

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS**

In re:	§	
	§	By the Court
Procedures for Administration	§	
of Chapter 13 Bankruptcy Cases	§	

**PROCEDURES FOR ADMINISTRATION
OF CHAPTER 13 BANKRUPTCY CASES**

After multiple meetings, a chapter 13 working group arrived at a unanimous recommendation for the adoption of a uniform method for administration of chapter 13 bankruptcy cases in the United States Bankruptcy Court for the Southern District of Texas. The members of the working group were United States Bankruptcy Judge Letitia Z. Clark, United States Bankruptcy Judge Marvin Isgur, United States Bankruptcy Judge Jeffrey Bohm, chapter 13 Trustee William Heitkamp, Ms. Mary Daffin, and Mr. John Smith.

With minor changes, the report has been unanimously adopted by the Bankruptcy Judges of the Southern District of Texas.

1. **Early Confirmation.** The clerk will send an initial notice promptly after the petition is filed. The notice will:

A. Set the initial meeting of creditors under § 341 on the first available date (available dates are dates on which the chapter 13 trustee is conducting meetings) that is not less than 35 days after the petition date¹.

B. Set the initial confirmation date for the Debtor's proposed plan. The initial confirmation date will be set at the last available date (available dates are dates on which the Court has scheduled chapter 13 confirmation hearings) that is not more than 45 days after the § 341 meeting. If the plan is filed on the petition date, the notice shall include a copy of the Plan, the Plan Summary and Statistical Cover Sheet (the "Plan Summary"). If the plan is not filed on the petition date, the Debtor will be responsible for mailing a new notice along with the Plan and the Plan Summary on the same day that the Debtor's proposed plan is filed. In order to maintain early confirmation, judges may have to schedule not less than two confirmation panels per month. The notice shall advise creditors that the deadline for filing objections to confirmation of the plan is 5 days before the date set for confirmation. Failure to send the notice with the Plan and the Plan Summary in a timely manner may be

¹ Fed. R. Bankr. P. 2002(a)(1) requires 20 days notice. Schedules, statements and the plan must be filed not less than 15 days after the petition. Fed. R. Bankr. P. 1007(c). Accordingly, the working group determined that a minimum of 35 days was appropriate.

grounds for dismissal of the case at the confirmation hearing.

C. Set a hearing on § 506 valuations. The hearing on § 506 valuations will occur at the hearing on confirmation.

D. If required by the Bankruptcy Judge assigned to the case, set a session of Court to be held on the same day as the § 341 meeting, at which the Judge (or the Judge's designate) will explain the procedures, requirements, and benefits of chapter 13 and at which the Judge may address other issues related to the case.

E. Official forms for implementation of this rule are on the Court's web site.²

[Proposed BLR 2002x.]

2. Procedures at § 341 Meetings. The chapter 13 trustees will be required to follow uniform procedures, as follows:

A. The chapter 13 trustee will announce a recommendation regarding confirmation at the conclusion of each § 341 meeting of creditors. If no timely confirmation objection is filed and the trustee recommends confirmation, then the judge will either confirm the plan without a hearing or the judge will order a hearing on confirmation of the plan.

B. If the trustee is unable to recommend confirmation of the plan submitted by the Debtor before the § 341 meeting, the Debtor will be allowed a brief recess, with the meeting continued later the same day. Computers, with the Court's standard forms as set forth in this report, will be available to debtors outside of the § 341 meeting room.

C. Following the brief recess, the chapter 13 trustee will review the Debtor's proposed amended plan and amended schedules, if any. If no timely confirmation objection is filed and the trustee recommends confirmation, then the judge will either confirm the plan without a hearing or the judge will order a hearing on confirmation of the plan.

D. If the trustee does not recommend confirmation by the conclusion of the initial § 341 meeting, the trustee will file a motion with the Court that (i) the confirmation hearing be continued for good cause; or (ii) the chapter 13 case be dismissed for unreasonable delay that is prejudicial to creditors; or (iii) such other relief as the chapter 13 trustee requests.

² The form of notice is attached as Exhibit 1. If a plan is filed with the petition, the Clerk must also send Exhibit 2, which may be included with Exhibit 1. If the plan is not filed with the petition, Exhibit 2 will be sent by the Debtor when the plan is filed.

E. The trustee may withdraw a recommendation in favor of confirmation at any time. If the trustee withdraws the confirmation recommendation less than 7 days before confirmation, the confirmation hearing will be rescheduled.

F. Not later than the initial § 341 meeting of creditors, the following must occur:

i. If the debtor is a wage or salary employee, the Debtor must complete the information for the submission of a wage order by the trustee; or

ii. If the debtor is not a wage or salary employee, the Debtor must complete the information for the submission of an electronic funds transfer order (“EFT Order”) providing that funds may be drafted by the trustee; or

iii. Unless, the Debtor has sought and obtained relief from the Court’s adequate protection order, the debtor must sign an acknowledgement that the Debtor is not complying with the Court’s adequate protection order and is, therefore, prohibited from using the Debtor’s vehicle without further order of the Court; or

iv. If the Debtor has sought and obtained relief from the Court’s adequate protection order, the Debtor must comply with any relief ordered by the Court.

The trustee must have a computer and printer available at the § 341 meeting of creditors. Unless the debtor has filed a motion seeking relief from the requirement of a wage order or an EFT order, the wage order information or EFT Order information shall be incorporated into a proposed form of order, signed by the trustee and debtor, and promptly submitted by the trustee to the Court.

G. Each Bankruptcy Judge may require debtor attendance at a session of court to be held on the day of confirmation. At these sessions, the Court will explain the procedures, requirements and benefits of chapter 13 and may deal with other issues related to the case.

H. Official forms for implementation of this rule are on the Court’s web site³.

[Proposed BLR 2003x.]

