

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
RALEIGH DIVISION**

**In re:           RONALD NEWELL DAY  
                  LAURA BARTON DAY**

**Case No.:     10-03472-8-SWH  
Chapter:      12**

**For the record – Extreme Prejudice**

We submitted our Chapter 12 plan October 29, 2010 and updated the same with minor *grammatical* editing and the inclusion of the Person County Tax information that was inadvertently not included in the original October 29, 2010 plan on November 9, 2010.

Hopefully when we get counsel the plan will be further reviewed and amended to clarify any language that is not clear and correct any omissions, etc. and the objections of FSA will also be addressed.

However due to intimidating and outlandish nature of a term in - “Objection to Confirmation of Chapter 12 Plan of Reorganization” by U.S. Attorney Ms. Burnette we must address the term immediately as we did not use the term. In our opinion FSA and Ms. Burnette are once again attempting to influence the court and trustee with wording that is in fact not true.

Number 20 – the term “extreme prejudice” or “malfeasance”

We have never used verbally or written at any time or in any manner to my knowledge the term “extreme prejudice” in referring to the actions of FSA and/or the U.S. Attorney. We used the term “extreme pressure” in the plan which means something entirely different from “extreme prejudice”.

According to [http://en.wikipedia.org/wiki/Terminate\\_with\\_extreme\\_prejudice](http://en.wikipedia.org/wiki/Terminate_with_extreme_prejudice)

“In military and other covert operations, **terminate with extreme prejudice** is a [euphemism](#) for execution (playing on the expression "[termination with prejudice](#)" of an employment contract).”

“The term is also apocryphally used regarding organized crime assassinations where the assassin is expected to give little regard to preventing injury or death to those in proximity to the intended victim, with such [collateral damage](#) being explicitly encouraged in this specific instance. It is meant to demonstrate that those who ordered the assassination are particularly on edge.”

We would not argue that perhaps a Freudian slip “extreme prejudice” by Ms. Burnette may be true but we used the term “extreme pressure” in a different content.

For the record.

Best regards,

Ronald N. Day  
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Certificate of Service

I certify that on November 17, 2010 that a copy of the foregoing was sent to the following by first class mail:

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