

SO ORDERED



A handwritten signature in black ink, appearing to read "David E. Rice".

DAVID E. RICE
U.S. BANKRUPTCY JUDGE

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
(Baltimore Division)

In re

Irene Hines,

Debtor

Bankruptcy Case No.:

12-16468-DER

Chapter 7

STIPULATION AND CONSENT ORDER INJOINING
BPP REGINA FLUCAS FROM ACTING AS A BPP
AND GRANTING OTHER RELIEF

WHEREAS, on April 5, 2012, Irene Hines (the “Debtor”), with the assistance of Regina Flucas (BPP Flucas), filed a *pro se* voluntary petition under chapter 7 of the Bankruptcy Code, commencing this case;

WHEREAS, BPP Flucas, who operates her bankruptcy petition preparation business under the name “Still Voice Ministries,” charged the Debtor \$279.00 for assisting the Debtor in the filing of Debtor’s case;

WHEREAS, BPP Flucas failed to include her name, her social security number, and her correct address on the bankruptcy petition BPP Flucas prepared for the Debtor;

WHEREAS, BPP Flucas failed to file the fee disclosure statement required by Section 110(h)(2) in Debtor's case;

WHEREAS, BPP Flucas also failed to comply with several Orders entered by the United State Bankruptcy Court in this case including an April 27, 2012 Order directing Still Voice Ministries to "refund all fees collected in this matter to the Debtor(s)" (Doc. 19);

WHEREAS, BPP Flucas also failed to comply with an Order to refund all BPP fees in the case of *In re Renee Harper*, case no. 12-16397 (Doc. 21), in which BPP Flucas charged Ms. Harper \$279.00 for assisting Ms. Harper with the filing of Ms. Harper's case;

WHEREAS, BPP Flucas also assisted in the filing of the following three additional bankruptcy cases for a fee:

1. *In re Valerie Bivens*, case no. 12-17501;
2. *In re Lowand Green Scott*, case no. 12-21626; and
3. *In re Velva Foster*, case no. 12-21628;

WHEREAS, the United States Trustee alleges that in the *Bivens*, *Scott*, and *Foster* cases, BPP Flucas failed to comply with the requirements of 11 U.S.C. § 110 regarding disclosure of the BPP's name, social security number, address, improper advertising, unauthorized practice of law, and unfair and deceptive trade practices;

WHEREAS, notwithstanding the United States Trustee's recommendation to BPP Flucas to retain counsel to represent her in this matter, BPP Flucas has elected to proceed

in this matter and the execution of this Stipulation and Consent Order *pro se* (without the assistance of counsel);

WHEREAS, BPP Flucas and the United States Trustee desire to resolve the request for relief prayed by the U.S. Trustee's Motion To Find Bankruptcy Petition Preparers Still Voice Ministries And Regina Flucas In Contempt Of Court And For Injunction Against Further Acting As BPP (Doc. 21) by the terms and conditions of this Stipulation and Consent Order.

NOW THEREFORE, BPP Flucas and the United States Trustee hereby agree, stipulate, and consent as follows:

1. The foregoing recitals are true and correct;
2. Within thirty (30) days after entry of this Order, BPP Flucas shall:
 - a. refund Two Hundred Seventy Nine Dollars (\$279.00) to debtor Irene Hines and provide a written certification to the U.S. Trustee that such refund has been made no later than five (5) business days after making such refund;
 - b. refund Two Hundred Seventy Nine Dollars (\$279.00) to debtor Renee Harper (bankruptcy case no. 12-16397-NVA) and provide a written certification to the U.S. Trustee that such refund has been made no later than five (5) business days after making such refund;
3. Within ninety (90) days after the entry of this Order, BPP Flucas shall:
 - a. refund Fifty Dollars (\$50.00) each to debtors Valerie Bivens (case no. 12-1751); Lowand Green Scott (case no. 12-21626), and Velva Foster (case no. 12-21628) in connection with those debtors' respective cases and provide a written

certification that such refunds have been made to the U.S. Trustee no later than five (5) business days after making such refunds;