3. Adequate Protection to Vehicle Lenders. In each chapter 13 case, an order will be entered that authorizes the use of estate vehicles under § 363 and provides adequate

³ The form of wage order is attached as Exhibit 3. The form of EFT Order is attached as Exhibit 4.

protection to the holders of liens on the vehicles. The adequate protection order will require the debtors to (i) maintain insurance on the vehicle in the amount required by the debtor(s) prepetition contract; (ii) provide proof of insurance to the lien holder; and (iii) enter into a wage order or EFT Order not later than the date of the § 341 meeting of creditors. As additional adequate protection, the lien holder will be given an administrative claim, with priority under § 507(b), in an amount equal to 1.5% of the value of the vehicle for each 30 days that elapses from the date of the adequate protection order. For example, if the vehicle is valued at \$10,000, a § 507(b) adequate protection claim in the amount of \$150 will accrue each month. In the event of a dismissal or conversion of the chapter 13 case, the trustee will distribute the proceeds in accordance with § 1326(a)(2). This will result, in most cases, in payments being made in the following order of priority:

- A. First, to the vehicle lien holders in the amount of the adequate protection reserve;
- B. Second, to debtor(s)' counsel for unpaid fees for which an application is filed on or before 20 days after entry of the order of dismissal and that have been allowed by court order;
- C. Third, to the debtors (directly and not through counsel).

Payments under paragraph "A" shall be made following the expiration of 10 days of entry of the dismissal order, unless the dismissal order is stayed.

The debtor or any other party in interest may object to the adequate protection order not later than 10 days after entry of the Court's order. The objecting party must state the date that the hearing will be conducted, which date will be the next chapter 13 panel after the expiration of 15 days from the date of the objection. The objection must be served on the Debtor, the Debtor's counsel, the chapter 13 trustee, and any party holding security interest in the vehicle. The objecting party must attend the hearing and present evidence in support of the objection.

For purposes of valuation, the vehicle value will be determined as of the date of the filing of the chapter 13 petition. In determining the principal amount due to the lien holder under the plan, the § 507(b) payments will be (i) deducted from the value of the vehicle, if the value of the vehicle is less than the lien, resulting in a Confirmation Date Value; and (ii) applied to interest if the value of the vehicle is greater than the lien. If the value of the vehicle is less than the lien, interest will begin to accrue on the confirmation date based on the Confirmation Date Value.

The adequate protection order will not provide protection to a vehicle lender if the debtor voluntarily surrenders the vehicle by delivering the vehicle to the vehicle lender within 30 days of the petition date.

Official forms for implementation of this rule are on the Court's web site.⁴

[Proposed BLR 4001x].

4. **Mortgage Payments Through the Chapter 13 Trustee.** Home mortgage payments will be made through the chapter 13 trustee, in accordance with Home Mortgage Payment Procedures. Home Mortgage Payment Procedures shall be procedures adopted by the chapter 13 trustees and approved by the Court.

[Proposed Rule 3015x].

5. **Uniform Plan and Motion for Valuation of Collateral.** From time-to-time, the Bankruptcy Court will promulgate a uniform form of chapter 13 plan and motion for valuation of collateral and a uniform chapter 13 Plan Summary. The motion for valuation for collateral will be incorporated into the title and the substance of any proposed plan. Except as set forth in the following sentence, use of this form of plan and plan summary are mandatory. Any debtor wishing to use a plan and plan summary that vary from the uniform plan and uniform plan summary must file a motion along with the petition seeking leave from this requirement. The Court will conduct a hearing on the motion at the next chapter 13 panel. Absent exceptional circumstances related to the particular chapter 13 case, leave will not be granted. If a debtor fails to file plan or a completed plan summary within the time allowed by the Bankruptcy Code and the Federal Rules of Bankruptcy Procedure, the trustee must file a motion to dismiss the case for delay that is unreasonable to creditors pursuant to BLR 1017x. The plan will be structured to pay based on allowed claims rather than on claims as set forth in the plan. Accordingly, if a claim is allowed in an amount greater than the amount set forth in the plan, no plan modification will be required unless the allowance of a larger claim leaves the plan with insufficient funds to pay claims. The following provisions of the plan will be binding, notwithstanding any provision in a proof of claim to the contrary: (i) the interest rate to be paid on claims; (ii) the valuation of collateral; (iii) the priority of payment of claims under the plan. As set forth in more detail below, valuation issues will be noticed for and resolved at confirmation.

⁴The form of adequate protection order is attached as Exhibit 5.

Official forms for implementation of this rule are on the Court's web site.⁵

[Proposed BLR 3015x].

6. **Events Subsequent to Confirmation.** The following events are anticipated to raise issues subsequent to an early confirmation:

A. **A secured or priority claim is filed for an amount greater than contemplated by the plan.** If the plan has sufficient revenues, no modification will be required. The order confirming the plan will provide for three minimum requirements in order to obtain a discharge. The first requirement is that all proposed payments must be made to the trustee. The second requirement is that there be sufficient proceeds paid to the chapter 13 trustee to pay all allowed secured and allowed priority claims in full. The third requirements is that distributions to unsecured creditors must not be less than the amount that would be paid in a hypothetical chapter 7 bankruptcy case. So long as newly filed proofs of claim do not impair a debtor's discharge, no plan modification would be required.

B. **An asset is abandoned by the debtor.** No modification is required. The debtor may seek a modification to reduce payments following abandonment, but the abandonment will be allowed without a modification. The plan will provide that abandonment may occur by a motion pursuant to Fed. R. Bankr. P. 4001 filed with the Court and served on the affected creditor that following abandonment no further payments will be made to the secured creditor. The form of motion is attached as exhibit 16.

C. **A valuation dispute arises.** Valuation disputes will be adjudicated at confirmation. Accordingly, any subsequent disputes will be heard under FED. R. BANKR. P. 9023 and 9024. Unless relief is granted, no modification will be required.

D. **An arrearage on a home mortgage is greater than contained in the plan.** Because payments will be made by the trustee based on allowed claims rather than based on the forecasts in the plan, no modification will be required unless the larger arrearage alters the debtors' right to a discharge.

[Not a proposed rule. Explanatory only].

7. **Payments by the Trustee.** Payments by the trustee will only be made on the following claims:

⁵ The form of plan and motion for valuation is attached as Exhibit 6. The form of statistical cover sheet is attached as Exhibit 7

A. Payments on claims that are for future mortgage payments shall be in the amount paid by the Debtors with respect to the future mortgage payments. The Debtors must make the payment in the amount required by the Debtor's note and security agreement.

