Defendants and against Trustee in that a constructive trust is imposed in favor of Defendants as to \$200,000 that is held in Debtor's Ally Account 5313; and

IT IS FURTHER ORDERED THAT Trustee is authorized and directed to take all steps necessary to close out the Ally Account 5313 and to cause the sum of \$200,000 to be disbursed to the Burches, who shall sign and deliver to Trustee a receipt for such funds, and Trustee is further authorized and directed to retain for the benefit of the estate all such funds that remain after the Ally Account 5313 is closed; and

¹ This Amended and Restated Order is entered at the request of the parties and supersedes the Order entered on January 6, 2017 (Doc. 22).

IT IS FURTHER ORDERED THAT the Burches and Trustee shall cooperate to obtain any order that may be necessary from the Indiana State Court to implement the terms of the Amended and Restated Order; and

IT IS FURTHER ORDERED THAT this is a final judgment and Order of the Bankruptcy Court in this case.


KATHY A. SURRATT-STATES
Chief United States Bankruptcy Judge

DATED: January 11, 2017
St. Louis, Missouri
jjh

Copies to:

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