4. That BPP Flucas be, and hereby is, enjoined from acting as a bankruptcy petition preparer, as defined in 11 U.S.C. § 110, and from accepting any compensation for acting as a bankruptcy petition preparer, as defined in 11 U.S.C. § 110, in connection with a case under Title 11 of the United States Code;

5. That BPP Flucas shall not use or direct any agent, representative, entity, corporation, partnership, association or structure of any kind or any name, fictitious or otherwise, to act as a bankruptcy petition preparer, as defined in 11 U.S.C. §110;

6. That BPP Flucas shall not assist any person or entity in drafting or preparing any petition, schedule, motion, pleading or other document to be submitted to any court on a debtor's behalf, or under a debtor's signature. For purposes of this paragraph, the term "assist" includes, in addition to any other action that would constitute assistance under the ordinary usage of the term: (i) the gathering of information for the purpose of drafting or preparing any petition, schedule, motion, pleading or document to be filed in any court; (ii) the provision to a debtor of a completed petition, schedule, motion, pleading or document for the purpose filing the petition, schedule motion, pleading or document in any court; and/or (iii) the provision to any person of a form petition, schedule, motion, pleading of document, obtained via the internet, form book, data bank, or other similar source;

7. That nothing in this Order shall be deemed or interpreted to prohibit, limit or otherwise abridge BPP Flucas's rights to proceed *pro se* in any legal proceeding;

8. That nothing in this Stipulation and Consent Order shall supersede, replace or amend any prior injunction entered against BPP Flucas. To the contrary, ANY PRIOR INJUNCTION ENTERED BY ANY COURT AGAINST BPP FLUCAS REMAINS IN FULL FORCE AND EFFECT TO THE SAME EXTENT AS IF THIS ORDER DID NOT EXIST;

9. That in addition to any sanction or remedy generally applicable to the violation of an injunction, if BPP Flucas is determined by a court of appropriate jurisdiction to have violated the Injunction terms of this Order, then BPP Flucas consents to entry of a judgment imposing a fine against her in the amount of \$5,000 for each and every infraction of the Injunction terms of this Order.

The fines provided for by this Paragraph:

- (i) shall be payable to the United States Trustee;
- (ii) shall be in addition to any other fines, damages, sanctions or remedies otherwise imposed or for which BPP Flucas is found liable; and
- (iii) shall not reduce any damages, fines or other remedies that BPP Flucas is ordered to pay or for which BPP Flucas is found liable.

Having reviewed the terms and conditions of this Stipulation and Consent Order and finding the terms and conditions contained herein to be reasonable, it is by the United States Bankruptcy Court for the District of Maryland, **SO ORDERED**.

[parties' signatures appear on next page]

SEEN AND CONSENTED TO:

/s/ Regina Flucas

Regina Flucas
2818 Alisa Avenue
Baltimore, MD 21214
(301) 684-1076

Bankruptcy Petition Preparer

SEEN AND CONSENTED TO:

/s/ Mark A. Neal

Mark A. Neal
Assistant U.S. Trustee
Federal Bar. No. 10658
101 W. Lombard Street, Suite 2625
Baltimore, Maryland 21201
(410) 962-4300

Attorney for W. Clarkson McDow, Jr.
United States Trustee, Region 4

I HEREBY CERTIFY that the terms of this copy of the consent order submitted to the Court are identical to those set forth in the original consent order; and that signatures represented by the /s/ _____ on this copy reference the signatures of consenting parties on the original consent order.

/s/ Mark A. Neal

Mark A. Neal
Attorney for the U.S. Trustee

cc: Mark A. Neal, AUST
Still Voice Ministries
Regina Flucas
Renee Harper
Valerie Bivens
Lowand Green Scott
Velva Foster
Debtor

{End of Order}