B. Payments on vehicle claims shall be made based on the valuation and interest rate contained in the confirmed plan.

C. Payments on claims that are filed shall be reserved in the amount payable under the plan until the filed claim is an Allowed Claim. The deadline for filing objections to filed claims is 25 days after the proof of claim deadline. If no objection is filed by the deadline, the claim is an Allowed Claim and should be paid in accordance with the plan. Nothing in this rule precludes the reconsideration of the allowance of a claim pursuant to § 502(j) of the Bankruptcy Code

D. Payments of ' 507(b) claims shall be made following confirmation, without the requirement of further court order.

E. Payment of claims for attorneys=fees shall be made only on allowed claims for attorneys=fees. No reserve shall be established for payment of lodestar attorneys=fees that are not yet allowed except for applications for payment filed at least 20 days before the confirmation hearing. If an application for payment is filed at least 20 days before the confirmation hearing, (i) the fees shall be reserved in the amount set forth in the application until allowed or disallowed by the Court; and (ii) the Court at the confirmation hearing may establish such additional reserves as equity requires. Under fixed fee orders, attorneys=fees are allowed on entry of the order approving the fixed fee agreement.

F. The priority of payments by the trustee will be the priority set forth in the confirmed plan.

G. The chapter 13 trustees will place information on their websites regarding all payments made under the plans. This information shall be updated not less than quarterly.

H. In addition to filing proofs of claim on the proof of claim registry, proofs of claim for priority claims and secured claims must be served on the Debtor, the Debtor's counsel and the chapter 13 trustee. A certificate of service reflecting service must be filed with a copy of the proof of claim attached to the certificate of service.

[Proposed BLR 3021x].

8. **Uniform Modification.** Motions to modify a confirmed plan must include the following information:

- A. A revised plan, in the form of the uniform plan.
- B. A revised plan summary, in the form of the uniform plan summary.
- C. A side-by-side comparison of payments under the prior plan and the proposed plan.
- D. A description of the following:
 - i. The reason why the debtors= current plan must be modified.
 - (a) If the debtors=plan must be modified because of a payment default to the trustee or to a creditor, a description of the reason why the payment default occurred.
 - (b) If the reason was a temporary loss of employment, the motion must describe whether new employment was obtained.
 - ii. The changes in the debtors=fixed expenses (e.g., whether an asset has been abandoned, a less expensive car has been purchased, or other events have occurred that affect the feasibility of the proposed modification).
- E. A copy of the debtors= current Schedules I and J must be attached to the motion to modify the plan.
- F. Official forms for implementation of this rule are on the Court's web site.⁶

[Proposed BLR 3015x].

9. **Confirmation.** Confirmation will be set with a uniform notice, in the form promulgated from time to time by the Bankruptcy Court. The notice will provide that the Court will consider confirmation and will also consider valuation of security pursuant to FED. R. BANK. P. 3012. If confirmation is denied, the Court will consider whether to dismiss or convert the case or to enter other appropriate orders in the case. If a plan is confirmed, the Court will use (i) the uniform form promulgated from time-to-time by the Bankruptcy Court; or (ii) a form proposed by the trustee in a particular case that requires the use of a non-uniform confirmation order. Official forms for implementation of this rule are on the Court's web site.⁷

⁶ The form of the modification motion is attached as Exhibit 8. A form of a side by side comparison is attached as Exhibit 9.

⁷ The form of confirmation order is attached as Exhibit 10.

[Proposed BLR 3015x].

10. Motions to Dismiss for Non-Payment.

A. Trustees may file motions to dismiss for non-payment at any time, in the exercise of their discretion.

B. Trustees must timely file motions to dismiss if the debtors are two monthly payments behind. The hearing must be set at the first panel following the expiration of 25 days after the motion is filed. The form of motion shall be in a form promulgated from time-to-time by the Bankruptcy Court. Responses and requests for hearings on motions to dismiss must be filed not later than 20 days after service. If no timely response is filed, the Court may dismiss the case with or without a hearing, at its discretion.

C. Official forms for implementation of this rule are on the Court's web site.⁸

[Proposed BLR 1017x].

11. Federal Tax Returns.

A. At or before the initial § 341 meeting of creditors, the Internal Revenue Service must send a tax transcript to the trustee, the debtors and their counsel.

B. Within 5 days after the initial § 341 meeting of creditors, the trustee must file a motion to dismiss any chapter 13 case in which the IRS transcript reflects a delinquent return for a period in which taxes would be entitled to a priority. The form of motion shall be in a form promulgated from time-to-time by the Bankruptcy Court.

C. Within 20 days after the trustee has filed a motion to dismiss a case based on delinquent tax returns, the debtors must file a response to the motion.

D. If all tax returns that are the subject of a motion under paragraph "B" above have not been filed, the plan will not be confirmed. If all tax returns have been filed, the Court may confirm the plan or may deny confirmation based on an estimate of the IRS' claim pursuant to § 502(c). The order confirming the plan will provide that the

⁸The form of dismissal motion for non-payment is attached as Exhibit 11.

plan has been confirmed based on an estimate of the Debtor's tax liability and that the actual amount payable by the debtors in order to discharge the tax liability will be the actual amount determined based on the allowance of the tax claim, without regard for any provision in the plan to the contrary.

E. The proposed order dismissing for failure to file tax returns will provide for dismissal with prejudice until all delinquent returns have been filed and will be in a form promulgated from time-to-time by the Bankruptcy Court.

F. Official forms for implementation of this rule are on the Court's web site.⁹

[Proposed BLR 1017x].

12. Attorneys= Fees for Motions for Relief from the Stay.

A. Undersecured creditors will not be awarded attorneys=fees for the filing of a motion for relief from the stay in a chapter 13 bankruptcy case.

B. With respect to motions by oversecured creditors or by home lenders filing post-confirmation motions governed by ' 1322(b)(2), the Court will approve agreed orders (i) providing for attorneys= fees and costs not to exceed \$650.00; and (ii) providing for attorneys=fees and costs exceeding \$650.00 only upon a submission of fee statements reflecting actual time incurred. All requests for attorneys=fees must (i) include a certification contained on the proposed order that the amount requested is less than or equal to the amount that will be paid by the holder of the lien to the holder=s counsel; and (ii) be reasonable under the facts and circumstances.

[Proposed BLR 4001x].

13. Date of Distribution in Dismissed Cases. Distributions in dismissed cases should be made by the trustee at the earliest practicable date following the disposition of all motions for administrative expenses that are timely filed or that are deemed allowed pursuant to BLR4001. Timely filed motions for administrative expenses will be those filed within 20 days of the dismissal order.

[Proposed BLR 3021x].

