

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	
)	AWG Docket No. 10-0312
Chet Brisky)	
)	Order Dismissing Case
Petitioner)	Without Prejudice

The Petitioner is Chet Brisky (“Petitioner Brisky”). The Respondent Agency is Rural Development, United States Department of Agriculture (“USDA Rural Development”). USDA Rural Development is represented by Mary E. Kimball and Gene Elkin.

Petitioner Brisky filed for Chapter 7 bankruptcy on January 24, 2011, in the U.S. Bankruptcy Court, Eastern District of Wisconsin, Case # 11-20814-mdm.

As a result of Petitioner Brisky’s Chapter 7 bankruptcy filing, USDA Rural Development will not at this time pursue any type of collection on the debt owed to USDA. USDA Rural Development has recalled the debt from Treasury and will monitor the bankruptcy to determine the outcome. If the debt is discharged in bankruptcy, USDA Rural Development will not pursue any collection effort; if the debt is not discharged in bankruptcy, USDA Rural Development may return the debt to Treasury for future collection efforts such as wage garnishment.

Accordingly, this case DISMISSED, without prejudice to Petitioner Brisky to request a hearing timely, should garnishment be noticed.

Copies of this Order Dismissing Case Without Prejudice shall be served by the Hearing Clerk upon each of the parties, **together with copies of the enclosed United States Bankruptcy Court form**. The Hearing Clerk shall also send courtesy copies to Petitioner Brisky’s bankruptcy attorney (see next page).

Done at Washington, D.C.
this 1st day of February 2011

s/ Jill S. Clifton

Jill S. Clifton
Administrative Law Judge

Courtesy copy to:

Jeffery Phillips, Esq.
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