14. Motions for Relief from the Stay. In addition to other procedures applicable to motions for relief from the stay, debtors must timely respond to motions for relief from the stay. A timely response includes the filing of an agreed order, a denial that conforms with

⁹The form of dismissal motion for failure to file tax returns is attached as Exhibit 12. The form of dismissal order for failure to file tax returns is Exhibit 13.

FED. R. BANKR. P. Rule 7008, a statement of non-opposition, or another accurate statement reflecting the current status of the motion. If no timely response is filed, the Court may grant the motion for relief from the stay with or without a hearing, at its discretion.

[Proposed BLR 4001x].

15. Initial Order. The Bankruptcy Courts will utilize two uniform initial orders that are consistent with this report. The first order sets forth fundamental debtor responsibilities. These include the responsibility to make payments, attend the § 341 meeting and other similar requirements. The second order sets forth procedural requirements.¹⁰

[Not a proposed rule.]

16. Debtors= Attorneys= fees. Debtors=attorneys may seek attorneys=fees on a fixed fee basis or a lodestar basis.

A. Fixed fee agreements must (i) be filed within 15 days of the petition date; and (ii) be in the form promulgated from time-to-time by the Bankruptcy Court.

B. Lodestar applications must include (i) a cover sheet in the form promulgated from time-to-time by the Bankruptcy Court; (ii) attached, detailed, contemporaneous time records; (iii) a statement setting forth the basis of the retention (i.e., whether the retention was on a fixed or hourly fee basis and any other pertinent details); and (iv) a narrative description setting forth any unique, unusual or time consuming issues particular to the chapter 13 case. A copy of the lodestar fee application, with required attachments, must be sent to the Court's case manager.

C. Official forms for implementation of this rule are on the Court's web site.¹¹

[Proposed BLR 2016x].

17. Budget Analysis for Certain Debtors. The following debtors must file a copy of a budget analysis in the form contained on the Court's website. A copy of the budget analysis must be provided by the debtor at the § 341 meeting of creditors, and must be filed with the Court not later than 3 business days following the conclusion of the § 341 meeting:

A. Chapter 7 debtors whose cases are filed after October 16, 2005; and

B. Chapter 13 debtors whose cases are filed after October 16, 2005 and whose "current income" (as defined in the Bankruptcy Code) exceeds the median

¹⁰ The forms of orders are attached as Exhibits 14 and 15.

¹¹ The form of order is from General Order 2004-5.

family income for Texas for the Debtor(s)' family size as determined in accordance with § 1325(b)(3) of the Bankruptcy Code.

[Proposed BLR 1007(d)].

Adopted by the Court on _____, 2005.

Karen K. Brown
Chief Judge

**EXHIBIT 1
INITIAL NOTICE BY CLERK (PAGE ONE ONLY)**

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS**

**Notice of Chapter 13 Bankruptcy Case, Meeting of Creditors, Deadlines,
Confirmation Hearing And Hearing On Valuation Of Collateral**

The debtor(s) listed below filed a chapter 13 bankruptcy case on _____.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights.

All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See Reverse Side for Important Explanations

Debtor(s) name and address:	Case Number:
	Last four digits of Social Security No:
All Other Names Used by the Debtor in the last 6 years (including married, maiden and trade names):	Bankruptcy trustee (name and address):
	Telephone number:
Attorney for Debtor (name and address):	
Telephone number:	

SCHEDULE HEARINGS, MEETINGS AND DEADLINES.

The following hearings, meetings and deadlines are set on the dates shown below.

The § 341 meeting of creditors will be held	Location: Date: Time:
The Debtor must file a plan. If the plan was filed with the petition, a summary is attached. The Debtor's plan may also be a motion seeking to value secured claims. The hearing on confirmation of the plan and the initial hearing on valuation of secured claims will be held:	Location: Date: Time: The deadline to object to confirmation or the valuation motion is five days before the hearing. Objections must be filed in writing.
Deadline to file proofs of claim:	For all creditors other than governmental units: For governmental units:
Deadline to object to exemptions:	Date:

Creditors May Not Take Certain Actions

The filing of the bankruptcy case automatically stays certain collection and other actions against the debtor, debtor's property, and certain codebtors. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized.

Address of the Bankruptcy Clerk's Office:	For the Court:
	Clerk of the Bankruptcy Court
Telephone number:	
Hours Open:	Date

EXHIBIT 2
CONFIRMATION NOTICE

**NOTICE OF HEARING REGARDING (1) CONFIRMATION OF PROPOSED
CHAPTER 13 PLAN, (2) VALUATION OF COLLATERAL; (3) DISMISSAL OF
CHAPTER 13 BANKRUPTCY CASE, (4) CONVERSION OF CHAPTER 13
CASE, AND (4) ENTRY OF OTHER ORDERS CONCERNING
ADMINISTRATION OF CASE**

The United States Bankruptcy Court will conduct a hearing on whether (1) to confirm the debtor(s)' proposed bankruptcy plan, (2) dismiss this case, (3) convert this case to a case under chapter 7, and/or (4) to enter other orders concerning the administration of this case. The Court will also consider valuation of security pursuant to FED. R. BANKR. P. 3012. The hearing will take place at _____ on _____ in Courtroom _____ at the United States Courthouse, _____.

Attached to this notice is a copy of the statistical cover sheet submitted by the debtor(s) with their proposed plan. This cover sheet serves as a summary of the plan. A complete copy of the proposed plan is available from clerk of the Court or the chapter 13 trustee. The Court may consider the current plan or a modified plan at the confirmation hearing.

If you object to confirmation of the plan, you must file your objection at least five days before the confirmation hearing and serve a copy of the objection on the debtor, the debtor(s)' counsel, the chapter 13 trustee, and parties requesting notice.

If the plan is not confirmed, the Court may consider whether to dismiss this chapter 13 case due to unreasonable delay that is prejudicial to creditors. The Court may also consider whether the case should be converted to a case under chapter 7 of the Bankruptcy Code.

The Court may also consider whether to enter other orders that are appropriate for administration of this case.

EXHIBIT 3
WAGE ORDER

ORDER TO EMPLOYER TO PAY CHAPTER 13 TRUSTEE

ORDERED:

1. [Name of Employer and mailing address] is ordered to pay \$_____ each pay period out of the income of [name of debtor] to the chapter 13 trustee. Payment shall be made to:

[Trustee's name and address]

2. These wage deductions shall continue until further order of this Court.
3. The chapter 13 trustee and the debtors shall each submit a copy of this order to the employer.

ReservedForJudgeSignature

EXHIBIT 4
ORDER FOR ELECTRONIC FUNDS TRANSFER

ORDERED:

1. The Debtor(s) are ordered to pay \$_____ on the first and fifteenth day of each month to the chapter 13 trustee. Payment shall be made to:

[Trustee's name and address]

2. Within 10 days of entry of this Order, the Debtor(s) shall authorize the chapter 13 trustee to automatically draft the Debtor(s)' bank account for all future payments due to the trustee.

3. The Debtor may not terminate the automatic drafting except as further ordered by the Court.

ReservedForJudgeSignature

Exhibit 5
Adequate Protection and § 363 Order

**ORDER AUTHORIZING USE OF VEHICLES PURSUANT TO § 363
AND PROVIDING ADEQUATE PROTECTION TO LIEN HOLDERS**

ORDERED:

1. The debtor(s) are authorized to use their vehicle(s) pursuant to § 363 of the Bankruptcy Code, conditioned on the following:
 - a. The debtors must maintain insurance on the vehicle(s) in the amounts and with the coverages pertaining to the vehicle itself required by the contract with any holder of a pre-petition lien on the vehicle(s).
 - b. Proof of insurance must be provided within 5 days of receipt of written request by the holder of a vehicle lien.
 - c. The debtors must timely make all required payments to the chapter 13 trustee.
 - d. Not later than the initial date set for the § 341 meeting of creditors, enter into a wage order or an EFT Order in the form approved by the Court.
2. As additional adequate protection for the interest of the lien holder(s), the lien holder(s) are granted a claim pursuant to § 503(b)(1). This lien is intended to be of the type described in § 507(b) of the Bankruptcy Code. The amount of the claim is equal to 1.5% of the value of the vehicle as of the petition date. The adequate protection payments shall be calculated by the chapter 13 trustee based on the average of the NADA retail and wholesale values, unless the Court orders otherwise.
3. The debtor or any other party in interest may object to this order within 10 days of its entry. If a timely objection is filed, an evidentiary hearing will be conducted at the next chapter 13 panel. The objecting party is ordered to provide notice of the hearing date, attend the hearing and present evidence in support of the objection.

Exhibit 6
**Uniform Plan
and
Motion for Valuation of Collateral**

CHAPTER 13 PLAN
Date of Plan: _____

The debtors propose the following plan pursuant to § 1321¹.

In conjunction with the plan, the Debtor moves for the valuation of secured claims in the amount set forth in paragraph 5. **The debtor(s) propose to pay the holder of the Secured Claim only the amounts set forth in the debtor(s)' Plan. The Court will conduct a scheduling conference on this contested matter on the date set for the hearing on confirmation of the debtor(s)' plan. You must file a response to this objection, in writing, not less than 5 days (including weekends and holidays) before the hearing on confirmation of the plan or the valuation set forth in the plan may be adopted by the Court. If no response is filed, the Debtor's sworn declaration at the conclusion of this plan may be submitted as summary evidence at the hearing (pursuant to Rule 7056) and 28 U.S.C. § 1746.** If no timely answer is filed, the Court may conduct a final hearing on the objection at the hearing on confirmation of the plan.

1. **Payments.** The debtors hereby submit all or such portion of their future earnings or other future income to the supervision and control of the chapter 13 Trustee ("Trustee") as is necessary for the execution of the plan. The submission of income shall be accomplished by making monthly payments to the Trustee in amounts equal to all of the projected disposable income of the debtor, as defined in § 1325(b). Schedules I and J of the debtor's schedules contain the debtor's good faith estimate of the current amount of available projected disposable income for purposes of this requirement. Significant changes in the debtor's financial condition during the first three years of the plan may provide cause for the Trustee or any unsecured creditor to seek a modification of the plan pursuant to § 1329. The amount, frequency, and duration of the payments, is as follows:

Beginning Month	Ending Month	Amount of Monthly Payment	Total
		Grand Total	

The first monthly payment is due not later than 30 days after the date this Plan was filed.

¹ All § references are to the Bankruptcy Code.

2. **Priority Claims.** From the payments made by the debtor to the Trustee, the Trustee shall pay in full, all claims entitled to priority under § 507. Payments shall be made in the order of priority set forth in § 507(a) and § 507(b). Payments of equal priority shall be made *pro rata* to holders of such claims. Priority claims arising under § 503(b)(2) shall be paid only after entry of an order by the Bankruptcy Court approving payment of the claim. If this case is dismissed, no priority claim arising under § 503(b)(2) shall be allowed unless an application for allowance is filed on or before 20 days after entry of the order of dismissal.

Name of Holder of Priority Claim	Amount of Priority Claim	Interest Rate Under Plan	Amount of Estimated Periodic Payment	First Payment of this Amount in Month #	Last Payment of this Amount in Month #

3. **Secured Claims for which Collateral is to be Abandoned.** The debtor abandons the following collateral:

Name of Creditor	Description of Collateral

4. **Secured Claim For Claim Secured Only by a Security Interest in Real Property That is the Debtor(s)' Principal Residence (Property to be Retained) or Other § 1322(b)(5) Claim.** The following table sets forth the treatment of each class of secured creditors holding a claim secured only by a security interest in real property that is the debtor(s)' principal residence or other claim treated under § 1322(b)(5). The amount listed as the "principal amount of claim for arrearage" is the amount proposed by the debtor(s) in this Plan. If the actual allowed claim is in a different amount, the amount paid pursuant to this Plan shall be the amount due on the actual amount of the allowed claim without the need of an amended plan. The amount listed as "amount of estimated periodic payment" will be adjusted to reflect the actual amount of the allowed claim.

Name of Holder of Secured Claim	Principal Amount of Claim for Arrearage	Interest Rate Under Plan	Security for Claim	Amount of Estimated Periodic Payment	First Payment of this Amount in Month #	Last Payment of this Amount in Month #

Name of Holder of Secured Claim	Principal Amount of Claim for Arrearage	Interest Rate Under Plan	Security for Claim	Amount of Estimated Periodic Payment	First Payment of this Amount in Month #	Last Payment of this Amount in Month #

Payment of the arrearage amounts shall constitute a cure of all defaults (existing as of the petition date) of the debtor(s)' obligations to the holder of the secured claim.

The Secured Claims held by secured creditors holding a claim secured only by a security interest in real property that is the debtor(s)' residence (other than the arrearage claims set forth in the above table) and other claims treated under § 1322(b)(5) will be paid in accordance with the pre-petition contract held by the holder of the secured claim. The first such payment is due on the first payment due date under the promissory note (after the date this bankruptcy case was filed). During the term of the plan, these payments will be made through the chapter 13 trustee in accordance with procedures adopted from time to time by the chapter 13 trustee and approved by the Court. Each holder of a claim that is paid pursuant to this paragraph must elect to either (i) apply the payments received by it to the next payment due without penalty under the terms of the holder's pre-petition note; or (ii) waive all late charges that accrue after the order for relief in this case. Any holder that fails to file an affirmative election within 30 days of entry of the order confirming this plan has waived all late charges that accrue after the order for relief in this case. Notwithstanding the foregoing, the holder may impose any late charge that accrues following an event of default of a payment due under paragraph 1 of this Plan.

The automatic stay is modified to allow holders of secured claims to send only monthly statements (but not demand letters) to the Debtor(s).

5. All Other Secured Claims (Property to be Retained). Each secured claimant is hereby designated to be in a class by itself. Subject to disposition of a timely filed motion to avoid a lien under § 522, or a complaint to determine the validity of a lien filed under FED. R. BANKR. P. 7001, each secured creditor shall retain the lien securing its claim. The lien shall be enforceable to secure payment of the claim the lien secures, as that claim may be modified by the plan. The holder of a claim secured by a valid lien may enforce its lien only pursuant to § 362.

The secured claims held by the following secured creditors will be paid in accordance with the pre-petition contracts between the debtor(s) and the holder of the secured claim:

Name of Holder	Collateral for Claim	Total Claim	Collateral Value	Contract Interest Rate

The following table sets forth the treatment of each class of secured creditors whose claims are modified by the Plan. The amount of secured claim to be paid under this plan is the lesser of the

amount listed below as the Collateral Value and the allowed amount of the holder’s claim. If the Court allows a different amount than is shown below, the Plan shall be deemed amended without the requirement of the filing of an amended plan. The amount listed as “estimated periodic payment” will be adjusted to reflect the actual amount of the allowed claim.

Name of Holder of Secured Claim	Security for Claim	Principal Amount of Claim (without regard to Value of Collateral)	Collateral Value	Int. Rate per Plan	Est. Amount Periodic Pmt.	First Pmt. of this Amt. in Mth. #	Last Pmt. of this Amt. in Mth. #

Payment of the amounts required in this section constitutes a cure of all defaults (existing as of the date this plan is confirmed) of the debtor(s)’ obligations to the holder of the secured claim. If the monthly payment in the proposed in the plan is less than the amount of the adequate protection payment ordered in this case, the actual payment will be the amount of the monthly adequate protection payment.

The automatic stay is modified to allow holders of secured claims to send only monthly statements (but not demand letters) to the Debtor(s).

6. **Specially Classified Unsecured Claims.** The following unsecured claims will be treated as described below:

Name of Unsecured Creditor	Treatment

7. **Unsecured Claims.** Unsecured creditors not entitled to priority shall comprise a single class of creditors, and those whose claims are allowed, shall be paid a pro rata share of the amount remaining after payment of all secured, priority, and specially classified unsecured claims. The debtor estimates that unsecured creditors will receive a _____% dividend.

8. **Executory Contracts.** Except as set forth elsewhere in this Plan or in the following sentence, all executory contracts are rejected. The following contracts are assumed:_____.

9. Asset Sales and Refinancings. The Debtor(s) are authorized—without the need for further Court order—to sell or refinance their exempt property in accordance with the following sentence. Any such sale or refinancing shall provide for the full payment, at closing, of all liens on the property that is sold. This provision does not authorize the Debtor(s) (without further Court order) to refinance any loan for an amount that exceeds the amount owed as of the date of the refinancing. If the Debtor(s) request and the Court so determines, an order confirming this authority may be granted by the Court, *ex parte*.

10. Abandonment of Collateral. The Debtor may abandon collateral to a secured creditor by filing a motion pursuant to Fed. R. Bankr. P. 4001 for an agreed order providing for abandonment of collateral and termination of the automatic stay. The motion will be submitted on 15 days notice.

11. Discharge and Vesting of Property. The debtor(s) will be granted a discharge in accordance with § 1328. Property of the estate shall vest in the debtors upon entry of the discharge order.

Debtor’s Declaration Pursuant to 28 U.S.C. § 1746

I declare under penalty of perjury that the foregoing statements of value contained in this document are true and correct.

Dated:

Signature of Debtor

Signature of Debtor

Name, Address, and Signature of Debtor(s)’ Attorney

Exhibit 7
 Plan Summary and Statistical Cover Sheet
Plan Summary and Statistical Cover Sheet to Proposed Plan
Date: _____

Disposable Income and Plan Payments

Projected Schedule "I" Income	Projected Schedule "J" Expenses	Projected Disposable Income	Beginning Month #	Ending Month #	Payment Amount	Total Payment
					Grand Total	
					Less 10% trustee fee	
					Net Available	

Projected Trustee Disbursements to Priority and Secured Creditors

Name of Holder	Type of Claim (List Priority Claims, Followed by Claims Secured by Principal Residence, Followed by Other Secured Claims)	Description of Collateral (or "None" if appropriate)	Int. Rate	Beg. Month #	End Month #	Payment Amount	Total Payment
						Grand Total	

SUMMARY OF PAYMENTS

BEST INTEREST TEST

Net Available to Creditors			Value of total non-exempt property	
Less Estimated Attorneys' fees			Total distributions to all priority and general unsecured creditors	
Less Total to Priority Creditors				
Less Total to Secured Creditors				
Net Available for Unsecured Creditors				
Estimated General Unsecured Claims				
Forecast % Dividend on General Unsecured Claims				

Exhibit 8
DEBTOR(S)' MOTION TO MODIFY CONFIRMED PLAN

The Debtor(s) file this Motion to Modify their confirmed plan.

1. **HISTORY OF CASE.** This case was filed on _____. The plan was confirmed on _____. The plan has been modified on the following dates _____.

2. **REASON FOR MODIFICATION.** _____

_____.

3. **PLAN PAYMENTS.** The current plan (as modified through this date) requires payments as follows:

- a. Months: _____ Payment: \$ _____
- b. Months: _____ Payment: \$ _____
- c. Months: _____ Payment: \$ _____

4. **CURRENT DEFAULTS.** The Debtor(s) are currently in default on payments to the chapter 13 trustee as follows: _____.

5. **PROPOSED PLAN MODIFICATIONS:**

- a. All payment defaults set forth in paragraph 3 are cured by this modification.
- b. Future payments to the chapter 13 trustee shall be in the amount set forth on the attached exhibit "A".
- c. _____
- d. _____
- e. _____

6. **INTERIM PAYMENTS.** Payments due under this modification will commence on the first due date after this modification is filed, whether or not the modification has yet been approved by the Court.

7. **BUDGET.** The Debtor's schedules "I" and "J" that the Debtor(s) request to be considered with this modification are attached as exhibit "B".

8. **ATTORNEYS' FEES** (Optional Paragraph. This paragraph may not be utilized if the modification is first filed within 120 days of confirmation regardless of whether counsel is compensated on a fixed or an hourly basis.) Debtor(s)' counsel shall be paid \$400.00 as a fixed fee for this modification.

Signature of Client Verifies Accuracy of the Motion:

Name

Date

Name

Date

Exhibit 9
Table for Proposed Plan Modification

Month	Payment Under Current Plan	Payment Proposed Under New Plan	Payment Actually Made to Date		Month	Payment Under Current Plan	Payment Proposed Under New Plan	Payment Actually Made to Date
1					31			
2					32			
3					33			
4					34			
5					35			
6					36			
7					37			
8					38			
9					39			
10					40			
11					41			
12					42			
13					43			
14					44			
15					45			
16					46			
17					47			
18					48			
19					49			
20					50			
21					51			
22					52			
23					53			
24					54			
25					55			
26					56			
27					57			
28					58			
29					59			
30					60			
					TOTALS			

Exhibit 10
Confirmation Order

**ORDER CONFIRMING CHAPTER 13 PLAN
AND VALUING COLLATERAL PURSUANT TO 11 U.S.C. § 506**

1. The Court has considered confirmation of the debtor(s)' chapter 13 plan that was proposed on [insert date].
2. All objections to the plan have been withdrawn or overruled.
3. The Court has determined that the plan meets all of the requirements of § 1325 of the Bankruptcy Code.
4. Notwithstanding any estimate of the amount of a general or priority unsecured claim contained in the plan or in an order of the Court, the actual amount payable on priority claims will be the Allowed Amount of the priority claim and the actual proration for distribution on general unsecured claims will be based on the actual Allowed Amounts of general unsecured claims.
5. The value of the collateral for secured claims is in the amount set forth in the plan.
6. The plan is confirmed.

Exhibit 11
Form of Non-Payment Dismissal Motion

MOTION TO DISMISS CASE FOR FAILURE TO MAKE PAYMENTS

The chapter 13 trustee moves to dismiss this case based on the debtor(s)' failure to make required payments. The debtor(s) are delinquent \$_____, an amount constituting _____ months of required payments.

The delinquent payments are due for [pre-confirmation payments required by § 1326(a)(1) of the Bankruptcy Code] [post confirmation payments required by the confirmed plan].

NOTICE TO DEBTORS: YOU MUST DO ONE OF THE FOLLOWING:

1. BRING YOUR PAYMENTS CURRENT WITHIN 15 DAYS OF THE DATE ON THIS MOTION.
2. FILE A RESPONSE WITHIN 15 DAYS THAT SHOWS THAT YOUR PAYMENTS ARE CURRENT.

IF YOU FAIL TO DO SO, THE BANKRUPTCY COURT WILL PROBABLY DISMISS YOUR BANKRUPTCY CASE AND MAY DO SO WITHOUT A HEARING. THE BANKRUPTCY COURT WILL NOT ALLOW PAYMENTS TO BE MADE AT THE HEARING.

If a timely response is filed, a hearing will be held on _____ at _____ .m.

Exhibit 12
Form of Failure to File Tax Return Dismissal Motion

MOTION TO DISMISS CASE FOR FAILURE TO FILE TAX RETURNS

The chapter 13 trustee moves to dismiss this case based on the debtor(s)' failure to file all delinquent tax returns. The trustee has reviewed records provided by the Internal Revenue Service and believes that the following returns are delinquent:

NOTICE TO DEBTORS: YOU MUST DO ONE OF THE FOLLOWING:

1. FILE ALL DELINQUENT RETURNS WITHIN 20 DAYS OF THE DATE ON THIS MOTION AND PROVIDE A COPY TO THE CHAPTER 13 TRUSTEE AND TO THE INTERNAL REVENUE SERVICE. THE COPY PROVIDED TO THE INTERNAL REVENUE SERVICE MUST CONTAIN AN ORIGINAL SIGNATURE AND MUST BE SENT TO:

INSERT CORRECT IRS STOP ADDRESS

2. FILE A RESPONSE WITHIN 20 DAYS THAT SHOWS THAT YOUR RETURNS ARE CURRENT.

3. FILE A RESPONSE WITHIN 20 DAYS THAT SHOWS THAT THE COURT SHOULD ALLOW YOU ADDITIONAL TIME TO FILE YOUR TAX RETURNS.

IF YOU FAIL TO DO SO, THE BANKRUPTCY COURT WILL PROBABLY DISMISS YOUR BANKRUPTCY CASE AND NOT ALLOW YOU TO FILE ANOTHER BANKRUPTCY CASE UNTIL ALL OF YOUR RETURNS ARE FILED. THESE ACTIONS MAY BE TAKEN WITHOUT A HEARING IF YOU FAIL TO FILE A RESPONSE.

If a timely response is filed, a hearing will be held on _____ at _____ .m.

EXHIBIT 13
TAX RETURN DISMISSAL ORDER

**ORDER DISMISSING CASE WITH
PREJUDICE TO REFILING ANOTHER CASE AND
ORDER PROHIBITING DEBTOR FROM FILING ANOTHER CASE**

The Court has considered the chapter 13 trustee's motion to dismiss this case for failure to file delinquent tax returns. The motion is granted. Pursuant to 11 U.S.C. § 349(a), it is ordered that:

1. This case is dismissed.
2. This debtor shall not file another bankruptcy petition until such time as the debtor has filed all delinquent federal tax returns. Violation of this prohibition may be punished as a contempt of court.
3. Any application for allowance of an administrative expense in this case must be filed within 20 days of entry of this order.

Exhibit 14
Initial Order—Debtors’ Responsibilities

INITIAL ORDER OUTLINING FORTH DEBTORS’ INITIAL RESPONSIBILITIES

The debtor(s) are ordered to:

1. Make all payments due to the chapter 13 trustee. The first payment is due not later than 30 days after filing the proposed plan.
2. File a proposed plan within 15 days, unless the plan was filed with the petition.
3. File all schedules and the statement of financial affairs within 15 days, unless these documents were filed with the petition.
4. Attend the § 341 meeting of creditors as scheduled by the chapter 13 trustee.
5. Attend the debtor education seminar, within 45 days.
6. Immediately file all delinquent tax returns.
7. Comply with all Court orders.

Failure to comply with this order is likely to result in a dismissal of this bankruptcy case. It may also result in a prohibition against the filing of additional bankruptcy cases or a finding that the debtor(s) are in contempt of court.

Exhibit 15
Initial Order
Procedural Matters
INITIAL ORDER FOR CASE MANAGEMENT OF CHAPTER 13 CASE

The following are orders of the Court:

1. Payment of the Filing Fee.

- a. The debtor(s) shall pay the filing fee with the petition or promptly on the due date provided in an order allowing installment payments.
- b. If the filing fee or any installment is not timely paid, the Clerk shall issue a notice of pending dismissal of the case for failure to pay filing fees. The notice of pending dismissal shall be served on the debtor(s), debtor(s)' counsel and the chapter 13 Trustee.
- c. If the debtor(s) do not pay the filing fee or request a hearing within 10 days after the notice is served, the case may be dismissed without further notice.

2. Filing the List of Creditors, Plan, Schedules and Statements.

- a. The list of creditors (with addresses) must be filed with the petition in the format prescribed by the Clerk unless a motion for extension of time under Federal Rule of Bankruptcy Procedure (FRBP) 1007(a)(4) is filed with the petition.
- b. A motion for extension of time to file the list of creditors, plan, schedules or statements need be served only on the chapter 13 Trustee and on the U.S. Trustee. Because the FRBP require a creditor's meeting within 50 days, except for truly exceptional circumstances, the Court will not grant an extension beyond 25 days for filing the plan, schedules or statements.
- c. If the U.S. Trustee files a motion to dismiss under Bankruptcy Code § 1307(c)(9) or (10), or if the chapter 13 Trustee files a motion to dismiss for delay prejudicial to creditors and the basis of that motion is that the debtor(s) failed to file the papers required by Bankruptcy Code § 521 or failed to file a plan in accordance with FRBP 3015, the motion need not be served on any party except the debtor(s) and, if the debtor(s) are represented by counsel, on debtor(s)' counsel.
- d. If either the U.S. Trustee or the chapter 13 Trustee files a motion to dismiss under subparagraph (c) above, the motion need not include BLR include BLR 9013 language but shall include the following notice:

A hearing will be conducted on this matter on [insert date of next chapter 13 panel following expiration of 15 days] at _____ a.m. If the debtor(s) object to the requested relief, the debtor(s) and counsel must attend the hearing. If no party objects to the requested relief within (ten) 10 days after the date that the motion was served, the United States Trustee or the chapter 13 Trustee may file a certificate of non-compliance and the Court may dismiss this case without actually conducting a hearing. (Bankruptcy Code §102(1)(B)).

3. Confirmation Hearings.

- a. Confirmation hearings will be continued beyond the initial setting only for good cause shown. A motion for continuance shall be filed setting forth the basis of the cause for the requested continuance. The chapter 13 Trustee is not authorized to grant a continuance of the confirmation hearing. Only the Court may grant a continuance of the confirmation hearing.
- b. Absent exceptional circumstances, the hearing on confirmation of the debtor(s)' plan will not be continued to a date that is after 180 days after the commencement of the chapter 13 case.
- c. At least 5 days before confirmation, the chapter 13 Trustee shall submit a recommendation (which may be in summary chart form for all cases set for confirmation on a particular date) as to whether plans should be confirmed. The

Court will not be bound by the chapter 13 Trustee's recommendation for or against confirmation. If the chapter 13 Trustee has recommended in favor of confirmation and if there are no objections to be considered at confirmation, the debtor(s) and debtor(s)' counsel need not attend. If the Court determines that a hearing is required on a plan for which confirmation is recommended by the trustee and on which no other objections were filed, the hearing will be rescheduled with notice to the debtor(s) and debtor(s)' counsel. If the chapter 13 Trustee has not recommended confirmation, the debtor(s) and debtor(s)' counsel must attend the hearing and meet the debtor(s)' statutory confirmation burden, except that attendance in the circumstances set forth in § 7, § 8, § 9(b) and § 9(c) below shall be according to those sections.

4. Parties Required to Attend Hearings. This section applies to hearings that are set on the chapter 13 trustee's scheduled panel.

a. If a matter has been resolved concerning a motion or an objection, the parties may designate counsel for one of the settling parties to announce the settlement. Other counsel may, but are not required, to attend. If no person announces the settlement, the motion or objection may be denied for want of prosecution.

b. If the Court declines to accept the announced agreement, the matter may be continued until the next chapter 13 panel date or the Court may make another disposition. All parties to the objection (i.e., the objecting party, the debtor(s) and the chapter 13 Trustee) must attend the continued hearing.

5. Tax Transcripts. The Internal Revenue Service must send a tax transcript to the chapter 13 trustee, the debtors and the debtor's counsel, with delivery to occur not later than 7 days prior to the initial date set for the § 341 meeting of creditors.

6. Service of this Order. A copy of this Order shall promptly be served by the Clerk on parties in interest, including the debtor(s) and debtor(s)' counsel and the United States Internal Revenue Service. The Internal Revenue Service shall be served at the addresses provided by them from time-to-time to the Clerk.

THIS ORDER IS EFFECTIVE, IN EACH CASE, ON THE DATE THE ORDER IS ENTERED IN THAT CASE.

Exhibit 16
Rule 4001 Abandonment

Debtor” and [name of secured creditor] move for relief from the automatic stay. The parties agree that Debtor will abandon the collateral described on exhibit “A” to the secured creditor and that the automatic stay is terminated as to the secured creditor’s rights in the collateral.

Counsel to the Debtor

Counsel to the Secured Creditor

SO ORDERED:

ReservedForJudgeSignature